

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



MONDAY, MAY 16, 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 Quinn
Councilman Stoll
Councilman Brown
Councilman Townsend
Councilman Dodson
Council-Elect – Field Hudgens

Others present:

City Manager – George Shackelford
Assistant City Manager – Christal Klierwer
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Finance Director – Glenn Windsor
Chief of Police – Robert Hauck
Director of Public Works – David Kauffman
Fire Chief – Randy Parr
Assistant to City Manager – Shawn Cox
Marketing Director – Mike Baxter
Assistant City Engineer – Lori Lakatos
Assistant City Planner – Rodney Schmidt
Fire Marshal – Doug Sanguedolce
Fire Inspector – Tommy Nicholson
Executive Director-TEDC – Kelly Violette

2.0 The invocation was given by Rick Brown, Pastor, ChristBridge Church

3.0 Pledges to the U. S. flag and the Texas flag were led by Members of Pack 113, Den 3, Tiger Scouts, and Kellen Cantrell and Rita Rush, Tomball High School Student Councilmembers

4.0 The following public comments were received:

Sonny Howard
21731 Winsome Rose, 77429 - Youth Pastor, Terra Verde Community Church, hosting a Golf Tournament on June 20, 2011 to raise funds to send underprivileged students to camp.

5.0 Presentations: Mayor Fagan presented the following proclamations:

- Proclamation – **Emergency Medical Services Week** – May 15-21, 2011
- Proclamation – **National Public Works Week** – May 15-21, 2011
- Proclamation – **Hurricane Preparedness Week** – May 22-28, 2011
- Proclamation – **Concordia Lutheran Crusaders Girls Track Team 2011 TAPPS 4A State Champions Day** – May 16, 2011

Mayor Fagan presented a plaque to Councilman David Quinn, honoring his dedicated service to the citizens and the City of Tomball during his two terms of office, 2006-2011.

6.0 Reports and Announcements:

Mayor Fagan introduced the new Marketing Director, Mike Baxter, and presented the following information:

- **Farmers Market** – 9 a.m.-1:00 p.m. (Every Saturday, April through July)
- May 16, 2011 – **Tomball Special Olympics Day** – 9:00 a.m. at the Tomball Depot
- May 15-17, 2011 – **Police Officers Memorial Day and Police Week** – 10:00 a.m. at Heritage Plaza
- **May 17, 2011 – Canvass May 14, 2011 Election Results, Oath(s) of Office, and Elect Mayor Pro-Tem – 6:00 p.m.**
- **May 19, 2011 – Annual Red/White Football Game** – 6 p.m.
- **May 28, 2011** – Municipal Pool at Matheson Park Opens
- June 11, 2011 – **2nd Saturday at the Depot**
- **June 20-August 15** (skip July 4th) – **Tomball's Kids Club**, hosted by HEB and partner, Buffalo Wild Wings – **MLK Community Park** – free lunches will be provided on Mondays and Wednesdays
- **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
 - David Kauffman presented updates on Tomball's Spring Clean Up Week, Snook Lane property remediation, and the state of Tomball's water supply capacity and drought contingencies.

- 7.0 Motion was made by Councilman Stoll, second by Councilman Dodson, to approve the minutes of the May 2, 2011 Regular City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

- 8.1 Rodney Schmidt presented an update regarding the requested Conditional Use Permit. Motion was made by Councilman Stoll, second by Councilman Brown, to adopt on Second Reading, Ordinance No. 2011-05; An Ordinance of the City of Tomball, Texas, Amending Its Comprehensive Zoning Ordinance by granting a Conditional Use Permit to Jeff Williams III of Professional Welding Supply, to allow the installation/operation of a 1,000-gallon aboveground propane tank for the purpose of propane sales/filling; Said tract being located within the City in Zoning District GR-General Retail District and being legally described as Lot 1, Block 1 of the Williams Number One Replat, generally located southerly of Main Street between Howard Street and Willow Street at 503 East Main Street, Tomball, Texas; Providing requirements and conditions for this Conditional Use Permit; Containing findings and other provisions relating to the subject; Providing a penalty in an amount not to exceed two thousand dollars for violations hereof; and providing for severability. Vote was as follows:

Councilman Townsend	<u>Nay</u>
Councilman Dodson	<u>Nay</u>
Councilman Quinn	<u>Nay</u>
Councilman Stoll	<u>Nay</u>
Councilman Brown	<u>Nay</u>

Motion **FAILED** unanimously.

- 8.2 George Shackelford and Lori Lakatos presented an overview of the proposed Agreement. Motion was made by Councilman Townsend, second by Councilman Brown, to amend the previously approved Professional Services Agreement with CLR, Inc. to include the Design of One Additional Parking Lot (CS) on Non-City-owned Property and to proceed with CS as soon as the contract is executed.

Motion carried unanimously.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Dodson, to adopt, on Second Reading, Ordinance No. 2011-08, an Ordinance of the City Council of the City of Tomball, Texas, Providing for Minor Plats; and Making other Findings and Provisions related Thereto. Vote was as follows:

Councilman Dodson	<u>Aye</u>
Councilman Quinn	<u>Aye</u>

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

Motion carried unanimously.

9.0 New Business:

- 9.1 Lori Lakatos presented request and information for a workshop on proposed revisions to Chapter 70. Motion was made by Councilman Dodson, second by Councilman Townsend, to set June 6, 2011 as the date for City Council Workshop on Possible Revisions to Chapter 70, Plats and the Subdivision of Land.

Motion carried unanimously.

- 9.2 Glenn Windsor and Joe Morrow, First Southwest Company, presented an overview of the proposed refunding Certificates. Motion was made by Councilman Townsend, second by Councilman Dodson, to approve the proposed Advance Refunding of Combination Tax & Revenue Certificates of Obligation, Series 2002.

Motion carried unanimously.

- 9.3 Lori Lakatos presented an overview of the proposed Agreement. Motion was made by Councilman Brown, second by Councilman Townsend, to Approve Professional Services Agreement with Rydan & Associates, LLC in the Amount of \$125,000 for Engineering Services related to the Master Drainage Plan. Vote was as follows:

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

Motion carried, 4 votes Aye, 1 vote Nay.

- 9.4 Rob Hauck presented an overview of the proposed changes to the Tomball Police Department's Table of Organization. Motion was made by Councilman Townsend, second by Councilman Brown, to approve the Request to Change the Tomball Police Department's Table of Organization by Adding Two (2) Police Officer Position Authorities.

Motion carried unanimously.

- 9.5 Rob Hauck presented an overview of the proposed Agreement. Motion was made by Councilman Dodson, second by Councilman Townsend, to approve the 2011-2012

Interlocal Agreement between the City of Tomball and the Tomball Independent School District (TISD), affording the Tomball Police Department the ability to assign a Student Resource Officers (SRO) to TISD Campuses.

Motion carried unanimously.

- 9.6 Rob Hauck presented an overview of the proposed Agreement. Motion was made by Councilman Townsend, second by Councilman Brown, to approve Interlocal Agreement between the City of Tomball and the Tomball Independent School District, affording the Tomball Police Department the ability to provide police services on a contractual basis for specialized events occurring before, during and after the normal campus hours.

Motion carried unanimously.

- 9.7 Executive Session: The City Council and the Tomball Economic Development Corporation recessed at 7:39 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. 551.072 – Deliberations Regarding Real Property

Upon reconvening into regular session at 8:28 p.m., no action was taken.

- 9.8 Executive Session: The City Council recessed at 7:39 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. 551.072 – Deliberations Regarding Real Property

Upon reconvening into regular session at 8:28 p.m., the following action was taken:

- 9.9 Motion was made by Councilman Brown, second by Councilman Dodson, to direct the City Manager to make an offer on Approximately 120 Acres of Land Generally Located at the Northwest Corner of Hufsmith-Kohrville and Holderrieth Roads, Tomball, TX, 77375, for Purposes of Projects related to the Creation or Retention of Primary Jobs subject to Tomball Economic Development Corporation Financing and Preparation of a Memorandum of Understanding regarding the Tomball Economic Development Corporation Designation of such Project.

Motion carried unanimously.

10.0 Motion was made by Councilman Quinn, second by Councilman Brown, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 6th day of June 2011.

Doris Speer
Doris Speer, TRMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor