

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



**MONDAY, JANUARY 17, 2011**

**7:00 P.M.**

1.0 Call to Order

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

Councilman Quinn  
Councilman Stoll  
Councilman Brown  
Councilman Townsend  
Councilman Dodson

Others present:

City Manager – George Shackelford  
Assistant City Manager – Christal Kliever  
City Secretary – Doris Speer  
City Attorney – Scott Bounds  
Chief of Police – Robert Hauck  
Director of Public Works – David Kauffman  
Director of Engineering and Planning – Mark McClure  
Fire Chief – Randy Parr  
Finance Director – Glenn Windsor  
Assistant to City Manager – Shawn Cox  
City Planner – Kelly Violette  
Assistant City Engineer – Lori Lakatos  
Assistant City Planner - Rodney Schmidt  
Fire Marshal – Doug Sanguedolce  
Fire Inspector – Tommy Nicholson

2.0 The invocation was led by Reverend John Holiday, Powerhouse Church of God in Christ.

3.0 Pledges to the U. S. and Texas flags were led by Cooper Cason, Tomball High School Student Council.

4.0 No public comments were received.

5.0 Presentations:

- Mayor Fagan presented a proclamation to the Concordia Lutheran High School Crusaders Football Team, proclaiming Monday, January 17, 2011 as “***Concordia Lutheran High School Crusaders – 2010 TAPPS Division II, District 4 Champions Day***”

6.0 Reports and Announcements:

- January 22 and 29, 2011 – ***Walk Tomball!*** – Depot Plaza – 9:00 a.m.
- January 24, 2011 – First Meeting of the **Tourism Advisory Committee**, 6:00 p.m.
- January 25, 2011 – **2<sup>nd</sup> Annual Boards and Commission Recruitment Reception, 5:30 p.m.-7:00 p.m. – Room B**, at the Community Center
- February 12, 2011 – **2<sup>nd</sup> Saturday at the Depot** – 5:00 p.m.
- February 13, 2011 – **Unveiling of the Beckendorf Statue** – 2:00 p.m., reception to follow, 2:00 p.m.-3:30 p.m., at the Community Center, hosted by Rose Hill United Methodist Church
- Appointments to Board of Adjustments will be on February agenda (terms expiring 3/2/11)
- Reports by City staff and members of Council about items of community interest on which no action will be taken
  - Nathan Krupke, Belt Harris, presented the preliminary Auditor Report.
  - Shawn Cox provided an update regarding the 3<sup>rd</sup> Annual 5K Bunny Run, to be held on April 9, 2011
  - Glenn Windsor provided an update to Council regarding planned replacement vehicles in the Fire Marshal’s Office.
  - David Kauffman provided an update on the City’s on-going Utility Infrastructure Replacement Program to replace aged and inadequate utility lines.
  - Mayor Fagan advised that she has appointed Holly Cook as the Chair for the Tourism Advisory Committee.
  - Mayor Fagan and Shawn Cox provided a presentation regarding the rededication of MLK, Jr. Park and the Memorial Tree dedication at the Depot.
  - Mayor Fagan expressed the City’s appreciation to the Fire and Police departments for their efforts following the incident at 29503 Orchard Grove Drive on January 9, 2011.

7.0 Motion was made by Councilman Stoll, second by Councilman Brown, to approve the minutes of the January 3, 2011 Regular City Council Meeting.

Motion carried unanimously.

8.0 Old Business:

8.1 Executive Session: The City Council recessed at 7:30 p.m. p.m. to meet in Executive Session, as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purposes:

- Section 551.071 Consultation with Attorney Regarding the Following Matter: Demands related to a Slope Failure at 31422 Rigel Court.

Upon reconvening into regular session at 8:33 p.m., no action was taken.

9.0 New Business

9.1 Shawn Cox presented the request from Tomball Area Health Awareness Organization for In-Kind Services in Connection with Tomball Health Expo, to be held on April 9, 2011 at Tomball Sports Medicine. Motion was made by Councilman Stoll, second by Councilman Dodson, to approve the request from Tomball Area Health Awareness Organization for In-Kind Services in Connection with Tomball Health Expo.

Motion carried unanimously.

9.2 Mark McClure presented information regarding possible parking lot locations, the layout of each parking lot, estimated land acquisition cost, and site construction cost for each parking lot. Consensus of Council was unanimous for City staff to contact Dr. Hutson regarding possible acquisition of sites known as BN and CS via purchase or long-term lease agreement and provide the information to Council for further consideration regarding designation of downtown parking lot locations and negotiation and preparation of a professional services contract.

9.3. Mark McClure presented information regarding the composition of the proposed Downtown Tomball Advisory Committee. This will be an ad hoc committee, members of other City-appointed boards will be able to serve on the DTAC, 12-15 members will be appointed, and the board will meet monthly. Consensus of the Council was unanimous that Councilmembers will contact interested individuals and provide their names to the Mayor and/or City Manager for consideration of appointments to the Downtown Tomball Advisory Committee (DTAC). No action necessary.

9.4 Mark McClure presented an overview of Philip O'Sullivan's request to abandon/relinquish City-owned Right-of-Way (a Portion of Ash Street) and direction by City Council to the City Attorney and Engineering and Planning Staff to Prepare a Policy for the Abandonment of City-owned Property and Rights-of-Way. Motion was made by Councilman Townsend, second by Councilman Stoll, that the City Attorney and City staff prepare an abandonment policy for Council consideration, prior to Council's consideration of Mr. O'Sullivan's request for abandonment of a portion of Ash Street.

Motion carried unanimously.

- 9.5 George Shackelford presented the Vested Rights Determination Letter dated January 10, 2011, regarding Brandt Development. Motion was made by Councilman Dodson, second by Councilman Brown, to receive the City Manager's Vested Rights Determination Letter dated January 10, 2011, regarding Brandt Development.

Motion carried unanimously.

- 9.6 George Shackelford presented the Vested Rights Determination Letter dated January 11, 2011, regarding Tomball Marketplace. Motion was made by Councilman Townsend, second by Councilman Dodson, to receive the City Manager's Vested Rights Determination Letter dated January 11, 2011, regarding Tomball Marketplace.

Motion carried unanimously.

- 9.7 Motion was made by Councilman Townsend, second by Councilman Brown, to approve Resolution No. 2011-01, a Resolution and Order of the City Council of the City of Tomball, Texas, Ordering a Regular City Officer's Election, to be Held in the City of Tomball on Saturday, May 14, 2011; Designating the Polling Places and Appointing Election Officials for such Election; Directing the Giving of Notice of Such Election; Designating the Date for a Runoff Election if Needed; and Providing Details Relating to the Holding of such Election.

*Fue hecha la moción por el Concejal Townsend, secundada por el Concejal Brown, para aprobar la Resolución Nro. 2011-01, una resolución y Orden de la ciudad de Tomball, Texas, ordenando una Elección General de Funcionarios de la Ciudad, para llevarse a cabo en la Ciudad de Tomball el sábado 14 de mayo de 2011; designando los lugares de votación y nombrando a los oficiales de dicha Elección; instruyendo la notificación de dicha Elección; designando la fecha de la Elección de Desempate de si es necesaria; y disponiendo los detalles relacionados a dicha Elección.*

Kiến nghị đã được Nghị viên Townsend đề ra, và có sự ủng hộ của Nghị viên Brown, để phê duyệt Nghị quyết số 2011-01, một Nghị quyết và Lệnh Yêu Cầu của Hội Đồng Thành Phố của Thành Phố Tomball, Texas, yêu cầu một Cuộc Bầu Cử Viên Chức Thành Phố Thường Lệ được tổ chức trong Thành Phố Tomball ngày thứ bảy 14 Tháng Năm, 2011; Chỉ định các Địa Điểm Bỏ Phiếu và Bổ Nhiệm Các Quan Chức phụ trách cuộc bầu cử đó; Hướng dẫn đưa ra Thông báo về Cuộc Bầu Cử như vậy; Chỉ định các Ngày Cho Một Cuộc Bầu Cử Chung Cuộc nếu cần thiết; và Cung cấp Thông Tin Chi Tiết Liên Quan đến việc tổ chức Cuộc bầu cử đó

Motion carried unanimously.

*La moción fue aprobada por unanimidad.*

Kiến nghị đã được thống nhất ủng hộ.

10.0 Motion was made by Councilman Townsend, second by Councilman Stoll, to adjourn.

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this 7th day of February 2011.

*Doris Speer*  
Doris Speer, TRMC  
City Secretary

*Gretchen Fagan*  
Gretchen Fagan  
Mayor