

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



MONDAY, MARCH 2, 2009

7:00 P.M.

1.0 Call to Order

The meeting was called to order by Mayor Fagan. Other members present were:

Councilman Quinn
Councilman Harvey
Councilman Lazenby
Councilman Webb
Councilman Driver

Others present:

City Manager – Jan Belcher
Assistant City Manager – Mary Coker
City Secretary – Doris Speer
City Attorney – Scott Bounds, Olson & Olson
Chief of Police – Robert Hauck
Assistant to City Manager – Shawn Cox
Director of Engineering and Planning – Mark McClure
City Planner/Comm. Dev. Coordinator – Kelly Violette
Community Events Coordinator – Rosalie Dillon

2.0 Invocation

- Led by Pastor Clarence Yordy, Carrell Street Baptist Church

3.0 Pledges to U. S. and Texas Flags

- Led by Pack 471, St. Anne's Weblos I

4.0 Public Comments and Receipt of Petitions *(At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.)*

Jim McKinney
1306 Dove Trails, 77375

- Asked to have his name removed from the petition opposing Raleigh Creek development on Zion Road due to developer having vested rights; presented a petition from 14 additional property owners requesting that their names be removed from the petition opposing the Raleigh Creek development as well.

5.0 Presentations:

- Mayor Fagan presented a proclamation declaring March 4, 2009 as “Dr. William E. Tompkins Day” to Dr. Tompkins and his family. Sherrie Meicher presented a letter from Congressman Michael McCaul to Dr. Tompkins.
- Mayor Fagan presented a proclamation declaring March 13-16, 2009 as “Wings of Freedom Tour Days” to Franklin Stephens, Judge Advocate, VFW Post 2427.
- Jan Belcher provided an overview of the Regional Rail Study. John Fishero, Committee Chair, Greater Tomball Area Chamber of Commerce Mobility & Transportation Committee, and Rob Maxwell, Commuter Rail Advisory Group, gave a presentation on the 249 Corridor Commuter Rail Study and requested direction from City Council. Consensus of the Council was unanimous to prepare a resolution of support.

6.0 Reports and Announcements:

- March 9-16, 2009 – Spring Clean Up Week
- March 11, 2009 – Comprehensive Plan “**Tomball Vision Institute,**” Tomball High School Auditorium – 6:00-9:00 p.m.
- March 14, 2009 – Second Saturday at the Depot
- March 27-29, 2009 – Tomball German Heritage Festival
- April 11, 2009 – 1st Annual City of Tomball Bunny Run 5K and Kids 1K
- **Walk Tomball!** (every Saturday at 9:00 a.m. at the Depot)
- Comprehensive Plan website is now available online – <http://plantomball.com/index.html>

7.0 Motion was made by Councilman Lazenby to approve the Minutes of the Special City Council Meeting of February 16, 2009 and the Regular City Council Meeting of February 16, 2009; second by Councilman Harvey.

- Special City Council Meeting of February 16, 2009
- Regular City Council Meeting of February 16, 2009

8.0 New Business – Regular items:

- 8.1 Mayor Fagan provided an overview to Council regarding the appointment of a regular member and alternate member to the Board of Adjustments. Motion was made by Councilman Harvey to appoint Tana Ross as a regular member, Position 1 and to appoint John Lynch as alternate member, Position 1; second by Council Driver.

Motion carried unanimously.

Motion was made by Councilman Webb to appoint Barbara Tague as alternate member, Position 2, and Field Hudgens as alternate member, Position 3; second by Councilman Driver.

Motion carried unanimously.

- 8.2 Jan Belcher provided an overview to Council regarding City Manager's Vested Rights Determination Letter dated February 25, 2009, regarding Pine Country Subdivision (PCOT Investments, Inc.) Proposed Development. Motion was made by Councilman Harvey to Receive the City Manager's Vested Rights Determination Letter dated February 25, 2009, regarding Pine Country Subdivision (PCOT Investments, Inc.) Proposed Development; second by Councilman Driver.

Motion carried unanimously.

- 8.3 Mark McClure gave a presentation regarding the proposed Capital Improvements Plan and required public hearing. Motion was made by Councilman Webb to Approve Resolution No. 2009-06, a Resolution of the City Council of the City of Tomball, Texas, Adopting Land Use Assumptions and Capital Improvements Plan (the "CIP") for Water, Wastewater, Drainage, and Roadway Facilities; Establishing a Public Hearing Date and Form of Notice for Hearing on Adoption of Impact Fees; Directing the CIP Advisory Committee to File Written Comments; all in Accordance with Chapter 395, Texas Local Government Code; Making Other Findings and Providing Details Related Thereto; Repealing all Resolutions and Orders or Parts Thereof Inconsistent or in Conflict Herewith; and Providing for Severability second by Councilman Harvey.

Motion carried unanimously.

- 9.0 Motion was made by Councilman Harvey to adjourn, second by Councilman Driver.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 6th day of April 2009.

Doris Speer
Doris Speer, TRMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor