

MINUTES OF REGULAR CITY COUNCIL MEETING HELD ON JUNE 3, 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 HOLLAND  
COUNCILMAN GATLIN  
COUNCILMAN STOVALL  
COUNCILMAN FORD

OTHERS PRESENT:

INTERIM CITY MANAGER - BEN GRIFFIN  
CITY ATTORNEY - BILL OLSON  
CITY SECRETARY - MARY COKER  
DIRECTOR OF PUBLIC WORKS - MARK MCCLURE  
FINANCE DIRECTOR - SHERRIE MATTSON  
FIRE CHIEF - GENE WHITENACK  
CAPTAIN RICKARD

2.0 THE FOLLOWING PUBLIC COMMENTS WERE RECEIVED:

DELPHINE MICHNA - MEMORIAL DAY AND JULY 4<sup>TH</sup> TO HONOR VETERANS; CONSTITUTIONAL RIGHTS.

VERNON BROWN - SUGGESTED CHANGING NAME OF SCHOOL ST. TO STALLONES/SCHOOL ST.

3.0 VARIOUS REPORTS AND ANNOUNCEMENTS WERE MADE BY COUNCILMEMBERS.

3.1 BEN GRIFFIN PRESENTED THE CITY MANAGER'S REPORT.

TAX OFFICE

BRUCE HILLEGEIST PRESENTED THE REPORT FROM KIM WILLIAMS.

ENGINEERING CONTRACTS

HOSPITAL BOARD RESIGNATION

4.0 MOTION WAS MADE BY COUNCILMAN HOLLAND TO APPROVE THE MINUTES OF SPECIAL AND REGULAR COUNCIL MEETINGS MAY 20, 2002; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

DISCUSSION/ACTION REGARDING THE FOLLOWING ITEMS:

5.0 OLD BUSINESS:

- 5.1 MOTION WAS MADE BY COUNCILMAN MARTIN TO APPROVE PROPOSAL FROM EXXON/MOBIL TO EXTEND UTILITIES TO BOUDREAUX AND HOFFMAN ESTATES WITH THE CHANGES MADE AT THE WORKSHOP; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

6.0 NEW BUSINESS:

- 6.1 MOTION WAS MADE BY COUNCILMAN MARTIN TO NOMINATE COUNCILMAN HOLLAND. MOTION WAS MADE BY COUNCILMAN FORD THAT NOMINATIONS CEASE. SECOND WAS MADE BY COUNCILMAN STOVALL TO ELECT COUNCILMAN HOLLAND AS MAYOR PRO-TEM.

MOTION CARRIED UNANIMOUSLY.

- 6.2 COUNCILMAN GATLIN NOMINATED JERALD TILL FOR RE-APPOINTMENT TO THE PLANNING COMMISSION. MOTION WAS MADE BY COUNCILMAN HOLLAND THAT NOMINATIONS CEASE; SECOND BY COUNCILMAN MARTIN. MR. TILL WAS RE-APPOINTED BY ACCLAMATION.

- 6.3 MOTION WAS MADE BY COUNCILMAN FORD TO READ ORDINANCE 2002-15 BY CAPTION ONLY, SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

MOTION WAS MADE BY COUNCILMAN FORD TO ADOPT THE FIRST READING OF ORDINANCE 2002-15 AN ORDINANCE AUTHORIZING THE ISSUANCE OF \$20,000,000 CITY OF TOMBALL, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2002; SECOND BY COUNCILMAN MARTIN. JOE MORROW, FIRST SOUTHWEST, PRESENTED THE BID RESULTS. COASTAL SECURITIES IS THE LOW BIDDER AT 4.691826% INTEREST RATE. VOTE WAS AS FOLLOWS:

COUNCILMAN FORD

AYE

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 MARTIN TO READ ORDINANCE 2002-16 BY CAPTION ONLY; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

MOTION WAS MADE BY COUNCILMAN FORD TO ADOPT THE FIRST READING OF ORDINANCE 2002-16 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF TOMBALL, TEXAS, BY DELETING PARAGRAPHS (1), (2), AND (3) OF SECTION 86-140 AND SECTION 86-193 OF ARTICLE III OF CHAPTER 86 THEREOF AND SUBSTITUTING THEREFOR NEW PARAGRAPHS (1), (2), AND (3) OF SECTION 86-140 AND SECTION 86-193; ESTABLISHING MAXIMUM TOWING FEES TO BE CHARGED FOR VEHICLES TOWED WITHOUT THE OWNER'S CONSENT; ESTABLISHING MAXIMUM STORAGE FEES FOR TOWED VEHICLES; ESTABLISHING A WRECKER DRIVER LICENSE FEE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$500 FOR EACH DAY OF VIOLATION; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT; SECOND BY COUNCILMAN HOLLAND. 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.

- 6.5 MOTION WAS MADE BY COUNCILMAN HOLLAND TO APPROVE THE CONCEPT FOR CITY FUNDING OF A SEWER AND WATER PROJECT ON THE EAST SIDE OF SH 249 BETWEEN BAKER DRIVE AND HICKS STREET AS PRESENTED BY ART DEPUE; SECOND BY COUNCILMAN FORD.

MOTION CARRIED UNANIMOUSLY.

- 6.6 MOTION WAS MADE BY COUNCILMAN HOLLAND TO CONSIDER THE REQUEST BY ART DEPUE FOR THE CITY'S PARTICIPATION IN THE PINE STREET PROJECT AS PRESENTED BASED ON RECEIPT OF ADDITIONAL DEFINITE FUNDING COSTS; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

- 6.7 MOTION WAS MADE BY COUNCILMAN MARTIN TO RENEW THE JANITORIAL CONTRACT WITH UNITED BUILDING SERVICE COMPANY; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

- 6.8 MOTION WAS MADE BY COUNCILMAN FORD TO AWARD THE CONTRACT ON PROJECT 2002-09 PURCHASE OF GAS PIPE, PARTS AND MATERIALS TO THE LOW BIDDER, GAJESKE INC.; SECOND BY COUNCILMAN GATLIN.

MOTION CARRIED UNANIMOUSLY.

- 6.9 MOTION WAS MADE BY COUNCILMAN HOLLAND TO AWARD THE CONTRACT ON PROJECT 2002-10 PURCHASE OF CHLORINE AND SULFUR DIOXIDE GAS TO THE SOLE BIDDER, DXI INDUSTRIES, INC.; SECOND BY COUNCILMAN MARTIN.

MOTION CARRIED UNANIMOUSLY.

- 6.10 MOTION WAS MADE BY COUNCILMAN MARTIN TO AWARD THE CONTRACT ON PROJECT 2002-11 PURCHASE OF HTH TO THE LOW BIDDER, NAPCO CHEMICAL CO. INC.; SECOND BY COUNCILMAN STOVALL.

MOTION CARRIED UNANIMOUSLY.

- 6.11 CITY COUNCIL WILL MET IN EXECUTIVE SESSION AT 8:10 P.M. AS AUTHORIZED BY TITLE 5, CHAPTER 551, GOVERNMENT CODE, THE TEXAS OPEN MEETINGS ACT, FOR THE FOLLOWING PURPOSES:

A. SECTION 551.074: PERSONNEL

AFTER RECONVENING IN REGULAR SESSION AT 9:15 P.M. NO ACTION WAS TAKEN.

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

MOTION CARRIED UNANIMOUSLY.

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MARY COKER, TRMC, CMC  
CITY SECRETARY

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H. G. HARRINGTON  
MAYOR