

MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, May 2, 2022
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for May 2, 2022, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

A. Mayor Fagan called the meeting of the Tomball City Council to order at 6:15 p.m.

PRESENT

Mayor Gretchen Fagan
Council 1 John Ford
Council 2 Mark Stoll
Council 3 Chad Degges
Council 4 Derek Townsend, Sr.
Council 5 Lori Klein Quinn

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
Police Chief - Jeff Bert
Fire Chief - Joe Sykora
City Planner – Jared Smith
Assistant City Secretary - Tracylynn Garcia
Community Center Manager - Rosalie Dillon
Project Coordinator - Meagan Mageo
Assistant to the City Manager/Communications Coordinator – Rebecca Beahan
CSO Senior Administrative Assistant – Sasha Luna
Executive Director-TEDC – Kelly Violette
Assistant Director-TEDC – Tiffani Wooten
Economic Development Coordinator -TEDC – Tori Gleason

B. Invocation - Led by Pastor Kevin Barra – Bayou City Fellowship, Tomball

C. Pledges to U.S. and Texas Flags – Led by Joe Sykora

D. The following public comment was received:

Glenn Stumpner 14258 Carneswood, 77375	-	Expressed his continued interest in rezoning his property – Zoning Case P22-048.
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E. The following presentations were made:

1. Proclamations:
 - a. May 1-7, 2022 is “**53rd Annual Professional Municipal Clerks Week**”
 - b. May 8-14, 2022 is “**National Hurricane Preparedness Week – Tomball, Texas**”
 - c. May 8-14, 2022 is “**Tomball Firefighter Appreciation Week**”
 - d. May 8-14, 2022 is “**National Economic Development Week**”
2. Presentation was made to Council by HMW Special Utility District (HWM SUD), for a proposed interconnect agreement to provide residential water service to Treichel Wood Subdivision, with limited discussion/information exchange.

F. Reports and Announcements

1. Announcements
 - I. May 3, 2022 – Last Day of **Early Voting** for the May 7, 2022 General and Special Elections, City Hall, 401 Market Street
 - II. **May 7, 2022 – Tomball Election Day** – General and Special Elections – 7:00 a.m. to 7:00 p.m. at City Hall, 401 Market Street
 - III. May 7, 2022 – ***Rails & Tails Mudbug Festival*** – 11:00 a.m.–8:00 p.m. at the Depot
 - IV. May 5, 2022 – **Day of Prayer** – Noon and 6:30 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. Katherine DuBose – Quarterly Investment Report for Period Ending March 31, 2022. The Public Funds Investment Act requires that a report

of the City's cash and investments be presented to City Council on a quarterly basis. As of March 31, 2022, the City's cash and investment balances totaled \$64,042,956.

II. Katherine DuBose – Quarterly Financial Update for Period Ending March 31, 2022

G. Approval of Minutes

1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Minutes of the April 18, 2022 Regular Tomball City Council Meeting

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

H. New Business

1. Mayor Fagan opened the Public Hearing for the Purpose of Considering the Following Proposed Annexation: *(Being A Tract Or Parcel 3.070 Acres of Land Situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, being all of That Certain Called 3.070 Acres of Land Described in Deed and Recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359) (21830 Hufsmith Kohrville, HCADs 0352900000525 and 0352960000529) at 7:02 p.m.*

Receiving no comments, Mayor Fagan closed the Public Hearing at 7:02 p.m.

2. Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to read Ordinance No. 2022-06 by caption only on First Reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 1 Ford, to adopt, on First Reading, Ordinance No. 2022-06, an Ordinance of the City of Tomball, Texas, Extending the City Limits of Said City to Include all of the Territory within Certain Limits and Boundaries and Annexing to the City of Tomball all of the Territory within Such Limits and Boundaries; Approving a Service Plan for all of the Area within Such Limits and Boundaries; Containing Other Provisions

Relating to the Subject; and Providing a Savings and Severability Clause (*Being a Tract or Parcel containing 3.070 Acres of Land situated in the Jesse Pruitt Survey, Abstract Number 629, Harris County, Texas, Being all of that Certain Called 3.070 Acres of Land Described in Deed and Recorded in the Official Public Records of Real Property of Harris County, Texas, under County Clerk's File Number RP-2021-678359*) (21830 Hufsmith Kohrville, HCAD 0352900000525 and 0352960000529)

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

3. Consideration to Approve Zoning Case P22-072: Request by Mehendi Maknojia, represented by Midstream and Terminal Services LLC, to amend the official zoning map for the City of Tomball by rezoning approximately 3.07 acres of land out of Jesse Pruitt Survey, Abstract Number 629, from Agricultural (AG) district to a Commercial (C) district. The property is generally located within the 21700-21800 blocks (east side) of Hufsmith-Kohrville Road, at 21830 Hufsmith-Kohrville Road, within Harris County, Texas.

- Mayor Fagan opened the Public Hearing on Zoning Case P22-072 at 7:08 p.m.

Receiving no comments, Mayor Fagan closed the Public Hearing at 7:08 p.m.

- Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2022-07 by caption only on first reading.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., to amend his motion by changing the zoning classification from Commercial (C) District to General Retail (GR).

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion to AMEND to General Retail carried unanimously.

- Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2022-07 of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by changing the Zoning District Classification of approximately 3.07 acres of land out of the Jesse Pruitt Survey, Abstract Number 629 (described in “Exhibit A”), within the City of Tomball, Harris County, Texas, from the Agricultural (AG) District to the **General Retail (GR)** District, said property being generally located within the 21700-21800 Blocks (East Side) of Hufsmith-Kohrville Road, 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 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion, as AMENDED to General Retail, carried unanimously.

4. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to authorize the Reclassification of Fiscal Year 2021 Unreconciled Cash – Overage and Shortages Balance, in the Amount of \$44,616.26.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion carried unanimously.

5. Executive Session: The City Council recessed at 7:33 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 a Public Officer or Employee – Public Works Director
 - Sec. 551.076 – Deliberation regarding Security Devices

Upon reconvening into Session at 9:05 p.m., no action was taken.

- I. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to adjourn.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Meeting adjourned.

PASSED AND APPROVED this the 16th day of May 2022.

Doris Speer
City Secretary, TRMC, MMC

Lori Klein Quinn
Mayor