

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



**MONDAY, MAY 19, 2014  
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 were:

Councilman Hudgens  
Councilman Stoll  
Councilman Degges  
Councilman Townsend  
Councilman Dodson  
Councilman-Elect Klein Quinn

Others present:

City Manager – George Shackelford  
Assistant City Manager/Police Chief – Robert Hauck  
City Secretary – Doris Speer  
City Attorney – Loren B. Smith  
Fire Chief – Randy Parr  
Marketing Director – Mike Baxter  
Finance Director – Glenn Windsor  
Community Development Director – Craig Meyers  
City Engineer – Lori Lakatos  
City Planner – Rebeca Guerra  
Community Events Coordinator – Rosalie Dillon  
Alternate Presiding Judge-City Elections – Patsy Kinsey

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 Members of the Tomball High School Student Council.

#### 4.0 Canvass of Election:

##### 4.1 Canvass of Election

*Escrutinio de la Elección*

Kiểm Phiếu của Cuộc Bầu Cử

拉票選舉

- 4.2 Motion was made by Councilman Stoll, second by Councilman Dodson, to approve Resolution No. 2014-10, a Resolution and Order Canvassing the Returns and Declaring the Results of the Special Charter Amendment Election Held on May 10, 2014.

*El Concejal Stoll hizo la moción, secundada por el Concejal Dodson, para adoptar la Resolución Nro. 2014-10, una Resolución y Orden de Escrutinio y Declaración de Resultados de la Elección Especial Celebrada el 10 de mayo de 2014.*

Chuyển động đã được thực hiện bởi Ủy viên Hội đồng Stoll, thứ hai bởi Nghị Dodson, phê duyệt Nghị quyết số 2014-10, một Nghị quyết và tự vận động các Returns và Tuyên bố kết quả của Điều lệ sửa đổi bầu cử đặc biệt được tổ chức vào 10 tháng 5 năm 2014.

議案是由委員施托爾,第二,由委員Dodson號決議,批准2014-

10,一項決議和命令的返回和宣布禁止拉票的結果,特別是修改《憲章》關於舉行選舉可能10,2014。

Motion carried unanimously.

*Moción aceptada por unanimidad.*

Kiến nghị được nhất trí thông qua.

動議無異議地通過。

- 4.3 The Oath of Office was administered by Mayor Fagan to F. S. “Field” Hudgens as the newly elected Councilman, Position 1 and to Lori Klein Quinn as the newly elected Councilman, Position 5.

El Juramento al Cargo fue administrado por la Alcaldesa Fagan a F. S. “Field” Hudgens como nuevo Concejal, Posición 1 y a Lori Klein Quinn como nuevo Concejal, Posición 5.

*Tuyên Thệ Nhậm Chức đã được tiến hành bởi Thị Trưởng Fagan cho F. S. “Field” Hudgens là Nghị Viên mới được bầu chọn, Vị Trí 1 và cho Lori Klein Quinn Nghị Viên mới được bầu chọn, Vị Trí 5.*

官員宣誓已由Mayor Fagan支配 F. S. “Field” Hudgens

視為新當選的委員,席位1及 Lori Klein Quinn

視為新當選的委員,席位5。

- 4.4 Motion was made by Councilman Degges, second by Councilman Stoll, to Elect Councilman Hudgens as Mayor Pro-Tem, in Accordance with Section 6.08 of the City of Tomball Home Rule Charter.

*El Concejal Degges hizo la moción, secundada por el Concejal Stoll, a elegir el Concejal Hudgens como Alcalde Pro-Tem, de conformidad con la sección 6,08 de la ciudad de Tomball Carta autonómica.*

Chuyển động đã được thực hiện bởi Ủy viên Hội đồng Degges, thứ hai bởi Nghị Stoll, đề cử Ủy viên Hội đồng Hudgens như Thị trưởng Pro-Tem, phù hợp với mục 6.08 của thành phố Tomball Trang chủ Quy tắc Điều lệ.

運動是由議會議員Degges做，第二個由斯托爾市議員，選舉市議員妮莎哈金斯作為市長暫時按照市湯波地方自治憲章第6.08。

Motion carried unanimously.

*Moción aceptada por unanimidad.*

Kiến nghị được nhất trí thông qua.

動議無異議地通過。

Councilman Hudgens was elected Mayor Pro-Tem.

*El Concejal Hudgens fue elegido Alcalde interino.*

Nghị Viên Hudgens được chọn làm Thị Trưởng Tạm Thời.

委員 Hudgens 已當選為暫時市長。

- 5.0 The following public comment was received:

|                                     |   |  |
|-------------------------------------|---|--|
| Harry Byrd<br>602 N. Hickory, 77375 | - | Expressed his desire to serve on the Planning and Zoning Commission, if appointed. |
|-------------------------------------|---|--|

- 6.0 Presentations:

Mayor Fagan honored Councilmember Preston Dodson for his service to the City of Tomball, August 2010 – May 2014.

Mayor Fagan presented Proclamations declaring the following:

- May 18-24, 2014 is “*National Public Works Week*”
- May 25-30, 2014 is “*Hurricane Preparedness Week*”

- 7.0 Reports and Announcements:

- May 24, 2014 – **3<sup>rd</sup> Annual Memorial Day Weekend Chili Challenge** – 10:00 a.m.-5:00 p.m.
- May 24, 2014 – **Tomball City Pool - 2014 Swim Season - Jerry Matheson Park Pool** will open May 24, 2014 and close on September 1, 2014. May 24-June 6,

2014, the pool will be open only during weekends. The pool will be closed every Monday during swim season 2014, except Memorial Day and Labor Day. June 6-August 24, 2014 will be regular weekly days and hours. After August 24, 2014, the pool will open weekends only until September 1, 2014.

- June 9-July 28, 2014 - **TOMBALL KID'S CLUB** - *Every Monday and Thursday, 11:00 a.m.-1:00 p.m., at MLK Community Park, 403 W. Chestnut*
- June 14, 2014 - **2nd Saturday at the Depot** - 6:30 p.m.
- June 26, 2014 – **6th Annual Economic Outlook Luncheon – “Celebrating 20 Years of Community Development”** – sponsored by the **Tomball Economic Development Corporation** at **Lone Star College-Tomball** – 11:30 a.m.-1:30 p.m.
- July 4, 2014 – **July 4<sup>th</sup> Celebration and Street Party –5:00 p.m.-10:30 p.m.**
- August 30, 2014 –**Texas Music Festival**
- September 27, 2014 – **4<sup>th</sup> Annual Bugs, Brew & Barbeque Festival**
- October 25, 2014 – **3<sup>rd</sup> Annual Tomball Bluegrass Festival**
- **Walk Tomball!** – Every Saturday at 8:00 a.m. at the Depot (**NOTE: New Time**)
- 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 March 31, 2014**. 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 March 31, 2014, the City had total cash equivalents and investments totaling \$55,112,710. A copy of the report is attached for Council review.
  - Rebeca Guerra – presented an update regarding Donation Box Ordinance (Chapter 42) and Sign Ordinance (Chapter 60) Code Enforcement

8.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the Minutes of the May 5, 2014 Regular City Council Meeting.

Motion carried unanimously.

9.0 New Business:

9.1 Motion was made by Councilman Townsend, second by Councilman Stoll, to re-appoint H. G. “Hap” Harrington as Representative to the Southeast Texas Housing Finance Corporation Board of Directors.

Motion carried unanimously.

9.2 Motion was made by Councilman Hudgens, second by Councilman Stoll, to reappoint Darrell Roquemore and appoint Harry Byrd to serve on the City of

Tomball Planning and Zoning Commission and the Capital Improvement Plan Advisory Committee.

Motion carried unanimously.

- 9.3 Motion was made by Councilman Hudgens, second by Councilman Stoll, to approve the Proposed Amendment to the Existing Agreement with Harris County regarding The City of Tomball's Participation with Harris County through Harris County's Community Development Block Grant Program.

Motion carried unanimously.

- 9.4 Motion was made by Councilman Townsend, second by Councilman Degges, to approve the Letter of Support on behalf of the Tomball Sister City Organization for Road Closure of South Cherry Street, a County Road, in Connection with the German Christmas Market, December 12-14, 2014 and the German Heritage Festival, March 27-29, 2015 and Authorize Mayor Fagan to Issue Letter of Support to Harris County Commissioners Court.

Motion carried unanimously.

- 9.5 Motion was made by Councilman Hudgens, second by Councilman Stoll, to approve the request from Dana Kelly to block off the Tomball Depot Area and close Market and South Walnut and Market and South Elm Streets for "*The 1<sup>st</sup> Annual Empty Glass Wine Festival*", to be held on Sunday, October 5, 2014, from 12:00 p.m. to 5:00 p.m.

Motion carried unanimously.

- 9.6 Motion was made by Councilman Degges, second by Councilman Stoll, to approve the Professional Services Agreement for Engineering Services for the Design and Construction of the North Wastewater Treatment Plant Emergency Generator to Jones & Carter, Inc., for a Not to Exceed Cost of \$34,000.00, and authorize the City Manager to Execute the Necessary Agreement

Motion carried unanimously.

- 9.7 Motion was made by Councilman Degges, second by Councilman Stoll, to approve Fixed Pricing for Natural Gas Acquisitions for the City's North Gate Natural Gas Purchases from EDF Trading for a Fixed Price of \$4.80/MMBtu for June 2014 thru June 2015

Motion carried unanimously.

9.8 Council received the presentation regarding Draft Stormwater Management Program (SWMP)

- Mayor Fagan opened the Public Input Session at 7:09 p.m. to receive Public Input regarding the Stormwater Management Program

Receiving no public input, Mayor Fagan closed the Public Input Session at 7:09 p.m.

No action taken.

9.9 Mayor Fagan opened the Public Hearing at 7:34 p.m. to consider approval of Land Use Assumptions, Capital Improvements Plan, (CIP) for Water, Wastewater, Drainage, and Roadway Facilities, relating to possible adoption of Impact Fees; Consideration of Written Comments to be Provided to the City Council; in accordance with Chapter 395, Texas Local Government Code; Making Other Findings and Providing Details Related Thereto.

Receiving no public comments, Mayor Fagan closed the Public Hearing at 7:34 p.m.

Motion was made by Councilman Stoll, second by Councilman Townsend, to read Ordinance No. 2014-12 by caption only on First Reading.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Hudgens, to adopt, on First Reading, Ordinance No. 2014-12, an Ordinance of the City of Tomball, Texas, adopting the City's Land Use Assumptions and Capital Improvements Plan; Containing Other Provisions Relating to the Subject; and Providing for Severability. Vote was as follows:

|                        |            |
|------------------------|------------|
| Councilman Hudgens     | <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 Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the following Plat as recommended by the Planning and Zoning Commission:

- **DEWEYCASA FINAL PLAT**; Being a Subdivision of 0.7310 acre, located in the Joseph House Survey, A-34, Harris County, Texas and being Tract One and Tract Two of a 6.23 acre tract.

Motion carried unanimously.

- 9.11 Motion was made by Councilman Degges, second by Councilman Stoll, to approve the Pipeline Relocation/Reimbursement and Encroachment Agreement with Eagle Rock Desoto Pipeline, L.P. (“Eagle Rock”), in the Amount of \$73,199.00, and authorize the City Manager to execute the Agreement with Eagle Rock Desoto Pipeline, L.P. (“Eagle Rock”).

Motion carried unanimously.

- 9.12 Motion was made by Councilman Townsend, second by Councilman Hudgens, to set June 16, 2014 at 6:00 p.m. as the date and time for a Council Workshop to Discuss the Downtown Sidewalks and Possible Enhancements to the Four Corners Intersection.

Motion carried unanimously.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 2nd day of June 2014.

Doris Speer  
Doris Speer, TRMC, CMC  
City Secretary

Gretchen Fagan  
Gretchen Fagan  
Mayor