

**MINUTES OF THE REGULAR CITY COUNCIL MEETING, HELD ON MONDAY, JUNE 5, 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 LAZENBY  
COUNCILMAN FAGAN  
COUNCILMAN HARVEY  
COUNCILMAN DRIVER

OTHERS PRESENT:

CITY MANAGER – BEN GRIFFIN  
ASSISTANT CITY MANAGER – MARY COKER  
CITY ATTORNEY – BILL OLSON  
CITY ATTORNEY – DAVID OLSON  
CITY SECRETARY – DORIS SPEER  
CHIEF OF POLICE – MICHAEL BLAKE  
DIRECTOR OF PUBLIC WORKS – ROD HAINEY  
CITY ENGINEER – JOE SHERWIN  
ACCOUNTING SUPERVISOR – KACIE RICHARDSON  
EXECUTIVE DIRECTOR-TEDC – BETTY REINBECK

- 2.0 VARIOUS PUBLIC COMMENTS WERE RECEIVED:

CHRISTINA MCGOWEN  
201 TEXAS - TREES ON MAIN STREET

RON HAFFNER  
13415 LOST CREEK -

- 3.0 NO REPORTS OR ANNOUNCEMENTS WERE RECEIVED FROM THE MAYOR OR COUNCILMEMBERS.

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

- A. FIRST QUARTERLY PAYMENT FROM ESD#15
- B. TOMBALL ECONOMIC DEVELOPMENT CORPORATION UPDATE WAS PRESENTED BY BETTY REINBECK.
- C. ADDITIONAL CHANGE ORDER REQUEST ON FM 2920 UTILITY PROJECT
- D. FIRE DEPARTMENT, RESERVE POLICE OFFICERS, AND VOLUNTEERS IN POLICING (VIPS) BANQUET
- E. MANDATORY OPEN MEETINGS TRAINING
- F. UPDATE ON JULY 4<sup>TH</sup> FIREWORKS DISPLAY

G. WORKSHOP – JUNE 19, 2006, 6:00 P.M.

- 4.0 MOTION WAS MADE BY COUNCILMAN FAGAN TO APPROVE THE MINUTES OF THE SPECIAL AND REGULAR COUNCIL MEETINGS OF MAY 15, 2006 AND SPECIAL MEETING OF MAY 22, 2006; 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 LAZENBY TO APPROVE THE FIRST READING OF RESOLUTION NUMBER 2006-14-EDC, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, AUTHORIZING AND APPROVING THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION PROJECT TO EXPEND FUNDS TO ASSIST IN THE CONSTRUCTION COSTS OF APPROVED INFRASTRUCTURE (WATERLINE EXTENSION) NECESSARY TO DEVELOP A PROPOSED COMFORT SUITES HOTEL ON MICHEL ROAD; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY; SECOND BY COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

- 6.2 MOTION WAS MADE BY COUNCILMAN DRIVER TO AWARD CONTRACT FOR PURCHASE OF BORING MACHINE TO SOLE BIDDER, LANEY MACHINE, INC., IN THE AMOUNT OF \$44,995; SECOND BY COUNCILMAN FAGAN.

MOTION CARRIED UNANIMOUSLY.

- 6.3 MOTION WAS MADE BY COUNCILMAN DRIVER TO AUTHORIZE PURCHASE OF MODULAR OFFICE FURNITURE FOR PUBLIC WORKS BUILDING FROM THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE IN THE AMOUNT OF \$24,400; SECOND BY COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

- 6.4 MOTION WAS MADE BY COUNCILMAN FAGAN TO APPROVE CHANGE ORDERS 1, 4, 5, 6 AND 7 IN CONNECTION WITH THE HUFSMITH-KOHRVILLE ROAD UTILITIES PROJECT NUMBER 2006-01, BETWEEN THE CITY OF TOMBALL AND KINGSLEY CONSTRUCTORS, IN THE AMOUNT OF \$213,447.40; SECOND BY COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

- 6.5 DISCUSSION WAS HELD REGARDING POSSIBLE ACTION CONCERNING A DELINQUENT HOTEL/MOTEL TAX ESTABLISHMENT IN TOMBALL. MOTION WAS MADE BY COUNCILMAN DRIVER TO AUTHORIZE THE CITY ATTORNEY TO TAKE THE NECESSARY STEPS TO RECOVER CITY FUNDS FROM TOMBALL INN, IN THE AMOUNT OF \$11,482; SECOND BY COUNCILMAN LAZENBY.

MOTION CARRIED UNANIMOUSLY.

- 6.6 MOTION WAS MADE BY COUNCILMAN FAGAN TO ACCEPT THE EXECUTIVE DIRECTOR'S 2005-2006 ANNUAL REPORT FOR THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION; SECOND BY COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

- 6.7 MOTION WAS MADE BY COUNCILMAN HARVEY TO APPROVE THE TOMBALL ECONOMIC DEVELOPMENT CORPORATION 2006-07 STRATEGIC WORK PLAN; SECOND BY COUNCILMAN FAGAN.

MOTION CARRIED UNANIMOUSLY.

- 6.8 MOTION WAS MADE BY COUNCILMAN DRIVER TO APPROVE THE TWO-YEAR EXTENSION OF LEASE AGREEMENT BETWEEN FRANK AND RUSSELL DENINA AND THE CITY OF TOMBALL FOR 3.547 ACRE TRACT, IN THE AMOUNT OF \$2,478 PER YEAR; SECOND BY COUNCILMAN QUINN.

MOTION CARRIED UNANIMOUSLY.

- 6.9 MOTION WAS MADE BY COUNCILMAN LAZENBY TO APPROVE PLATS AS APPROVED BY PLANNING COMMISSION; SECOND BY COUNCILMAN QUINN:

- A. AMENDED PLAT OF LOTS 30, 31 & 32 IN BLOCK 31 OF REVISED MAP OF TOMBALL (RESIDENTIAL; LOCATED ON FLORENCE STREET)

MOTION CARRIED UNANIMOUSLY.

- 6.10 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 PURPOSES:

1. SECTION 551.071 CONSULTATION WITH ATTORNEY
2. SECTION 551.072 DELIBERATIONS REGARDING REAL PROPERTY

FOLLOWING RECONVENING OF COUNCIL MEETING AT 8:23 P.M., THE FOLLOWING ACTION WAS TAKEN:

- 6.11 MOTION WAS MADE BY COUNCILMAN FAGAN TO AUTHORIZE THE CITY ATTORNEY TO DISMISS THE CONDEMNATION PROCEEDINGS ON PROPERTY OWNED BY RONALD L. HAFFNER AND AMY N. HAFFNER; SECOND BY COUNCILMAN QUINN.

MOTION CARRIED UNANIMOUSLY.

- 6.12 MOTION WAS MADE BY COUNCILMAN FAGAN TO AUTHORIZE THE PURCHASE OF LOTS 35, 36, 37 AND 38, BLOCK 97, AND TO REQUEST A QUITCLAIM DEED FOR LOTS 25 AND 26, BLOCK 97 FROM TOMBALL INDEPENDENT SCHOOL DISTRICT IN THE AMOUNT OF \$190,120; SECOND BY COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

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

MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

(signed) Doris Speer  
DORIS SPEER, TRMC  
CITY SECRETARY

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