

MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON AUGUST 19, 2002 AT 7:00 P.M. AT CITY HALL, 401 MARKET, TOMBALL, TEXAS 77375.

1.0 MEETING WAS CALLED TO ORDER BY MAYOR HARRINGTON. OTHER MEMBERS PRESENT:

COUNCILMAN MARTIN  
COUNCILMAN GATLIN  
COUNCILMAN STOVALL  
COUNCILMAN FORD  
COUNCILMAN HOLLAND

OTHERS PRESENT:

CITY MANAGER - BEN GRIFFIN  
ASSISTANT CITY MANAGER - 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  
ASSISTANT CITY SECRETARY - DORIS SPEER  
CITY ENGINEER - DAVID KELLEY

2.0 THE FOLLOWING PUBLIC COMMENTS WERE RECEIVED:

R. J. DONLEY - COMPLAINT ABOUT DOGS ON RUDOLPH ROAD.

CARY RASPBERRY PRESENTED THE BEAUTIFICATION AWARD TO HARRIS COUNTY TAX OFFICE BY THE PARKS, RECREATION AND BEAUTIFICATION ADVISORY BOARD. PAUL BETTENCOURT, CAROL GAINS AND JIM HAYMAN WERE PRESENT FROM HARRIS COUNTY TO RECEIVE THE AWARD.

CARY RASPBERRY PRESENTED THE HISTORICAL TREE AWARD TO TOMBALL INDEPENDENT SCHOOL DISTRICT BY THE PARKS, RECREATION AND BEAUTIFICATION ADVISORY BOARD. JOHN NEUBAUER, SUPERINTENDENT, ACCEPTED ON BEHALF OF TISD.

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE MADE BY COUNCILMEMBERS.

- 3.1 CITY MANAGER-S REPORT:  
PAUL KIPP AND BOB FINKLE PRESENTED THE EXECUTIVE SUMMARY OF THE  
DRAFT GIS PLAN FOR THE CITY OF TOMBALL  
AUCTION OF CITY PROPERTY  
UPDATE ON SIGNAGE ALONG SH 249  
QUARTERLY INVESTMENT REPORT  
TOMBALL WOMAN AMONG TOP TEN BUSINESS WOMEN OF THE YEAR  
9/11 REMEMBRANCE CEREMONY REQUEST  
SUBDIVISION SALES SIGNS ON PUBLIC RIGHT-OF-WAY

- 4.0 MOTION WAS MADE BY COUNCILMAN FORD TO APPROVE THE MINUTES OF REGULAR  
COUNCIL MEETING AUGUST 5, 2002; SECOND BY COUNCILMAN HOLLAND.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION REGARDING THE FOLLOWING ITEMS:

- 5.0 OLD BUSINESS:

- 5.1 MOTION WAS MADE BY COUNCILMAN HOLLAND TO ADOPT THE SECOND  
READING OF ORDINANCE 2002- 18, AN ORDINANCE ADOPTING THE BUDGET FOR  
THE CITY OF TOMBALL, TEXAS, FOR FISCAL YEAR 2002-2003; 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 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 MAYOR HARRINGTON OPENED THE PUBLIC HEARING ON WATER  
CONSERVATION AND EMERGENCY WATER MANAGEMENT PLAN. NO  
COMMENTS WERE RECEIVED AND PUBLIC HEARING WAS CLOSED.

- 6.2 MOTION WAS MADE BY COUNCILMAN HOLLAND TO APPROVE THE ABANDONMENT OF STREET RIGHT-OF-WAY ADJACENT TO THE WEST SIDE OF CHURCH OF THE GOOD SHEPHERD; SECOND BY COUNCILMAN STOVALL.

MOTION WAS MADE BY COUNCILMAN HOLLAND TO AMEND THE MOTION TO READ AND AUTHORIZE STAFF TO PROCEED WITH THE FORMALITIES OF ABANDONMENT OF THE RIGHT OF WAY ADJACENT TO WEST SIDE OF THE CHURCH OF THE GOOD SHEPHERD AS DICTATED BY CIRCUMSTANCES AFTER INVESTIGATION BY STAFF, SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

- 6.3 MOTION WAS MADE BY COUNCILMAN HOLLAND TO READ ORDINANCE 2002-19 BY CAPTION ONLY; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

MOTION WAS MADE BY COUNCILMAN MARTIN TO ADOPT THE FIRST READING OF ORDINANCE 2002-19, AN ORDINANCE ESTABLISHING RATES AND CHARGES FOR POTABLE WATER, SANITARY SEWER, NATURAL GAS, AND GARBAGE COLLECTION AND DISPOSAL SERVICES; REPEALING ORDINANCE NO. 2001-12 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 STOVALL. 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.

- 6.4 MOTION WAS MADE BY COUNCILMAN FORD TO ADOPT RESOLUTION NO. 2002-08, A RESOLUTION OF THE CITY OF TOMBALL, TEXAS, AMENDING THE AUTHORIZED REPRESENTATIVES IN THE PARTICIPATION AGREEMENT AND THE

ACCOUNT IN THE NAME OF CITY OF TOMBALL WITH #TEXPOOL@, SECOND BY COUNCILMAN HOLLAND.

MOTION CARRIED UNANIMOUSLY.

- 6.5 MOTION WAS MADE BY COUNCILMAN STOVALL TO READ ORDINANCE 2002-20 BY CAPTION ONLY; SECOND BY COUNCILMAN HOLLAND.

MOTION CARRIED UNANIMOUSLY.

MOTION WAS MADE BY COUNCILMAN MARTIN TO ADOPT THE FIRST READING OF ORDINANCE NO. 2002-20, AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY DELETING ARTICLE VII OF CHAPTER 82 THEREOF AND SUBSTITUTING THEREFOR A NEW ARTICLE VII; ESTABLISHING WATER CONSERVATION; DEFINING CERTAIN TERMS; PROVIDING RULES AND REGULATIONS GOVERNING DROUGHT RESPONSE STAGES; PROVIDING PROCEDURES FOR ADMINISTRATION AND ENFORCEMENT OF A WATER CONSERVATION AND EMERGENCY MANAGEMENT PLAN; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; SECOND BY COUNCILMAN FORD. VOTE WAS AS FOLLOWS:

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

MOTION CARRIED UNANIMOUSLY.

- 6.6 MOTION WAS MADE BY COUNCILMAN MARTIN TO APPROVE THE CONTRACT WITH VERRET GROUP FOR ARCHITECTURAL SERVICES ON THE SOUTHSIDE FIRE STATION SUBJECT TO APPROVAL BY THE CITY ATTORNEY; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

6.7 MOTION WAS MADE BY COUNCILMAN HOLLAND TO AWARD CONTRACT THE ON PROJECT 2002-12R - PURCHASE OF DIESEL FUEL AND GASOLINE TO SOLE BIDDER, SUN COAST RESOURCES, INC.; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

6.8 MOTION WAS MADE BY COUNCILMAN MARTIN TO AMEND THE SCHEDULE OF FEES FOR FIRE PERMITS AS PRESENTED; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

7.0 MOTION WAS MADE BY COUNCILMAN GATLIN FOR ADJOURNMENT; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

---

MARY COKER, TRMC, CMC  
CITY SECRETARY

H. G. HARRINGTON  
MAYOR