

NOTICE OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, MARCH 5, 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 Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson
Councilman Hudgens

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Weber
City Secretary – Doris Speer
City Attorney – Scott Bounds
Police Chief – Robert Hauck
Director of Public Works – David Kauffman
Assistant City Engineer – Lori Lakatos
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Marketing Director – Mike Baxter
Director of Community Development – Narciso Lira
HR Director – Lisa Coe
Community Events Coordinator – Rosalie Dillon
Executive Director-TEDC – Kelly Violette

2.0 Invocation

- Led by Brother Paul Michna, Spring Creek Church of Christ

3.0 Pledges to U. S. and Texas Flags

- Led by Courtlynn Noack and Anna Liu, Members of the Tomball High School Student Council

4.0 No public comments were received.

5.0 Reports and Announcements:

- March 10, 2012 – **NO Farmers Market**
- March 10, 2012 – **Oilfield Helping Hands Car Show and Motorcycle Rally**, 9:00 a.m.-5:00 p.m. at the Depot
- March 10, 2012 – **2nd Saturday at the Depot** – 5:00 p.m.
- March 19, 2012 – Candidate Orientation – 5:00 p.m.
- March 24, 2012 – **Tomball Honky-Tonk Music Festival**, at **Depot Plaza** – 11:00 a.m.-6:00 p.m
- March 30-April 1, 2012 – **Tomball German Heritage Festival** in the Depot/Downtown Tomball Area
- March 31, 2012 – **NO Farmers Market**
- April 4, 2012 – **City of Tomball Youth 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 1K**
- 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** – 5:00 p.m.
- April 16, 2012 - Appoint Members to the Tomball Economic Development Board for Terms Expiring May 2, 2012
- April 23-28, 2012 – **Annual Tomball Clean-up Week** – 8:00 a.m.-4:30 p.m. daily
- April 28, 2012 – **Annual Tomball Clean-up Recycling Day – E-Waste and Drug Take-Back Program – Tuesday Morning Parking Lot**
- **Early Voting** for May 12, 2012 General 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.)
- Possible Harris County Primary Election Dates – April 17, May 29, or June 5, 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
 - Lisa Coe – Update regarding the City of Tomball Youth Fair on April 4, 2012

Mayor Fagan presented a Proclamation to Larry and Peggy Hugonin, declaring March 5, 2012 as **“Larry and Peggy Hugonin Day”** in honor of their 48th anniversary.

6.0 Motion was made by Councilman Dodson, second by Councilman Stoll, to approve the Minutes of the February 20, 2012 Regular City Council Meeting and the February 28, 2012 Special City Council Meeting.

Motion carried unanimously.

7.0 New Business:

- 7.1 Kelly Violette presented an overview of the proposed Resolution. Motion was made by Councilman Dodson, second by Councilman Brown, to approve Resolution No. 2012-04-TEDC, a Resolution of the City Council of the City of Tomball, Texas, Approving Amended Bylaws of the Tomball Economic Development Corporation; Providing for the Effective Date, and other Related Matters.

Motion carried unanimously.

- 7.2 Kelly Violette presented an overview of the proposed Resolution. Motion was made by Councilman Dodson, second by Councilman Townsend, to approve Resolution No. 2012-05-TEDC, a Resolution of the City Council of the City of Tomball, Texas, Restating and Amending the Articles of Incorporation (Certificate of Formation); Authorizing and Directing the Execution and Filing of such Amended and Restated Articles by the Mayor and City Secretary; Authorizing the Corporation to act on behalf of the City for Certain Purposes; Providing for the Effective Date and other Related Matters.

Motion carried unanimously.

- 7.3 Kelly Violette presented an overview of the proposed Project. Motion was made by Councilman Townsend, second by Councilman Brown, to approve, as a Project of the Corporation, an agreement with Ameresco Solar, to make direct incentives to or expenditures for the creation or retention of primary jobs for Ameresco Solar. The estimated amount of expenditures for such project is an amount not to exceed \$36,000.00.

Motion carried unanimously.

- 7.4 Bryan Lyszaz and Sharon Pickett, Property Manager, presented an overview of the proposed Request. Motion was made by Councilman Hudgens, second by Councilman Brown, to approve Request by Mr. Bryan Lyszaz, with Clear Choice LED, LLC, to Allow a Changeable Electronic Variable Message Sign at 425 Holderrieth Boulevard. Motion to amend was made by Councilman Hudgens, second by Councilman Brown, to approve Request by Mr. Bryan Lyszaz, with Clear Choice LED, LLC, to Allow a Changeable Electronic Variable Message Sign at 425 Holderrieth Boulevard, with the stipulation that the sign will be dimmed to ten percent brightness and will become static at 8:00 p.m. and remain static until 6:30 a.m. the following morning.

Motion, as amended, carried unanimously.

City staff will provide Council with information regarding possible revisions to the sign ordinance, establishing specific conditions for CEVMS signs, at a future meeting.

- 7.5 David Kauffman presented recommendations regarding the proposed Building Removal. No action was taken regarding authorizing the Removal of Existing Buildings Located at 217 South Walnut Street, Owned by the City.

Motion carried unanimously.

- 7.6 Lori Lakatos presented an overview of the proposed Lease Agreement. Motion was made by Councilman Dodson, second by Councilman Townsend, to approve Lease Agreement with Bobbi L. Gunter for the Property Located at 24114 Flax Ct., Owned by the City.

Motion carried unanimously.

- 7.7 Lori Lakatos presented an overview of the proposed Plat. Motion was made by Councilman Townsend, second by Councilman Dodson, to approve **FINAL PLAT RESERVE AT SPRING LAKE SECTION ONE**: Being 221.2020 Acres located in the Joseph Miller League, A-50 W.H. Clemens Survey, A-1641, Harris County, Texas, City of Tomball, Texas.

Motion carried unanimously.

- 7.8 Glenn Windsor presented an overview of the proposed Request. Motion was made by Councilman Dodson, second by Councilman Townsend, to approve Request for Proposals for Independent Audit Services, as Required under Section 8.24 of the City Charter, for the Fiscal Year Ending September 30, 2012 and Two Succeeding Years.

Motion carried unanimously.

- 7.9 Executive Session: The City Council recessed at 7:02 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:

- Section 551.071 - Consultation with Attorney regarding Litigation

Councilman Dodson stated that he would abstain from participation in discussion or action in the Executive Session, based on the Conflict of Interest Affidavit previously filed with the City Secretary.

Upon reconvening in regular session at 8:16 p.m., no action was taken.

8.0 Motion was made by Councilman Townsend, second by Councilman Dodson, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 19th day of March 2012.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor