

MINUTES OF THE REGULAR **CITY COUNCIL MEETING**, HELD ON **MARCH 7, 2005** AT 7:00 P.M. AT CITY HALL, 401 MARKET, TOMBALL, TEXAS 77375.

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

COUNCILMAN MARTIN
COUNCILMAN FORD
COUNCILMAN FAGAN
COUNCILMAN GATLIN
COUNCILMAN DRIVER

OTHERS PRESENT:

CITY MANAGER – BEN GRIFFIN
ASSISTANT CITY MANAGER – MARY COKER
CITY ATTORNEY – BILL OLSON
CITY SECRETARY – DORIS SPEER
FINANCE DIRECTOR – SHERRIE MATTSON
DIRECTOR OF PUBLIC WORKS – ROD HAINEY
CHIEF OF POLICE – MICHAEL BLAKE
FIRE CHIEF – RANDY PARR
CITY ENGINEER – JOE SHERWIN
COMMUNITY CENTER DIRECTOR – WANDA SUTTON
EXECUTIVE DIRECTOR, TEDC – BETTY REINBECK

2.0 PUBLIC COMMENTS WERE RECEIVED:

LACEY EASLEY
26903 HOLLY LAUREL, 77355
KATIE ROARK
26903 HOLLY LAUREL, 77355

- REQUEST TO BAN SMOKING IN PUBLIC PLACES WITHIN CITY;
REQUEST TO BE ON 3/28/2005 WORKSHOP AGENDA

FLETCHER SCOTT
13307 LOST CREEK, 77375

- CONCERNS REGARDING PLANNED SENIOR LIVING COMPLEX, GARDENS OF TOMBALL OPPOSED BY HUNTERWOOD HOMEOWNERS

MARY GIRGENTI
30335 WINFRO, 77375

- CONCERNS REGARDING PLANNED SENIOR LIVING COMPLEX, GARDENS OF TOMBALL OPPOSED BY SHERWOOD FOREST HOMEOWNERS

CATHY GRIFFIN
711 BAKER DRIVE, 77375

- CONCERNS REGARDING PLANNED SENIOR LIVING COMPLEX, GARDENS OF TOMBALL

2.1 MAYOR HARRINGTON PRESENTED PLAQUE TO LESSIE UPCHURCH, PARKS, RECREATION AND BEAUTIFICATION ADVISORY BOARD MEMBER, FOR 18 YEARS OF SERVICE ON THE PARKS BOARD.

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE RECEIVED FROM COUNCIL MEMBERS.

3.1 THE CITY MANAGER'S REPORT WAS PRESENTED:

- A. UPDATE ON GERMAN HERITAGE FESTIVAL
- B. UPDATE ON PUBLIC WORKS DEPARTMENT
- C. FIREWORKS FOR JULY 4TH
- D. AGENDA FOR MARCH 29 WORKSHOP
- H. ANNUAL SPRING CLEANUP WEEK
- I. APPOINTMENTS TO THE ZONING COMMISSION WILL BE ON THE MARCH 21 AGENDA

4.0 MOTION WAS MADE BY COUNCILMAN GATLIN TO APPROVE THE MINUTES OF REGULAR MEETING OF FEBRUARY 21, 2005 AND SPECIAL MEETING OF FEBRUARY 28, 2005; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION REGARDING THE FOLLOWING ITEMS:

5.0 OLD BUSINESS:

5.1 MOTION WAS MADE BY COUNCILMAN DRIVER TO ADOPT SECOND READING OF ORDINANCE 2005-02, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY DELETING ALL OF

SECTION 14-464 THEREOF AND SUBSTITUTING THEREFOR A NEW SECTION 14-464 TO CLARIFY THE DEFINITION OF "GREEN SPACE"; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$500 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING FOR SEVERABILITY; SECOND BY COUNCILMAN FAGAN. VOTE WAS AS FOLLOWS:

| | |
|-------------------|------------|
| COUNCILMAN MARTIN | <u>AYE</u> |
| COUNCILMAN FORD | <u>AYE</u> |
| COUNCILMAN FAGAN | <u>AYE</u> |
| COUNCILMAN GATLIN | <u>AYE</u> |
| COUNCILMAN DRIVER | <u>AYE</u> |

MOTION CARRIED UNANIMOUSLY.

6.0 NEW BUSINESS:

6.1 CONSIDERATION WAS GIVEN TO APPOINTMENT OF MEMBERS OF THE PARKS, RECREATION AND BEAUTIFICATION ADVISORY BOARD. COUNCILMAN FAGAN ADVISED THAT SHE WOULD ABSTAIN FROM DISCUSSION AND VOTE, PER CHARTER REQUIREMENTS. VOTE WAS AS FOLLOWS:

| | | |
|-------------------|---|--|
| COUNCILMAN MARTIN | - | DANE DUNAGIN PAT BAILEY BRADLEY HALLMARK |
| COUNCILMAN FORD | - | BRADLEY HALLMARK PAT BAILEY DANE DUNAGIN |
| COUNCILMAN FAGAN | - | ABSTAINED |
| COUNCILMAN GATLIN | - | PAT BAILEY DANE DUNAGIN BRADLEY HALLMARK |
| COUNCILMAN DRIVER | - | DANE DUNAGIN PAT BAILEY BRADLEY HALLMARK |

RESULTS OF VOTE:

POSITION 1 – BRADLEY HALLMARK
POSITION 3 – DANE DUNAGIN
POSITION 5 – PAT BAILEY.

6.2 PRESENTATION WAS GIVEN BY KENNETH FAMBRO AND RICHARD SIMMONS REGARDING PROPOSED GARDENS OF TOMBALL. CONSIDERATION TO AUTHORIZE THE MAYOR TO EXECUTE A LETTER OF SUPPORT TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE GARDENS AT TOMBALL PROJECT FAILED FOR LACK OF MOTION. NO ACTION NECESSARY.

6.3 MOTION WAS MADE BY COUNCILMAN MARTIN TO APPROVE RENEWAL OF INTERLOCAL AGREEMENT BETWEEN THE CITY OF TOMBALL AND HARRIS COUNTY FOR THE USE OF HARRIS COUNTY'S 800 MEGAHERTZ REGIONAL RADIO SYSTEM; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

6.4 MOTION WAS MADE BY COUNCILMAN DRIVER TO APPROVE AMENDMENT TO SCHEDULE OF FEES, POLICE DEPARTMENT FEES; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

7.0 MOTION WAS MADE BY COUNCILMAN FAGAN 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