

MINUTES OF THE REGULAR CITY COUNCIL MEETING, HELD ON MONDAY, JUNE 7, 2004 AT 7:00 P.M. AT TOMBALL CITY HALL, 401 MARKET STREET, TOMBALL, TEXAS 77375

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

COUNCILMAN MARTIN
COUNCILMAN COX
COUNCILMAN FORD
COUNCILMAN GATLIN

OTHERS PRESENT:

CITY MANAGER – BEN GRIFFIN
CITY ATTORNEY – BILL OLSON
CITY SECRETARY – DORIS SPEER
POLICE CAPTAIN – RON STEWART
FIRE CHIEF – RANDY PARR
DIRECTOR OF PUBLIC WORKS – MARK MCCLURE
FINANCE DIRECTOR – SHERRIE MATTSON
ASSISTANT TO CITY MANAGER – TERRI DESHAZIER

- 1.1 DORIS SPEER, CITY SECRETARY, ADMINISTERED OATH OF OFFICE TO ELECTED MAYOR, H. G. HARRINGTON

- 2.0 PUBLIC COMMENTS WERE RECEIVED:

BRENT LAPSLEY, PRESIDENT-TEDC - CONGRATULATIONS TO COUNCILMAN COX ON MARRIAGE AND TO MAYOR HARRINGTON ON RE-ELECTION. PRESENTATION OF BETTY REINBECK, EXECUTIVE DIRECTOR OF TOMBALL ECONOMIC DEVELOPMENT CORP.

BETTY REINBECK,
EXECUTIVE DIRECTOR-TEDC - THANK YOU TO CITY COUNCIL AND EDC FOR OPPORTUNITY

- 3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE RECEIVED FROM COUNCILMEMBERS.

COUNCILMAN MARTIN REQUESTED INFORMATION REGARDING POSSIBILITY OF GETTING OLD LIBRARY SITE BACK FROM HARRIS COUNTY FOR DEVELOPMENT AS PARK IN HONOR OF COUNCILMAN STOVALL.

3.1 THE CITY MANAGER'S REPORT WAS PRESENTED:

- A. JULY 4TH FIREWORKS
- B. COUNCIL MEETING DATE CHANGE TO TUESDAY, JULY 6
- C. BUDGET WORKSHOP ON JUNE 28
- D. VOLUNTEER FIRE DEPARTMENT UPDATE
- E. TREES ON MAIN STREET; FUTURE WORKSHOP ITEM
- F. DIRECTIONAL SIGNS FOR "OFF-MAIN STREET" ANTIQUE SHOPS
- G. SALE OF CITY GAS CONTRACT BY DUKE ENERGY
- H. GRAND OPENING OF NEW PUBLIC WORKS BUILDING SCHEDULED FOR MONDAY, JUNE 21
- I. EXPENSES TO DATE ON DOWNTOWN REVITALIZATION; FUTURE WORKSHOP ITEM

4.0 MOTION WAS MADE BY COUNCILMAN GATLIN TO APPROVE THE MINUTES OF REGULAR COUNCIL MEETING OF MAY 17, 2004 AND SPECIAL COUNCIL MEETING OF MAY 24, 2004; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION REGARDING THE FOLLOWING ITEMS:

5.0 OLD BUSINESS:

6.0 NEW BUSINESS:

6.1 MOTION WAS MADE BY COUNCILMAN MARTIN TO APPROVE REQUEST FROM DOUG EIBSEN OF BCDE, LTD., FOR THE RELEASE OF 78.4754 ACRES ON HUFSMITH-KOHRVILLE ROAD FROM CITY OF TOMBALL EXTRATERRITORIAL JURISDICTION; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

6.2 MOTION WAS MADE BY COUNCILMAN FORD TO AUTHORIZE PREPARATION OF AN ORDINANCE TO ANNEX TO THE CITY OF TOMBALL A 6.6170-ACRE TRACT, LOCATED AT SH 249 AND ALICE ROAD, INCLUDING PREPARATION OF A MUNICIPAL SERVICE PLAN (NEW QUEST); SECOND BY COUNCILMAN COX.

MOTION CARRIED UNANIMOUSLY.

6.3 MOTION WAS MADE BY COUNCILMAN MARTIN TO APPROVE AGREEMENT WITH NEW QUEST TO OFFSET IMPACT FEES FOR UTILITIES EXTENSION; SECOND BY COUNCILMAN COX.

MOTION CARRIED UNANIMOUSLY.

- 6.4 MOTION WAS MADE BY COUNCILMAN GATLIN TO ADOPT RESOLUTION NO. 2004-10, A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, CALLING FOR SPECIAL CITY OFFICER'S ELECTION, TO BE HELD IN THE CITY OF TOMBALL ON SATURDAY, AUGUST 7, 2004; DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

- 6.5 MOTION WAS MADE BY COUNCILMAN MARTIN TO ADOPT RESOLUTION NO. 2004-11, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, SUPPORTING THE USE OF HOUSING TAX CREDITS TO ACQUIRE AND REHABILITATE TOMBALL SQUARE APARTMENTS; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 6.6 MOTION WAS MADE BY COUNCILMAN MARTIN TO APPROVE ONE-YEAR EXTENSION OF CONTACT BETWEEN WASTE MANAGEMENT AND CITY OF TOMBALL FOR SANITATION SERVICES WITH THE CORPORATE CITY LIMITS; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 6.7 MOTION WAS MADE BY COUNCILMAN COX TO APPROVE THE RE-DESIGN OF THE SOUTH SIDE FIRE STATION; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.8 MOTION WAS MADE BY COUNCILMAN FORD TO READ ORDINANCE NO. 2004-03 BY CAPTION ONLY; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

MOTION WAS MADE BY COUNCILMAN MARTIN TO ADOPT FIRST READING OF ORDINANCE NO. 2004-03, AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, FINDING AND DETERMINING THAT PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF THE REMAINDER OF A 30-FOOT UNIMPROVED ROAD RIGHT-OF-WAY, MORE FULLY DESCRIBED IN

VOLUME 2, PAGE 65 OF THE HARRIS COUNTY MAP RECORDS AND WITHIN THE TOMBALL TOWNSITE SUBDIVISION, HARRIS COUNTY, TEXAS; VACATING, ABANDONING, AND CLOSING THE REMAINDER OF SAID 30-FOOT UNIMPROVED ROAD RIGHT-OF-WAY; AUTHORIZING THE MAYOR TO EXECUTE AND THE CITY SECRETARY TO ATTEST, RESPECTIVELY, A QUITCLAIM DEED CONVEYING SAID ABANDONED ROAD RIGHT-OF-WAY TO DECKER OAKS DEVELOPMENT II, LTD.; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT (SARATOGA RANCH SUBDIVISION), CONTINGENT UPON ENGINEERING AND DEVELOPMENT PLAN BEING COMPLETED AND APPROVED; SECOND BY COUNCILMAN COX. VOTE WAS AS FOLLOWS:

COUNCILMAN MARTIN	<u>AYE</u>
COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN COX	<u>AYE</u>
COUNCILMAN GATLIN	<u>AYE</u>

MOTION CARRIED UNANIMOUSLY.

6.9 THE CITY COUNCIL MET IN EXECUTIVE SESSION AT 7:40 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 551.072 DELIBERATIONS REGARDING REAL PROPERTY

AFTER RECONVENING IN REGULAR SESSION AT 8:07 P.M., NO ACTION WAS TAKEN.

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

MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

(signed) Doris Speer
DORIS SPEER, TRMC
CITY SECRETARY

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