

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



**MONDAY, AUGUST 7, 2017  
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 Ford  
Councilman Stoll  
Councilman Degges  
Councilman Townsend  
Councilman Klein Quinn

Others present:

City Manager – George Shackelford  
Assistant City Manager – Rob Hauck  
City Secretary – Doris Speer  
City Attorney – Loren B. Smith  
Police Chief – Billy Tidwell  
Fire Chief – Randy Parr  
Marketing Director – Mike Baxter  
Finance Director – Glenn Windsor  
Director of Public Works – David Esquivel  
Director of Community Development – Craig Meyers  
City Planner – Amelia Lindley  
Assistant City Secretary – Tracy Garcia  
Events Coordinator – Denise Fiore  
Community Center Director – Rosalie Dillon  
Fire Marshal – Joe Sykora  
Chief-NWEMS – Brian Bayani

2.0 The invocation was led by Pastor Greg Sipe, Church 1:37, Tomball.

3.0 Pledges to U. S. and Texas Flags were led by Rob Hauck.

4.0 No Public Comments were received.

- 5.0 Presentations: The Mayor, Council and Chief Parr congratulated James Jones for his achieving the Accredited Company Officer Certification. Lieutenant Harrington was unable to attend.
- Fire Department:
    - James Jones – Recognition of Accredited Company Officer Certification
    - Dave Harrington – Promotion to Lieutenant
- 6.0 Reports and Announcements:
- ***Tomball City Pool – 2017 Swim Season - Jerry Matheson Park Pool*** will operate with normal hours through August 20. From August 21 through September 3, the pool will be open on Saturday and Sunday only. The pool will be closed every Monday during swim season 2017, except Memorial Day (May 29), July 4th, and Labor Day (September 4). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
  - August 26, 2017 – **Tomball Texas Music Festival**
  - September 30, 2017 – **7th Annual Beetles, Brew & Barbeque Festival** – 10:00 a.m. to 6:00 p.m.
  - October 7, 2017 – **5th “Annual Paces for Pink” 5K Run**
  - October 14, 2017 – **“Zomball in Tomball”**
  - October 21, 2017– **2nd Annual Freight Train Food Truck Festival** – 11:00 a.m. to 5:00 p.m.
  - October 28, 2017 – **6th Annual Tomball Bluegrass Festival** – 11:30 a.m. to 6:00 p.m.
  - Reports by City staff and members of council about items of community interest on which no action will be taken:
    - Mike Baxter – Presentation of **Texas Festival Events Association Awards**
- 7.0 Motion was made by Councilman Townsend, second by Councilman Ford, to approve the Minutes of the July 17, 2017 Regular and Special Tomball City Council Meetings.
- Motion carried unanimously.
- 8.0 Old Business:
- 8.1 Motion was made by Councilman Stoll, second by Councilman Degges, to adopt, on Second Reading, Ordinance No. 2017-21, 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 Acres of Land, Legally Described Lots 157, 161 and Tract 153A Tomball Outlots, Within the City of Tomball, Harris County, Texas, from the Single-Family 20 Estate District to the Single-Family 6 District; Said Property Being Generally Located on the East Side of South Cherry Street North of Justin Court; 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 Ford	<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.

- 8.2 Motion was made by Councilman Stoll, second by Councilman Klein Quinn, to adopt, on Second Reading, Ordinance No. 2017-22, 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 11.7 Acres of Land, Legally Described Tracts 71D, 73B, 76B, 80B & 83C Tomball Outlots, Within the City of Tomball, Harris County, Texas, from the Single-Family 9 District to the Single-Family 6 District; Said Property Being Generally Located on the South Side of East Hufsmith Road West of Lovett Street; 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 Ford	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Degges	<u>Aye</u>
Councilman Townsend	<u>Nay</u>
Councilman Klein Quinn	<u>Aye</u>

Motion carried, 4 votes Aye, 1 vote Nay.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Ford, to adopt, on Second Reading, Ordinance No. 2017-23, 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 Susan Alt to Operate an “Accessory Dwelling” at 202 Florence Street; Said Property Being Approximately 0.11 Acres, and Being Legally Described as Lot 2 Block 24 Tomball Outlots, Harris County, Texas, Generally Located on the North Side of Florence Street between Cherry Street and Walnut Street; 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. Vote was as follows:

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

Motion carried unanimously.

9.0 New Business:

- 9.1 Mayor Fagan called the First Public Hearing Regarding the Proposed Budget for Fiscal Year 2017-2018 to order at 6:13 p.m.

Receiving no comments, Mayor Fagan closed the Public Hearing at 6:13 p.m.

- 9.2 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Resolution No. 2017-14, a Resolution of the City of Tomball, Texas, Amending the Master Fee Schedule for Fiscal Year 2017-2018.

Motion to AMEND was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Resolution No. 2017-14, a Resolution of the City of Tomball, Texas, Amending the Master Fee Schedule for Fiscal Year 2017-2018 by changing the fee for each taxicab licensed by the City from \$50 per taxi to \$0 per taxi.

Motion, as AMENDED, carried unanimously.

- 9.3 Motion was made by Councilman Stoll, second by Councilman Degges, to approve Request from Woodforest Bank for City Support of the 9th Annual 5K Tomball Dash, a Certified Run, to be held in Tomball on Saturday, November 4, 2017, through In-Kind Services Provided by the City of Tomball.

Motion carried unanimously.

- 9.4 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Request by Tomball Pregnancy Center for In-Kind Services from the City Police, Fire, Public Works, and NWEMS Department, for the 4th Annual New Life 5K & Kid's Walk, to be held on Saturday, September 16, 2017.

Motion carried unanimously.

- 9.5 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve Request by Tomball United Methodist Church for In-Kind Support of Tomball United Methodist Church's 3rd Annual Easter Egg Hunt, to be Held at the Depot on Saturday, March 31, 2018 from 2:00 p.m. to 4:00 p.m.

Motion carried unanimously.

- 9.6 Motion was made by Councilman Klein Quinn, second by Councilman Townsend, to award Contract to BKD, LLP to Perform Audit Services for the City of Tomball for Fiscal Years Ending September 30, 2017 through September 30, 2021, beginning with a one-year engagement letter.

Motion carried unanimously.

- 9.7 Motion was made by Councilman Townsend, second by Councilman Stoll to approve the Amendment to the WCA Solid Waste Collection and Disposal Services Contract and Approve a One (1) Year Extension to the Contract.

Motion carried unanimously.

- 9.8 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2017-24 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2017-24, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, by Adding a New Section 44-167, Parking in Designated Areas Unlawful during Special Events and Festivals, of Division 1, Generally, of Article V, Stopping, Standing, and Parking, of Chapter 44, Traffic and Vehicles; Making it Unlawful to Park in Designated Areas during Special Events and Festivals and Providing for Removal of Such Unlawfully Parked Vehicles; Providing for a Penalty of an Amount Not to Exceed \$200.00 for Each Violation Hereof, with Each Day Constituting a New Violation; Making Findings of Fact; and Providing for Other Matters. Vote was as follows:

Councilman Ford	<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 Townsend, second by Councilman Stoll, to read Ordinance No. 2017-25 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on First Reading, Ordinance No. 2017-25, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, by Amending Section 16-100, Definitions, of Division 1, Generally, of Article III, Emergency Medical Services and Ambulance Regulations, of Chapter 16, Emergency Services, to Add a Definition of Paratransit Vehicle; Amending Section 16-162, Permit Required; Exception, of Division 3, Nonemergency Transfer Services, of Article III, Emergency Medical Services and Ambulance Regulations, of Chapter 16, Emergency Services; to Incorporate Paratransit Vehicles in the Exception to the Permit Requirement; Providing a Penalty in an Amount Not to Exceed \$2,000.00 for Any Violation of Any Provision of This Ordinance; Repealing All Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith; and Providing for Severability. Vote was as follows:

Councilman Ford	<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.

- 9.10 Discuss was held regarding a Possible Amendments to the Tomball Municipal Code in Regards to the Addition of a Variance Option for Signs that Do Not Meet the Provisions of Chapter 34 (Signs).

Consensus of the Council was unanimous that no amendment is necessary.

No action taken.

- 9.11 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve Proposed Amendments to Administrative Policy No. 23, entitled "PARK RESERVATION POLICY (Railroad Depot Gazebo, Railroad Depot Plaza, Juergens Park, Jerry Matheson Park, Theis Attaway Nature Park)".

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 21st day of August 2017.

Doris Speer  
Doris Speer, TRMC, MMC  
City Secretary

Gretchen Fagan  
Gretchen Fagan  
Mayor