

**MINUTES OF REGULAR CITY COUNCIL MEETING, HELD ON  
AUGUST 1, 2005 AT 7:00 P.M., CITY HALL, 401 MARKET STREET,  
TOMBALL, TEXAS, 77375**

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

COUNCILMAN FAGAN  
COUNCILMAN GATLIN  
COUNCILMAN DRIVER

MEMBERS ABSENT:

COUNCILMAN QUINN - EXCUSED  
COUNCILMAN FORD - EXCUSED

OTHERS PRESENT:

CITY MANAGER – BEN GRIFFIN  
CITY ATTORNEY – BILL OLSON  
CITY SECRETARY – DORIS SPEER  
POLICE CHIEF – MICHAEL BLAKE  
DIRECTOR OF PUBLIC WORKS – ROD HAINEY  
FINANCE DIRECTOR – SHERRIE MATTSON  
FIRE CHIEF – RANDY PARR  
CITY ENGINEER – JOE SHERWIN  
EXECUTIVE DIRECTOR-TEDC – BETTY REINBECK

2.0 PUBLIC COMMENTS WERE RECEIVED:

RODNEY HUTSON, M.D.  
9431 ROSIE LANE, #100, 77354 - OPPOSITION TO ITEM 6.3,  
AWARDING CONTRACT FOR  
DEPOT WORK TO KBR

WILLIAM BENTLEY  
30730 WILLIAMS JUERGENS, 77375 - APPRECIATION FOR  
CERTIFICATE PRESENTED TO  
HIS SON, ALEX BENTLEY

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE RECEIVED FROM THE COUNCILMEMBERS.

3.1 THE CITY MANAGER'S REPORT WAS PRESENTED BY BEN GRIFFIN:

- A. HOTEL/MOTEL TAX UPDATE
- B. VOLUNTEERS IN CODE ENFORCEMENT (VICE)
- C. REQUEST FROM MASONIC LODGE FOR VARIANCE ON BUILDING LINE REQUIREMENTS; REQUEST WILL BE PLACED ON AUGUST 8, 2005 PLANNING COMMISSION AGENDA FOR CONSIDERATION.
- D. KLEIN INDEPENDENT SCHOOL DISTRICT VS POTENTIAL RESIDENTIAL/COMMERCIAL DEVELOPMENT; BEN GRIFFIN WILL SEND LETTER TO KLEIN ISD REQUESTING CONSIDERATION OF CITY OF TOMBALL'S DEVELOPMENT PLAN

4.0 MOTION WAS MADE BY COUNCILMAN GATLIN TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF JULY 18, 2005 AND THE SPECIAL COUNCIL MEETING OF JULY 25, 2005; SECOND BY COUNCILMAN DRIVER.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION OF THE FOLLOWING ITEMS:

5.0 OLD BUSINESS:

6.0 NEW BUSINESS:

6.1 MOTION WAS MADE BY COUNCILMAN DRIVER TO SET AUGUST 15, 2005, AT 7:00 P.M. FOR THE PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2005-2006; SECOND BY COUNCILMAN FAGAN.

MOTION CARRIED UNANIMOUSLY.

6.2 MOTION WAS MADE BY COUNCILMAN FAGAN TO APPROVE OFF-SITE STORM DRAINAGE DEVELOPMENT AGREEMENT BETWEEN THE CITY OF TOMBALL, MEDISTAR CORPORATION, HARKINS & BARTLETT INVESTMENTS, LTD., AND TOMBALL HOSPITAL, DEVELOPERS, FOR CONSTRUCTION OF PUBLIC IMPROVEMENT; SECOND BY COUNCILMAN DRIVER.

MOTION CARRIED UNANIMOUSLY.

6.3 MOTION WAS MADE BY COUNCILMAN DRIVER TO AWARD CONTRACT FOR DEPOT TO KBR AND AUTHORIZE EXECUTION OF CONTRACT IN THE AMOUNT OF \$236,281; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.4 MOTION WAS MADE BY COUNCILMAN FAGAN TO AUTHORIZE CITY STAFF TO PREPARE BID DOCUMENTATION FOR THE IMPROVEMENT OF ONE BLOCK OF MAIN STREET; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.5 THE CITY COUNCIL MET IN EXECUTIVE SESSION AT 7:36 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 POTENTIAL LITIGATION
2. SECTION 551.072 DELIBERATIONS REGARDING REAL PROPERTY

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

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

MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

(signed) Doris Speer  
DORIS SPEER, TRMC  
CITY SECRETAR

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