

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

MONDAY, OCTOBER 15, 2007



7:00 P.M.

1.0 Call to Order

The meeting was called to order by Mayor Fagan. Other members present were:

Councilman Quinn
Councilman Lazenby
Councilman Webb
Councilman Harvey

Members absent:

Councilman Driver - Excused

Others present:

Interim City Manager – Mary Coker
City Attorney – David Olson (late arrival)
City Secretary – Doris Speer
Fire Chief – Randy Parr
Finance Director – Monica Kohlenberg
Chief of Police – Michael Blake
City Engineer – Ivalu Rose
Building Official – Dave Allen
Exec. Asst. to City Manager – Shawn Cox

2.0 The following public comments were received:

Janie Aud-Riney
402 Saddlebrook Lane, 77375 - Greater Tomball Area Chamber of Commerce
42nd Annual Parade

3.0 Reports and Announcements

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

3.1 The City Manager's Report was presented by Mary Coker.

3.1.1 Special Council Meeting – October 22, 2007

3.1.2 Open House – Zoning – October 24, 2007

4.0 Motion was made by Councilman Webb to approve the minutes of the following meetings;
second by Councilman Harvey:

4.1 Regular Council Meeting of October 1, 2007

Motion carried unanimously.

Discussion/Action of the Following Items:

5.0 Old Business:

5.1 Motion was made by Councilman Webb to Adopt, on Second Reading, Ordinance No. 2007-15, an Ordinance of the City of Tomball, Texas, Extending the City Limits of said City to Include All of the Territory Within Certain Limits and Boundaries and Annexing to the City of Tomball All of the Territory Within Such Limits and Boundaries; Approving a Service Plan for All of the Area Within Such Limits and Boundaries; Containing Other Provisions Relating to the Subject; and Providing a Savings and Severability Clause (2.4843 Acres on Park Road – Park Road LLC); second by Councilman Lazenby. Vote was as follows:

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

Motion carried unanimously.

6.0 New Business:

6.1 The Public Hearing on the Proposed Tax Increase - Proposed 2007 Tax Rate of \$0.251455/\$100 Assessed Value for the City of Tomball, Texas was called to order at 7:06 p.m. by Mayor Fagan.

No comments were received and the public hearing was closed at 7:07 p.m.

6.2 Motion was made by Councilman Harvey to Approve Resolution No. 2007-34, a Resolution of the City Council of the City of Tomball, Texas, Supporting the 42nd

Annual Tomball Holiday Parade, "*Happy Birthday, Tomball!*", to be held In Tomball on Saturday, November 17, 2007; second by Councilman Webb.

Motion carried unanimously.

- 6.3 Motion was made by Councilman Webb to Approve Requests by the Tomball High School Alumni Association for the following items in conjunction with the Tomball All Class Reunion, "Cougars Coming Home"; second by Councilman Lazenby:

- To Close the 300 and 400 Blocks of Market Street from 4:30 p.m. on Friday, November 30, 2007 through 11:00 p.m. on Saturday, December 1, 2007;
- To Close Oak Street from Main Street to Market Street from 4:00 p.m. on Friday, November 30, 2007 through 11:00 p.m. on Saturday, December 1, 2007;
- To Use Heritage Park as the Staging Area for Carriage Rides, for Loading and Unloading of Buses, and for a Rock-Climbing Wall; and
- For Permission to Sell Alcoholic Beverages During the Event on Saturday, December 1, 2007

Motion carried unanimously.

- 6.4 Motion was made by Councilman Harvey to Approve Request by Tomball Fire Department to Close School Street from Main Street to one block south of Main Street from 7:00 p.m. to 12:30 a.m. on October 26 and 27, 2007 in conjunction with the Tomball Fire Department Fall Festival; second by Councilman Webb.

Motion carried unanimously.

- 6.5 Motion was made by Councilman Webb to read Ordinance No. 2007-13 by Caption only on First Reading; second by Councilman Lazenby.

