

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**MONDAY, DECEMBER 2, 2013
6:00 P.M.**

1.0 Call to Order

The Council meeting was called to order at 6:00 p.m. by Mayor Pro Tem Preston Dodson. Other members present were:

Councilman Hudgens
Councilman Stoll
Councilman Townsend

Excused Absence:

Mayor Fagan - Excused

Others present:

City Manager – George Shackelford
City Secretary – Doris Speer
City Attorney – Loren Smith
Fire Chief – Randy Parr
Community Development Director – Craig Meyers
Finance Director – Glenn Windsor
Assistant City Engineer – Lori Lakatos
City Planner – Rebeca Guerra
Community Events Coordinator – Rosalie Dillon
Accountant – Christine Brookshire
Executive Director-TEDC – KellyViolette

2.0 The invocation was led by Senior Pastor Rick Brown, ChristBridge Fellowship.

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

4.0 The following public comments were received:

Alan Paul and Gabriel Gach - Extended holiday wishes and greetings from Mrs. Dio and the Tomball High School Student Council

Bruce Hillegeist, President, GTACC 29201Quinn, 77375 - Thanked the City for its support and participation in the success of the annual Holiday Parade.

5.0 Mayor Pro Tem Dodson presented the proclamation for – **Tomball Memorial High School – TMHS *Roarin’ Blue Band* - 2013 UIL Class 4A 17th Place High School Band Day**

Bruce Hillegeist, Greater Tomball Area Chamber of Commerce, presented **2014 Miss Tomball, Olivia Bliven.**

6.0 Reports and Announcements:

- December 13-15, 2013 – **2013 Tomball German Christmas Market** – 10:00 a.m.-8:00 p.m.
- December 14, 2013 – **“Christmas on Commerce” – a 2nd Saturday at the Depot Event**, from 10:00 a.m.-8:00 p.m.
- December 24-25, 2013 – **Christmas Holiday** – City Offices Closed
- January 1, 2014 – **New Year’s Day Holiday** – City Offices Closed
- **Walk Tomball!** – Every Saturday at 9:00 a.m. at the Depot
- Reports by City staff and members of council about items of community interest on which no action will be taken

7.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the November 18, 2013 Regular City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

8.1 Motion was made by Councilman Townsend, second by Councilman Hudgens, to adopt, on Second Reading, Ordinance No. 2013-21, an Ordinance of the City of Tomball, Texas, amending its Zoning Ordinance, by approving a Planned Development District (“PDD”) of approximately 8.55 acres of land, legally described as Lot 1, Block 3, Hirschfield Farms (Unrecorded); Lot 2, Block 3, Hirschfield Farms (Unrecorded); Lot 3, Block 3, Hirschfield Farms (Unrecorded); 0.1246 acres being a residue of a called 2.8805 acre tract as described in Harris

County Clerk's File Number J-904080; 1.5918 acres being a residue of a called 3.5864 acre tract as described in Film Code Number 119-48-0065, Harris County Clerk's File; Lot 1, Block 1, Hirschfield Farms (Unrecorded); Lot 5, Block 1, Final Plat of Parkway Oasis; and being a portion of Lot 1, Block 1, Final Plat of Parkway Oasis Replat No. 1, according to the map or plat recorded in Film Code No. 635087 of the Harris County Map Records, as recorded under Harris County Clerk's File No. 20070358349; within the City of Tomball, Harris County, Texas; amending the official Zoning Map of the City to reflect the PDD to be known as Planned Development District #5 (PDD-5); adopting a Concept Plan and regulations applicable to PDD-5; 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>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Dodson	<u>Aye</u>

Motion carried unanimously.

- 8.2 Motion was made by Councilman Stoll, second by Councilman Townsend, to adopt on Second Reading, Ordinance No. 2013-22, an Ordinance of the City of Tomball, Texas, amending its Zoning Ordinance by changing the zoning district classification of approximately 0.68 acres of land, legally described as Lot 2, Block 2, Brown-Hufsmith Commercial within the City of Tomball, Harris County, Texas, from the Planned Development - 1 District to the Office District; said property being generally located southerly of Brown Road between State Highway 249 and Quinn 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 as follows:

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

Motion carried unanimously.

- 8.3 Motion was made by Councilman Townsend, second by Councilman Hudgens, to adopt on Second Reading, Ordinance No. 2013-23, an Ordinance of the City of Tomball, Texas, amending its Zoning Ordinance by amending Section 38.2 ("Use

Charts") by allowing a "Residential Use" with a Conditional Use Permit in the Office District; 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>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Townsend	<u>Nay</u>
Councilman Dodson	<u>Aye</u>

Motion carried, 3 votes Aye, 1 vote Nay.

9.0 New Business:

- 9.1 Motion was made by Councilman Townsend, second by Councilman Hudgens, to approve Resolution No. 2013-34, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Annual Baseball Parade, to be held in Tomball on Saturday, March 22, 2014.

Motion carried unanimously.

- 9.2 Motion was made by Councilman Stoll, second by Councilman Townsend, to approve Resolution No. 2013-33, a Resolution of the City Council of the City of Tomball, Texas Authorizing the Purchase of Property from the Texas General Land Office and School Land Board; and Authorizing the City Manager to Execute All Documents Related Thereto.

Motion carried unanimously.

- 9.3 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve, on First Reading, Resolution No. 2013-35-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 Agreement by and between the Corporation and Garth Lodging Corporation, to make direct incentives to, or expenditures for, assistance with infrastructure costs for the promotion of new or expanded business enterprise related to the construction of a Holiday Inn Express & Suites Hotel to be located at 14055 Park Drive, Tomball, Texas 77375. The estimated amount of expenditures for such Project is \$56,000.00. Vote was as follows:

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

Councilman Townsend Aye
Councilman Dodson Aye

Motion carried unanimously.

- 9.4 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve First Amendment to Economic Development Agreement between the Tomball Economic Development Corporation and One Moore Holdings.

Motion carried unanimously.

- 9.5 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve a Commercial Real Estate Listing Agreement between the Tomball Economic Development Corporation (TEDC) and Colliers International for the sale of TEDC-owned property in the Tomball Business & Technology Park

Motion carried unanimously.

- 9.6 Executive Session: The Tomball City Council recessed at 6:30 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:

- Sec. 551.072 – Deliberations Regarding Real Property

After reconvening into regular session at 6:51 p.m., no action was taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 16th day of December 2013.

Doris Speer
Doris Speer, TRMC, CMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor