

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



MONDAY, APRIL 20, 2015

6:00 P.M.

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Fagan. Other members present:

Councilman Townsend
Councilman Klein Quinn
Councilman Hudgens
Councilman Degges
Councilman Stoll

Others present:

City Manager – George Shackelford
Assistant City Manager – Robert Hauck
City Secretary – Doris Speer
City Attorney – Loren Smith
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Public Works Director – David Esquivel
Community Planner – Craig Meyers
City Engineer – Lori Lakatos
City Planner - Harold Ellis
Community Center Director – Rosalie Dillon
Fire Marshal – Doug Sanguedolce
Building Official – Ken Cole
TEDC-Executive Director – Kelly Violette
Police Captain – Ricky Doerre
Police Detective – Kenneth Yoho

2.0 The invocation was led by Pastor Bryan Donahoo, Graceview Baptist Church

3.0 The pledges to U. S. and Texas Flags were led by Alan Paul and Gabriel Gach, members of the Tomball High School Student Council.

4.0 The following public comments were received:

Rodney Hutson - Expressed his support for Ordinance No. 2015-07, as
9431 Rosie Lane, 77354 originally presented to Council.

5.0 Presentations:

- Mayor Fagan presented a Letter of Recognition to Eagle Scout **William Hunter Lang**, Troop 471

6.0 Reports and Announcements:

- April 20-24, 2015 – Annual **Spring Clean-Up and Chipping Week**
- April 25, 2015 – **Tomball Consolidated Recycling Day** – Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
- April 25, 2015 – **Tomball Rotary Annual Fish Fry** at the Depot
- May 2 and 3, 2015 – ***Rails and Tails Mudbug Festival***, with ***“Roux Run”*** at **Depot Downs** on Sunday, May 3
- May 9, 2015 – **2nd Saturday at the Depot**
- May 17, 2015 – **Lions Club Car Show** at the Depot
- May 23, 2015 – **4th Annual Memorial Day Weekend Chili Challenge**
- **June 1 through July 30** – Meetings of the **City Council, Planning and Zoning Commission, Board of Adjustments, Tourism Advisory Committee, and Tomball Municipal Court Sessions** will be held at the **Public Works Building, 501 James Street**, due to renovations at City Hall.
- **Walk Tomball!** – Every Saturday at **9:00 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
 - Mike Baxter/Grady Martin – Report on the success of the **Annual German Heritage Festival**
 - Mike Baxter – Report on the success of the ***“Stroll the Toll”***, the ***“2015 Ride 2 Recovery Texas Challenge”*** ***Welcome and Reception, 7th Annual 5K Bunny Run and 1 Mile Kids Walk***, the ***Tomball Honky Tonk Music Festival and “Texas Two-Step” Washers Tournament***, and the ***Antique Auto Show***
 - Randy Parr – Report on the success of the **Shattered Lives Event** at Concordia Lutheran High School

7.0 Motion was made by Councilman Townsend, second by Councilman Degges, to approve the Minutes of the April 6, 2015 Regular City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

- 8.1 Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2015-07, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances By Amending Sections 50-2 (“Definitions”) and 50-82 (B) (“Use Charts”) to add a Land Use and Associated Definition for “Brewpub”; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters.

Motion to AMEND was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2015-07, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances By Amending Sections 50-2 (“Definitions”) and 50-82 (B) (“Use Charts”) to add a Land Use and Associated Definition for “Brewpub”; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters, amending Section 2, definition of Brewpub to read *“Brewpub: An establishment where beer, ale, etc. are brewed in conjunction with a drinking or eating establishment. The maximum brewing production shall not exceed 10,000 barrels per year.”*

Motion to further AMEND was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2015-07, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances By Amending Sections 50-2 (“Definitions”) and 50-82 (B) (“Use Charts”) to add a Land Use and Associated Definition for “Brewpub”; Providing for Severability; Providing for a Penalty of an Amount Not to Exceed \$2,000 for Each Day of Violation of Any Provision Hereof, Making Findings of Fact; and Providing for Other Related Matters, amending Section 2, definition of Brewpub to read *“Brewpub: An establishment where beer, ale, etc. are brewed in conjunction with a drinking **and** eating establishment. The maximum brewing production shall not exceed 10,000 barrels per year.”* Vote was as follows:

Councilman Hudgens	<u>Nay</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion to further AMEND carried, 4 votes Aye, 1 vote Nay.

