

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, FEBRUARY 18, 2013
6:00 P.M.**

1.0 Call to Order

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

Councilman Hudgens
Councilman Brown
Councilman Townsend
Councilman Dodson
Councilman Stoll

Others present:

Assistant City Manager – Christal Weber
City Secretary – Doris Speer
City Attorney – Donna Johnson
Police Chief – Robert Hauck
Director of Public Works – David Kauffman
Community Development Director – Craig Meyers
Fire Chief – Randy Parr
Finance Director – Glenn Windsor
Marketing Director – Mike Baxter
City Planner – Rebeca Guerra
Assistant City Engineer – Lori Lakatos
Community Events Coordinator – Rosalie Dillon
Executive Director-TEDC – Kelly Violette
Internal Operations Director-NWEMS – Terry Rogers

2.0 Invocation

- Led by Senior Pastor Tim Niekerk, Salem Lutheran Church

3.0 Pledges to U. S. and Texas Flags

- Led by Robert Hauck and Randy Parr

4.0 The following Public Comment was received:

Bruce Hillegeist - Expressed his appreciation for the City's
GTACC advertisement in the GTACC magazine
29201 Quinn, 77375

5.0 Reports and Announcements:

- Tomball Police Department Annual Data Capture Report (SB 1074)
- **Farmers Market** – 9:00 a.m. to 1:00 p.m.
- February 19, 2013 – **Trail Rider Reception at the Depot** – 12:00 p.m.
- March 1, 2013 – Last Day to File Application for Place on May 11, 2013 Ballot – 5:00 p.m.
- March 9, 2013 – **2nd Saturday at the Depot** – 5:00 p.m.
- March 16, 2013 – **Tomball HonkyTonk Music Festival** – 11:00 a.m.-7:00 p.m.
- March 18, 2013 – Candidate Orientation (tentative date)
- March 18, 2013 and April 1, 2013 – Public Hearings regarding Tomball's Juvenile Curfew Ordinance
- April 13, 2013 – **5th Annual City of Tomball Bunny Run 5K and Kids 1K**
- April 21-27, 2013 – **Annual Tomball Clean-up Week** – 8:00 a.m.-4:30 p.m. daily
- April 27, 2013 – **Annual Tomball Recycle and E-Waste Event**
- Reports by City staff and members of council about items of community interest on which no action will be taken:
 - Glenn Windsor presented the Quarterly Investment Report for Period Ending December 31, 2012. The Public Funds Investment Act requires that a report of the City's investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values, yield information, and weighted average maturities. On December 31, 2012, the City had total cash equivalents and investments totaling \$41,105,650.
 - Mayor Fagan introduced Craig Meyers, the new Community Development Director.

6.0 Motion was made by Councilman Townsend, second by Councilman Dodson, to approve the Minutes of the February 4, 2013 Regular City Council Meeting.

Motion carried unanimously.

7.0 Old Business:

- 7.1 Motion was made by Councilman Townsend, second by Councilman Brown, to adopt, on Second Reading, Ordinance No. 2013-01, an Ordinance of the City of Tomball, Texas Waiving the Assessment and Collection of Impact Fees for Water and Wastewater Utilities for the Development of Commercial Properties within the Old Town Area as Defined in the Tomball Comprehensive Plan and including the Properties located West of the BNSF Railroad, South of Fannin Street, East of South Elm Street, and North of Florence Street, starting at the DSP Boundary in the Southeast Corner at the BNSF Railroad and Florence Street Westerly along Florence Street to South Pine Street, Northerly along South Pine Street to Percival Street, Westerly along Percival Street to School Street, Northerly along School Street to Main Street, Westerly along Main Street to Baker Street, Northerly along Baker Street to Hicks Street, Easterly along Hicks Street to North Magnolia Street, Northerly along North Magnolia Street to Unimproved Right-of-Way North of Hicks and Epps Streets, Easterly along Unimproved Right-of-Way North of Hicks and Epps Streets to North Cherry Street, Southerly along North Cherry Street to Epps Street, Easterly along Epps Street to North Elm Street, Southerly along North Elm Street to Main Street, Main Street Southerly along South Elm Street to Unimproved Fannin Street, Easterly along Unimproved Fannin Street to Right-of-Way adjacent to BNSF Railroad, Southerly along Right-of-Way adjacent to BNSF Railroad to Florence Street until March 15, 2015; Declaring all Impact Fees for Water and Wastewater Suspended by Operation of Ordinance No. 2012-31 Waived; Repealing Ordinance No. 2012-31 Passed, Approved and Adopted on the 17th Day of September, 2012 and All Other Ordinances or Parts of Ordinances in Conflict Herewith to the Extent of Such Conflict; and Providing for Severability. Vote was as follows:

Councilman Dodson	<u>Aye</u>
Councilman Hudgens	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Brown	<u>Aye</u>
Councilman Townsend	<u>Aye</u>

Motion carried unanimously.

8.0 New Business:

- 8.1 Dawson Duerer, Boy Scout, presented information regarding Proposed Eagle Scout Service for Downtown Tomball. No action taken.
- 8.2 Motion was made by Councilman Dodson, second by Councilman Brown, to approve Request for City Support for Abandoned Animal Shelter Event, "Paws for

a Cause" on Saturday, April 20, 2013 to Waive In-Kind Services Fees and Rental Fee for the Use of Juergens Park.

Motion carried unanimously.

- 8.3 Motion was made by Councilman Dodson, second by Councilman Townsend, to reappoint Tana Ross, Billy Hemby, and Brett Tynes as regular members and Rocky Pilgrim and Jarmon Wolfe as alternate members to the City of Tomball Board of Adjustments (BOA).

Motion carried unanimously.

- 8.4 Motion was made by Councilman Townsend, second by Councilman Dodson, to Approve Resolution No. 2013-14, a Resolution of the City of Tomball, Texas, Authorizing Publication of Notice of Intention to Issue Certificates of Obligation; Authorizing the Preparation of a Preliminary Official Statement and Notice of Sale; and Approving Other Matters Incidental Thereto.

Motion carried unanimously.

- 8.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to award Contract for Project #2013-01 (Purchase of Pipe, Fittings, and Valves for the Replacement of the Baker Street Water Main from Zion Rd. to SH 249), in the Amount of \$51,112.00, to ACT Pipe and Supply.

Motion to amend was made by Councilman Townsend, second by Councilman Stoll, to award Contract for Project #2013-01 (Purchase of Pipe, Fittings, and Valves for the Replacement of the Baker Street Water Main from **Quinn Rd.** to SH 249), in the Amount of \$51,112.00, to ACT Pipe and Supply.

Motion, as amended, carried unanimously.

- 8.6 Executive Session: The Tomball City Council recessed at 6:23 p.m. 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 - Private Consultation with Attorney in Closed Meeting Regarding a Matter that the Duty of the Attorney Requires be Held in Closed Session.

Upon reconvening into Regular Session at 6:40 p.m., no action was taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 4th day of March 2013.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor