

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



MONDAY, MARCH 15, 2010

7:00 P.M.

1.0 Call to Order

The meeting was called to order by Mayor Gretchen Fagan. Other members present were:

Councilman Quinn
Councilman Stoll
Councilman Townsend
Councilman Webb
Councilman Driver

Others present:

City Secretary – Doris Speer
City Attorney – Scott Bounds
Finance Director – Glenn Windsor
Fire Chief – Randy Parr
Chief of Police – Robert Hauck
Director of Engineering & Planning – Mark McClure
Assistant to City Manager – Shawn Cox
City Planner – Kelly Violette
Fire Marshall – Doug Sanguedolce
Fire Inspector – Tommy Nicholson
Community Events Coordinator – Rosalie Dillon

2.0 The invocation was led by Pastor Kevin Bowles, Redeemer Bible Church

3.0 The pledges to U. S. and Texas Flags were led by Nancy Mayen and Karli Hill, members of the THS Student Council

4.0 The following public comments were received:

Rodney Hutson, M.D. 9431 Rosie Lane, 77354	- Expressed concern for loss of parallel parking on Main Street and detention requirements in Old Town Tomball
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| Mary Harvey
405 S. Walnut, 77375 | - Expressed concern for loss of parallel parking on Main Street; urged Council to be deliberate in its decisions regarding development in Old Town Tomball. |
| Mary Lu Wiley
14120 Carneswood, 77375 | - Expressed concern use of HOT funds budgeted for Second Saturday program; requested dog ordinance requiring owners to clean up after their pets. |

5.0 Presentations:

- Mayor Fagan presented plaque and proclamation to Frank Stachmus, Sergeant, Tomball Police Department, declaring Wednesday, March 31, 2010 as “Frank Stachmus Day”. Robert Hauck read a tribute to Sergeant Stachmus for his years of service as a police officer.
- Robert Hauck presented David White, Sergeant, Tomball Police Department to the City Council.

6.0 Reports and Announcements:

- Doug Sanguedolce presented the 2009 Fire Marshal’s Report.
- March 27, 2010 – **Farmers Market**
- **German Heritage Festival – 10th Anniversary** – March 26, 27 and 28, 2010
- **April 1, 2010 – Census Day**
- April 10, 2010 – **2nd Annual City of Tomball Bunny Run 5K and Kids 1 Mile**
- April 10, 2010 – **2nd Saturday at the Depot** – 5:00 p.m.
- April 10, 2010 – **Farmers Market**
- **Walk Tomball!** (every Saturday at 9:00 a.m. at the Depot)
- Comprehensive Plan website is now available online – <http://plantomball.com/index.html>
- Reports by City staff and members of council about items of community interest on which no action will be taken

7.0 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve the Minutes of the Regular City Council Meeting of March 1, 2010.

Motion carried unanimously.

8.0 New Business

- 8.1 Rob Hauck presented an overview of the proposed Ordinance. The public hearing and review of the City of Tomball’s Juvenile Curfew Ordinance to Determine the Need to Re-adopt, Abolish, Continue or Modify the Ordinance was opened by Mayor Fagan at 7:35 p.m.

No public comments being received, the public hearing was closed by Mayor Fagan at 7:35 p.m.

- 8.2 Motion was made by Councilman Townsend, second by Councilman Driver, to read Ordinance No. 2010-04 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Webb, to adopt, on first reading, Ordinance No. 2010-04, an Ordinance of the City of Tomball, Texas, Continuing the City's Juvenile Curfew Ordinance; and Making Other Findings and Provisions Related Thereto. Vote was as follows:

Councilman Townsend	<u>Aye</u>
Councilman Driver	<u>Aye</u>
Councilman Quinn	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Webb	<u>Aye</u>

Motion carried unanimously.

- 8.3 Mark McClure presented an overview of the proposed Ordinance. The Public Hearing regarding the Proposed Abandonment of Stasney Road Right-of-Way was opened by Mayor Fagan at 7:37 p.m.

No further public comments being received, the public hearing was closed by Mayor Fagan at 7:38 p.m.

- 8.4 Motion was made by Councilman Webb, second by Councilman Townsend, to read Ordinance No. 2010-05 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Webb, second by Councilman Stoll, to adopt, on first reading, Ordinance No. 2010-05, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity no Longer Require the Continued Existence of an Unimproved Road Right-of-Way Commonly Known as Stasney Road, Said Land Being a Roadway Right-of-Way out of the Ralph Hubbard Survey, Harris County, Texas and Being a Portion of a 30-Foot Wide Right-of-Way in the Tomball Townsite Subdivision Recorded in Volume 2, Page 65 of the Harris County Plat Records; Vacating, Abandoning, and Closing Said Roadway Right-of-Way; Authorizing the Mayor to Execute and the City Secretary to Attest Respectively, to a Deed Without Warranty of Title; Providing for Severability; and Containing Other Provisions Relating to the Subject. Vote was as follows:

Councilman Townsend	<u>Aye</u>
Councilman Driver	<u>Aye</u>
Councilman Quinn	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Webb	<u>Aye</u>

Motion carried unanimously.

- 8.5 Mark McClure presented an overview of the Agreement. Motion was made by Councilman Webb, second by Councilman Townsend, to approve Sanitary Control Easements for Wells No. 5 and No. 6 and to Authorize Execution of the Easement Agreements.

Motion carried unanimously.

- 8.6 Kelly Violette presented an overview of a possible Special Events Ordinance. Consensus of Council was unanimous for City staff to develop a draft special events ordinance and bring recommendations back to Council. No action necessary.

Motion carried unanimously.

- 8.7 Rob Hauck presented an overview of the proposed contracts for replacement vehicles. Motion was made by Councilman Townsend, second by Councilman Driver, to award Contracts for the purchase of Ten (10) Replacement Police Department Vehicles to Reliable Chevrolet, Sam Pack's 5-Star, Holiday Chevrolet/Ford, and Classic Chevrolet, at a Total Cost of \$207,095.49.

Motion carried unanimously.

- 8.8 The City Council recessed at 8:08 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:

- Section 551.071 – Consultation with Attorney regarding Pending Litigation

Upon reconvening into Regular session at 8:49, no action was taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 5th day of April 2010.

Doris Speer
Doris Speer, TRMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor