

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



**Monday, September 16, 2024
6:00 PM**

Motion made by Council 2 Garcia, Seconded by Council 5 Parr to elect Council 1 Ford as Chair.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

A. The meeting was called to order by appointed Chair Council 1 Ford at 6:00 p.m.

PRESENT

Council 2 Paul Garcia
Council 4 Lisa A. Covington
Council 5 Randy Parr

ABSENT

Mayor Lori Klein Quinn
Council 3 Dane Dunagin

OTHERS PRESENT:

City Manager - David Esquivel
Assistant City Manager - Jessica Rogers
City Attorney - Loren Smith
Presiding Judge - Brett Peabody
City Secretary - Tracy Garcia
Assistant City Secretary - Sasha Luna
Fire Chief - Joe Sykora
Human Resources Director - Kristie Lewis
Public Works Director - Drew Huffman
Director of Community Development - Craig Meyers
Director of Marketing & Tourism - Chrislord Templonuevo
IT Director - Tom Wilson
Finance Director - Bragg Farmer
Police Chief - Jeff Bert

Police Captain - Brandon Patin
Court Administrator - Maria Morris
Project Manager - Meagan Mageo
Budget Analyst - Hannah Brown

- B. Invocation - Led by Pastor Brandon Guindon with Real Life Ministries
- C. Pledges to U.S. and Texas Flags led by Community Development Director Craig Meyers
- 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.]*

Melody Wilkerson (applicant) - Zoning Case Z24-012
3104 Riley Rd.
Tomball

Christina Breaux - Commercial Development
1155 East Hufsmith Rd.
Tomball

Joel English (applicant) - Zoning Case Z24-012
40519 Manor Dr.
Magnolia

Michael Evenson (developer) - Zoning Case Z24-012
9918 Bayou
Cypress

Bruce Hillegiest - Sister City Germany trip
20339 Telge Rd.
Tomball

- E. Reports and Announcements

- 1. Announcements:

- I. Upcoming Events:**

- September 25, 2024 - Tomball HS Homecoming Parade 6 p.m. to 8 p.m.
@ Depot & Main St.

September 28, 2024 – Open House 9 a.m. to Noon @ Fire Station 1

September 28, 2024 - GroovFest 11 a.m.to 6 p.m. @ Depot

October 1, 2024 - National Night Out 5 p.m. to 8 p.m. @ Depot

F. Approval of Minutes

1. Approve Minutes of the September 3, 2024, Regular City Council meeting.

Motion made by Council 4 Covington, Seconded by Council 2 Garcia.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

G. Old Business

1. Adopt, on Second Reading, Ordinance No. 2024-28, an Ordinance of the City Council of the City of Tomball, Texas, Adopting the Budget for the City of Tomball, Texas, for Fiscal Year 2024-2025; and Authorizing the City Manager to Approve Intra-Departmental (Within the Same Department Only) Transfers of Budgeted Funds; and Amending the Budget for the 2023-2024 Fiscal Year in Accordance with Actual Expenditures; and Providing Other Details Relating to the Passage of This Ordinance

Motion made by Council 2 Garcia, Seconded by Council 4 Covington.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

H. New Business

1. Reappoint Judge Brett Peabody, to the Municipal Court for a term of office which begins October 1, 2024 and ends on September 30, 2026.

Motion made by Council 4 Covington, Seconded by Council 5 Parr.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

2. Reappoint Chief Prosecutor, Grant Stevens, to the Municipal Court for a term of office which begins October 1, 2024 and ends on September 30, 2026.

Motion made by Council 5 Parr, Seconded by Council 4 Covington.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

3. Approve the Proposed Tax Rate of \$0.336365/\$100 for Tax Year 2024 and Set the Dates to Vote on the Proposed Tax Rate for October 7, 2024 and October 21, 2024.

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

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

4. Approve Resolution No. 2024-32, a Resolution of the City of Tomball, Texas, Adopting the City of Tomball's Fiscal Year 2025-2029 Capital Improvement Plan.

Motion made by Council 4 Covington, Seconded by Council 2 Garcia.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

5. Conduct a public hearing and consideration to approve **Zoning Case Z24-011**: Request by Scott R. Wilson, represented by Mike Arledge, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 1.991 acres of land legally described as being a tract of land situated in the Jesse Pruitt Survey, Abstract 629 from Single-Family Residential - 6 (SF-6) to the Commercial (C) zoning district. The property is located in the 420 block (west side) of South Persimmon Street, within the City of Tomball, Harris County, Texas.

