

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



MONDAY, JUNE 6, 2011

7:00 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
Director of Public Works – David Kauffman
Finance Director – Glenn Windsor
Assistant to City Manager – Shawn Cox
Police Captain – Rick Grassi
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 Steve Alison, Chaplain, VFW Post #2427

3.0 Pledge to the U. S. and Texas flags was led by Diane Whitney, Ladies Auxiliary, VFW Post #2427.

4.0 No public comments were received.

5.0 Presentations:

- Mayor Fagan presented a Proclamation declaring June 6, 2011 as “**Honor Our Military Heroes Day**” to current and former members of the military.

6.0 Reports and Announcements:

- **Farmers Market** – 9 a.m.-1:00 p.m. (Every Saturday, April through July)
- **Tomball Livable Centers Downtown Plan** receives the **American Society of Landscape Architects Merit Award**
- June 11, 2011 – **2nd Saturday at the Depot**
- **June 20-August 15** (skip July 4th) – **Tomball's Kids Club on Mondays and Wednesdays**, free lunch hosted by HEB and partner, Buffalo Wild Wings – **MLK Community Park**; applications available at City Hall and online
- July 4, 2011 – **Fourth of July Celebration – Fireworks Display**
- **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
 - Doris Speer presented information regarding the effects that the federal M.O.V.E. Act and Texas legislation, SB100, will have on the City’s elections and requested Council direction regarding securing election equipment for future elections, changing Council’s terms of office, or moving the City’s elections to November. Council direction was given to keep City elections in May and to negotiate the purchase of election equipment from HartIntercivic and return an agreement for Council approval.

7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the minutes of the May 16, 2011 Regular City Council Meeting and the May 17, 2011 Special City Council Meeting

Motion carried unanimously.

8.0 New Business:

- 8.1 Mayor Fagan presented recommendation for the appointment of Evelyn Torres-Chervenak to the Planning and Zoning Commission. Councilman Townsend nominated Lisa Daniels; nominations ceased. Vote was as follows:

Councilman Hudgens	<u>Evelyn Torres-Chervenak</u>
Councilman Stoll	<u>Evelyn Torres-Chervenak</u>
Councilman Brown	<u>Evelyn Torres-Chervenak</u>
Councilman Townsend	<u>Evelyn Torres-Chervenak</u>
Councilman Dodson	<u>Evelyn Torres-Chervenak</u>

Evelyn Torres-Chervenak is appointed to the Planning and Zoning Commission.

- 8.2 George Shackelford and Lori Lakatos presented an overview of the proposed Tomball East-Side Specific Plan, presented by Partners for Strategic Action, Inc. (PSA), to develop a plan for the downtown area east of the railroad tracks, with an estimated cost of \$142,000. No action necessary.
- 8.3 Glenn Windsor and Joe Morrow presented an overview of the refunding Ordinance. Motion was made by Councilman Townsend, second by Councilman Dodson, to read Ordinance No. 2011-09 by caption only on First and Only Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Dodson, to adopt, on First and Only Reading, Ordinance No. 2011-09, Authorizing the Issuance of City of Tomball, Texas General Obligation Refunding Bonds, Series 2011; Levying a Tax in Payment Thereof; Setting Certain Parameters for the Bonds; Authorizing the Authorized Officer to Approve the Amount, the Interest Rate, Price and Certain Other Terms Thereof; Authorizing the Redemption Prior to Maturity of Certain Outstanding Bonds; Authorizing the Execution and Delivery of a Bond Purchase Agreement, a Paying Agent/Registrar Agreement and an Escrow Agreement relating to such Bonds; Approving the Preparation and Distribution of an Official Statement; and Enacting other Provisions Relating 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.

- 8.4 Shawn Cox presented the request from Woodforest National Bank. Motion was made by Councilman Townsend, second by Councilman Brown, to approve Resolution No. 2011-08, a Resolution of the City Council of the City of Tomball, Texas, supporting the Woodforest National Bank 5K "Tomball Dash" to be held in Tomball on Saturday, November 12, 2011.

Motion carried unanimously.

- 8.5 Doris Speer presented the request from Tomball Independent School District. Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve Resolution No. 2011-07, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 4th Annual Homecoming Parade and Pep Rally, to be held at the Tomball Depot,

Sponsored by the Tomball Independent School District and the TISD Student Council, on Wednesday, September 28, 2011.

Motion carried unanimously.

- 8.6 Kelly Violette presented an overview of the proposed Resolution. Motion was made by Councilman Dodson, second by Councilman Brown, to approve, on First 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.

- 8.7 Kelly Violette presented the Tomball Economic Development Corporation 2010-2011 Annual Report to Council. No action necessary.
- 8.8 Kelly Violette presented the Tomball Economic Development Corporation 2011-2012 Strategic Work Plan. Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Tomball Economic Development Corporation 2011-2012 Strategic Work Plan.

Motion carried unanimously.

- 8.9 Kelly Violette presented an overview of the proposed Project and Agreement. Motion was made by Councilman Dodson, second by Councilman Townsend, to approve, as a Project of the Corporation, an agreement with American National Carbide to make direct incentives to, or expenditures for, the creation or retention of primary jobs and that are found by the Board of Directors to be required or suitable for the development, retention, or expansion of manufacturing and industrial facilities: to wit: American National Carbide expansion and development of its manufacturing facility located at 915 South Cherry Street, Tomball, Texas. The estimated amount of expenditures for such Project is \$75,000.

Motion carried unanimously.

- 8.10 Kelly Violette presented an overview of the proposed Resolution and Project. Motion was made by Councilman Stoll, second by Councilman Dodson, to approve, on First Reading, Resolution No. 2011-09-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 to Acquire up to 120 Acres of Land Generally Located at the Corner of Hufsmith-Kohrville and Holderrieth Roads for the Creation of a Business Park; Containing Other Provisions Relating to the Subject; and Providing for Severability.

Motion carried unanimously.

- 8.11 Kelly Violette presented an overview of the proposed Agreement between the City of Tomball and the Tomball Economic Development Corporation. Motion was made by Councilman Townsend, second by Councilman Stoll, to approve an Agreement between the City of Tomball and the Tomball Economic Development Corporation (TEDC) for Reimbursement for Costs Associated with the Purchase of up to 120 Acres of Land located at the northwest corner of Hufsmith-Kohrville and Holderrieth Roads in Tomball for the Purpose of Developing a Business Park.

Motion carried unanimously.

- 8.12 George Shackelford requested Council direction regarding setting July 20, 2011 as the date for the Strategic Planning Workshop. Consensus of the Council was unanimous to set July 20, 2011 as the date for the Strategic Planning Workshop.
- 8.13 The City Council recessed at 7:08 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:

- Sec. 551.072 – Deliberations Regarding Real Property

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

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 2nd day of May 2011.

Doris Speer
Doris Speer, TRMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor