

MINUTES OF THE REGULAR CITY COUNCIL MEETING, HELD ON MONDAY, MARCH 20, 2006 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 FAGAN
COUNCILMAN GATLIN
COUNCILMAN DRIVER
COUNCILMAN FORD

OTHERS PRESENT:

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

2.0 PUBLIC COMMENTS WERE RECEIVED:

RODNEY K. HUTSON
9431 ROSIE LANE, 77354 - SIDEWALK PROJECT FOR DOWNTOWN
TOMBALL REVITALIZATION; DECORATIVE
LIGHTING ON MAIN STREET

DAVID WHITAKER
SISTER CITY ORGANIZATION - EXPANSION OF AREA FOR ALCOHOL SALES
DURING FESTIVAL

GARY CRAWFORD
GARY'S SPOT, OWNER - ALCOHOL SALES DURING FESTIVAL

SAMANTHA HEARD - DOWNTOWN TOMBALL REVITALIZATION;
LIVE OAKS ON MAIN STREET; STREET LIGHTS
AND SIDEWALKS

CHUCK LaLONDE
THE HERITAGE - THIRD ANNUAL TOMAGWA 5K TROT/WALK

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE RECEIVED FROM THE
MAYOR AND COUNCILMEMBERS.

3.1 CITY MANAGER'S REPORT:

- A. TML RISK POOL GAS SURVEY
- B. COMPARISON OF TOMBALL VS OTHER HARRIS COUNTY
CITIES
- C. TOMBALL SPORTS ASSOCIATION UPDATE
- D. TOMBALL FIRE DEPARTMENT UPDATE
- E. APPOINTMENTS TO ECONOMIC DEVELOPMENT
CORPORATION
- F. TOMBALL SPRING CLEANUP AND HAZARDOUS
MATERIAL COLLECTION

4.0 MOTION WAS MADE BY COUNCILMAN FAGAN TO APPROVE THE MINUTES OF
THE REGULAR COUNCIL MEETING OF MARCH 6, 2006; SECOND BY
COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION OF THE FOLLOWING ITEMS:

5.0 OLD BUSINESS:

- 5.1 ADDITIONAL CLARIFICATIONS TO PROPOSED ORDINANCE 2006-01 WERE
PRESENTED BY BEN GRIFFIN. MOTION WAS MADE BY COUNCILMAN
QUINN TO ADOPT SECOND READING OF ORDINANCE NO. 2006-01, AN
ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
TOMBALL, TEXAS, BY ADDING A NEW SECTION 34-7 TO ARTICLE I OF
CHAPTER 34 THEREOF, PROVIDING THAT DRIVING OVER A FIRE HOSE IS
PROHIBITED; BY DELETING SECTIONS 34-32, 34-33, AND 34-35 OF
ARTICLE II OF CHAPTER 34 THEREOF; BY DELETING ARTICLE III OF
CHAPTER 34 THEREOF AND SUBSTITUTING THEREFORE A NEW ARTICLE
III OF CHAPTER 34, ADOPTING THE 2003 EDITION OF THE
INTERNATIONAL FIRE CODE AND PROVIDING FOR AMENDMENTS TO
THE INTERNATIONAL FIRE CODE; BY DELETING ARTICLE IV OF
CHAPTER 34 THEREOF AND SUBSTITUTING THEREFORE A NEW ARTICLE
IV OF CHAPTER 34, CREATING STANDARDS FOR THE INSTALLATION OF
FIRE SPRINKLER SYSTEMS AND PROVIDING FOR AMENDMENTS TO

NFPA 13D; BY ADDING A NEW ARTICLE V OF CHAPTER 34 THEREOF, PROVIDING FOR THE DESIGNATION AND CREATION OF FIRE LANES; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING FOR SEVERABILITY, INCORPORATING THE FOLLOWING TWO AMENDMENTS:

SECTION 103.1, DEPARTMENT OF FIRE PREVENTION, SHALL BE AMENDED TO READ "THE FIRE MARSHAL SHALL BE SELECTED BY THE FIRE CHIEF AND SERVE IN THE POSITION AT THE PLEASURE OF THE **FIRE CHIEF.**"

SECTION 2404.20, STANDBY PERSONNEL, SHALL BE AMENDED TO READ "THERE SHALL BE TRAINED CROWD MANAGERS OR CROWD MANAGER SUPERVISORS AT A RATIO OF ONE CROWD MANAGER/SUPERVISOR FOR EVERY 250 OCCUPANTS, AS APPROVED BY THE FIRE CODE OFFICIAL."

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.

