

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



**Monday, January 16, 2023
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for January 16, 2023, 6:00 PM, at 401 Market Street, Tomball, Texas 77375, via physical attendance and video/telephone conference.

- A. Mayor Pro Tem/Council 1 Ford called the meeting of the Tomball City Council to order at 6:01 p.m.

PRESENT

Council 2 Mark Stoll
Council 3 Dane Dunagin
Council 4 Derek Townsend, Sr
Council 5 Randy Parr

ABSENT

Mayor Lori Klein Quinn - Excused

OTHERS PRESENT

Assistant City Manager – Jessica Rogers
City Secretary – Doris Speer
City Attorney – Loren B. Smith
Assistant City Secretary – Tracylynn Garcia
Director of Community Development – Nathan Dietrich
Director of Public Works – Drew Huffman
Police Chief – Jeff Bert
Fire Chief – Joe Sykora
Marketing & Tourism Manager– Chrislord Templonuevo
Project Manager - Meagan Mageo
Sr. Administrative Assistant-CSO – Sasha Luna
Administrative Assistant/Deputy Registrar-CSO – Johnita Robinson
Community Center Manager – Rosalie Dillon
Executive Director-TEDC – Kelly Violette

- B. Invocation - Led by Pastor Bill Haygood - Tomball Methodist Church

- C. Pledges to U.S. and Texas Flags – Led by Joe Sykora
- D. No public comments were received.
- E. Presentations
 - 1. Presentation was made by Mind Dance Marketing/Chick-Fil-A, with a donation in the amount of \$100,000 for the development and construction of Louie’s Together Playground.
- F. Reports and Announcements
 - 1. Announcements
 - I. January 18, 2023 – First day to apply for Place on Ballot for the May 6, 2023 General City Election
 - II. February 17, 2023 – Last day to apply for Place on Ballot for the May 6, 2023 General City Election
 - III. February 21, 2023 – ***Sam Houston Trailride Reception*** – 12 Noon at the Depot
 - 2. Reports by City staff and members of council about items of community interest on which no action will be taken:
 - I. Doris Speer reported that the City Secretary’s Office has received the 2022 “***5 Star Exemplary Award***” from Texas Department of Vital Statistics – (12 years), with honors to Johnita Robinson, Sasha Luna, and Tracy Garcia for their efforts in attaining and maintaining the required standards for this award.
- G. Approval of Minutes
 - 1. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve the Minutes of the January 3, 2023 Regular City Council Meeting

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. Consideration to approve **Zoning Case Z-23-01**: Request by John & Tracy Randall, represented by BGE, Inc. to amend Chapter 50 (Zoning) of the Tomball Code of Ordinances, by rezoning approximately 36.82 acres of land legally described as being portions of Lots 374 through 377 & Lots 379 through 383 of Tomball Outlots from Single Family Residential – 20 (SF-20) to Single Family Residential – 6 (SF-6). The property is located at 21725 Hufsmith-Kohrville Road, within the City of Tomball, Harris County, Texas.

* Mayor Pro Tem Ford called the Public Hearing on **Case Z-23-01** to order at 6:20 p.m.; the following comments were received:

- Petitioner presentation - Supporting the zoning change

- Melody Wilkerson - Supporting the zoning change
21801 Hufsmith-Kohrville, 77377

Receiving no additional comments, Mayor Pro Tem Ford closed the Public Hearing at 6:27 p.m.

* Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr to read Ordinance No. 2023-01 by Caption Only on First Reading.

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

Motion carried unanimously.

Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to adopt, on First Reading, Ordinance No. 2023-01, 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 36.82 acres of land legally described as being portions of Lots 374 through 377 and Lots 379 through 383 of Tomball Outlots, from Single Family Residential – 20 (SF-20) to Single Family Residential – 6 (SF-6). The property is generally located within the 21700-21800 block (west side) of Hufsmith-Kohrville Road, City of Tomball, Harris County, Texas; providing for the amendment to the Official Zoning Map of the City; providing for severability; 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. Vote was as follows:

Voting Yea: Council 4 Townsend, Sr.

Voting Nay: Council 1 Ford, Council 2 Stoll, Council 3 Dunagin, Council 5 Parr

Motion FAILED, 1 vote Aye, 4 votes Nay.

2. Motion made by Council 4 Townsend, Sr., Seconded by Council 5 Parr, to approve the Services Agreement with Tyler Technologies for Incode software support and maintenance for a not-to-exceed amount of \$110,477, authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement.

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

Motion carried unanimously.

3. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to reject all responses received for Request for Proposal (RFP) 2023-04 – Classification and Compensation Study and readvertise the project.

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

Motion carried unanimously.

4. Consideration was not given to the professional services agreement with Four and One, LLC., for the creation of a Parks, Recreation, and Trails System Master Plan, for a not-to-exceed amount of \$149,600 (RFQ 2023-01), authorize the expenditure of funds therefor, and authorize the City Manager to execute the agreement. This amount is included in the FY 2022-2023 budget. Contract previously awarded at the December 19, 2022 Council meeting.

No action necessary.

5. Motion made by Council 4 Townsend, Sr., Seconded by Council 2 Stoll, to approve a contract with Smith Pump Company for the repair of the motor for Pine Street Well No. 2 through a BuyBoard Contract (Contract No. 672-22) for a not-to-exceed amount of \$52,231, approve the expenditure of funds therefor, and authorize the City Manager to execute any and all documents related to the purchase. This expenditure is included in the FY 2022-2023 Budget.

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

Motion carried unanimously.

6. Discussion and Possible Action regarding Legislative Items at the 2023 Texas Legislative Session:

- * Sprinkler Systems
- * Pipelines
- * Building Facades
- * Use of City Rights-of-Way

Paul Mladenka, 1631 S. Persimmon, presented his views regarding pipelines.

City Staff will prepare a letter, for Council review and direction, to be sent to the Texas Legislature regarding the authority of Home Rule Cities to govern.

7. Executive Session: The City Council did not 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. 551.076 – Deliberation regarding Security Devices

I. Motion made by Council 3 Dunagin, Seconded by Council 2 Stoll, to adjourn.

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

Motion carried unanimously.

Meeting adjourned

PASSED AND APPROVED this 6th day of February 2023.

Doris Speer

Doris Speer
City Secretary, TRMC, MMC

Lori Klein Quinn

Lori Klein Quinn
Mayor