

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



**Monday, April 18, 2022
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for April 18, 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
Police Chief – Jeff Bert
Fire Chief – Joe Sykora
Marketing Manager – Sasha Smith
Assistant City Secretary – Tracylynn Garcia
Community Center Manager – Rosalie Dillon
Project Coordinator/ACM Admin. Asst. – Meagan Mageo
Police Lieutenant – Patrol – Danny Arriaga
Police Captain – Investigations – Ricky Doerre
Dispatcher – Davetta Stewart
Dispatcher – Kayla Mundkowsky
Police Corporal – Jamy Brock

- B. Invocation - Led by Pastor Tim Niekerk – Salem Lutheran Church

- C. Pledges to U.S. and Texas Flags – Led by Joe Sykora
- D. No Public Comments were received.
- E. Presentations
 - 1. Mayor Fagan and Chief Bert presented a Proclamation declaring April 10 through April 16, 2022 as “***National Public Safety Telecommunicators Week – Tomball, Texas***” to Davetta Stewart, Kayla Mundkowsky and Jamy Brock.
- F. Reports and Announcements
 - 1. Announcements
 - I. April 18-22, 2022 – **Tomball Annual Spring Clean-Up and Chipping Week**
 - II. April 23, 2022 – **Tomball Consolidated Recycling Day** – Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.
 - III. April 25 through May 3, 2022 – **Early Voting** for the May 7, 2022 General and Special Elections, City Hall, 401 Market Street
 - IV. **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
 - 2. Reports by City staff and members of council about items of community interest on which no action will be taken:
- G. Approval of Minutes
 - 1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Minutes of the April 4, 2022 Special and Regular Tomball City Council Meetings

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. Motion by Council 2 Stoll, Seconded by Council 1 Ford, to award Contract for Bid No. 2022-02, Vendor to Sell Beer and Wine at City Festivals, to Every-Bellies Catering, LLC.

Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 5 Klein Quinn

Voting Nay: Council 4 Townsend, Sr.

Motion carried, 4 votes Aye, 1 vote Nay.

2. Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr., to approve Resolution No. 2022-15, a Resolution of the City Council of the City of Tomball, Texas, Supporting the Release of an Approximately 8.053-Acre Tract of Land Located on the South Side of FM 2920, from the Extraterritorial Jurisdiction of the City of Houston, Texas, Declaring the Intention of the City of Tomball, Texas, to Institute Proceedings to Annex Said Territory upon Its Release from the Extraterritorial Jurisdiction of the City of Houston, Texas, into the Extraterritorial Jurisdiction of the City of Tomball, Texas, and Authorizing the Mayor to Notify the City of Houston and the Texas Department of Transportation of the City of Tomball's Intention to Annex the Property (HCAD Account 0430430000134 and HCAD 0430430000135)

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

Motion carried unanimously.

3. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve Resolution No. 2022-14, a Resolution of the City Council of the City of Tomball, Texas approving a Development Agreement relating to the Winfrey Estate Public Improvement District Project

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

Motion carried unanimously

4. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve Resolution No. 2022-10, a Resolution of the City Council of the City of Tomball, Texas authorizing and creating the Winfrey Estates Public Improvement District in the City of Tomball, Harris County, Texas, in accordance with Chapter 372 of the Texas Local Government Code; Providing for Related Matters, and Providing an Effective Date

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

Motion carried unanimously.

5. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve Resolution Number 2022-16, a Resolution of the City Council of the City of Tomball, Texas approving a Reimbursement Agreement relating to the Raburn Reserve Public Improvement District – Improvement Area #2

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

Motion carried unanimously.

6. Consideration to Approve **Zoning Case P22-048**: Request by Glenn R. Stumpner to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances by rezoning approximately 1.77 acres of land out of Tract 53 from Abstract 34 J House, from Multi-Family Residential (MF) District to a Commercial (C) District. Being generally located within the 300-400 blocks of W Hufsmith Rd (south side), between Baker Drive and Ulrich Road, at 457 Hufsmith Road, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing on **Zoning Case P22-048** at 6:36 p.m.

Receiving no comments, Mayor Fagan closed the Public Hearing at 6:36 p.m.

- Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2022-09 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 2 Stoll, to adopt, on First Reading, Ordinance No. 2022-09, 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 1.77 acres out of Tract 53 from Abstract 34 J House Survey (described in

“Exhibit A”), from Multi-Family Residential to the Commercial District, said property being located within the 300-400 Blocks of W. Hufsmith Road (South Side), at 457 West Hufsmith Road, within the City of Tomball, Harris County, Texas; 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.

Council 4 Townsend, Sr. withdrew his motion to adopt Ordinance No. 2022-09 on first reading, withdrawal seconded by Council 2 Stoll.

No action taken.

7. Consideration to Approve **Zoning Case P22-069**: Request by Baker Hughes Oilfield Operation LLC, represented by META Planning + Design to amend the official zoning map for the City of Tomball by rezoning approximately 70.4 acres of land legally described as being part of Lot 2, Block 1 of Baker Hughes Education Center, from Light Industrial (LI) district to a Planned Development (PD) district to promote a mixture of commercial and single-family residential development. The property is generally located near the northeast corner of the intersection of FM 2920 Road and Hufsmith Kohrville Road, within the City of Tomball, Harris County, Texas.

- Mayor Fagan opened the Public Hearing on **Zoning Case P22-069** at 7:10 p.m.

The following comments were received:

Dane Dunagin	-	Expressed his opposition to the
535 E. Hufsmith, 77375		proposed rezoning.

The following comments were read into the record:

Barbara Seber	-	Her opposition to the proposed
10801 Hufsmith-Kuykendahl		rezoning
77375		

Jim and Kelli Seber	-	Their opposition to the proposed
11303 Dement Lane, 77375		rezoning

Receiving no additional comments, Mayor Fagan closed the Public Hearing at 7:15 p.m.

- Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2022-08 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 2 Stoll, to adopt, on First Reading, Ordinance No. 2022-08, 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 70.4 acres of land legally described as being part of Lot 2, Block 1 of Baker Hughes Education Center (described in "Exhibit A"), within the City of Tomball, Harris County, Texas, from Light Industrial (LI) to the Planned Development (PD-18) District; said property being generally located near the Northeast Corner of the intersection of FM 2920 and Hufsmith Kohrville Road; 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 NAY: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion FAILED unanimously.

8. Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr., to award Contract for Bid No. 2022-01R, Roof Replacement for the Administrative Services Building to Parich Roofing & Construction, LLC, for a total amount of \$105,900.00

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

Motion carried unanimously.

- I. Motion made by Council 5 Klein Quinn, Seconded by Council 3 Degges, to adjourn.

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

Motion carried unanimously.

Meeting adjourned.

PASSED AND APPROVED this the 2nd day of May 2022.

Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan
Mayor