

**MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**



MONDAY, JUNE 20, 2011

6:00 P.M.

1.0 Call to Order

The Council meeting was called to order by Mayor Pro Tem Mark Stoll. Other members present were:

Councilman Hudgens
Councilman Brown
Councilman Dodson

Excused Absence: Gretchen Fagan
Councilman Townsend

Others present:

City Manager – George Shackelford
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Director of Public Works – David Kauffman
Fire Chief – Randy Parr
Police Chief – Rob Hauck
Finance Director – Glenn Windsor
Assistant to City Manager – Shawn Cox
Marketing Director – Mike Baxter
Assistant City Engineer – Lori Lakatos
Fire Inspector – Tommy Nicholson
Executive Director-TEDC – Kelly Violette
Chief-NWEMS – Brian Petrilla

2.0 The invocation was given by Bruce Hillegeist, President, Greater Tomball Area Chamber of Commerce

3.0 Pledge to the U. S. and Texas flags was led by members of the Junior Girl Scouts Troop 14223.

4.0 The following public comments were received:

Mary Harvey - Spoke regarding Item 8.1, requesting City
405 S. Walnut, 77375 support for Tomball Night, August 5, 2011

5.0 Reports and Announcements:

- **Farmers Market** – 9 a.m.-1:00 p.m. (Every Saturday, April through July)
- **June 20-August 15** (skip July 4th) – **Tomball's Kids Club**, hosted by HEB and partner, Buffalo Wild Wings – **MLK Community Park** – 40 children attended first-day activities.
- July 4, 2011 – **Fourth of July Celebration – Fireworks Display** – City offices closed
- July 5, 2011 – Special Council Meeting (Budget) – 4 p.m.
- July 5, 2011 – Regular Council Meeting – 6 p.m.
- July 9, 2011 – **2nd Saturday at the Depot**
- July 18, 2011 – Special Council Meeting (Budget) – 4 p.m.
- July 18, 2011 – Special Council/Planning and Zoning Commission/Downtown Tomball Advisory Committee Meeting – 5 p.m.
- July 20, 2011 – Strategic Planning Workshop – 9 a.m.-4 p.m.
- July 25, 2011 – Special Council Meeting (Budget) – 4 p.m.
- July 25, 2011 – Regular Tourism Advisory Committee Meeting – 6 p.m.
- July 26, 2011 – Special Council Meeting (Budget) – 4 p.m.
- August 5, 2011 – **Tomball Night**
- **Walk Tomball!** (every Saturday at 8:00 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
 - Glenn Windsor presented the results of the \$8,650,000 General Obligation Refunding Bonds Authorized by Council at the June 6, 2011 Council meeting.

6.0 Motion was made by Councilman Dodson, second by Councilman Brown, to approve the Minutes of the June 6, 2011 Regular City Council Meeting and the June 6, 2011 Special City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

- 7.1 Kelly Violette answered questions regarding the proposed Resolution. Motion was made by Councilman Brown, second by Councilman Dodson, to approve, on Second Reading, Resolution No. 2011-06-TEDC, a Resolution of the City Council of the City of Tomball, Texas, Authorizing and Approving the Tomball Economic Development Corporation's Project to Expend Funds in Accordance with an Economic Development Agreement by and between the Corporation and Stripes LLC to Promote and Develop a New or Expanded Business Enterprise; Containing other Provisions relating to the Subject; and Providing for Severability - Approving, as a Project of the Corporation, an Agreement

with Stripes LLC to Make Direct Incentives to, or Expenditures for, Assistance with Infrastructure Costs related to the Development and Construction of a Commercial Building to be located at the northwest corner of FM 2920 and FM 2978 in Tomball, Texas. The estimated amount of expenditures for such Project is \$56,000.

Motion carried unanimously.

8.0 New Business:

- 8.1 Doris Speer presented information regarding the proposed Resolution. Motion was made by Councilman Dodson, second by Councilman Brown, to adopt Resolution No. 2011-10, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 39th Annual Tomball Night and Parade, to be held in Tomball on Friday, August 5, 2011.

Motion carried unanimously.

- 8.2 Lori Lakatos presented an overview of the proposed plats. Motion was made by Councilman Brown, second by Councilman Hudgens, to approve the following plats, as Recommended by Planning and Zoning Commission:

- **LESLIE'S PARK REPLAT**: A subdivision of 1.7291 acres of land in the Joseph House Survey, A-34, Harris County, Texas; being a partial Replat of Leslie's Park, originally recorded in Film Code No. 400005, Harris County Map Records
- **WAUKESHA PEARCE TOMBALL FINAL PLAT**: A subdivision of 5.7864 Acres; located in the Joseph House Survey, Abstract No. 34, City of Tomball, Harris County, TX.

Motion carried unanimously.

- 8.3 David Kauffman and James Wiatrek, Raba-Kistner, presented information regarding the Proposal. Motion was made by Councilman Hudgens, second by Councilman Brown, to approve the Proposal by Raba-Kistner Consultants, Inc. for Professional Environmental Consulting Services associated with the Modification of the existing Groundwater Monitoring System at the City of Tomball Closed Landfill, at a not-to-exceed cost of \$61,000.00.

Motion carried unanimously.

- 8.4 Doris Speer presented information regarding the proposed Agreements and the latest response from Harris County Elections Division regarding the County's inability to supply voting equipment for the May 2012 general elections. Motion was made by Councilman Dodson, second by Councilman Brown, to approve Hart Voting System Master Agreement for the Purchase of Election Equipment from HartIntercivic, Inc. in the amount of \$25,752.00, and to approve Hart Voting System Warranty, License, and

Support Agreement for Future General City's Elections, in the amount of \$5,500.00 for the First City Election in which the Equipment and Software are used and Authorize the Mayor to Execute Agreements.

Motion carried unanimously.

- 8.5 Lori Lakatos presented an overview of the proposed Ordinance regarding Joinder Lots. Motion was made by Councilman Dodson, second by Councilman Brown, to read Ordinance No. 2011-04 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. 2011-10, an Ordinance of the City Council of the City of Tomball, Texas, Amending Chapter 70, Plats and the Subdivision of Land, of the Code of Ordinances of the City of Tomball, Texas, by Amending Subsection (d) of Section 70-3 of Article I to Allow Joinder of Lots Under Common Ownership without Requiring a Plat, Provided that the Joinder of Lots does not Require the Dedication or Removal of any Public Rights-of-Way, Public Easements or Public Improvements; Providing a Penalty in an Amount of not more than \$2,000 for Violation of any Provision Hereof; Providing for Saving and Severability; Providing for Publication; and Making Other Provisions and Finding related Thereto. Motion was made by Councilman Dodson to table consideration of Ordinance No. 2011-10; motion was withdrawn.

Motion was made by Councilman Hudgens, second by Councilman Brown, to amend Ordinance No. 2011-10 to include requirements for common ownership of lots and uniformity of ownerships by one owner in all lots, and to adopt, on First Reading, Ordinance No. 2011-10. Vote was as follows:

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

Motion, as amended, carried unanimously.

- 9.0 Motion was made by Councilman Dodson, second by Councilman Brown, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 5th day of July 2011.

Doris Speer
Doris Speer, TRMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor