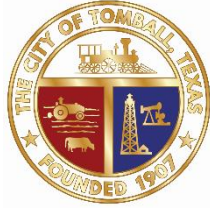


MINUTES OF REGULAR CITY COUNCIL MEETING CITY OF TOMBALL, TEXAS



**Monday, May 3, 2021
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for May 3, 2021, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via video/telephone conference.

A. Mayor Fagan called the meeting to order.

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:

Interim City Manager – David Esquivel
Interim Assistant City Manager/Police Chief – Jeff Bert
City Secretary – Doris Speer
City Attorney – Loren Smith
Finance Director – Glenn Windsor
Director of Public Works – Beth Jones
Interim Fire Chief – Taner Drake
Marketing Director – Mike Baxter
Director of Community Development – Craig Myers
Assistant City Secretary – Tracy Garcia
Fire Marshal/Assistant Fire Chief – Joe Sykora
CSO Administrative Assistant – Johnita Robinson
Community Center Manager – Rosalie Dillon
Streets, Parks & Drainage Supt. – Justin Pruitt
Police Officer-Investigations – James Harral
Executive Director-TEDC – Kelly Violette
Assistant Director-TEDC – Tiffani Wooten
Economic Development Coordinator-TEDC – Tori Gleason
PID Contract Administrator – Scott Bean

- B. Invocation - Led by Pastor Abraham Jasso - Templo La Hermosa
- C. Pledges to U.S. and Texas Flags – Led by Joe Sykora
- D. No public comments were received.
- E. Presentations
 - Proclamation – May 2-8, 2021 is “**National Public Safety Telecommunicators Week – Tomball, Texas**”
 - Proclamation – May 2-8, 2021 is “**52nd Annual Professional Municipal Clerks Week**”
 - Proclamation – May 9-15, 2021 is “**National Hurricane Preparedness Week – Tomball, Texas**”
 - Proclamation – May 9-15, 2021 is “**Tomball Firefighter Appreciation Week**”
 - Proclamation – May 15, 2021 is “**Peace Officers Memorial Day**”
 - Proclamation – May 9-15, 2021 is “**Tomball Police Week**”
 - Proclamation – May 9-15, 2021 is “**National Economic Development Week**”
- F. Reports and Announcements
 - 1. Announcements
 - I. May 6, 2021 – **Texas Deuce Days Meet and Greet** – 3:00 p.m.–8:00 p.m. at the Depot
 - II. June 4-6, 2021 – **Tomball German Heritage Festival** – at the Depot
 - III. **Tomball City Pool – 2021 Swim Season - Jerry Matheson Park Pool** will be open Memorial Weekend, May 29-31, then will reopen on June 1 and will operate with normal hours through August 15. The pool will be open on Saturday and Sunday only on the weekends of August 21-22, August 28-29, and September 4-5. The pool will be closed every Monday during swim season 2021, except Memorial Day (May 31), July 4th, and Labor Day (September 6). Normal pool hours are: Tuesday – Friday: 10 a.m.-6 p.m. and Saturday & Sunday: 12 p.m.-8 p.m.
 - IV. **TOMBALL KID'S CLUB – Activities: Tuesdays and Thursdays, June 15 through July 22, 2021** from 10:30 a.m. to 12:30 p.m., at **Juergen's Park, 1331 Ulrich Road, Tomball, Texas 77375**. Phone number: 281-351-5484; Website: www.tomballtx.gov. Tomball Kids Club got its start a decade ago as a free offering for local school-aged children. Games & educational activities are offered, each day offers something new. We provide a free meal to all children in attendance, and parents **MUST** stay with their children. **Tomball Kid's Club** is not a drop-off camp.

V. June 19, 2021 – ***Tomball Honky Tonk Chili Challenge Festival*** – 11:00 a.m.-6:00 p.m. 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. Approval of Minutes

1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Minutes of the April 19, 2021 Special Tomball City Council Meeting and the Minutes of the April 19, 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 1 Ford, Seconded by Council 4 Townsend, Sr., to Adopt, on Second Reading, Ordinance No. 2021-14, an Ordinance of the city of Tomball, Texas, amending the Tomball Comprehensive Plan by changing the Future Land Use and Major Thoroughfare Plan Maps; 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 carried unanimously.

