

MINUTES OF SPECIAL CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, AUGUST 22, 2011
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 Smith
Police Chief – Robert Hauck
Director of Public Works – David Kauffman
Finance Director – Glenn Windsor
Fire Chief – Randy Parr
Assistant City Engineer – Lori Lakatos
Marketing Director – Mike Baxter
Chief, NWEMS – Brian Petrilla

2.0 The following public comments were received:

David Wood
28227 Camille Drive, 77375

- Expressed his opposition to the proposed tax increase.

Mary Lu Wiley
14120 Carneswood, 77375

- Did not wish to speak; requested that her opposition to the proposed tax increase be read into the record.

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| Marilyn O'Neal
14235 Turnervine, 77375 | - Thanked Councilman Hudgens for his vote on the proposed fountain and Councilman Stoll for his emails. Expressed her opposition to the proposed tax increase. |
| Christine Roquemore
614 N. Hickory, 77375 | - Expressed her support for the proposed tax increase; Magnolia is surpassing Tomball in new businesses and development. |
| Barbara Tague
503 Inwood, 77375 | - Expressed her support for the proposed tax increase. |
| Lisa Townsend
30618 William Juergens, 77375 | Did not wish to speak; requested that her opposition to the proposed tax increase be read into the record. |
| Becky Clepper
10722 Spell Road, 77375 | - Did not wish to speak; requested that her opposition to the proposed tax increase be read into the record. |
| Pat Bailey
1319 Dove Trails, 77375 | - Expressed her support for the proposed tax increase. |
| Bill Sumner (email)
12321 Zion Road, 77375 | - Requested that his opposition to the proposed tax increase be read into the record. |
| J. D. Williams (email)
14222 Spring Pines Drive, 77375 | - Requested that his opposition to the proposed tax increase be read into the record. |
| Tom Crofoot (email)
1430 Neal Drive, 77375 | - Requested that his opposition to the proposed tax increase be read into the record. |

4.0 New Business:

- 4.4 Mayor Fagan moved item 4.4 before Old Business, as no action is necessary. Pastor Tim Niekerk advised Salem Lutheran Church has been able to acquire bulk water from the City of Tomball through a metered tap, which is then trucked to the church facility until they are able to get their water tank and system back online and thanked the City Council for the City's assistance during this emergency situation.

3.0 Old Business:

- 3.1 Christal Weber presented the proposed Ordinance. Motion was made by Councilman Townsend, second by Councilman Brown, to adopt, on Second Reading, Ordinance No. 2011-15, an Ordinance Terminating the Designation of a Continuous Geographic Area within the City of Tomball as Tax Increment Reinvestment Zone Number One, City of

Tomball, Texas, for Tax Increment Financing Purposes, Pursuant to Chapter 311 of the Texas Tax Code; Containing Findings and Provisions related to the Termination; Providing for Severability; and Providing an Effective Date. 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.

- 3.2 Lori Lakatos presented the proposed Ordinance. Motion was made by Councilman Dodson, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2011-17, an Ordinance amending Chapter 38 of the Code of Ordinances of the City of Tomball, Texas to add a new Article IV, Drainage Design, to Chapter 38, Flood Damage Prevention, to allow minimum standards for stormwater drainage system design to be adopted by Resolution of City Council; providing a penalty in an amount of not more than \$2,000 for violation of any provision hereof, with each day constituting a separate violation; providing for savings and severability; providing for publication; and making other provisions and findings related thereto. Vote was as follows:

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

Motion carried unanimously.

- 3.3 Glenn Windsor presented the proposed Ordinance. Motion was made by Councilman Brown, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2011-20, Establishing Rates and Charges for Potable Water, Sanitary Sewer, Natural Gas, and Garbage Collection and Disposal Services; Repealing Ordinance No. 2010-18 and all Other Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith; Providing for an Effective Date; Providing other Matters Relating to the Subject; and Providing for Severability. Vote was as follows:

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

Motion carried, 4 votes Aye, 1 vote Nay.

4.0 New Business:

- 4.1 George Shackelford presented a recap of the proposed budget. Mayor Fagan opened the Public Hearing for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2011-2012 at 6:37 p.m.; the following comments were received:

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| Rodney Hutson
9431 Rosie Lane, 77354 | - Supports proposed tax increase to fund projects; the southern portion of Tomball needs drainage assistance. Expressed his support for Council action to proceed with projects that have been scheduled for ten or more years but have not been funded. |
| Craig Gracey
31303 Antonia Lane, 77375 | - City is paying \$67,000 to move building back from building line; how many more projects will City have to correct? |
| Susan Stawaisz
31514 Helen Lane, 77375 | - Asked if the money that the City is paying to NHCRWA could be used for City projects. She would rather have a bond than a tax. |
| Brett Tynes
824 Wilson Lane, 77375 | - Supports proposed tax increase. These are projects that are needed now; the time to buy certificates of obligation is now, when interest rates are low. |

No further public comments being received, Mayor Fagan closed the public hearing at 6:44 p.m.

- 4.2 Motion was made by Councilman Brown, second by Councilman Dodson, to read Ordinance No. 2011-18 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Hudgens, second by Councilman Brown, to adopt, on First Reading, Ordinance No. 2011-18, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2011-2012; and Authorizing the City Manager to Approve Intra-departmental (within the same Department only) Transfers of Budgeted Funds; and Providing other Details Relating to the Passage of This Ordinance. Vote was as follows:

Councilman Brown	<u>Aye</u>
Councilman Townsend	<u>Nay</u>

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

Motion carried, 3 votes Aye, 2 votes Nay.

- 4.3 Kelly Violette and Mike Baxter presented the proposed Agreement. Motion was made by Councilman Dodson, second by Councilman Brown, to approve the Proposed Participation Agreement for a “*Today in America*” Video, to approve Payment of the Scheduling Fee by the City of Tomball and/or Tomball Economic Development Corporation in the amount of \$24,800, and to authorize the Mayor or Executive Director of the TEDC to Execute the Participation Agreement. Vote was as follows:

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

Motion carried, 4 votes Aye, 1 vote Nay.

- 5.0 Motion was made by Councilman Townsend, second by Councilman Brown, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 6th day of September 2011.

Doris Speer
Doris Speer, TRMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor