

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, APRIL 2, 2012
6:00 P.M.**

1.0 Call to Order

The Council meeting was called to order by Mayor Gretchen Fagan. Other members present were:

Councilman Hudgens
Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Weber
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Marketing Director – Mike Baxter
IT Director – Doug Tippey
Community Events Coordinator – Rosalie Dillon
Chief-NWEMS – Brian Petrilla
Executive Director-TEDC – Kelly Violette

2.0 Invocation

- Led by Pastor Bobby Ferguson, Free Will Baptist Church

3.0 Pledges to U. S. and Texas Flags

- Led by E. J. Jones, and Kelsey Zalesak, members of the Tomball High School Student Council

4.0 The following public comments were received.

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| Sarah Stotts
12711 Zion, 77375 | - Presented donation, on behalf of Mitchell and Jeffie Cappadonna, of Lots 16 and 17, Block 69, on Holiday Street to the City of Tomball for use as parking for MLK Park |
| Bruce Hillegeist
20339 Telge, 77377 | - Expressed his appreciation for the City's assistance in the success of the German Heritage Festival and announced the Candidate Forum, to be held on April 12, 2012 at the Teaching Theater at LoneStar College, from 6:30 p.m. to 8:30 p.m. |
| Camille Hamilton
(email)
Spring, 77379 | - Email was read into the record; Ms. Hamilton expressed her appreciation of the 1 st Annual Honky Tonk Music Festival. |
| Larry Hugonin
30507 Country Meadows, 77375 | - Expressed his appreciation for the support provided by the City's public safety and public works employees and by EMS at the German Heritage Festival. |

5.0 Presentations:

- Mayor Fagan presented the Proclamation - **April 14, 2012 – 2nd Day of Healthy Living in Tomball Expo** to Dawna Dyson, representative for Texas Sports Medicine Center.
- Mayor Fagan and Caleb Harris, Tomball-Magnolia Tribune, announced that Courtney Simental was the winner of the Tomball-Magnolia Tribune "**Tomball Mascot Name**" Contest, with her entry of "**Rusty Rails**"

6.0 Reports and Announcements:

- April 4, 2012 – **City of Tomball Youth Opportunity Fair – Beckendorf Conference Center – LoneStar College**, 2:00 p.m.-6:00 p.m.
- April 14, 2012 – **4th Annual City of Tomball Bunny Run 5K and Kids 1M**
- April 14, 2012 – **2nd Day of Healthy Living in Tomball Expo – Texas Sports Medicine Center**, 9:00 a.m.-2:00 p.m.
- April 14, 2012 – **2nd Saturday at the Depot** – 5:30 p.m.
- April 21, 2012 – **Art Walk Tomball!** – 11:00 a.m.-6:00 p.m.
- April 23-28, 2012 – **Annual Tomball Clean-up Week** – 8:00 a.m.-4:30 p.m. daily
- April 24, 2012 – **City of Tomball Volunteer Fire Fighters and Fire Corps, Reserve Police Officers & Volunteers in Policing Appreciation Banquet** – 6:00 p.m.-8:00 p.m. at the Community Center
- April 28, 2012 – **Annual Tomball Clean-up Recycling Day – E-Waste and Drug Take-Back Program – Tuesday Morning/Old Kroger Center Parking Lot**
- May 5-6, 2012 – **Rails and Tails Mudbug Festival at the Depot** – 11:00 a.m.-6:00 p.m.

- **Early Voting** for May 12, 2012 General Election and ESD #8 Directors and Tax Election – April 30 through May 8, 2012 at City Hall (Monday, Wednesday, and Thursday – 7:45 a.m.-5:00 p.m.) (Tuesday – 7:45 a.m.-7:45 p.m.) and (Friday – 7:45 a.m.-4:00 p.m.)
- May 26 – **Memorial Day Weekend Chili Challenge** – 11:00 a.m.-6:00 p.m.
- May 29, 2012 – Harris County Primary Election Date; Runoff Date is July 31, 2012
- **Walk Tomball!** (every Saturday at 9:00 a.m. at the Depot)
- Reports by City staff and members of council about items of community interest on which no action will be taken
 - Mike Baxter - Report on the **Tomball Honky Tonk Music Festival**

- 7.0 Motion was made by Councilman Townsend, second by Councilman Dodson, to approve the Minutes of the March 19, 2012 Regular City Council Meeting, as Corrected (Item 8.1).

Motion carried unanimously.

- 8.0 Old Business:

- 8.1 Motion was made by Councilman Stoll, second by Councilman Brown, to adopt, on Second Reading, Ordinance No. 2012-03, an Ordinance of the City Council of the City of Tomball, Texas, amending Subsection (b)(1) of Section 30-159 of Article IV, Nuisances, of Chapter 30, Environment, of the City's Code of Ordinances relating to the Prohibition of Weeds; Providing a New Definition of "Weeds"; Providing a Penalty of Up to \$2,000.00 for Violations with Each Day Constituting a Separate Violation; Providing for the Publication of This Ordinance; and Making Other Findings and Provisions related Thereto.

Motion to Amend was made by Councilman Stoll, second by Councilman Brown, to delete the "wildflower exemption" contained in the last sentence of Sec. 30-159(b)(1) from proposed Ordinance No. 2012-03, to request that City staff provide a list of accepted "wildflowers" at a later date, and to adopt as amended, on Second Reading, Ordinance No. 2012-03, an Ordinance of the City Council of the City of Tomball, Texas, amending Subsection (b)(1) of Section 30-159 of Article IV, Nuisances, of Chapter 30, Environment, of the City's Code of Ordinances relating to the Prohibition of Weeds; Providing a New Definition of "Weeds"; Providing a Penalty of Up to \$2,000.00 for Violations with Each Day Constituting a Separate Violation; Providing for the Publication of This Ordinance; and Making Other Findings and Provisions related Thereto. Vote was as follows:

Councilman Townsend	<u>Nay</u>
Councilman Dodson	<u>Aye</u>
Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Brown	<u>Aye</u>

Motion, as amended, carried – 4 votes Aye, 1 vote Nay.

9.0 New Business:

- 9.1 Motion was made by Councilman Dodson, second by Councilman Townsend, to approve the Contract with CivicPlus under the State DIR Program for Website Redesign and Management, in the Amount of \$20,048.12.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Townsend, second by Councilman Dodson, to approve **FINAL PLAT ACQUEST TOMBALL**: Being a Subdivision of 7.0434 Acres situated in the Joseph House Survey, A-34, City of Tomball, Harris County, Texas.

Motion carried unanimously.

- 9.3 Motion was made by Councilman Townsend, second by Councilman Hudgens, to read Ordinance No. 2012-04 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Dodson, to adopt, on First Reading, Ordinance No. 2012-04, an Ordinance of the City of Tomball, Texas, amending Article V. Records Management, Division 1, Generally, Section 2-222. Records Control Schedules—to be Developed; Approval; Filing with State, by Deleting Section 2-222 in its Entirety and Adopting a New Section 2-222. Records Control Schedule, Providing for the Publication of this Ordinance; and Making Other Findings and Provisions Related Thereto. Vote was as follows:

Councilman Dodson	<u>Aye</u>
Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Brown	<u>Aye</u>
Councilman Townsend	<u>Aye</u>

Motion carried unanimously.

- 9.4 The City Council recessed at 7:00 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.087 – Deliberations Regarding Economic Development

Upon reconvening in regular session at 7:34 p.m., no action was taken.

10.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 16th day of April 2012.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor