

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



**MONDAY, APRIL 4, 2016**

**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 Hudgens  
Councilman Townsend  
Councilman Degges  
Councilman Klein Quinn

Members absent:

Councilman Stoll - Excused

Others present:

City Manager – George Shackelford  
City Secretary – Doris Speer  
City Attorney – Loren Smith  
Police Chief – Billy Tidwell  
Fire Chief – Randy Parr  
Marketing Director – Mike Baxter  
Finance Director – Glenn Windsor  
Public Works Director – David Esquivel  
Director of Community Development – Craig Meyers  
Assistant City Planner – Amelia Lindley  
City Engineer – Beth Jones  
Consultant – Ron Cox

2.0 The invocation was led by Pastor Bob Webb, Rosehill United Methodist Church

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

4.0 No public comments were received.

5.0 Presentations:

Mayor Fagan presented the following proclamations:

- Proclamation - "**Henleigh Kathryn Holmes Day**"
- Proclamation - "**National Postcard Week**"
- Proclamation - "**National Public Safety Telecommunicators Week**"

6.0 Reports and Announcements:

- April 9, 2016 – **8<sup>th</sup> Annual 5K Bunny Run and 1 Mile Kids Walk**
- April 9, 2016 – **Lions Club Car Show** at Lone Star College-Tomball Campus
- April 9, 2016 – **2nd Saturday at the Depot**
- April 11, 2016 (Monday) – "**2016 Ride 2 Recovery Texas Challenge**" Welcome and Reception at the Depot – 10:30 a.m.
- April 16, 2016 – **Tomball Rotary Club Annual Fish Fry** at the Depot
- April 18-23, 2016 – **Annual Spring Clean-Up and Chipping Week**
- April 20-21, 2016 – **Shattered Lives** Event – **Tomball Memorial High School**
- April 23, 2016 – **Tomball Consolidated Recycling Day** – Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
- April 30-May 1, 2016 – **Rails & Tails Mudbug Festival** at the Depot, with "**Trackside Toss**" Washers Tournament and "**Roux Run**" Crawfish Race
- May 5, 2016 – **National Day of Prayer**
- May 28, 2016 – Tomball **Chili Challenge 2016** at the Depot
- June 4, 2016 – **Tomball Honky Tonk Music Festival** at the Depot
- July 4, 2016 – **July Fourth Celebration & Street Festival** – Business 249 at FM 2920
- Reports by City staff and members of Council about items of community interest on which no action will be taken:
  - George Shackelford announced that Doris Speer, City Secretary, had earned **Master Municipal Clerk (MMC)** designation from the International Institute of Municipal Clerks (IIMC) and Mayor Fagan presented a plaque from IIMC.

7.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve the Minutes of the February 15, 2016 Regular City Council Meeting.

Motion carried unanimously.

8.0 New Business:

8.1 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt, on Second Reading, Ordinance No. 2016-03, 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 Hudgens	<u>Aye</u>
Councilman Stoll	<u>Absent</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 8.2 Motion was made by Councilman Townsend, second by Councilman Degges, to adopt, on Second Reading, Ordinance No. 2016-04, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Granting a Conditional Use Permit (CUP) to Maple Creek Bed & Breakfast to Operate a “Bed and Breakfast Inn;” Said Property Being Approximately 5.663 Acres, and Being Legally Described as Tract 3, 5.663 Acres of McGraw Tract II, a Subdivision in the Ralph Hubbard Survey, Abstract 383, according to the Map or Plat Thereof Recorded in Vol. 423, Page 107, Map Records, Harris County, Texas, Generally Located East of Hospital Road on the North Side of E. Hufsmith Road; Providing Requirements and Conditions for This CUP; Containing Findings and Other Provisions Relating to the Subject; Providing a Penalty in an Amount Not to Exceed \$2,000 for Violations Hereof; and Providing for Severability. Motion carried unanimously. Vote was as follows:

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

Motion carried unanimously.

- 8.1 Due to failure to read Ordinance No. 2016-03 by Caption prior to the vote, motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt, on Second Reading, Ordinance No. 2016-03, 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 Hudgens	<u>Aye</u>
Councilman Stoll	<u>Absent</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried unanimously.

- 8.3 Councilman Townsend advised that he would abstain from discussion and vote on Item 8.3 and that he had filed an Affidavit of Conflict of Interest with the City Secretary.

Motion was made by Councilman Townsend, second by Councilman Klein Quinn to adopt, on Second Reading, Ordinance No. 2016-05, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Changing the Zoning District Classification of Approximately 13.1 Acres of Land, Legally Described as 5.001 Acres H.C.C.F. No. X733739 Portion of Lots 487, 488, & 489 and 8.1479 Acres H.C.C.F. No. U200671 Portion of Lots 487, 488 & 489 Tomball Townsite Volume 2, Page 65 M.R.H.C., within the City of Tomball, Harris County, Texas, from the Agricultural District to the Commercial District; Said Property Being Generally Located on the East Side of Hufsmith-Kohrville, South of The Estates at Willow Creek Subdivision; Providing for the Amendment of the Official Zoning Map of the City; 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. Vote was as follows:

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

Motion FAILED, 2 votes Aye, 1 vote Nay.

9.0 New Business:

- 9.1 Glenn Windsor Presented the Comprehensive Annual Financial Report (CAFR Audit) for the Fiscal Year Ended September 30, 2015.

No action taken.

- 9.2 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve the request by Concordia Lutheran High School for City Support of The Crusader Cook-Off, to be held on Saturday, April 23, 2016, through In-Kind Services, Including a Soft Road Closure of Timkin Road, Provided by the City of Tomball.

Motion carried unanimously.

- 9.3 Discussion was held regarding Consideration and Possible Approval to Change the Speed Limit on Brown Road from 30 mph to 35 mph from State Hwy 249 Business to Baker Drive. Consensus of Council was to have City Staff draft an ordinance to change the speed limits on Zion, from Quinn to Ulrich, to 35 MPH, and to request Harris County assistance/approval to change the speed limit on

Brown Road, from SH 249 to East Hufsmith to 35 MPH, and on East Hufsmith, at the eastern curve, to 30 MPH.

No action taken.

- 9.4 Discussion was held regarding approval to Lease City Property located at 107 N. Cherry to Dennis Henderson for Use as Office Space and Additional Restaurant Seating and Authorize City Attorney to Draft Agreement and City Manager to Execute on Behalf of the City of Tomball. Consensus of Council was for the City Attorney to draft an agreement, keeping the building and time capsule “as is” and requiring no permanent changes be made to the structure.

No action taken.

- 9.5 Ron Cox, Consultant, and George Shackelford Presented the Strategic Plan Update – City Council Report. Suggestions were made by Councilmembers to add utilization of the alleyways in the Livable Centers area, provide notice to residents/property owners to move improvements out of the City’s alleyways, to review the long-term financial requirements for the Fire Department, and to return the final document to Council on April 18, 2016.

No action taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 18th day of April 2016.

Doris Speer  
Doris Speer, TRMC, CMC  
City Secretary

Gretchen Fagan  
Gretchen Fagan  
Mayor