

**MINUTES OF REGULAR CITY COUNCIL MEETING
CITY OF TOMBALL, TEXAS**

TUESDAY, SEPTEMBER 4, 2007

7:00 P.M.

1.0 Call to Order

The meeting was called to order by Mayor Pro Tem Quinn. Other members present were:

Councilman Lazenby
Councilman Webb
Councilman Harvey
Councilman Driver.

Members absent:

Mayor Fagan - Excused

Others present:

Interim City Manager – Mary Coker
City Attorney – David Olson
City Secretary – Doris Speer
Fire Chief – Randy Parr
Finance Director – Monica Kohlenberg
City Engineer – Ivalu Rose
Chief of Police – Michael Blake
Police Captain – Ricky Doerre
Exec. Asst. to the City Manager – Shawn Cox

2.0 No Public Comments or Petitions were received.

3.0 Reports and Announcements

3.1 Presentations:

3.1.1 Presentation of the Service Flag was made by Mayor Pro Tem Quinn to the Family of Sean Patrick Keane, U. S. Army.

3.1.2 Presentation of the Service Flag was made by Mayor Pro Tem Quinn to the Family of Charles “Eric” Schultz, U. S. Army

3.1.3 City Manager's Report:

- A. Public Hearing – September 17, 2007
- B. Contracts Signed by City Manager
- C. Special Council Meeting – September 10, 2007, 5:30 p.m.
- D. "Mayor's Challenge" Community Blood Drive – September 10, 2007

Various reports and/or announcements were made by the Councilmembers.

4.0 Motion was made by Councilman Webb to Approve the Minutes for the following Meeting; second by Councilman Lazenby:

- Regular Council Meeting of August 20, 2007

Motion carried unanimously.

Discussion/Action of the following items:

5.0 Old Business:

6.0 New Business:

6.1 The Public Hearing regarding the Proposed Annexation of 2.4843 Acres on Park Road (Park Road LLC) was opened by Mayor Pro Tem Quinn at 7:10 p.m.

No comments were received; the Public Hearing was closed at 7:11 p.m. by Mayor Pro Tem Quinn.

6.2 The Public Hearing for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2007-2008 was opened by Mayor Pro Tem Quinn at 7:11 p.m.

No comments were received; the Public Hearing was closed at 7:12 p.m. by Mayor Pro Tem Quinn.

6.3 Motion was made by Councilman Webb to approve the Tomball Economic Development Corporation Budget for Fiscal Year 2007-2008; second by Councilman Harvey.

Motion carried unanimously.

6.4 Motion was made by Councilman Lazenby to approve, as a Project of the Tomball

Economic Development Corporation (Tomball EDC), an Agreement Between the Tomball EDC and Devasco International, Inc. for Assistance with Construction of Improvements and Related Costs for a Light Manufacturing Facility at the Company's Location at 1626 South Cherry Street, in the Amount of \$120,000; second by Councilman Webb.

Motion carried unanimously.

- 6.5 Motion was made by Councilman Driver to approve, as a Project of the Tomball Economic Development Corporation (Tomball EDC), an Agreement between the Tomball EDC and the City of Tomball for Assistance with Costs Related to Segment 1 of the Rudolph Roadway and Utility Improvement Project, in an Amount Not to Exceed \$300,000; second by Councilman Harvey.

Motion carried unanimously.

- 6.6 Motion was made by Councilman Webb to approve Resolution 2007-32, a Resolution of the City Council of the City of Tomball, Texas, Supporting the "Hawgs with Heart Motorcycle Rally & Show", to be held at the Tomball Depot Festival Area on Saturday, October 13, 2007, and Authorizing the Closure of Portions of South Elm, South Walnut, and Market Streets for the Event; second by Councilman Harvey.

Motion carried unanimously.

- 6.7 Motion was made by Councilman Webb to read Ordinance No. 2007-09 by caption only on first reading; second by Councilman Driver.

Motion carried unanimously.

Motion was made by Councilman Lazenby to adopt, on First Reading, Ordinance No. 2007-09, an Ordinance Designating a Contiguous Geographic Area within the City of Tomball as Tax Increment Reinvestment Zone Number One, City of Tomball, Texas, for Tax Increment Financing Purposes, Pursuant to Chapter 311 of the Texas Tax Code; Creating a Board of Directors for Such Zone; Containing Findings and Provisions Related to the Foregoing Subject; Providing for Severability; and Declaring an Emergency – Lakes at Crosspoint and Bridgewater Estates; second by Councilman Harvey. Vote was as follows:

Councilman Lazenby	<u>Aye</u>
Councilman Webb	<u>Aye</u>
Councilman Harvey	<u>Aye</u>
Councilman Driver	<u>Aye</u>
Councilman Quinn	<u>Aye</u>

Motion carried unanimously.

