

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



**MONDAY, JULY 6, 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 Stoll  
Councilman Webb  
Councilman Townsend  
Councilman Driver

Others present:

City Manager – Jan Belcher  
City Secretary – Doris Speer  
City Attorney – Bill Olson  
Director of Public Works – David Kauffman  
Director of Engineering and Planning – Mark McClure  
Police Captain – Rick Grassi  
Fire Chief – Randy Parr  
Finance Director – Monica Kohlenberg  
Assistant to City Manager – Shawn Cox  
Community Events Coordinator – Rosalie Dillon

2.0 Invocation

- Led by Pastor Bryan Donahoo from Graceview Baptist Church

3.0 Pledges to U. S. and Texas Flags

- Led by Randy Parr, Fire Chief

4.0 The following public comments were received:

Mary Harvey  
405 S. Walnut, 77375 - Requesting Council approval of road closures and City support for the 37<sup>th</sup> Annual Tomball Night and Parade for August 7, 2009.

5.0 Presentations:

- Mayor Fagan presented a Plaque of Appreciation to Roy Lazenby for his dedicated service to the City of Tomball and its citizens.
- Mayor Fagan presented a Proclamation declaring July 13-17, 2009 as “City of Tomball Employee Appreciation Week” to Lisa Coe, Director of Human Resources, Steven Foehner, Will Goff, Gary Lane, Mike Lewis, Mayor Gretchen Fagan, Virginia Young, Julie Stafford, Stacey Smith, Danny Arriaga, Mark Langdon, Eric Hoffman, and Keith Bitz.

6.0 Reports and Announcements:

- July 7 and 8, 2009 – Special City Council Budget Workshops – 6:00 p.m.
- July 11, 2009 – Farmers Market – 8:00 a.m.
- July 11, 2009 - 2<sup>nd</sup> Saturday at the Depot, 6:00 p.m.
- July 14 and 15, 2009 – Special City Council Budget Workshops – 6:00 p.m.
- July 20, 2009 – Appointment/Reappointment of Hospital Board of Directors (Appointments Expire August 31)
- August 7, 2009 – Tomball Night
- August 12, 2009 – Comprehensive Plan Alternatives Workshop – 6:00 p.m. at the Community Center
- **Walk Tomball!** (Every Saturday at 8:00 a.m. at the Depot)
- Comprehensive Plan website is now available online – <http://plantomball.com/index.html>

7.0 Motion was made by Councilman Webb, second by Councilman Stoll, to approve the minutes of the following meetings:

- Regular City Council Meeting of June 15, 2009
- Special City Council Meeting of June 22, 2009
- Special City Council Meeting of June 26, 2009

Motion carried unanimously.

8.0 **Old Business**

8.1 Shawn Cox presented an overview and information regarding sales tax collections. Motion was made by Councilman Townsend, second by Councilman Stoll to adopt, on Second Reading, Ordinance No. 2009-17, an Ordinance Amending Article IV. Sales and Use Tax, of Chapter 74. Taxation, of the Code of Ordinances of the City of Tomball, Texas, by the Addition of a New Section 74-75, “Repeal of Telecommunications Sales Tax Exemption”;

Making Findings of Fact; Providing for Severability; and Making Other Provisions Related Thereto. Vote was as follows:

Councilman Quinn	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Webb	<u>Aye</u>
Councilman Townsend	<u>Aye</u>
Councilman Driver	<u>Aye</u>

Motion carried unanimously.

**9.0 New Business – Consent Agenda:**

9.1 Doris Speer provided overview of the Greater Tomball Area Chamber of Commerce's requests for Tomball Night and Resolution No. 2009-17, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 37th Annual Tomball Night and Parade, to be Held in Tomball on Friday, August 7, 2009.

9.2 Doris Speer provided overview regarding the request by Windcrest Collision to return to the Emergency Wrecker Rotation List.

Request was made by Councilman Townsend to remove item 9.2 from the consent agenda.

Motion was made by Councilman Townsend, second by Councilman Driver, to approve Resolution No. 2009-17, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 37th Annual Tomball Night and Parade, to be Held in Tomball on Friday, August 7, 2009.

Motion carried unanimously.

Motion was made by Councilman Townsend, second by Councilman Stoll, to approve the request by Windcrest Collision to return to the Emergency Wrecker Rotation List.

Motion carried unanimously.

**10.0 New Business:**

10.1 Mark McClure and Dale Conger, Cobb, Fendley and Associates, provided overview. Motion was made by Councilman Stoll, second by Councilman Townsend to Accept the Agg Road/Medical Complex Drive Expansion Preliminary Engineering Report as prepared and presented by Cobb, Fendley and Associates.

Motion carried unanimously.

- 10.2 Mark McClure provided overview. Motion was made by Councilman Driver, second by Councilman Stoll to approve **EVERHEALTH TRACT**: Being a Replat of a 3.0906 acre tract of land in the Jesse Pruitt Survey, Abstract No. 629, in Harris County, Texas, out of and a part of Lot 197 of Five Acre Tracts – Tomball, Townsite, Harris County, Texas according to the map or plat thereof recorded in Volume 2, Page 65, of the Map Records of Harris County, Texas. Vote was as follows:

Councilman Quinn	<u>Aye</u>
Councilman Stoll	<u>Aye</u>
Councilman Webb	<u>Aye</u>
Councilman Townsend	<u>Nay</u>
Councilman Driver	<u>Aye</u>

Motion carried, 4 to 1.

- 10.3 Monica Kohlenberg provided overview regarding Spring Creek County Historical Association's request for funding. Motion was made by Councilman Webb, second by Councilman Townsend, to approve a Grant of Hotel Occupancy Tax Funds for the Spring Creek County Historical Association in the Amount of \$12,000.00

Motion carried unanimously.

- 10.4 Shawn Cox provided overview regarding proposed changes to Administrative Policy No. 15, entitled "Tomball Community Center Policies and Operating Principles. Motion was made by Councilman Stoll, second by Councilman Townsend to approve Proposed Amendments to Administrative Policy No. 15 - Tomball Community Center Policies and Operating Procedures. Motion to Amend was made by Councilman Stoll, second by Councilman Townsend, to include language in Administrative Policy No. 15 stating that Tomball-based youth groups are exempt from room rental fees.

Motion to Amend carried unanimously.

Motion, as amended, carried unanimously.

- 10.5 Rick Grassi provided overview regarding the proposed Interlocal Agreement. Motion was made by Councilman Webb, second by Councilman Townsend, to approve the Interlocal Agreement between the City of Tomball and the City of Shenandoah regarding use of the Tomball Police Department Firearms Training Facility (TPD-FTF)

Motion carried unanimously.

- 10.6 Randy Parr provided overview regarding the proposed grant and benefit to the City. Motion was made by Councilman Stoll, second by Councilman Townsend, to authorize the

Fire Chief to Submit a Grant Application to Fund a Portion of the Costs for the Expansion of Fire Station #1.

Motion carried unanimously.

10.7 Executive Session: The City Council recessed at 8:25 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:

- Section 551.074 Personnel Matters – Deliberations Regarding the Hiring/Employment of an Assistant City Manager

Upon reconvening into Regular session at 8:54 p.m., no action was taken.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 20th day of July 2009.

Doris Speer  
Doris Speer, TRMC  
City Secretary

Gretchen Fagan  
Gretchen Fagan  
Mayor