

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



**Tuesday, January 3, 2023  
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for January 3, 2023, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

- A. Mayor Pro Tem/Council 1 Ford called the meeting of the Tomball City Council to order at 6:00 p.m.

### **PRESENT**

Council 2 Mark Stoll  
Council 3 Dane Dunagin  
Council 5 Randy Parr

### **ABSENT**

Mayor Lori Klein Quinn - Excused  
Council 4 Derek Townsend, Sr. - Excused

### **OTHERS PRESENT**

City Manager – David Esquivel  
Assistant City Manager – Jessica Rogers  
City Secretary – Doris Speer  
City Attorney – Tommy Ramsey  
Assistant City Secretary – Tracylynn Garcia  
Director of Community Development – Nathan Dietrich  
Interim HR Director – Mary Jo Vargas  
Director of Public Works – Drew Huffman  
Police Chief – Jeff Bert  
Assistant Fire Chief – Jeff Cook  
Sr. HR Generalist – Alison Ashbury  
HR Generalist – Shanna Botelho  
Sr. Administrative Assistant-CSO – Sasha Luna  
IT Sr. Specialist – Ben Lato  
Community Center Manager – Rosalie Dillon

- B. Invocation - Led by Pastor Brandon Guindon – Real Life Ministries Texas

C. Pledges to U.S. and Texas Flags – Led by Jeff Bert

D. The following public comments were received:

Earl Detwiler - Expressed his concern regarding ambush  
626 Texas, 77375 protection for public safety officers

E. Presentations

- David Esquivel presented the **2022 Employee of the Year** award to ***Alison Ashbury***

F. Reports and Announcements

1. Announcements

I. January 18, 2023 – First day to apply for Place on Ballot for the May 6, 2023 General City Election

II. February 11, 2023 – **2nd Saturday at the Depot**

III. February 17, 2023 – Last day to apply for Place on Ballot for the May 6, 2023 General City Election

IV. February 21, 2023 – ***Sam Houston Trailride Reception*** – 12 Noon at the Depot

2. Reports by City staff and members of council about items of community interest on which no action will be taken:

G. Old Business

1. Motion made by Council 2 Stoll, Seconded by Council 3 Dunagin, to adopt, on Second Reading, Ordinance No. 2022-43, an Ordinance of the City of Tomball to amend Section(s) 50-2 (*Definitions*) and Section 50-82 (*Use Regulations (Charts)*), Subsection (b) (*Use Charts*) of the Tomball Code of Ordinances by adding/revising standards pertaining to “Market, open air, flea”; providing for the amendment of the Official Zoning Map of the City; 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: Mayor Pro Tem/Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 5 Parr  
Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

H. New Business Consent Agenda: *[All matters listed under Consent Agenda are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, the item in question will be removed from the Consent Agenda and will be considered separately. Information concerning Consent Agenda items is available for public review.]*

1. Approve the Minutes of the December 19, 2022 Regular Tomball City Council Meeting
2. Approve Resoluton No. 2023-01, 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 6, 2023**; 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  
*Aprobar la Resolución Nro. 2023-01, una Resolución y Orden del Consejo Municipal de la Ciudad de Tomball Texas, Ordenando una Elección Regular de Funcionarios Municipales a Celebrarse el sábado 6 de mayo de 2023; Designando los Lugares de Votación y Nombrando a los Oficiales Electorales de tal Elección; Instruyendo que se Notifique Sobre esta Elección; Designando la Fecha de una Elección de Desempate de ser Necesaria; y Proporcionando Detalles Referentes a la Celebración de Tal Elección.*  
Chấp thuận Nghị Quyết số 2023-01, một Nghị Quyết và Sắc Lệnh của Hội Đồng Thành Phố Tomball, Texas, Yêu Cầu một Cuộc Bầu Cử Viên Chức Thường Lệ sẽ được tổ chức tại Thành Phố Tomball vào Thứ Bảy, ngày 6 tháng Năm, 2023; Chỉ định các Địa Điểm Bỏ Phiếu và Chỉ Định các Viên Chức Bầu Cử cho Cuộc Bầu Cử đó; Hướng Dẫn việc Đưa Ra Thông Báo của Cuộc Bầu Cử đó; Chỉ Định Ngày Bầu Cử Chung Cuộc nếu cần; và Đưa Ra các Chi Tiết có Liên Quan đến việc Tổ Chức Cuộc Bầu Cử đó  
批准決議案編號2023-01, 為一德克薩斯州, Tomball市市議會決議及指示, 特指示一市府官員普選, 其將於2023年5月6日, 星期六在Tomball市召開; 並已為此選舉指定投票所地點以及指派選舉官員; 指導發出本選舉之選舉通知; 如需要, 將指定決選日期; 以及提供所有與召開本選舉相關的細節
3. Approve Resolution No. 2023-02, a Resolution of the City Council of the City of Tomball, Texas, Designating The Potpourri, Tomball Edition (Houston

Community Newspapers/Houston Chronicle) as the Official Newspaper for 2023 for Publication of Matters Pertaining to the City of Tomball

Motion made by Council 5 Parr, Seconded by Council 3 Dunagin, to approve the items in New Business Consent.

*Moción presentada por el Consejo 5 Parr, secundada por el Consejo 3 Dunagin, para aprobar los puntos en el Consentimiento de Nuevos Negocios.*

*Kiến nghị được đưa ra bởi Hội đồng 5 Parr, được Hội đồng 3 Dunagin biệt phái, để phê duyệt các mục trong Sự đồng ý kinh doanh mới.*

*理事會 5 Parr 提出的動議，由理事會 3 Dunagin 附議，以批准新業務同意書中的專案。*

Voting Yea: Mayor Pro Tem/Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 5 Parr

Absent: Council 4 Townsend, Sr.

*Votando sí: Alcalde Pro Tem/Consejo 1 Ford, Consejo 2 Stoll, Consejo 3 Dunagin, Consejo 5 Parr*

*Ausente: Consejo 4 Townsend, Sr.*

Bỏ phiếu đồng ý: Thị trưởng Pro Tem / Hội đồng 1 Ford, Hội đồng 2 Stoll, Hội đồng 3 Dunagin, Hội đồng 5 Parr

Vắng mặt: Hội đồng 4 Townsend, Sr.

投贊成票：市長Pro Tem/理事會1福特，理事會2斯托爾，理事會3杜納金，理事會5帕爾

缺席：理事會 4 湯森，老

Motion carried unanimously.

*Moción aprobada por unanimidad.*

Chuyển động mang theo nhất trí.

議案一致通過。

## I. New Business

1. Discussion was held possible items to address with City's representatives in the Texas Legislature. Possible items: Home Rule cities' rights; authority to control building facades; requirements for sprinklers in construction; abandoned pipelines.

No action was taken.

2. Executive Session: The City Council recessed at 6:21 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. 551.076 – Deliberation regarding Security Devices

Upon reconvening at 6:54 p.m., the following action was taken:

3. Motion made by Council 2 Stoll, Seconded by Council 5 Parr, to authorize the City Manager to execute necessary contracts and expenditures for citywide software upgrades.

Voting Yea: Mayor Pro Tem/Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 5 Parr  
Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

- J. Motion made by Council 2 Stoll, Seconded by Council 5 Parr, to adjourn.

Voting Yea: Mayor Pro Tem/Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 5 Parr  
Absent: Council 4 Townsend, Sr.

Motion carried unanimously.

PASSED AND APPROVED this the 16<sup>th</sup> day of January 2023.

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Doris Speer  
City Secretary, TRMC, MMC

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Lori Klein Quinn  
Mayor