9.0 New Business:

- 9.1 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve Resolution No. 2015-07, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 5th 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, October 7, 2015.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve the Sale of Lot 43, Block 81, located at 0 Chestnut Street, to Adjacent Property Owner, Cecilia Briceno, for \$2,020.

Motion carried unanimously.

- 9.3 Motion was made by Councilman Klein Quinn, second by Councilman Stoll, to approve Expansion of the Area for Waiver of Impact Fees to Cover Main Street, West of Pine Street to SH 249 Business and East of Elm Street to Willow Street.

Motion was WITHDRAWN by Councilman Klein Quinn, second by Councilman Stoll, to approve Expansion of the Area for Waiver of Impact Fees to Cover Main Street, West of Pine Street to SH 249 Business and East of Elm Street to Willow Street.

No action taken.

- 9.4 Motion was made by Councilman Townsend, second by Councilman Stoll, to appoint Paige Cassel to the unexpired Position 9 (Hotel Industry) on the Tourism Advisory Committee for Term Expiring December 5, 2016.

Motion carried unanimously.

- 9.5 Motion was made by Councilman Hudgens, second by Councilman Townsend, to appoint Erik P. Berglund as Associate Municipal Court Prosecutor for the Tomball Municipal Court, with Term Beginning April 21, 2015 and Expiring December 31, 2016.

Motion carried unanimously.

- 9.6 Motion was made by Councilman Townsend, second by Councilman Degges, to approve Resolution No. 2015-06, a Resolution of the City of Tomball, Texas, Stating the City of Tomball's Intent to Participate in Tax Abatement and Establishing the Guidelines and Criteria for Granting Tax Abatements in a Reinvestment Zone Created in the City of Tomball.

Motion carried unanimously.

- 9.7 Motion was made by Councilman Klein Quinn, second by Councilman Townsend, to approve, as a Project of the Tomball Economic Development Corporation, an Agreement with Packers Plus Energy Services (USA) Inc., to Make Direct Incentives to or Expenditures for the Creation or Retention of Primary Jobs Associated with the Development of a Corporate Headquarters Campus Consisting of a Research and

Development Facility, a Manufacturing Facility, and a Corporate Office Facility on Approximately 17.38 Acres of Land, out of Lot 4 of the Recorded Plat of the Tomball Business and Technology Park, Generally Located at the Southwest Corner of Spell Road and Hufsmith-Kohrville Road. The Estimated Amount of Expenditures for such Project is up to \$338,011.00.

Motion carried unanimously.

- 9.8 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2015-05 by caption only on first reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt, on First Reading, Ordinance No. 2015-08, an Ordinance of the City of Tomball, Texas, Authorizing the Redemption Prior to Maturity of Outstanding City of Tomball, Texas Waterworks and Sewer System Revenue Bonds, Series 1999. Vote was as follows:

Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 9.9 Motion was made by Councilman Hudgens, second by Councilman Stoll, to approve Resolution No. 2015-08, a Resolution of the City Council of the City of Tomball, Texas Approving a First Amendment to the Agreement regarding the Payment of Obligations Issued for Authorized Tomball Economic Development Corporation Projects.

Motion carried unanimously.

- 9.10 Laura Lambert, Weaver and Tidwell, and Glenn Windsor presented the Comprehensive Annual Financial Report (CAFR Audit) and the Single Audit Report for the Fiscal Year Ended September 30, 2014.

No action taken.

- 9.11 Loren Smith presented an update regarding possible amendments and changes to the Licensing Requirements for Mobile Vendors; he will work with City staff to bring recommendations to Council.

No action taken.

9.12 Doris Speer presented the proposed renovations to the City Hall Council Chambers.

No action taken.

10.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 4th day of May 2015.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor