

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



**MONDAY, AUGUST 5, 2019
6:00 P.M.**

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

Councilman Ford
Councilman Stoll
Councilman Klein Quinn
Councilman Townsend

Members absent:

Councilman Degges - Excused

Others present:

City Manager – Robert Hauck
Assistant City Manager – David Esquivel
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Director of Public Works – Beth Jones
Fire Chief – Randy Parr
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Community Development – Craig Meyers
Fire Marshal – Joe Sykora
CSO Administrative Assistant – Sasha Luna
Community Events Coordinator – Denise Fiore
Marketing Assistant – Larrissa Roberts
Community Center Manager – Rosalie Dillon
Senior Accountant – Christine Brookshire
Police Officer-Investigations – James Harral

2.0 The invocation was led by Pastor Ed Matthews – Newness of Life Church.

3.0 The pledges to the U. S. and Texas Flags were led by Randy Parr.

4.0 The following public comments were received:

Henry Reid
President – SCHA
11102 Olde Mint House, 77377

- Expressed his appreciation to the City Council for the City’s support of the Museum and mentioned items the SCHA will possibly request assistance with; requested a link on the City’s website to the museum’s website.

5.0 Reports and Announcements:

- ***Tomball City Pool – 2019 Swim Season*** - Jerry Matheson Park Pool will operate with normal hours through August 18. The pool will be open on Saturday and Sunday only on the weekends of August 24-25 and August 31-September 1. The pool will be closed every Monday during swim season 2019, except Labor Day (September 2). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
- August 10, 2019 – **2nd Saturday at the Depot**
- September 28, 2019 – **GroovFest ’19 at the Depot**
- October 5, 2019 – **5th “Annual Paces for Pink” 5K Run**
- October 12, 2019 – **“Zomball in Tomball”**
- October 19, 2019 – **Freight Train Food Truck Festival at the Depot**
- October 26, 2019 – **9th Annual Tomball Bluegrass Festival – 12:00 Noon-6:00 p.m.**
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Denise Fiore and Larissa Roberts reported on the success of the **2019 Tomball Kids’ Club** and presented certificates of appreciation to the sponsors and volunteers.
 - Mike Baxter reported on the success of the City's ***Apollo 11 - 50th Anniversary Regional Celebration***

6.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the July 15, 2019 Special Tomball City Council Meeting and the July 15, 2019 Regular Tomball City Council Meeting

Motion carried unanimously.

7.0 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.]*

- 7.1 Approve Resolution No. 2019-23, a Resolution of the City Council of the City of Tomball, Texas, Supporting HVM BP Tomball Cong., LLC, for the Rehabilitation of the Elderly Designated Multi-Family Housing Development Known as The Village Apartments and Authorize the Mayor to Issue a Letter of Support
- 7.2 Approve Resolution No. 2019-25, a Resolution of the City of Tomball, Harris County, Texas, Dedicating 2.72 Acres of Open Space/Parkland along the J131-01-00 Tributary of Boggs Gully Drainage Way in the Broussard Community Park as Described in Exhibit (A) Attached as Open Space for Perpetuity, as Required by The Texas Parks and Wildlife Department; Approving the Terms and Conditions of the Agreement; Authorizing Its Execution by the City Manager; Repealing All Resolutions in Conflict; Providing a Severability Clause; and Providing an Effective Date
- 7.3 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)”
- 7.4 Approve Administrative Policy No. 26, entitled “Rules and Regulations for City of Tomball Parks”
- 7.5 Approve Purchase of Equipment from Kompan, Inc. for Broussard Community Park, in the Amount of \$94,273.49
- 7.6 Award Contract for Project No. 2019-07, for the Purchase of Materials for Phase II of a Utility Extension, to Accurate Utility Supply in the Amount of \$158,893.65

Motion was made by Councilman Stoll, second by Councilman Townsend, to approve Items 7.1 through 7.6 on the New Business Consent Agenda.

Motion carried unanimously.

8.0 New Business:

- 8.1 Conduct First Public Hearing Regarding the Proposed Budget for Fiscal Year 2019-2020

Mayor Fagan opened the First Public Hearing Regarding the Proposed Budget for Fiscal Year 2019-2020 at 6:24 p.m.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 6:24 p.m.

- 8.2 Motion was made by Councilman Townsend, second by Councilman Ford, to approve Resolution No. 2019-24, a Resolution of the City Council of the City of Tomball, Texas, Calling for a Public Hearing on the Creation of a Public Improvement District, Said Public Improvement District Being Located within the City of Tomball (TPID 10 – Raburn Reserve Subdivision); public hearing will be held on September 3, 2019.

Motion carried unanimously.

- 8.3 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve the abandonment of public rights-of-way and to read Ordinance No. 2019-15 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. 2019-15, an Ordinance of the City of Tomball, Texas, Finding and Determining that Public Convenience and Necessity no Longer Require the Continued Existence of Parts of Unimproved Roadways Between Persimmon Road and Hufsmith-Kohrville Road, all Situated in the Jesse Pruitt Survey, Abstract Number 629, City of Tomball, Harris County, Texas; Vacating, Abandoning, and Closing Said Unimproved Roadways and Street Rights-of-Way; Authorizing the Mayor to Execute and the City Secretary to Attest, Respectively, a Quitclaim Deed Conveying Said Unimproved Roadway and Street Right-of-Way to Raburn Commercial Resources, LP; Providing for Severability; and Containing Other Provisions Relating to the Subject. Vote was as follows:

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

Motion carried unanimously.

- 8.4 Motion was made by Councilman Townsend, second by Councilman Stoll, to read Ordinance No. 2019-18 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. 2019-18, an Ordinance Amending the Code of Ordinances of the City Council of the City of Tomball, Texas, by Repealing Article III. – Bingo Gross Receipts Tax, Section 42-58. – Construction

and Administration. and Section 42-59 – Levy Of Tax., in Its Entirety; Providing for Severability; and Making Other Provisions and Findings Related Thereto. Vote was as follows:

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

Motion carried unanimously.

8.5 Executive Session: The City Council recessed at 6:36 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(s):

- Sec. 551.071 - Consultation with the City Attorney regarding a Matter that the Attorney's Duty Requires to be Discussed in Closed Session
- Sec. 551.072 - Deliberations regarding Real Property

Upon reconvening into regular session at 6:49 p.m., no action was taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 19th day of August 2019.

Doris Speer
Doris Speer, TRMC, MMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor