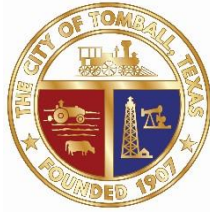


## **MINUTES OF REGULAR COUNCIL MEETING CITY OF TOMBALL, TEXAS**



**Monday, August 2, 2021  
6:00 PM**

The City Council of the City of Tomball, