

MINUTES OF SPECIAL CITY COUNCIL MEETING, HELD ON THURSDAY, NOVEMBER 13, 2003 AT 6:00 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

2.0 COUNCIL ENTERED INTO WORKSHOP SESSION:

- A. AN UPDATE ON THE TEDC SEARCH FOR EXECUTIVE DIRECTOR WAS PRESENTED BY STEVEN VAUGHAN, PRESIDENT-EDC. CHANGES HAVE BEEN PROPOSED TO TEDC BY-LAWS TO PLACE THE EXECUTIVE DIRECTOR UNDER SUPERVISION OF THE CITY MANAGER. NEXT TEDC MEETING IS NOVEMBER 25<sup>TH</sup>.
- B. 1. COUNCIL WAS ADVISED BY BEN GRIFFIN THAT MUNICIPAL UTILITY DISTRICTS (M.U.D.s) AND PUBLIC IMPROVEMENT DISTRICTS (P.I.D.s), AT THIS POINT IN TIME, ARE NOT FEASIBLE FOR THE CITY.
2. BEN GRIFFIN PROVIDED INFORMATION ON FRESHWATER SUPPLY DISTRICTS. HARRIS COUNTY COMMISSIONERS COURT WOULD HAVE TO APPROVE THE FORMATION OF AN FSD; HOWEVER CITY OF TOMBALL MUST ALSO GIVE PERMISSION. AN FSD, POSSIBLY LOCATED AT THE CORNER OF SPELL AND HUFSMITH, COULD POTENTIALLY BRING IN AN ESTIMATED \$94,903 IN REVENUES, WHICH COULD BE USED TO OFFSET EXPENSE OF BUILDING NEW WATER/WASTEWATER PLANTS, INSTALLING NEW LINES, ETC. COUNCIL WILLING TO CONSIDER BUT WOULD PREFER ANNEXATION OF SUBDIVISION;

DEVELOPER IS NOT OPPOSED TO ANNEXATION, BUT DESIRES REIMBURSEMENT OF AT LEAST 70 PERCENT OF UTILITY EXPENSE.

3. COUNCIL EXPRESSED OPPOSITION TO PROVIDING UTILITIES OUTSIDE THE CITY LIMITS.
- C. FIRE DISTRICT OPTIONS WERE DISCUSSED. CONSENSUS OF COUNCIL IS TO ADOPT A RESOLUTION SUPPORTING AN ELECTION FOR AND THE CREATION OF A FIRE SERVICES DISTRICT IN THE UNINCORPORATED PORTIONS OF HARRIS COUNTY CURRENTLY BEING SERVED BY THE CITY OF TOMBALL AND ADVISING HARRIS COUNTY COMMISSIONERS COURT THAT THE CITY OF TOMBALL WILL NOT RENEW THE INTERLOCAL AGREEMENT FOR FIRE PROTECTION, EXPIRING ON FEBRUARY 29, 2004.

RECESS WAS CALLED BY MAYOR HARRINGTON AT 7:37 P.M.; MEETING WAS RECONVENED AT 7:50 P.M.

