

MINUTES OF THE REGULAR CITY COUNCIL MEETING, HELD ON MONDAY, AUGUST 2, 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-FAGAN
COUNCILMAN FORD
COUNCILMAN GATLIN

OTHERS PRESENT:

CITY MANAGER – BEN GRIFFIN
ASSISTANT CITY MANAGER – MARY COKER
CITY ATTORNEY – BILL OLSON
CITY SECRETARY – DORIS SPEER
POLICE CHIEF – MICHAEL BLAKE
DIRECTOR OF PUBLIC WORKS – MARK MCCLURE
FINANCE DIRECTOR – SHERRIE MATTSON
FIRE CHIEF – RANDY PARR
CANDIDATE - MARY HARVEY
ASSISTANT TO CITY MANAGER – TERRI DESHAZIER
EXECUTIVE DIRECTOR-TEDC – BETTY REINBECK

2.0 PUBLIC COMMENTS:

2.1 PRESENTATION WAS MADE BY JOE HELLER, POST VICE PRESIDENT OF THE AMERICAN LEGION, TO CORPORAL ALBERT CHAMBERS, TOMBALL POLICE DEPARTMENT

PUBLIC COMMENTS WERE RECEIVED:

A. DEANN JOHNSON, SEC.-TREAS.
DOWNTOWN MERCHANTS ASSN. - UNSIGHTLY LOCATIONS IN THE DOWNTOWN AREA – WEEDS, POTHOLES, ALLEYWAYS

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE RECEIVED FROM COUNCILMEMBERS.

3.1 THE CITY MANAGER’S REPORT WAS PRESENTED:

A. DATE TO CANVASS ELECTION WILL BE MONDAY, AUGUST 16.

- B. DATE FOR PUBLIC HEARING ON PROPOSED 2004-2005 BUDGET WILL BE MONDAY, AUGUST 16.
- C. CONTRACTS APPROVED IN JULY
- D. UPDATE ON PEDESTRIAN CROSSING ON GRAHAM
- E. UPDATE ON GRAND PARKWAY
- F. UPDATE ON SH 249 AND THE TOMBALL BYPASS; THIS ITEM WILL BE PLACED ON AUGUST 16TH AGENDA FOR CONSIDERATION
- G. ACTIVITY AT THE PISTOL RANGE
- H. CONTRACT FOR LANDMAN ON THE BOUDREAUX WATER LINE EXTENSION; BEN WILL CHECK WITH EXXON REGARDING POSSIBILITY OF EXXON FUNDING ESCROW ACCOUNT FOR LANDMAN'S USE.

4.0 MOTION WAS MADE BY COUNCILMAN COX-FAGAN TO APPROVE THE MINUTES OF THE SPECIAL AND REGULAR COUNCIL MEETINGS OF JULY 19, 2004; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION REGARDING THE FOLLOWING ITEMS:

5.0 OLD BUSINESS:

6.0 NEW BUSINESS:

6.1 PUBLIC HEARING TO CONSIDER THE FOLLOWING PROPOSED ANNEXATION WAS OPENED BY MAYOR HARRINGTON AT 7:25 P.M. :

6.6191-ACRE TRACT LOCATED AT SH 249 AND ALICE ROAD.

NO PUBLIC COMMENTS WERE RECEIVED; PUBLIC HEARING WAS CLOSED AT 7:26 P.M. BY MAYOR HARRINGTON.

6.2 REQUEST FOR CONSIDERATION TO ADOPT FIRST READING OF ORDINANCE 2004-04, AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, EXTENDING THE CITY LIMITS OF SAID CITY TO INCLUDE ALL OF THE TERRITORY WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF TOMBALL ALL OF THE TERRITORY WITHIN SUCH LIMITS AND BOUNDARIES; APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH LIMITS AND BOUNDARIES; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING A SAVINGS AND SEVERABILITY CLAUSE (6.6191-ACRE TRACT LOCATED AT SH 249 AND ALICE ROAD) WAS WITHDRAWN BY

THE CITY MANAGER UNTIL AUGUST 23, 2004.

- 6.3 CONSIDERATION WAS GIVEN TO THE APPOINTMENT OF A BOARD MEMBER TO FILL VACANT POSITION ON THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION. EACH COUNCILMAN WAS REQUESTED BY THE MAYOR TO VOTE FOR AN INDIVIDUAL. VOTE WAS AS FOLLOWS:

COUNCILMAN MARTIN	-	<u>GRETCHEN COX</u>
COUNCILMAN FORD	-	<u>GRETCHEN COX</u>
COUNCILMAN COX-FAGAN	-	<u>GRETCHEN COX</u>
COUNCILMAN GATLIN	-	<u>MARK STOLL</u>

VOTE CARRIED, 3 TO 1, FOR GRETCHEN COX-FAGAN.

GRETCHEN COX-FAGAN IS APPOINTED TO VACANT POSITION LEFT BY THE RESIGNATION OF RANDY MONGOLD; TERM WILL EXPIRE MAY 2, 2005.

- 6.4 MOTION WAS MADE BY COUNCILMAN MARTIN TO AWARD CONTRACT FOR EMPLOYEE HEALTH INSURANCE COVERAGE TO TEXAS MUNICIPAL LEAGUE; SECOND BY COUNCILMAN COX-FAGAN.

MOTION CARRIED UNANIMOUSLY.

- 6.5 MOTION WAS MADE BY COUNCILMAN FORD TO AWARD CONTRACT FOR PROFESSIONAL SERVICES IN CONNECTION WITH WATERLINE IMPROVEMENTS PROJECT – SH 249 BETWEEN HICKS AND RUDEL, TO CIVILTECH ENGINEERING, IN THE AMOUNT OF \$38,310; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.6 MOTION WAS MADE BY COUNCILMAN MARTIN TO APPROVE CHANGE ORDER NUMBER 1 ON THE SOUTHSIDE UTILITIES IMPROVEMENTS PROJECT, ASSOCIATED WITH NECESSARY ADDITIONAL STEEL ENCASEMENT, TO E. P. BRADY, IN THE AMOUNT OF \$36,850; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 6.7 MOTION WAS MADE BY COUNCILMAN GATLIN TO AUTHORIZE THE MAYOR TO EXECUTE AGREEMENT BETWEEN CITY OF TOMBALL AND BURLINGTON NORTHERN SANTA FE RAILROAD COVERING CLOSURE OF THE RAILROAD CROSSING AT HOUSTON STREET AND INSTALLATION OF NECESSARY BARRICADES AND SAFETY EQUIPMENT TO FACILITATE CLOSURE; SECOND BY

COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

CITY ATTORNEY WILL DRAFT ORDINANCE.

6.8 EXECUTIVE SESSION: THE CITY COUNCIL MET IN EXECUTIVE SESSION AT 7:30 P.M., AS AUTHORIZED BY TITLE 5, CHAPTER 551, GOVERNMENT CODE, THE TEXAS OPEN MEETINGS ACT, FOR THE FOLLOWING PURPOSE:

1. SECTION 551.072 DELIBERATIONS REGARDING REAL PROPERTY

AFTER RECONVENING IN REGULAR SESSION AT 8:00 P.M., NO ACTION WAS TAKEN.

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

MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

(signed) Doris Speer
DORIS SPEER, TRMC
CITY SECRETARY

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