

MINUTES OF THE SPECIAL CITY COUNCIL MEETING HELD ON **MONDAY, SEPTEMBER 25, 2006 AT 6:00 P.M.** AT 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 – DAVID OLSON
CITY SECRETARY – DORIS SPEER
DIRECTOR OF PUBLIC WORKS – ROD HAINEY
CITY ENGINEER – IVALU ROSE
FIRE CHIEF – RANDY PARR
FINANCE DIRECTOR – SHERRIE MATTSO
EXECUTIVE DIRECTOR-TEDC – BETTY REINBECK
EXECUTIVE ASSISTANT TO CITY MANAGER – SHAWN COX
ENGINEER-CARTER & JONES – RON SAIKOWSKI

2.0 PUBLIC COMMENTS WERE RECEIVED:

MONIQUE DERMAUX
2531 SOUTH CHERRY, 77375 - GARDENS AT TOMBALL
DEVELOPMENT; PRESERVATION OF
TREES; EXCESSIVE PARKING

JOHN MOTTERSHAW
2531 SOUTH CHERRY, 77375 - GARDENS AT TOMBALL
DEVELOPMENT; POTENTIAL FOR
FLOODING OR DROPPING AGE
RESTRICTIONS

KEN FAMBRO
GARDENS AT TOMBALL - DRAINAGE MEETS CODE AND WILL
NOT ADVERSELY AFFECT EXISTING
LAND USE OF ADJACENT PROPERTY
OWNERS; PARKING MEETS CITY'S
REQUIREMENTS; AGE RESTRICTION

WILL FOLLOW PROPERTY
OWNERSHIP (RECORDED WITH
PLAT)

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

DISCUSSION/ACTION OF THE FOLLOWING ITEMS:

4.0 OLD BUSINESS:

5.0 NEW BUSINESS:

5.1 PUBLIC HEARING REGARDING THE PROPOSED ANNEXATION OF 2.000
ACRES OF LAND, LOCATED AT 11355 FM 2920 WAS OPENED BY
MAYOR HARRINGTON AT 6:16 P.M.; NO COMMENTS WERE RECEIVED
AND PUBLIC HEARING WAS CLOSED AT 6:18 P.M.

5.2 MOTION WAS MADE BY COUNCILMAN FAGAN TO APPROVE PLATS,
AS APPROVED BY PLANNING COMMISSION, CONTINGENT UPON
SUCCESSFUL COMPLETION OF REQUESTED CORRECTIONS; SECOND
BY COUNCILMAN DRIVER:

- A. TOMBALL MARKETPLACE
- B. GARDENS AT TOMBALL

MOTION WAS MADE BY COUNCILMAN QUINN TO CONSIDER EACH
PLAT SEPARATELY; SECOND BY COUNCILMAN DRIVER.

MOTION AS AMENDED CARRIED UNANIMOUSLY.

MOTION WAS MADE BY COUNCILMAN QUINN TO APPROVE THE
FINAL PLAT OF TOMBALL MARKETPLACE, AS APPROVED BY
PLANNING COMMISSION, CONTINGENT UPON SUCCESSFUL
COMPLETION OF REQUESTED CORRECTIONS; SECOND BY
COUNCILMAN HARVEY.

MOTION CARRIED UNANIMOUSLY.

MOTION WAS MADE BY COUNCILMAN FAGAN TO APPROVE THE
FINAL PLAT OF GARDENS AT TOMBALL, AS APPROVED BY PLANNING
COMMISSION, CONTINGENT UPON SUCCESSFUL COMPLETION OF
REQUESTED CORRECTIONS; SECOND BY COUNCILMAN LAZENBY.
VOTE WAS AS FOLLOWS:

COUNCILMAN QUINN

 NAY

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|--------------------|------------|
| COUNCILMAN LAZENBY | <u>AYE</u> |
| COUNCILMAN FAGAN | <u>AYE</u> |
| COUNCILMAN HARVEY | <u>AYE</u> |
| COUNCILMAN DRIVER | <u>AYE</u> |

MOTION CARRIED, 4 TO 1.

- 5.3 MOTION WAS MADE BY COUNCILMAN FAGAN TO APPROVE THE PROPOSED 2006 TAX RATE FOR THE CITY OF TOMBALL AT \$0.251455 PER \$100 OF TAXABLE VALUE, A DECREASE, AND TO SET OCTOBER 2, 2006 AND OCTOBER 16, 2006 AS THE DATES TO VOTE ON THE PROPOSED TAX RATE; SECOND BY COUNCILMAN LAZENBY.

MOTION CARRIED UNANIMOUSLY.

- 6.0 EXECUTIVE SESSION: AT 6:32 P.M., THE CITY COUNCIL RECESSED TO MEET IN EXECUTIVE SESSION AS AUTHORIZED BY TITLE 5, CHAPTER 551, GOVERNMENT CODE, THE TEXAS OPEN MEETINGS ACT, FOR THE FOLLOWING PURPOSES:

- A. SECTION 551.087 DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS
- B. SECTION 551.071 CONSULTATION WITH ATTORNEY REGARDING POTENTIAL LITIGATION
- C. SECTION 551.072 DELIBERATIONS REGARDING REAL PROPERTY

UPON RECONVENING IN REGULAR SESSION AT 8:39 P.M., NO ACTION WAS TAKEN.

- 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