

MINUTES OF THE REGULAR CITY COUNCIL MEETING, HELD ON MONDAY, JUNE 2, 2003 AT 7:00 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 MARTIN
COUNCILMAN GATLIN
COUNCILMAN STOVALL
COUNCILMAN FORD

MEMBERS ABSENT:

COUNCILMAN HOLLAND - EXCUSED

OTHERS PRESENT:

CITY MANAGER - BEN GRIFFIN
ASSISTANT CITY MANAGER - MARY COKER
CITY SECRETARY - DORIS SPEER
CHIEF OF POLICE – MICHAEL BLAKE
FINANCE DIRECTOR – SHERRIE MATTSON
FIRE CHIEF – GENE WHITENACK

2.0 PUBLIC COMMENTS WERE RECEIVED:

FRED SCHROEDER - MONITORING EXISTING AND FUTURE OIL AND GAS WELLS NEAR BUILDINGS

3.0 REPORTS AND ANNOUNCEMENTS

NO REPORTS OR ANNOUNCEMENTS WERE GIVEN BY COUNCILMEMBERS.

CERTIFICATES OF APPRECIATION WILL BE MAILED TO THE FOLLOWING RETIRING BOARD MEMBERS:

DANIEL HAHN – PLANNING & BUILDING STANDARDS COMMISSION
ROY P. LACKEY, SR. – PLANNING & BUILDING STANDARDS COMMISSION
DIANE HOLLAND – TOMBALL ECONOMIC DEVELOPMENT CORPORATION
FRITZ KRONMILLER – TOMBALL ECONOMIC DEVELOPMENT CORPORATION

3.1 THE CITY MANAGER'S REPORT WAS PRESENTED:

JULY 4TH FIREWORKS
VOLUNTEER BANQUET
TEDC MEETING DATE CHANGED

BEN GRIFFIN ADVISED THAT, DUE TO CITY'S FORESIGHT IN INSTALLING TWO GATES IN TWO SEPARATE PIPELINES, A 2-3 DAY GAS OUTAGE IN THE CITY WAS AVOIDED WHEN TENNESSEE GAS HAD TO SHUT OFF GAS SUPPLY ON ONE OF OUR LINES IN ORDER TO REPAIR A BROKEN LINE IN DECKER PRAIRIE.

- 4.0 MOTION WAS MADE BY COUNCILMAN STOVALL TO APPROVE THE MINUTES OF REGULAR COUNCIL MEETING OF MAY 19, 2003; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION REGARDING THE FOLLOWING ITEMS:

- 5.0 OLD BUSINESS:

- 5.1 MOTION WAS MADE BY COUNCILMAN GATLIN TO ADOPT SECOND READING OF ORDINANCE NO. 2003-07, AN ORDINANCE ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF §545.356, TEXAS TRANSPORTATION CODE, UPON THE BASIS OF AN ENGINEERING AND TRAFFIC INVESTIGATION, UPON CERTAIN STREETS AND HIGHWAYS, OR PARTS THEREOF, WITHIN THE CORPORATE LIMITS OF THE CITY OF TOMBALL, AS SET OUT IN THIS ORDINANCE; AND PROVIDING A PENALTY OF A FINE IN AN AMOUNT NOT LESS THAN ONE DOLLAR (\$1.00) OR MORE THAN TWO HUNDRED DOLLARS (\$200.00) FOR THE VIOLATION OF THIS ORDINANCE; SECOND BY COUNCILMAN MARTIN. VOTE WAS AS FOLLOWS:

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN GATLIN	<u>AYE</u>
COUNCILMAN HOLLAND	<u>ABSENT</u>
COUNCILMAN MARTIN	<u>AYE</u>
COUNCILMAN STOVALL	<u>AYE</u>

MOTION CARRIED UNANIMOUSLY.

- 5.2 MOTION WAS MADE BY COUNCILMAN MARTIN TO ADOPT SECOND READING OF ORDINANCE NO. 2003-05, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY DELETING ALL OF SECTION 86-39 OF DIVISION 1 OF ARTICLE II OF CHAPTER 86, AND BY DELETING ALL OF SECTION 86-82 OF DIVISION 3 OF ARTICLE II OF CHAPTER 86

THEREOF; ELIMINATING THE PROVISION THAT A TAXICAB COMPANY MUST MAINTAIN AN OFFICE WITHIN THE CITY; PROVIDING THAT PERSONS DRIVING TAXICABS WITHIN THE CITY SHALL NOT BE REQUIRED TO HOLD A CITY LICENSE THEREFOR IF SUCH PERSON HOLDS A CITY OF HOUSTON TAXICAB DRIVER'S LICENSE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY; SECOND BY COUNCILMAN STOVALL. VOTE WAS AS FOLLOWS:

COUNCILMAN FORD	<u>AYE</u>
COUNCILMAN GATLIN	<u>AYE</u>
COUNCILMAN HOLLAND	<u>ABSENT</u>
COUNCILMAN MARTIN	<u>AYE</u>
COUNCILMAN STOVALL	<u>AYE</u>

MOTION CARRIED UNANIMOUSLY.

6.0 NEW BUSINESS:

6.1 MAYOR HARRINGTON OPENED THE PUBLIC HEARING ON ANNEXATION OF THE FOLLOWING PROPERTIES AT 7:10 P.M.:

- A. 29-ACRE TRACT LOCATED NORTH OF FM 2920 – MR. TERRY WALKER
- B. 10-ACRE TRACT, WASTEWATER TREATMENT PLANT LOCATED ON HOLDERRIETH ROAD – CITY OF TOMBALL

NO COMMENTS WERE RECEIVED. MAYOR HARRINGTON CLOSED THE PUBLIC HEARING AT 7:12 P.M.

6.2 MOTION WAS MADE BY COUNCILMAN FORD TO APPROVE CONTRACT WITH FOX AND BUBELA, INC. FOR APPRAISALS OF TWENTY-NINE TRACTS FOR HOOPER LOOP UTILITIES, IN THE AMOUNT OF \$32,550; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

6.3 MOTION WAS MADE BY COUNCILMAN STOVALL TO ADOPT RESOLUTION NO. 2003-23, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TOMBALL, TEXAS, DETERMINING THAT LAND IS NEEDED FOR PUBLIC USE FOR CONSTRUCTION OF SOUTHSIDE UTILITY EXPANSION FOR THE CITY OF TOMBALL ALONG SH 249 AND HOLDERRIETH ROAD; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.4 MOTION WAS MADE BY COUNCILMAN MARTIN TO AUTHORIZE CITY MANAGER TO EXTEND CONTRACT WITH DUKE ENERGY THROUGH JULY 31, 2006; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 7.0 MOTION WAS MADE BY COUNCILMAN FORD TO ADJOURN; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

MEETING ADJOURNED.

(signed) Doris J. Speer

DORIS J. SPEER, TRMC
CITY SECRETARY

(signed) H. G. Harrington

H. G. HARRINGTON
MAYOR