- 6.8 Motion was made by Councilman Driver to Table Consideration to Award Contract for Project No. 2007-11R, Fire Station Renovation, to Low Bidder, Longhorn Builders, in the Amount of \$325,973, pending additional information from city staff; second by Councilman Harvey.

Motion carried unanimously.

- 6.9 Motion was made by Councilman Harvey to award Contract for Project No. 2007-04R2, Police Department Shooting Range, to Low Bidder, BEY Commercial Construction, Ltd., in the Amount of \$412,900; second by Councilman Driver.

Motion carried unanimously.

- 6.10 Motion was made by Councilman Webb to award Contract for Project No. 2007-15, Annual Asphalt Overlay Improvements, to Low Bidder, PaveCon Ltd., in the Amount of \$84,099; second by Councilman Harvey.

Motion carried unanimously.

- 6.11 Motion was made by Councilman Driver to approve Renewal of Contract for Janitorial Services with Current Provider, United Building Service Co., in the Amount of \$55,800 Annually; second by Councilman Lazenby.

Motion carried unanimously.

- 6.12 Motion was made by Councilman Driver to authorize the Advertising for Sale of Fire Station No. 2, Located at 503 East Main Street; second by Councilman Webb.

Motion carried unanimously.

Consensus of Council was unanimous to consider restrictions to be placed on the sale of this property at the September 17, 2007 Council meeting.

- 6.13 Motion was made by Councilman Driver to adopt Resolution No. 2007-33, a Resolution of the City Council of the City of Tomball, Texas, for the Designation of Representative and Alternate for the Houston-Galveston Area Council 2008 General Assembly; second by Councilman Harvey.

Motion carried unanimously.

- 6.14 Motion was made by Councilman Driver to read Ordinance No. 2007-10 by caption only on first reading; second by Councilman Harvey.

Motion carried unanimously.

Motion was made by Councilman Driver to adopt, on First Reading, Ordinance No. 2007-10, an Ordinance Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2007-2008; and Authorizing the City Manager to Approve Intra-departmental (within the same Department only) Transfers of Budgeted Funds; and Providing other Details Relating to the Passage of This Ordinance; second by Councilman Lazenby. Vote was as follows:

Councilman Webb	<u>Aye</u>
Councilman Harvey	<u>Aye</u>
Councilman Driver	<u>Aye</u>
Councilman Quinn	<u>Aye</u>
Councilman Lazenby	<u>Aye</u>

Motion carried unanimously.

- 6.15 Motion was made by Councilman Driver to read Ordinance No. 2007-11 by caption only on first reading; second by Councilman Lazenby.

Motion carried unanimously.

Motion was made by Councilman Webb to adopt, on First Reading, Ordinance No. 2007-11, an Ordinance Establishing Rates and Charges for Potable Water, Sanitary Sewer, Natural Gas, and Garbage Collection and Disposal Services; Repealing Ordinance No. 2006-07 and Ordinance No. 2006-12 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 Harvey. Vote was as follows:

Councilman Harvey	<u>Aye</u>
Councilman Driver	<u>Aye</u>
Councilman Quinn	<u>Aye</u>
Councilman Lazenby	<u>Aye</u>
Councilman Webb	<u>Aye</u>

Motion carried unanimously.

- 6.16 Motion was made by Councilman Harvey to approve Plat, as Approved by the Planning Commission; second by Councilman Driver:

- A. Tomball Renewal Center Replat (Church/Commercial, Located on South Cherry)

Vote was as follows:

Councilman Harvey	<u>Aye</u>
Councilman Driver	<u>Aye</u>
Councilman Quinn	<u>Aye</u>
Councilman Lazenby	<u>Aye</u>
Councilman Webb	<u>Nay</u>

Motion carried 4-1.

- 6.17 Executive Session: The City Council recessed at 7:26 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose:

- A. Section 551.074 Personnel Matters – Interim City Manager and Director of Public Works

Upon reconvening into regular session at 7:46 p.m., no action was taken.

- 7.0 Motion was made by Councilman Harvey to adjourn; second by Councilman Webb.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 17th day of September 2007.

(signed) Doris Speer
Doris Speer, TRMC
City Secretary

(signed) Gretchen Fagan
Gretchen Fagan
Mayor