- Chair Council 1 Ford opened the PH at 6:56 p.m.

John Aldridge (applicant) 11823 Park Creek Dr. Tomball	-	spoke about the project
Allan Johnson 308 Blackshear St. Tomball	-	opposed rezoning
Samuel Shannon 823 Lizzie Ln. Tomball	-	opposed rezoning

- Hearing no further comments, Chair Council 1 Ford closed the PH at 7:03 p.m.

Adopt, on First Reading, Ordinance No. 2024-25, 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 1.991 acres of land legally described as being a tract of land situated in the Jesse Pruitt Survey, Abstract 629, from the Single-Family-6 District to the Commercial District, within the city of Tomball, Harris County, Texas; 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 made by Council 4 Covington, Seconded by Council 5 Parr.

Voting Nay: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion failed unanimously.

6. Conduct a public hearing and consideration to approve **Zoning Case Z24-012**: Request by the Estate of James D. Wilmoth, represented by Texas T 22, LLC, to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 10.89 acres of land legally described being a tract of land situated in the Jesse Pruitt Survey, Abstract 629 from Single-Family Estate Residential – 20 (SF-20-E) to the Light Industrial (LI) zoning district. The property is located at 21803 Hufsmith-Kohrville Road, within the City of Tomball, Harris County, Texas.

- Chair Council 1 Ford opened the PH at 7:17 p.m.

Michael Evenson (developer) - spoke about the
9918 Bayou project
Cypress

- Hearing no further comments, Chair Council 1 Ford closed the PH at 7:20 p.m.

Adopt, on First Reading, Ordinance No. 2024-26, 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 10.89 acres of land legally described as being a tract of land situated in the Jesse Pruitt Survey, Abstract 629, from the Single-Family-20 District to the Light Industrial District, within the city of Tomball, Harris County, Texas; 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 made by Council 5 Parr, Seconded by Council 2 Garcia.

Voting Yea: Council 1 Ford, Council 4 Covington, Council 5 Parr

Voting Nay: Council 2 Garcia

Motion carried 3 votes yea, 1 vote nay.

7. Conduct a public hearing and consideration to approve **Zoning Case Z24-013**: Request by Tim Littlefield, LLC to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 5.006 acres of land legally described as being Outlot 281 of the corrected map of Tomball Outlots from Light Industrial (LI) to the Commercial (C) zoning district. The property is located in the 1000 block (west side) of South Persimmon Street, within the City of Tomball, Harris County, Texas.

Adopt, on First Reading, Ordinance No. 2024-27, 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 5.001 acres of land legally described as being Outlot 281 of the Corrected Map of Tomball Outlots, from the Light Industrial District to the Commercial District, within the city of Tomball, Harris County, Texas; 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.

No action taken; item pulled per requestor.

8. Approve a Service Agreement renewal with ABM Texas General Services, Inc. for the janitorial services and supplies for City facilities, for a not-to-exceed amount of \$120,000 (RFP 2023-19), approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchases. These expenditures were included in the Fiscal Year 2024-2025 Budget.

Motion made by Council 2 Garcia, Seconded by Council 4 Covington.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

9. Approve additions to the City of Tomball mowing list of properties, Rights-of-way, Parks, drainage ways and corridors.

Motion made by Council 2 Garcia, Seconded by Council 4 Covington.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

10. Consideration, discussion, and provide staff direction on additional fireworks sales holidays.

11. Executive Session: The City Council will 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. 551.072 – Deliberations regarding Real Property

Executive Session Started: 7:45 PM

Executive Session Ended: 8:21 PM

J. Adjournment

Motion made by Council 2 Garcia, Seconded by Council 4 Covington.

Voting Yea: Council 1 Ford, Council 2 Garcia, Council 4 Covington, Council 5 Parr

Motion carried unanimously.

PASSED AND APPROVED this 7th day of October, 2024.

Tracylynn Garcia

Tracylynn Garcia
City Secretary, TRMC, CPM, MMC

Lori Klein Quinn

Lori Klein Quinn
Mayor