

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



**Monday, March 06, 2023
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for March 06, 2023, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

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

PRESENT

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

OTHERS PRESENT:

City Manager – David Esquivel
Assistant City Manager – Jessica Rogers
City Secretary – Tracylynn Garcia
City Attorney – Loren Smith
Director of Public Works – Drew Huffman
Police Chief – Jeff Bert
Director of Community Development – Nathan Dietrich
Fire Chief - Joe Sykora
Director of Finance – Katherine Tapscott (video)
IT Sr. Specialist – Ben Lato (video)
Executive Director-TEDC – Kelly Violette
Marketing Manager - Chrislord Templonuevo
Community Center Manager – Rosalie Dillon
Project Coordinator – Meagan Mageo
Senior Administrative Assistant – Sasha Luna

- B. Invocation - Led by Pastor Craig Gilbert – Rosehill Methodist Church
C. Pledges to U.S. and Texas Flags by Councilman John Ford

D. Public Comments and Receipt of Petitions; *[At this time, anyone will be allowed to speak on any matter other than personnel matters or matters under litigation, for length of time not to exceed three minutes. No Council/Board discussion or action may take place on a matter until such matter has been placed on an agenda and posted in accordance with law - GC, 551.042.]*

Colleen Pye - Code Enforcement city Parking lots
207 Florence St.
Tomball, Texas 77375

Lisa Daniels - Purchase of the Baptist Church;
403 Epp St Street Zoning
Tomball, Texas 77375

Ale Pye - Different rules for some people
207 Florence St. Not the “Tomball” way
Tomball, Texas 77375

Tracy Phan - owner of Aloha nails; concerned about
107 North Sycamore St. the junk yard opening next door.
Tomball, Texas 77375

E. Reports and Announcements

1. Announcements

- I. March 11, 2023 – Second Saturday at the Depot – *“The Rise of Gru”* at dusk
- II. March 24-26, 2023 – **Tomball German Heritage Festival** at the Depot
- III. April 1, 2023 – Tomball Athletic Booster Club Crawfish Boil at Juergens Park
- IV. April 15, 2023 – Tomball Rails and Tails Crawfish Festival at the Depot
- V. April 21, 2023 – Tomball Rotary Fish Fry at Juergens Park
- VI. April 17-22, 2023 – Tomball Annual Spring Clean-up and Chipping Week
- VII. April 22, 2023 – Tomball Consolidated Recycling Day – Lone Star College-Tomball Campus, 30555 Tomball Parkway, South Entrance – 10:00 a.m.-2:00 p.m.

- VIII. April 24 through May 2, 2023 – Early Voting for the May 6, 2023 General Election, at City Hall, 401 Market Street
 - IX. May 4, 2023 – National Day of Prayer at the Depot
 - X. May 6, 2023 – Election Day at City Hall, 7:00 a.m.-7:00 p.m.
2. Reports by City staff and members of council about items of community interest on which no action will be taken:
- I. Jessica Rogers presented a presentation on the progress made on Utility Billing
- F. Old 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. Adopt, on Second Reading, Ordinance No. 2023-02, 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 3.12 acres of land legally described as being portions of Lot 172, in Tomball Townsite, located at the northwest corner of S. Cherry Street and Medical Complex Drive, at 1635 S. Cherry Street, 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.
 - 2. Adopt, on Second Reading, Ordinance No. 2023-03, an Ordinance of the City of Tomball, Texas, Amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by Revising Its Code of Ordinance Amending Section 50-2 (Definitions), of Article I, in General and Section 50-82 (Use Regulations (Charts)), Subsection (B)(Use Charts), of Article III, District Regulations; Providing for 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 (*Establishing an “Electric Storage System” Land Use and Definition in the City’s Code of Ordinances*).
 - 3. Approve, on Second Reading, Resolution No. 2023-04-TEDC, a Resolution of the City Council of the City of Tomball, Texas, authorizing and approving the Project of the Tomball Economic Development Corporation, the designation of a mixed-

use development in Old Town Tomball, to promote new or expanded business development, with such Project including the expenditure of funds for the purchase of land, buildings, equipment, facilities, expenditures, targeted infrastructure, and improvements related to the Project, and authorizing the Executive Director or designee to execute any and all documentation related to the Project (*Approximately 4.63 Acres, located at 401 Oxford Street [First Baptist Church], and Approximately 84,420 Sq. Ft. of Facilities*)

Motion made by Council 3 Dunagin, Seconded by Council 2 Stoll.

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

Motion carried unanimously.

G. 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 February 20, 2023, Regular City Council Meeting
2. Authorize the City Manager to execute documents necessary to participate in the Choice Partners cooperative purchasing program through the Harris County Department of Education.
3. Approve amendment to Appendix C: Approved Purchasing Cooperatives of Administrative Policy No. 9, Procurement Policy & Manual to add Choice Partners as an approved cooperative.

Motion made by Council 5 Parr, Seconded by Council 2 Stoll.

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

Motion carried unanimously.

H. New Business

1. Discussion was held to address bills currently being presented at the Legislative Session and its affect on City's authority.

No action was taken.

2. Motion made by Council 5 Parr, Seconded by Council 4 Townsend, Sr to authorize the City Manager to Execute an Interlocal Agreement between the City of Tomball and Harris County Emergency Services District No. 15 (ESD15) for Fire Protection, Fire Suppression, and Rescue Services.

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

Motion carried unanimously.

3. Presentation by >>>> from Heritage Homes, regarding proposed residential and commercial development on the west side of the intersection of Huffsmith Kohrville and Medical Complex Drive.

No action taken.

4. Executive Session: The City Council entered into Executive Session at 7:25 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. 551.072 – Deliberations regarding Real Property

- * Sec. 551.076 – Deliberations regarding Security Devices

Council reconvened back into regular session at 8:35 pm.

- I. Motion to Adjourn by Council 5 Parr, Seconded by Council 2 Stoll

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

Motion carried unanimously.

PASSED AND APPROVED this 20th day of March 2023.

Tracylynn Garcia

Tracylynn Garcia
City Secretary, TRMC, CMC, CPM

Lori Klein Quinn

Lori Klein Quinn
Mayor