

**MINUTES OF SPECIAL CITY COUNCIL MEETING, HELD ON
TUESDAY, SEPTEMBER 27, 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 QUINN
COUNCILMAN FORD
COUNCILMAN FAGAN
COUNCILMAN GATLIN
COUNCILMAN DRIVER

OTHERS PRESENT:

CITY MANAGER – BEN GRIFFIN
ASST. CITY MANAGER – MARY COKER
CITY SECRETARY – DORIS SPEER
FINANCE DIRECTOR – SHERRIE MATTSON
FIRE CHIEF – RANDY PARR

2.0 NO PUBLIC COMMENTS WERE RECEIVED.

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE RECEIVED FROM THE COUNCILMEMBERS.

DISCUSSION/ACTION OF THE FOLLOWING ITEMS:

4.0 OLD BUSINESS:

4.1 MOTION WAS MADE BY COUNCILMAN FAGAN TO ADOPT SECOND READING OF ORDINANCE NO. 2005-08, AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AFFECTING PARTICIPATION OF CITY EMPLOYEES IN THE TEXAS MUNICIPAL RETIREMENT SYSTEM GRANTING THE ADDITIONAL RIGHTS AUTHORIZED BY SECTION 854.202(g) OF TITLE 8, TEXAS GOVERNMENT CODE, AS AMENDED, AND PRESCRIBING THE EFFECTIVE DATE FOR THE ORDINANCE; SECOND BY COUNCILMAN FORD. VOTE WAS AS FOLLOWS:

COUNCILMAN QUINN	<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.

- 4.2 MOTION WAS MADE BY COUNCILMAN FORD TO ADOPT SECOND READING OF ORDINANCE NO. 2005-10, AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR POTABLE WATER, SANITARY SEWER, NATURAL GAS, AND GARBAGE COLLECTION AND DISPOSAL SERVICES; REPEALING ORDINANCE NO. 2004-06 AND ALL OTHER ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING OTHER MATTERS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY; SECOND BY COUNCILMAN FAGAN. VOTE WAS AS FOLLOWS:

COUNCILMAN QUINN	<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.

5.0 NEW BUSINESS:

- 5.1 MOTION WAS MADE BY COUNCILMAN DRIVER TO ADOPT \$0.11664 AS THE PORTION OF THE TAX RATE FOR THE MAINTENANCE AND OPERATIONS FUND; SECOND BY COUNCILMAN FAGAN.

MOTION CARRIED UNANIMOUSLY.

- 5.2 MOTION WAS MADE BY COUNCILMAN FAGAN TO ADOPT \$0.16336 AS THE PORTION OF THE TAX RATE FOR THE INTEREST AND SINKING FUND; SECOND BY COUNCILMAN QUINN.

MOTION CARRIED UNANIMOUSLY.

- 5.3 MOTION WAS MADE BY COUNCILMAN GATLIN TO READ ORDINANCENO. 2005-11 BY CAPTION ONLY; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

MOTION WAS MADE BY COUNCILMAN DRIVER TO APPROVE ORDINANCE NO. 2005-11, ADOPTING THE 2005-2006 TAX RATE FOR

THE CITY OF TOMBALL BY ADOPTING THE FIRST READING OF ORDINANCE NO. 2005-11, AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, SETTING THE TAX LEVY OF \$0.28 FOR THE YEAR 2005 ON ALL TAXABLE REAL AND PERSONAL PROPERTY LOCATED IN THE CITY OF TOMBALL, TEXAS; ALLOWING FOR HOMESTEAD EXEMPTIONS FOR PROPERTY OWNERS SIXTY-FIVE YEARS OF AGE AND OVER, AND FOR PROPERTY OWNERS WHO QUALIFY FOR DISABILITY BENEFITS UNDER THE FEDERAL OLD AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; PROVIDING FOR PENALTY, INTEREST, AND ADDITIONAL PENALTY ON TAXES NOT TIMELY PAID; AND PROVIDING OTHER MATTERS RELATING TO THE SUBJECT; SECOND BY COUNCILMAN FAGAN. VOTE WAS AS FOLLOWS:

COUNCILMAN QUINN	<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 EXECUTIVE SESSION: THE CITY COUNCIL MET AT 7:10 P.M. IN EXECUTIVE SESSION AS AUTHORIZED BY TITLE 5, CHAPTER 551, GOVERNMENT CODE, THE TEXAS OPEN MEETINGS ACT, FOR THE FOLLOWING PURPOSE:

1. SECTION 551.074 PERSONNEL MATTERS – EVALUATION OF CITY MANAGER

AFTER RECONVENING IN OPEN SESSION AT 7:50 P.M., NO ACTION WAS TAKEN.

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

MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

(signed) Doris Speer
DORIS SPEER, TRMC
CITY SECRETARY

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