

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Tuesday, July 5, 2022
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for Tuesday, July 5, 2022, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

A. Mayor Klein Quinn called the meeting of the Tomball City Council to order at 6:00 p.m.

PRESENT

Council 1 John Ford
Council 2 Mark Stoll
Council 3 Dane Dunagin
Council 5 Randy Parr
Council 4 Derek Townsend, Sr.

OTHERS PRESENT:

City Manager – David Esquivel
Assistant City Manager – Jessica Rogers
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Director of Community Development – Nathan Dietrich
Finance Director – Katherine DuBose
Fire Chief – Joe Sykora
IT Manager – Doug Tippey
Director of Public Works – Drew Huffman
Marketing Manager – Sasha Smith
Assistant City Secretary - Tracylynn Garcia
Court Administrator – Maria Morris
Police Captain-Investigations – Ricky Doerre
Police Captain-Patrol – Brandon Patin
City Planner – Jared Smith
Assistant to the City Manager/Communications Coordinator – Rebecca Beahan
Community Center Manager – Rosalie Dillon
Attorney, Olson & Olson – Tommy Ramsey

- B. Invocation - Led by Chaplain Steve Allison - Tomball VFW Post 2427
- C. Pledges to U.S. and Texas Flags - Led by Chaplain Steve Allison - Tomball VFW Post 2427
- D. No Public Comments were received.
- E. Reports and Announcements
 - 1. Announcements
 - I. **Tomball City Pool – 2022 Swim Season** - Jerry Matheson Park Pool will be open from 10 a.m.–6 p.m., Tuesday through Friday and Noon–8 p.m. on Saturday and Sunday through August 14.

End of Season hours will be: Noon–8 p.m. on August 20-21, August 27-28, and September 3-4; on September 5, the pool will be open 10 a. m. –6 p.m. to close out the Swim Season.

The pool will be closed every Monday during swim season 2022, except Labor Day (September 5).
 - II. **TOMBALL KID'S CLUB – Activities:** July 7, 12, 14, 19, 21, 26 and 28, then August 2, 4, 9, and 11 from 10:00 a.m. to 12:00 p.m., at the **Juergens Park Pavilion**.
 - III. July 9, 2022 – **2nd Saturday at the Depot**
 - IV. August 5, 2022 – **50th Annual Tomball Night, Parade of Lights, and Health & Wellness Expo**
 - V. August 13, 2022 – **2nd Saturday at the Depot**
 - VI. September 9-10, 2022 – **“9-11 21st Anniversary Remembrance”**; an event to remember the events of **9-11** - at the Depot
 - VII. September 17, 2022 – **GroovFest 2022** – 11:00 a.m. – 6:00 p.m. at the Depot
 - 2. Reports by City staff and members of council about items of community interest on which no action will be taken:
 - I. Drew Huffman presented the City of Tomball's Drought Contingency Plan

II. Jared Smith presented the City of Tomball New Interactive Map

F. Approval of Minutes

1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Minutes of the June 20, 2022 Regular Tomball City Council Meeting

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

G. Old Business

1. Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr., to adopt, on Second Reading, Ordinance No. 2022-12, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the Zoning District Classification of approximately 2.10 acres of land legally described as being a portion of Lot 5 in Tomball Medical Park from Agricultural (AG) to the Office (O) District. The property is generally located within the 13100 block of Medical Complex Drive (north side), approximately 250-feet east from the intersection of School Street and Medical Complex Drive, providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters

Voting Yea: Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr
Abstaining: Council 1 Ford

Motion carried unanimously.

2. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr, to remove from Table for Consideration to Adopt, on First Reading, Ordinance No. 2022-13, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the Zoning District Classification of approximately 13.21 acres of land legally described as being a portion of Tomball Outlots 163, 167, 171, 172, 175, and 176 from Agricultural (AG) to the Commercial (C) District. The property is generally located within the 13000 block of Medical Complex Drive (south side), at the southwest corner of the intersection of South Cherry Street and Medical Complex Drive, providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters

[NOTE: Motion to Adopt, on First Reading, Ordinance No. 2022-13 was made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, on June 20, 2022; no motion to adopt on First Reading required]

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr, to Table for Consideration to Adopt, on First Reading, Ordinance No. 2022-13, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the Zoning District Classification of approximately 13.21 acres of land legally described as being a portion of Tomball Outlots 163, 167, 171, 172, 175, and 176 from Agricultural (AG) to the Commercial (C) District. The property is generally located within the 13000 block of Medical Complex Drive (south side), at the southwest corner of the intersection of South Cherry Street and Medical Complex Drive, providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters, until the July 18, 2022 Council Meeting.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion to TABLE to July 18, 2022 carried unanimously.

3. Motion made by Council 5 Parr, Seconded by Council 4 Townsend, Sr., to adopt, on Second Reading, Ordinance No. 2022-15, an ordinance of the City of Tomball, Texas, amending the Tomball Comprehensive Plan by changing the Major Thoroughfare Plan Map; providing for severability; providing for a penalty of an amount not to exceed \$2,000 for each day of violation of any provision hereof, making findings of fact; and providing for other related matters

Motion to AMEND made by Council 5 Parr to include in Ordinance No. 2022-15, the language “by Downgrading a Portion of Medical Complex Drive from a Major Arterial to a Minor Arterial”.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion to AMEND carried unanimously.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion to adopt Ordinance No. 2022-15 on Second Reading, as AMENDED, carried unanimously.

H. New Business

1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the purchase of 3 vehicles for Police through the State BuyBoard Cooperative Contract, from Caldwell Country in the amount of \$119,815.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

2. Motion made by Council 4 Townsend, Sr., Seconded by Council 3 Dunagin, to approve a contract for Land Related Services to Threshold Land Services, Inc. for an amount not to exceed \$100,000.00.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

3. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr, to reappoint Judge Brett Peabody to the Municipal Court for terms of office which begin October 1, 2022 and ends on September 31, 2024.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

4. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to reappoint Chief Prosecutor, Grant Stevens, to the Municipal Court for a term of office which begins October 1, 2022 and ends on September 30, 2024.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

5. Consideration to Approve Request from Turn To Productions to host “Texas Hot Sauce Festival” in downtown Tomball, on Saturday, November 5th, through Sunday, November 6th, 2022, with setup on Friday, November 4th, was withdrawn at the request of Turn To Productions; request will be resubmitted for the July 18, 2022 Council meeting.

No action taken.

6. Katherine DuBose presented the Annual Comprehensive Financial Report for fiscal year ending September 30, 2021

No action necessary.

7. Motion made by Council 3 Dunagin, Seconded by Council 4 Townsend, Sr., to approve Resolution No. 2022-24, a Resolution of the City Council of the City of Tomball, Texas, Designating the City Manager as the Authorized Official/Program Director of the City to Apply for Grants for the Motor Vehicle Crime Prevention Authority Auxiliary Grant Program and Execute the Necessary Documents, and Designating the Finance Director [Motor Vehicle Crime Prevention Authority Auxiliary Grant Program]

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

8. Executive Session: The City Council recessed at 7:04 p.m. to meet in Executive Session as Authorized by Title 5, Chapter 551, Government Code, the Texas Open Meetings Act, for the Following Purpose(s):

- Sec. 551.071 – Consultation with the City Attorney regarding a matter which the Attorney’s duty requires to be discussed in closed session
- Sec. 551.074 - Personnel Matters: Deliberation of the Appointment, Employment, and Duties of Public Officers or Employees – Police Department
- Sec. 551.076 – Deliberation regarding Security Devices

Upon reconvening at 8:13 p.m., no action was taken.

- I. Motion by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 4 Townsend, Sr., Council 5 Parr

Motion carried unanimously.

Meeting adjourned at 8:13 p.m.

PASSED AND APPROVED this the 18th day of July 2022.

Doris Speer
City Secretary, TRMC, MMC

Lori Klein Quinn
Mayor