- 5.2 MOTION WAS MADE BY COUNCILMAN FAGAN TO ADOPT SECOND READING OF ORDINANCE NO. 2006-02, AN ORDINANCE OF THE CITY OF TOMBALL, TEXAS, AMENDING ORDINANCE NO. 2005-10, ADOPTED ON SEPTEMBER 27, 2005, BY DELETING SECTION 8 THEREOF IN ITS ENTIRETY AND SUBSTITUTING THEREFOR A NEW SECTION 8; ESTABLISHING CHARGES FOR CONNECTIONS AND DISCONNECTIONS OF UTILITY SERVICES; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING OTHER MATTERS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY; SECOND BY COUNCILMAN DRIVER. 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 NEW BUSINESS:

- 6.1 MOTION WAS MADE BY COUNCILMAN FORD TO APPROVE AN AGREEMENT BETWEEN THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION AND THE BAY AREA HOUSTON ECONOMIC PARTNERSHIP TO PARTICIPATE IN THE SPACE ALLIANCE TECHNOLOGY OUTREACH PROGRAM (SATOP); SECOND BY COUNCILMAN QUINN.

MOTION CARRIED UNANIMOUSLY.

- 6.2 MOTION WAS MADE BY COUNCILMAN DRIVER TO AWARD CONTRACT FOR PROJECT 2006-06, CONSTRUCTION OF EARTHWORK FOR THE OLD TOWN TOMBALL PACKAGE I SIDEWALK IMPROVEMENTS, TO SOLE BIDDER, GCC BUILDERS, IN THE AMOUNT OF \$177,977; SECOND BY COUNCILMAN QUINN. 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.

MOTION WAS MADE BY COUNCILMAN GATLIN TO DIRECT THE CITY MANAGER TO REQUEST, IN A TIMELY FASHION, QUOTES FOR STAMPED AND COLORED CONCRETE OR BRICK PAVERS AND PRESENT QUOTES IN THE FORM OF A CHANGE ORDER AT THE APRIL 3, 2006 COUNCIL MEETING; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 6.3 MOTION WAS MADE BY COUNCILMAN DRIVER TO AUTHORIZE THE SALE OF LOT 41, BLOCK 101, LOCATED ON CLAYTON STREET, TO HAROLD PAYNE, AT THE APPRAISED VALUE; SECOND BY COUNCILMAN QUINN.

MOTION CARRIED UNANIMOUSLY.

- 6.4 MOTION WAS MADE BY COUNCILMAN FAGAN TO AUTHORIZE THE SALE OF CITY-OWNED PROPERTY, BEING 2 ACRES OF LAND ADJACENT

TO THE LIZZIE/CHESTNUT EXTENSION, THROUGH THE SEALED BIDDING PROCESS; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.5 MOTION WAS MADE BY COUNCILMAN DRIVER TO APPROVE THE REQUEST BY TOMBALL SISTER CITY ORGANIZATION FOR PERMISSION TO SELL BEER IN PUBLIC ROAD RIGHT-OF-WAY; 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>NAY</u>
COUNCILMAN DRIVER	<u>AYE</u>

MOTION CARRIED.

- 6.6 MOTION WAS MADE BY COUNCILMAN FAGAN TO APPROVE THE REQUEST BY TOMBALL SISTER CITY ORGANIZATION TO CLOSE THE 300 BLOCK OF MARKET STREET FROM 4:00 P.M., THURSDAY, MARCH 23, 2006 UNTIL 10:00 P.M., SUNDAY, MARCH 26, 2006 AND WALNUT STREET FROM MAIN STREET TO 100 FEET SOUTH OF MARKET STREET FROM 5:00 P.M., FRIDAY, MARCH 24, 2006 UNTIL 7:00 P.M., SUNDAY, MARCH 26, 2006; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 6.7 MOTION WAS MADE BY COUNCILMAN FAGAN TO APPROVE THE APPLICATION FOR EMERGENCY WRECKER LICENSE FROM WINDCREST COLLISION TO PARTICIPATE IN EMERGENCY WRECKER ROTATION PROGRAM; SECOND BY COUNCILMAN DRIVER.

MOTION CARRIED UNANIMOUSLY.

- 6.8 MOTION WAS MADE BY COUNCILMAN FORD TO APPROVE RESOLUTION NO. 2006-08, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, SUPPORTING THE THIRD ANNUAL "5K TROT FOR TOMAGWA," TO BE HELD IN TOMBALL ON SATURDAY, MAY 6, 2006; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.9 MOTION WAS MADE BY COUNCILMAN DRIVER TO APPROVE RESOLUTION NO. 2006-09, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, IN SUPPORT OF THE ACQUISITION OF DAVID WAYNE HOOKS MEMORIAL AIRPORT; SECOND BY COUNCILMAN FAGAN.

MOTION CARRIED UNANIMOUSLY.

- 6.10 MOTION WAS MADE BY COUNCILMAN QUINN TO APPROVE PLAT, AS APPROVED BY PLANNING COMMISSION; SECOND BY COUNCILMAN FAGAN:

ABBREVIATED PLAT FOR 7A AND 8A (1 RESIDENTIAL LOT AND 1 COMMERCIAL LOT, LOCATED AT THE INTERSECTION OF NORTH MAGNOLIA AND HICKS STREETS) – CHAPARRAL GENEALOGICAL SOCIETY AND SANDRA GLOWSKI.

MOTION CARRIED UNANIMOUSLY.

- 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 SECRETARY

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