Motion carried unanimously.

Motion was made by Councilman Harvey to Adopt, on First Reading, Ordinance No. 2007-13, an Ordinance Amending the Code of Ordinances of the City of Tomball, Texas, by Deleting Article III of Chapter 14 Thereof and Substituting Therefore a New Article III of Chapter 14, Adopting the 2003 Edition of the International Mechanical Code and Providing for Amendments to the International Mechanical Code; Deleting Section 14-285 of Chapter 14 Thereof and Substituting Therefore a New Section 14-285 of Chapter 14, Adopting the 2005 Edition of the National Electrical Code; Deleting Section 14-325 and Section 14-328 of Chapter 14 Thereof and Substituting Therefore a New Section 14-325 and Section 14-328 of Chapter 14, Adopting the 2003 Edition of the International Residential Code and Providing for Amendments to Such Code, Respectively; Deleting Section 14-405 and Section 14-406 of Chapter 14 Thereof and Substituting Therefore a New Section 14-405 and

Section 14-406 of Chapter 14, Adopting the 2003 Edition of the International Plumbing Code and Providing for Amendments to Such Code, Respectively; Providing a Penalty in an Amount Not to Exceed \$2000 for Each Day of Violation Hereof; and Providing for Severability; second by Councilman Quinn. Vote was as follows:

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

Motion carried unanimously.

- 6.6 Motion was made by Councilman Harvey to Approve Applications for Emergency Wrecker Licenses by Magnolia Towing & Recovery and Collision Express, LP to Participate in Emergency Wrecker Rotation; second by Councilman Quinn.

Motion carried unanimously.

- 6.7 Motion was made by Councilman Webb to Approve the Re-Sale of Lot 24, Block 70, by Tomball Independent School District to Thomas Crofoot, in the Amount of \$5,627.62; second by Councilman Lazenby.

Motion carried unanimously.

- 6.8 Motion was made by Councilman Harvey to Approve the Re-Sale of Lot 20, Block 62, by Tomball Independent School District to Robert Hartman, in the Amount of \$3,900.00; second by Councilman Webb.

Motion carried unanimously.

- 6.9 Motion was made by Councilman Quinn to Award Project 2007-11R, Rehabilitation of Central Fire Station, to Spectrum Construction Services, Inc., in the Amount of \$398,400.00; second by Councilman Harvey.

Motion carried unanimously.

- 6.10 Motion was made by Councilman Lazenby to approve Proposal from Cobb Fendley, in the Amount of \$85,600.00, for Surveying Services Necessary for the Rudolph Road Project and to authorize execution of contract by the City Manager; second by Councilman Quinn.

Motion carried unanimously.

- 6.11 Motion was made by Councilman Webb to Approve Proposal from CLR in the amount of \$42,750.00 to include professional engineering and surveying services for SH 249 at Brown Rd. and authorize execution of contract by the City Manager; second by Councilman Harvey.

Motion carried unanimously.

- 6.12 Motion was made by Councilman Harvey to Approve Proposal from CLR in the amount of \$40,150.00 for Professional engineering services for Liberty Lane-Hicks Detention Pond and Authorize execution of contract by the City Manager; second by Councilman Webb.

Motion carried unanimously.

- 6.13 Motion was made by Councilman Lazenby to Reaffirm Administrative Policy No. 13, entitled "Investment Policy"; second by Councilman Harvey.

Motion carried unanimously.

- 6.14 Executive Session: The City Council recessed at 7:17 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 551.072 Deliberations Regarding Real Property

Upon reconvening in Regular Session at 8:03 p.m., no action was taken.

- 7.0 Motion was made by Councilman Harvey for Adjournment; second by Councilman Lazenby.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 5th day of November 2007.

(signed) Doris Speer
Doris Speer, TRMC
City Secretary

(signed) Gretchen Fagan
Gretchen Fagan
Mayor