

MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON JULY 15, 2002 AT 7:00 P.M. AT CITY HALL, 401 MARKET, TOMBALL, TEXAS 77375.

- 1.0 THE MEETING WAS CALLED TO ORDER BY MAYOR HARRINGTON. THE FOLLOWING MEMBERS PRESENT:

COUNCILMAN FORD
COUNCILMAN GATLIN
COUNCILMAN HOLLAND
COUNCILMAN MARTIN
COUNCILMAN STOVALL

OTHERS PRESENT:

CITY MANAGER - BEN GRIFFIN
CITY SECRETARY - MARY COKER
CITY ATTORNEY - JOHN OLSON
DIRECTOR OF PUBLIC WORKS - MARK MCCLURE
CHIEF OF POLICE - MICHAEL BLAKE
FINANCE DIRECTOR - SHERRIE MATTSON
FIRE CHIEF - GENE WHITENACK

- 2.0 PUBLIC COMMENTS

CITY MANAGER, BEN GRIFFIN, PRESENTED THE TOMBALL NIGHT PROCLAMATION.

- 3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE MADE BY COUNCILMEMBERS.

- 3.1 BEN GRIFFIN PRESENTED THE CITY MANAGER-S REPORT.
NOMINATIONS FOR TML INTERGOVERNMENTAL RISK POOL BOARD OF TRUSTEES
THE 4-H CLUB REPORTED ON TRASH PICKUP IN THE CITY
JULY 4TH FIREWORKS
SIGN ADMINISTRATOR
LANDSCAPING

- 4.0 MOTION WAS MADE BY COUNCILMAN FORD TO APPROVE THE MINUTES OF REGULAR COUNCIL MEETING JULY 1, 2002; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION REGARDING THE FOLLOWING ITEMS:

5.0 OLD BUSINESS:

5.1 MOTION WAS MADE BY COUNCILMAN MARTIN TO ADOPT THE SECOND READING OF ORDINANCE 2002-17 AN ORDINANCE AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY DELETING ALL OF SECTION 34-74 OF ARTICLE III OF CHAPTER 34 THEREOF AND SUBSTITUTING THEREFOR A NEW SECTION 34-74, AND BY DELETING THE PARAGRAPH ENTITLED "EXCEPTION NO. 1" FROM SUBSECTION (d) OF SECTION 34-94 OF ARTICLE IV OF CHAPTER 34 THEREOF AND SUBSTITUTING THEREFOR A NEW PARAGRAPH ENTITLED "EXCEPTION NO. 1"; PROVIDING CERTAIN AMENDMENTS TO THE INTERNATIONAL FIRE CODE, 2000 EDITION, AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC., RELATING TO PROTECTION FROM LIABILITY FOR FIRE OFFICIALS WHEN PERFORMING OFFICIAL DUTIES, THE ATTACHING OF COMBUSTIBLE MATERIALS TO WALLS AND CEILINGS OF ROOMS USED FOR GROUP E OCCUPANCIES, SPRINKLER SYSTEMS, STANDPIPE SYSTEMS, SMOKE DETECTION DEVICES; PROVIDING THAT SPRINKLERS SHALL NOT BE REQUIRED IN ROOMS CONTAINING FIFTY FIVE (55) SQUARE FEET OR LESS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY; SECOND BY COUNCILMAN GATLIN. VOTE WAS AS FOLLOWS:

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

MOTION CARRIED UNANIMOUSLY.

6.0 NEW BUSINESS:

6.1 MOTION WAS MADE BY COUNCILMAN HOLLAND TO RE-APPOINT SHERRIE MEICHER, POSITION 3, AND KENNETH GRAHAM, POSITIONS 5, TO THE TOMBALL REGIONAL HOSPITAL BOARD OF DIRECTORS; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

NOMINATIONS WERE TAKEN FOR POSITION 1. COUNCILMAN HOLLAND NOMINATED BRENT LAPSLEY, COUNCILMAN GATLIN NOMINATED EARLE OLDHAM AND COUNCILMAN STOVALL NOMINATED RUTHIE KLEIN.

MOTION WAS MADE BY COUNCILMAN MARTIN THAT NOMINATED CEASE;
SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

VOTE WAS AS FOLLOWS:

BRENT LAPSLEY	-	COUNCILMAN HOLLAND
EARLE OLDHAM	-	COUNCILMAN GATLIN
RUTHIE KLEIN	-	COUNCILMAN MARTIN COUNCILMAN FORD COUNCILMAN STOVALL

RUTHIE KLEIN IS APPOINTED TO POSITION 1 ON THE TOMBALL REGIONAL
HOSPITAL BOARD OF DIRECTORS.

- 6.2 MOTION WAS MADE BY COUNCILMAN MARTIN TO SET SEPTEMBER 3, 2002 AT
7:00 P.M. FOR A PUBLIC HEARING ON LAND USE ASSUMPTIONS AND CAPITAL
IMPROVEMENTS PLAN 2002-12 RELATING TO POSSIBLE ADOPTION OF IMPACT
FEES; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 6.3 MOTION WAS MADE BY COUNCILMAN HOLLAND TO AUTHORIZE THE CITY
ATTORNEY TO PREPARE A DEVELOPER AGREEMENT FOR JOINT PARTICIPATION
IN THE EXTENSION OF PINE STREET AND DETENTION FOR THE PINE STREET
INDUSTRIAL PROJECT AND HAMPTON PLACE TOWNHOMES AS RECOMMENDED
BY THE DIRECTOR OF PUBLIC WORKS; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

- 6.4 MOTION WAS MADE BY COUNCILMAN FORD TO APPROVE THE CONTRACT
WITH THE WILLIAMS COMPANY TO DEVELOP THE DOWNTOWN TOMBALL
MASTER PLAN AS PRESENTED; SECOND BY COUNCILMAN HOLLAND.

MOTION WAS MADE BY COUNCILMAN GATLIN THAT THE CONTRACT BE FUNDED EQUALLY BY THE CITY, TEDC, AND HOTEL/MOTEL TAX FUNDS. THE FUNDS FROM THE HOTEL/MOTEL TAX TO BE PAID ON A QUARTERLY BASIS; SECOND BY COUNCILMAN STOVALL.

MOTION TO AMEND CARRIED UNANIMOUSLY.

MOTION AS AMENDED CARRIED UNANIMOUSLY.

- 6.5 MOTION WAS MADE BY COUNCILMAN HOLLAND TO ADOPT RESOLUTION 2002-07 A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, PROVIDING FOR EXEMPTION OF CERTAIN VEHICLES FROM REQUIREMENTS OF CITY AND COUNTY-OWNED VEHICLES AND HEAVY EQUIPMENT; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.6 CITY COUNCIL MET IN EXECUTIVE SESSION AT 7:59 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 REGARDING CONTEMPLATED LITIGATION

AFTER RECONVENING IN REGULAR SESSION AT 8:16 P.M. NO ACTION WAS TAKEN.

- 7.0 MOTION WAS MADE BY COUNCILMAN FORD FOR ADJOURNMENT; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

MARY COKER, TRMC, CMC
CITY SECRETARY

H. G. HARRINGTON
MAYOR