

MINUTES OF THE REGULAR CITY COUNCIL MEETING, HELD ON MONDAY, NOVEMBER 17, 2003 AT 7:00 P.M. AT CITY HALL, 401 MARKET STREET, TOMBALL, TEXAS 77375.

1.0 MEETING WAS CALLED TO ORDER BY MAYOR HARRINGTON. OTHER MEMBERS PRESENT:

COUNCILMAN FORD  
COUNCILMAN GATLIN  
COUNCILMAN HOLLAND  
COUNCILMAN MARTIN  
COUNCILMAN STOVALL

OTHERS PRESENT:

CITY MANAGER – BEN GRIFFIN  
ASSISTANT CITY MANAGER – MARY COKER  
CITY ATTORNEY – BILL OLSON  
CITY SECRETARY – DORIS SPEER  
CHIEF OF POLICE – MICHAEL BLAKE  
DIRECTOR OF PUBLIC WORKS – MARK MCCLURE  
FINANCE DIRECTOR – SHERRIE MATTSON  
FIRE CHIEF – GENE WHITENACK  
CUB SCOUT PACK #469

2.0 PUBLIC COMMENTS WERE RECEIVED:

DAVID ANTONIONO - AMENDMENT TO SIGN ORDINANCE TO ALLOW TEMPORARY SIGNS ANNOUNCING “GRAND OPENINGS” OF NEW BUSINESSES

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE GIVEN BY COUNCILMEMBERS.

3.1 THE CITY MANAGER’S REPORT WAS PRESENTED:

PUBLIC HEARING REGARDING ALIGNMENT OF MEDICAL COMPLEX BOULEVARD FROM PERSIMMON TO MAHAFFEY WILL BE HELD ON DECEMBER 1, 2003 AT 6:00 P.M., PRIOR TO REGULAR COUNCIL MEETING PLAT APPROVED BY PLANNING COMMISSION COMPLIMENT TO PUBLIC WORKS EMPLOYEES, WAYNE SMITH, FELIX JARRELL, AND RODNEY FISHER

- 4.0 MOTION WAS MADE BY COUNCILMAN HOLLAND TO APPROVE THE MINUTES OF REGULAR COUNCIL MEETING OF NOVEMBER 3, 2003; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION REGARDING THE FOLLOWING ITEMS:

- 5.0 OLD BUSINESS:

- 6.0 NEW BUSINESS:

- 6.1 MOTION WAS MADE BY COUNCILMAN FORD TO AWARD PROJECT 2004-01, PROPOSED UTILITIES CASINGS AT HOOPER ROAD AND HIRSCHFIELD ROAD AND WATERLINE CONSTRUCTION ACROSS PROPOSED SH 249, TO LOW BIDDER, KINGSLEY CONSTRUCTORS, INC., IN THE AMOUNT OF \$187,830.50; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

- 6.2 MOTION WAS MADE BY COUNCILMAN GATLIN TO AWARD PROJECT 2004-02, PINE STREET, FANNIN STREET AND JAMES STREET FIBER OPTIC AND WATERLINE PROJECT, TO LOW BIDDER, McKINNEY CONSTRUCTION, INC., IN THE AMOUNT OF \$142,080.49; SECOND BY COUNCILMAN STOVALL.

MOTION WAS MADE BY COUNCILMAN GATLIN TO AMEND HIS MOTION TO AWARD PROJECT 2004-02, PINE STREET, FANNIN STREET AND JAMES STREET FIBER OPTIC AND WATERLINE PROJECT, TO LOW BIDDER, McKINNEY CONSTRUCTION, INC., IN THE AMOUNT OF \$142,080.49, CONTINGENT UPON RECEIPT OF A FAVORABLE FINANCIAL REPORT (DUNN & BRADSTREET) ON McKINNEY CONSTRUCTION, INC.; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

- 6.3 MOTION WAS MADE BY COUNCILMAN HOLLAND TO AWARD PROJECT 2004-03, EXTENSION OF JOHNSON ROAD, TO LOW BIDDER, SOUTH COAST CONSTRUCTION, IN THE AMOUNT OF \$602,994.10; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.4 MOTION WAS MADE BY COUNCILMAN MARTIN TO ADOPT RESOLUTION NO. 2003-40, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, ESTABLISHING A FEE OF THIRTY DOLLARS TO BE CHARGED FOR CHECKS RETURNED TO THE CITY; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 6.5 MOTION WAS MADE BY COUNCILMAN FORD TO ADOPT RESOLUTION NO. 2003-41, A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, AMENDING THE AUTHORIZED REPRESENTATIVES IN THE PARTICIPATION AGREEMENT AND THE ACCOUNT IN THE NAME OF CITY OF TOMBALL WITH "TEXPOOL"; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

- 6.6 EXECUTIVE SESSION: THE CITY COUNCIL MET IN EXECUTIVE SESSION AT 7:25 P.M., AS AUTHORIZED BY TITLE 5, CHAPTER 551, GOVERNMENT CODE, THE TEXAS OPEN MEETINGS ACT, FOR THE FOLLOWING PURPOSES:

1. SECTION 551.071 CONSULTATION WITH ATTORNEY REGARDING CONTEMPLATED LITIGATION
2. SECTION 551.074 PERSONNEL MATTERS

AFTER RECONVENING IN REGULAR SESSION AT 8:10 P.M., NO ACTION WAS TAKEN.

- 7.0 MOTION WAS MADE BY COUNCILMAN MARTIN TO ADJOURN; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

(signed) Doris J. Speer  
DORIS J. SPEER, TRMC  
CITY SECRETARY

(signed) H. G. Harrington  
H. G. HARRINGTON  
MAYOR