

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



**TUESDAY, SEPTEMBER 4, 2018
6:00 P.M.**

1.0 Meeting was called to order by Mayor Fagan. Other members present:

Councilman Ford
Councilman Stoll
Councilman Degges
Councilman Townsend
Councilman Klein Quinn

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Fire Chief – Randy Parr
Assistant Fire Chief – Jonathon Fontenot
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Community Development – Craig Meyers
Director of Public Works – Beth Jones
Assistant City Secretary – Tracy Garcia
Fire Marshal – Joe Sykora
Community Center Manager – Rosalie Dillon
Executive Director-TEDC – Kelly Violette
Utilities Billing Supervisor – Lauren Sykora
Senior Accountant – Christine Brookshire
Warrant Officer/Bailiff – Ron McGullion

2.0 The invocation was led by Pastor Landon Gallaway, Grace Church

3.0 Pledges to the U. S. and Texas Flags were led by members of Boy Scout Troop #469

4.0 No public comments were received.

5.0 Reports and Announcements:

- September 15, 2018 – ***GroovFest’18*** at the Depot
- October 6, 2018 – **6th “Annual Paces for Pink” 5K Run**
- October 13, 2018 – **“Zomball in Tomball”** at the Depot
- October 20, 2018 – **Freight Train Food Truck Festival** at the Depot
- October 27, 2018 – **8th Annual Tomball Bluegrass Festival**, 12:00 p.m.- 6:00 p.m.
- November 16, 2018 – ***Downtown Holiday Lamp Post Stroll***
- November 16, 2018 – **Christmas Tree Lighting** at the Depot – 7:00 p.m.
- Reports by City staff and members of Council about items of community interest on which no action will be taken:

6.0 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve the Minutes of the August 20, 2018 Regular Tomball City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

7.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2018-31, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2018-2019; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2017-2018 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance. Vote was 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.

7.2 Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2018-23, 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 25.7328 Acres of Land, Legally Described Tract 82, Tract 75B, Tract 93, Tract 94A & 95A and Part of Lots 78 & 79 (AG-USE) Tomball Outlots, Within the City of Tomball, Harris County, Texas, From the Single-Family 9 District to the Planned Development (PD-11) District; Said Property Being Generally Located on East Hufsmith Road Between Hospital Road and 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 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>Nay</u>

Motion carried, 4 votes Aye, 1 vote Nay.

- 7.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2018-28, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include All of the Territory within Certain Limits and Boundaries and Annexing to the City of Tomball All of the Territory within Such Limits and Boundaries; Approving a Service Plan for All of the Area within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause [Tract One: Being a 0.6123 Acre Portion of Brown Road, (60.00 Feet in Width), According to a Deed Filed for Record in Volume 3194, Page 388 of the Harris County Deed Records and Tract Two: 3.0223 Acres of Land for Proposed Annexation Situated in the Joseph House Survey, A-34 in Harris County, Texas, Same Being Comprised of All of Lot 1 in Block 1 of Fourteen Six Hundred Business Park, a Subdivision in Said Harris County, Texas According to the Map or Plat Thereof Filed for Record under Film Code No. 680728 of the Harris County Map Records, Located at 14600 Brown Road, Tomball, Texas; Located within the Extraterritorial Jurisdiction of the City of Tomball, Harris County, Texas]. Vote was 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.

- 7.4 Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt, on Second Reading, Ordinance No. 2018-24, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Establishing the Zoning District of Approximately 2.7 Acres of Land, Legally Described as Lot 1 Block 1 Fourteen Six Hundred Business Park, Within the City of Tomball, Harris County, Texas, to the Commercial District; Said

Property Being Generally Located at the Northeast Corner of Brown Road and Park Place Drive; 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 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.

- 7.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to adopt, on Second Reading, Ordinance No. 2018-26, 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 47.675 Acres of Land, Legally Described Tracts 4C, 4C-2, 4H, 4K, 4L & 9A, C.M. Pillot Survey, Abstract 632, Within the City of Tomball, Harris County, Texas, from the Agricultural and General Retail Districts to the Single-Family 6 District; Said Property Being Generally Located on the West Side of South Cherry Street, South of Pine Meadows Subdivision and North of Holderrieth Road; 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 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.

- 7.6 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to adopt, on Second Reading, Ordinance No. 2018-27, creating Hoelscher Reinvestment Zone No. 6 for a 16.9-acre Tract of Land, out of Lot 5 of the Recorded Plat of the Tomball Business and Technology Park Subdivision, Film Code No. 653006 H.C.M.R., in the Elizabeth Smith Survey, Abstract No. 70, City of Tomball, Harris County, Texas, Generally Located at the Northwest Corner of South Persimmon Street and Holderrieth Road. Vote was 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.

- 8.0 New Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*
- 8.1 Approve Resolution No. 2018-22, a Resolution of the City of Tomball, Texas, Adopting and Ratifying the City of Tomball's Investment Policy, as set forth in the City's Administrative Policy No. 13, entitled "Investment Policy"
- 8.2 Approve Final One (1) Year Extension to the WCA Solid Waste Collection and Disposal Services Contract
- 8.3 Approve the Tomball Economic Development Corporation (TEDC) 2018-2019 Strategic Work Plan
- 8.4 Approve Health Insurance Contracts for City Employees with Blue Cross Blue Shield and Aetna
- 8.5 Approve Request from the Empty Glass to Host the 5th Annual Texas Wine Festival at the Depot on October 6, 2018

Mayor Fagan announced that Item 8.2 is moved to New Business, following item 9.6.

Motion was made by Councilman Klein Quinn, second by Councilman Townsend, to approve the remaining items under the Consent Agenda (8.1, 8.3, 8.4, and 8.5).

Motion carried unanimously.

9.0 New Business:

- 9.1 Motion was made by Councilman Stoll, second by Councilman Ford, to ratify the FY 2018-2019 Budget and Find that the Proposed Tax Rate of \$.341455/\$100 Does Not Exceed the Effective Tax Rate and Will Generate More Property Tax Revenue than the FY 2017-2018 Budget.

Motion carried unanimously.

- 9.2 Mayor Fagan announced that No Public Hearings on the Proposed Tax Rate for 2018 will be required.

No action required.

- 9.3 Mayor Fagan announced that the Dates for the Vote on the 2018 Tax Rate will be the Regular City Council Meeting on October 1, 2018 at 6:00 p.m. and the Regular City Council Meeting on October 15, 2018 at 6:00 p.m.

No action required.

- 9.4 Motion was made by Councilman Klein Quinn, second by Councilman Degges, to approve the Tax Abatement Agreement between City of Tomball and Hoelscher Property Management Ltd. and Hoelscher Weatherstrip Manufacturing Co. Inc. (collectively, "Hoelscher") for Improvements to be Constructed in Hoelscher Reinvestment Zone No. 6.

Motion carried unanimously.

- 9.5 Motion was made by Councilman Klein Quinn, second by Councilman Stoll, to approve the Tomball Economic Development Corporation (TEDC) Fiscal Year 2018-2019 Budget. Vote was as follows:

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

Motion carried, 3 votes Aye, 2 votes Nay.

- 9.6 Motion was made by Councilman Townsend, second by Councilman Klein Quinn, to approve, on First Reading, Resolution No. 2018-25-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Tomball Economic Development Corporation's Project to Expend Funds in accordance with an Economic Development Performance Agreement by and between the Corporation and Houston PFG Inc., to make direct incentives to, or expenditures for, assistance with infrastructure costs related to the development and construction of a commercial facility to be located at 14600 Brown Road, Tomball, Texas 77377. The estimated amount of expenditures for such Project is \$39,097.00.

Motion carried unanimously.

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

Motion carried unanimously.

- 9.7 Discussion was held regarding proposed Poly-Cart Pilot Study. Direction was received from Council.

No action taken.

- 9.8 Motion was made by Councilman Degges, second by Councilman Stoll, to approve the proposed Financing for the Purchase of One (1) Pierce Velocity 107-Ft. Ladder Fire Truck and Early Extinguishment of the Remaining Debt on the 2015 Pierce Velocity Pumper, Purchased on October 20, 2014, through Spirit of Texas Bank, with a fixed interest rate of 3.65% for the first five years and a flexible rate the last five years.

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 17th day of September 2018.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor