

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



**Monday, November 1, 2021
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for November 1, 2021, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Mayor Fagan called the meeting of the Tomball City Council to order at 6:00 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
Police Chief – Jeff Bert
Director of Public Works – Beth Jones
Marketing Director – Mike Baxter
Finance Director – Glenn Windsor
Director of Community Development – Nathan Dietrich
Assistant City Secretary – Tracylynn Garcia
Police Lieutenant-Support Services – Brandon Patin
Community Center Manager – Rosalie Dillon
Marketing and Communications Specialist – Gargi Bhowal
Senior Admin. Asst.-PD – Angela Fagg

- B. Invocation - Led by Pastor Greg Jenkins – Tomball Assembly of God
- C. Pledges to U.S. and Texas Flags – Led by James Jones, Tomball Fire Captain
- D. No public comments were received.

E. Presentations

1. Al Gerhardt, Tomball Lions Club, presented a \$1,000.00 donation each to Fire and Police Departments for annual Christmas Programs

F. Reports and Announcements

1. Announcements

- I. November 3, 2021 – **Depot Day** – 10:00 a.m. – 4:00 p.m. at the Depot – Honoring *National Model Railroad Month*
- II. November 19, 2021 – **Light it Up! Tree Lighting** – 6:30 p.m. – 8:30 p.m. at the Depot
- III. November 20, 2021 – **56th Annual Holiday Parade** – Downtown – Greater Tomball Area Chamber of Commerce – 10:00 a.m. to 12:30 p.m.
- IV. December 4, 2021 – **Deck the Depot** – Depot Plaza
- V. December 10-12, 2021 – **German Christmas Market** – Depot Plaza and Market Street

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

- I. Glenn Windsor – Quarterly Investment Report for Period Ending September 30, 2021. The Public Funds Investment Act requires that a report of the City's Investments be presented to Council on a quarterly basis. The investment report includes a listing of all investments together with information relating to diversification, cost vs. market values at the end of the quarter, yield information, and weighted average maturities. On September 30, 2021, the City had total cash and cash equivalents in the amount of \$54,468,580.

G. Approval of Minutes

Motion made by Council 2 Stoll, Seconded by Council 5 Klein Quinn to approve the Minutes of the October 18, 2021 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. Old Business

1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on Second Reading, Ordinance No. 2021-36, 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 1.9 acres of land legally described as Reserve A Block 3 of Pine Meadows, from the Single-Family 6 District to the General Retail District, said property being generally located at the southwest corner of Theis Lane and South 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.

Voting Yea: Council 2 Stoll, Council 3 Degges

Voting Nay: Council 1 Ford, Council 4 Townsend, Sr., Council 5 Klein Quinn

Motion FAILED, 2 votes Ayes, 3 votes Nay.

Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Klein Quinn, to adopt, on **FIRST** Reading, Ordinance No. 2021-36R, 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 1.9 acres of land legally described as Reserve A Block 3 of Pine Meadows, from the Single-Family 6 District to the **OFFICE** District, said property being generally located at the southwest corner of Theis Lane and South 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.

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

Motion to adopt on FIRST Reading, Ordinance No. 2021-36R, carried unanimously.

I. New Business

1. Motion made by Council 2 Stoll, Seconded by Council 4 Townsend, Sr., to approve Request by Houston Repertoire Ballet for \$16,500.00 for December 2021 "Nutcracker" Performance.

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

Motion carried unanimously.

2. Motion made by Council 5 Klein Quinn, Seconded by Council 2 Stoll, to appoint Ted Mielke to Position 2, to appoint Kailey Moore to Position 5, and to reappoint Raymond Francois to Position 8 of the Tourism Advisory Committee Board, with new terms expiring December 5, 2024.

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 the Northwest Communications, Inc Estimate #19356 for \$58,0275.00 for the purchase of 25 Portable radios with required accessories.

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 1 Ford, Seconded by Council 5 Klein Quinn, to approve Changes to Spirit of Texas Bank Entity Signers.

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 2 Stoll, Seconded by Council 4 Townsend, Sr., to approve the Special Event Permit and In-kind services for the Rotary event "The Big Show"

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

Motion carried unanimously.

6. Executive Session: The City Council recessed at 7:39 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 – City Manager, Finance Director, Director of Public Works

Upon reconvening at 7:52 p.m., no action was taken.

- J. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, 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 at 7:52 p.m.

PASSED AND APPROVED this the 15th day of November 2021.

Doris Speer
Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan
Gretchen Fagan
Mayor