

MINUTES OF REGULAR CITY COUNCIL MEETING, HELD ON MONDAY, DECEMBER 15, 2003
AT 7:00 P.M. AT CITY HALL, 401 MARKET STREET, TOMBALL, TEXAS 77375.

1.0 MEETING WAS CALLED TO ORDER AT 7:00 P.M. BY MAYOR HARRINGTON. OTHER MEMBERS PRESENT:

COUNCILMAN MARTIN
COUNCILMAN GATLIN
COUNCILMAN STOVALL
COUNCILMAN FORD
COUNCILMAN HOLLAND

OTHERS PRESENT:

CITY MANAGER – BEN GRIFFIN
ASSISTANT CITY MANAGER – MARY COKER
CITY ATTORNEY – LOREN SMITH
CITY SECRETARY – DORIS SPEER
CHIEF OF POLICE – MICHAEL BLAKE
DIRECTOR OF PUBLIC WORKS – MARK MCCLURE
FIRE MARSHALL – GENE WHITENACK
CITY ENGINEER – DAVID KELLY

2.0 PUBLIC COMMENTS WERE RECEIVED:

RALPH STERLE,
23503 STUEBNER-AIRLINE - SERVICE AGREEMENT BETWEEN CITY OF HOUSTON AND CITY OF TOMBALL FOR FIRE PROTECTION IN ETJ; INSURANCE RATES IN ETJ AND CITY

DEREK TOWNSEND
30618 WILLIAM JUERGENS - VOLUNTEER FIRE DEPARTMENT

NORMAN WALKER
10530 HUFSMITH - FIRE PROTECTION IN ETJ; ISO RATING

LISA STERLE
607 MALONE - VOLUNTEER FIRE DEPARTMENT

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE RECEIVED:

- 3.1 PRESENTATION OF "CLASS 1" ISO RATING PLAQUE TO THE TOMBALL CITY COUNCIL WAS MADE BY GENE WHITENACK, FIRE CHIEF
- 3.2 PRESENTATIONS TO THE WINNERS OF THE 2003 TOMBALL HOLIDAY DECORATIONS CONTEST WERE MADE BY PAT BAILEY, CHAIRMAN OF THE TOMBALL PARKS BOARD AND HOLIDAY DECORATIONS COMMITTEE

VARIOUS REPORTS AND ANNOUNCEMENTS WERE RECEIVED FROM COUNCILMEMBERS.

- 3.2 THE CITY MANAGER'S REPORT WAS PRESENTED:
 - A. PLAT APPROVED BY PLANNING COMMISSION
 - B. RATE ADJUSTMENT/INCREASE IN CABLE PRICES
 - C. PENDING INITIATIVES WITH THE FEDERAL BUREAU OF INVESTIGATION
 - D. INSPECTION OF WELL NO. A-2 BY RAILROAD COMMISSION
 - E. NEW ALTERNATING SIGNALS AT PINE AND HOLDERRIETH BLVD.
 - F. BEN GRIFFIN PROVIDED AN UPDATE ON THE TOMBALL FIRE DEPARTMENT
- 4.0 MOTION WAS MADE BY COUNCILMAN FORD TO APPROVE MINUTES OF PUBLIC HEARINGS AND REGULAR COUNCIL MEETING OF DECEMBER 1, 2003; SECOND BY COUNCILMAN HOLLAND.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION REGARDING THE FOLLOWING ITEMS:

- 5.0 OLD BUSINESS:
 - 5.1 MOTION WAS MADE BY COUNCILMAN MARTIN 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 HOLLAND.

MOTION CARRIED UNANIMOUSLY.

- 6.0 NEW BUSINESS:
 - 6.1 MOTION WAS MADE BY COUNCILMAN STOVALL TO AWARD PROJECT 2004-05, SEWER AND WATER PIPES, PARTS AND MATERIALS, TO LOW BIDDER, HUGHES SUPPLY, INC., IN THE AMOUNT OF \$240,384.34; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.2 MOTION WAS MADE BY COUNCILMAN MARTIN TO APPROVE RESOLUTION NO. 2003-44, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DETERMINING THAT LAND IS NEEDED FOR PUBLIC USE FOR CONSTRUCTION OF STATE HIGHWAY 249 AT HOLDERRIETH UTILITY EXTENSION PROJECT FOR THE CITY OF TOMBALL, TEXAS (0.228 ACRES – DENINA FAMILY PARTNERSHIP); SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 6.3 MOTION WAS MADE BY COUNCILMAN FORD TO APPROVE RESOLUTION NO. 2003-45, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, MAKING FINDINGS CONCERNING CERTAIN LAND NEEDED FOR CONSTRUCTION OF THE CALVERT TO HOOPER ROAD UTILITY EXTENSION PROJECT FOR THE CITY OF TOMBALL, TEXAS (0.0460 ACRE – DAVID KOHUT AND WIFE, CLARISSA KOHUT); SECOND BY COUNCILMAN HOLLAND.

MOTION CARRIED UNANIMOUSLY.

- 6.4 MOTION WAS MADE BY COUNCILMAN STOVALL TO APPROVE RESOLUTION NO. 2003-46, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DESIGNATING JANUARY 5, 2004 AS “VOLUNTEER FIREFIGHTERS’ RECOGNITION DAY;” SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

- 6.5 MOTION WAS MADE BY COUNCILMAN HOLLAND TO APPROVE CONTRACT BETWEEN TOMBALL ECONOMIC DEVELOPMENT CORPORATION AND KLOPFENSTEIN REAL ESTATE, L.P. AND CHEMVALVE, INC. FOR A GRANT, NOT TO EXCEED \$18,000; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

- 6.6 MOTION WAS MADE BY COUNCILMAN FORD TO APPROVE CONTRACT BETWEEN TOMBALL ECONOMIC DEVELOPMENT CORPORATION AND SAVINGS BY DESIGN AND QTRCO FOR A GRANT, NOT TO EXCEED \$24,000; SECOND BY COUNCILMAN STOVALL.

- 6.7 MOTION WAS MADE BY COUNCILMAN MARTIN TO AUTHORIZE CITY ATTORNEY TO DRAFT ORDINANCE AMENDING CHAPTER 14, *BUILDINGS AND BUILDING REGULATIONS*, TO PROVIDE FOR THE GRANTING OF VARIANCES;

SECOND BY COUNCILMAN HOLLAND. MOTION WAS MADE BY COUNCILMAN GATLIN TO AMEND PREVIOUS MOTION BY TABLING AUTHORIZING CITY ATTORNEY TO DRAFT ORDINANCE AMENDING CHAPTER 14, *BUILDINGS AND BUILDING REGULATIONS*, TO PROVIDE FOR THE GRANTING OF VARIANCES, UNTIL THE NEXT COUNCIL WORKSHOP; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

6.8 EXECUTIVE SESSION: THE CITY COUNCIL MET AT 7:40 P.M. IN EXECUTIVE SESSION AS AUTHORIZED BY TITLE 5, CHAPTER 551, GOVERNMENT CODE, THE TEXAS OPEN MEETINGS ACT, FOR THE FOLLOWING PURPOSES:

1. SECTION 551.072 DELIBERATIONS REGARDING REAL PROPERTY
2. SECTION 551.071 CONSULTATION WITH CITY ATTORNEY REGARDING PENDING LITIGATION
3. SECTION 551.074 PERSONNEL MATTERS

AFTER RECONVENING IN REGULAR SESSION AT 8:52 P.M., NO ACTION WAS TAKEN.

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

MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

(signed) Doris Speer
DORIS SPEER, TRMC
CITY SECRETARY

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