

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

MONDAY, DECEMBER 17, 2007



7:00 P.M.

1.0 Call to Order

1.1 Invocation – Led by Rev. Eddie Skinner, Pastor of CrossPoint Community Church

1.2 Pledges – Led by Julie Gauthier and Stephanie Trzcinski

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

Councilman Quinn
Councilman Lazenby
Councilman Webb
Councilman Harvey
Councilman Driver

Others present:

City Manager – Jan Belcher
Assistant City Manager – Mary Coker
City Attorney – Bill Olson
City Attorney – David Olson
City Secretary – Doris Speer
Dir. of Engineering and Planning – Mark McClure
Finance Director – Monica Kohlenberg
Fire Chief – Randy Parr
Asst. to City Manager – Shawn Cox

2.0 The following Public Comments and Receipt of Petitions were received:

Diane Holland
901 Baker Drive - Presented the preliminary financial report for the Tomball Centennial Birthday Party and offered thanks from the Centennial Commission to everyone who helped make the Centennial celebrations successful throughout 2008. Ms.

Holland presented the #100 100-Year circle pin and certificate of authenticity to Mayor Fagan on behalf of the City.

3.0 Reports and Announcements

3.1 Presentations:

- Presentation of Centennial Proclamations to John Neubauer, Superintendent of Schools, TISD was made by Mayor Fagan.
- Mayor Fagan advised that Monica Kohlenberg, Finance Director, had received the Certificate of Achievement for Excellence in Financial Reporting
- Presentation of Unaudited Results of Operations for Fiscal Year 2007 was given by Monica Kohlenberg, Finance Director

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

4.0 Motion was made by Councilman Webb to Approve the Minutes of the Following Meetings; second by Councilman Harvey:

- Regular Council Meeting of December 3, 2007

Motion carried unanimously.

Discussion/action of the following items:

5.0 Old Business:

6.0 New Business:

6.1 Motion was made by Councilman Webb to approve the Agreement between Tomball Spring Creek Commons, L.P. and the City of Tomball for Construction of Drainage Improvements; second by Councilman Lazenby.

Motion carried unanimously.

6.2 Motion was made by Councilman Harvey to approve Purchase of Lot 19, Block 21, from French Equities, Inc. by the City of Tomball, for the Appraised Value of \$10,700 and Authorize City Manager to Execute General Warranty Deed, with correction as noted; second by Councilman Driver.

Motion carried unanimously.

- 6.3 Motion was made by Councilman Driver to approve Resolution 2007-38, Supporting the Efforts of HVM Mid-Towne, Ltd. to Rehabilitate Mid-Towne Apartments, Located at 830 Carrell Street; second by Councilman Quinn.

Motion carried unanimously.

- 6.4 Motion was made by Councilman Quinn to approve Resolution No. 2007-39, amending the Authorized Representatives in the Participation Agreement and the Account in the Name of the City of Tomball with "TexPool"; second by Councilman Harvey.

Motion carried unanimously.

- 6.5 Motion was made by Councilman Driver to award Contract for Project No. 2008-05, Liquid Chlorine, to Low Bidder, NAPCO Chemical Company, in the Amount of \$0.99 per Gallon; second by Councilman Harvey.

Motion carried unanimously.

- 6.6 The Public Hearing Regarding Proposed Ordinance No. 2007-20, Electing to Opt Out of the "Super Freeport Exemption" Created under House Bill 621, Passed by the Texas Legislature on May 23, 2006 was called to order by Mayor Fagan at 7:25 p.m.

No comments were received and the Public Hearing was closed by Mayor Fagan at 7:26 p.m.

- 6.7 Motion was made by Councilman Driver to Read Ordinance No. 2007-20 by Caption Only on First Reading; second by Councilman Harvey.

Motion carried unanimously.

Motion was made by Councilman Lazenby to Adopt, on First Reading, Ordinance No. 2007-20, an Ordinance of the City of Tomball, Texas, Providing for the Taxation of Tangible Personal Property in Transit, Which Would Otherwise be Exempt from Taxation Pursuant to Texas Tax Code, Section 11.253; Repealing all Ordinances or Parts of Ordinances Inconsistent or in Conflict Herewith; and Providing for Severability; second by Councilman Webb. Vote was as follows:

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

Motion carried unanimously.

- 6.8 Motion was made by Councilman Webb to Read Ordinance No. 2007-21 by Caption Only on First Reading; second by Councilman Harvey.

Motion carried unanimously.

Motion was made by Councilman Webb to Adopt, on First Reading, Ordinance No. 2007-21, An Ordinance Calling a Joint Public Hearing to be Conducted by the City Council and the Zoning Commission of the City of Tomball, Texas, in the City of Tomball City Hall, City Council Chambers, at 401 Market Street, Tomball, Texas 77375, to Hear Any Person Desiring to be Heard on, or in Connection with, a Proposed Ordinance Establishing Zoning Regulations for the City; Prescribing the Type of Notice to be Given for the Joint Public Hearing; and Directing the Giving of Notice of Such Hearing; second by Councilman Harvey. Vote was as follows:

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

The joint public hearing is set for Monday, January 21, 2008 at 7:00 p.m., subject to approval of second reading of Ordinance No. 2007-21.

- 6.9 Motion was made by Councilman Harvey to Approve Plat, as Ratified by Planning Commission; second by Councilman Quinn:

- The Shoppes at Spring Creek Commons Section One, Being a 31.22 Acre Subdivision out of the Joseph House Survey, Abstract 34; also Being a Replat of a Portion of the Plat of Tomball United Methodist Church, Film Code No. 358131, H.C.M.R., Tomball, Harris County, Texas (Commercial; Located on East Side of SH 249 at the Future Brown-Hufsmith Road Extension)

Motion carried unanimously.

- 7.0 Motion was made by Councilman Webb to adjourn; second by Councilman Quinn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 7th day of January 2008.

Doris Speer
Doris Speer, TRMC
City Secretary

Gretchen Fagan
Gretchen Fagan
Mayor