- D. INFORMATION REGARDING A POLICY ADDRESSING THE PAVING OF ALLEYWAYS WITHIN THE CITY OF TOMBALL WAS PRESENTED BY MARK McCLURE. CONSENSUS OF COUNCIL IS THAT IF ALLEYWAYS ARE TO BE USED FOR ACCESS, WHETHER AS DRIVEWAY, PRIVATE STREET, WALKWAY, ETC., THEY MUST BE PAVED; AT A MINIMUM, PAVING WITH ASPHALT IS REQUIRED. BEN GRIFFIN AND MARK McCLURE WILL DEVELOP POLICY FOR COUNCIL CONSIDERATION.
- E. AN UPDATE ON THE APPLICATION BY THE CITY OF TOMBALL FOR "ALL-AMERICAN CITY" DESIGNATION WAS GIVEN BY BEN GRIFFIN. THE CHAMBER OF COMMERCE IS WILLING TO SPEARHEAD THE APPLICATION, BUT REQUESTED THAT THE CITY FUND THE COST OF DOING SO; COST ESTIMATED TO BE OVER \$50,000. CONSENSUS OF COUNCIL IS NOT TO PURSUE THIS DESIGNATION.
- F. AN UPDATE ON HOOKS AIRPORT STUDY AND REQUEST FOR AIRPORT ZONING WAS GIVEN BY BEN GRIFFIN. CARTER BURGESS IS CURRENTLY CONDUCTING THE AIRPORT STUDY, WHICH WILL TAKE APPROXIMATELY 18 MONTHS. HOOKS AIRPORT REQUIRES AN "AIRPORT ZONING" DESIGNATION TO PREVENT DEVELOPMENT THAT MIGHT HINDER AIRPORT OPERATIONS. CONSENSUS OF COUNCIL IS TO ADOPT A RESOLUTION SUPPORTING DESIGNATION BY HARRIS COUNTY OF HOOKS AIRPORT AND THE SURROUNDING AREA AS "AIRPORT ZONING."
- G. THE NEPOTISM POLICY WAS ADDRESSED BY COUNCIL. BEN GRIFFIN ADVISED THAT THE PERSONNEL POLICY SHOULD BE READY FOR COUNCIL CONSIDERATION IN DECEMBER. COUNCIL DISCUSSED VARIOUS CHANGES

WHICH WOULD ALLOW NEPOTISM WITH RESTRICTIONS. CONSENSUS OF COUNCIL IS FOR STAFF TO DRAFT SEVERAL OPTIONS TO ADDRESS NEPOTISM IN THE PERSONNEL POLICY FOR THEIR CONSIDERATION.

H. INFORMATION ON FLEXIBLE SPENDING ACCOUNTS WAS PRESENTED BY BEN GRIFFIN AND MARY COKER. RECOMMENDATION WAS MADE BY BEN GRIFFIN TO TRY FLEXIBLE SPENDING ACCOUNTS FOR A YEAR AND EVALUATE RESULTS. CONSENSUS OF COUNCIL IS TO PLACE SERVICE AGREEMENT WITH TML INTERGOVERNMENTAL EMPLOYEE BENEFITS POOL FOR ADMINISTRATION OF SECTION 125 FLEXIBLE SPENDING ACCOUNT ON THE NEXT AGENDA.

I. REQUEST FROM CHAPARRAL GENEALOGY SOCIETY REGARDING ABANDONMENT OF ROAD RIGHT-OF-WAY WAS PRESENTED BY BEN GRIFFIN. CITY WOULD NEED TO NOTIFY ADJACENT PROPERTY OWNERS AND GIVE THEM THE OPPORTUNITY TO PURCHASE THE RIGHT-OF-WAY PROPOSED FOR ABANDONMENT BEFORE ABANDONING THE RIGHT-OF-WAY AND SELLING IT TO CHAPARRAL GENEALOGY SOCIETY. CONSENSUS OF COUNCIL IS TO PROCEED.

J. AN UPDATE ON THE DOWNTOWN REVITALIZATION WAS PRESENTED BY BEN GRIFFIN. CENTERPOINT ENERGY HAS THE LIGHTS NEEDED; CITY CAN PURCHASE LIGHTS AND CENTERPOINT WILL INSTALL AND MAINTAIN THEM. THE PROPOSED ELEVATED WALKWAY ACROSS MAIN STREET IS COST-PROHIBITIVE, DUE TO ADA REQUIREMENTS FOR AN ELEVATOR ON EACH SIDE OF THE STREET. CONSENSUS OF COUNCIL IS TO PROCEED WITH THE LIGHTS, BUT NOT WITH THE WALKWAY.

3.0 MOTION WAS MADE BY COUNCILMAN GATLIN TO ADJOURN; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

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

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