I. New Business

1. Executive Session: The City Council recessed at 6:27 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 Search

Upon reconvening into session at 6:59 p.m., the following items were considered:

2. Mayor Fagan called the Public Hearing of the City Council of the City of Tomball to Consider Proposed Assessments against Tomball Heights Properties in the City of Tomball Public Improvement District Number Nine, Established by City Council Resolution No. 2019-12 (Sydney's Park) to order at 7:00 p.m. and the following comments were received:

John Jordan 3052 Hickory Ridge Cir 77807	-	Expressed his opposition to Ordinances No. 2021-05 and 2021-06
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Duane Brignac 1800 Valley View Ln 75234	-	Expressed his opposition to Ordinances No. 2021-05 and 2021-06
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Mitchell Oxman 46 Highland Point Dr 77356	-	Expressed his support for Ordinances No. 2021-05 and 2021-06
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Jonathan Sellers 22914 Rose Hollow Tr 77375	-	Expressed his support for Ordinances No. 2021-05 and 2021-06
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3. Motion to TABLE consideration of Ordinance No. 2021-05, An Ordinance Of The City Council Of Tomball, Texas, Approving The Service And Assessment Plan For The City Of Tomball Public Improvement District Number Nine (*Tomball Heights, aka Sydney's Park*) made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll.

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

Motion to TABLE carried unanimously.

4. Motion to TABLE consideration of Ordinance No. 2021-06, An Ordinance Of The City Council Of Tomball, Texas, Levying an Assessment Against Section One Properties Within The City Of Tomball Public Improvement District Number Nine (*Tomball Heights Subdivision*); And Making Certain Findings Related Thereto (*Sydney's Park*) made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll.

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

Motion to TABLE carried unanimously.

5. Motion to TABLE consideration of Resolution No. 2021-18, a Resolution of the City Council of the City of Tomball, Texas, Accepting for Filing a Landowner Petition Requesting the Dissolution of a Public Improvement District; Calling a Public Hearing to Consider the Dissolution of a Public Improvement District; Authorizing and Directing That Notices of the Public Hearing be given as required by Law; and Providing for an Immediate Effective Date made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll.

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

Motion to TABLE carried unanimously.

6. Beth Jones presented information regarding City-owned generators; discussion followed.

No action necessary.

7. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to read Ordinance No. 2021-18 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. 2021-18, an Ordinance amending the Code of Ordinances, Section 44-164, Parking Restricted on Certain Streets, Division 2, prohibited. Restricted on certain streets, of Article V, stopping, standing and parking, of Chapter 44, Traffic and Vehicles, establishing a “No Parking, Stopping or Standing” zone on Buckingham Drive beginning at the intersection of Quinn Road and extending through its entirety approximately five hundred thirty (530) feet; providing a penalty in the amount not to exceed \$200 for each violation hereof; and providing for severability; and making finds related thereto.

Motion to AMEND made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2021-18, an Ordinance amending the Code of Ordinances, Section 44-164, Parking Restricted on Certain Streets, Division 2, prohibited. Restricted on certain streets, of Article V, stopping, standing and parking, of Chapter 44, Traffic and Vehicles, establishing a “No

Parking, Stopping or Standing” zone on Buckingham Drive beginning at the intersection of Quinn Road and extending through its entirety approximately five hundred thirty (530) feet; providing a penalty in the amount not to exceed \$200 for each violation hereof; and providing for severability; and making finds related thereto, by restricting the hours for No Parking to only school hours between 7:30 a.m. and 4:00 p.m., Monday through Friday.

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

Voting Nay: Council 5 Klein Quinn

Motion to AMEND carried, 4 votes Aye, 1 vote Nay.

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 7:49 p.m.

PASSED AND APPROVED this the 18th day of May 2020.

Doris Speer

Doris Speer
City Secretary, TRMC, MMC

Gretchen Fagan

Gretchen Fagan
Mayor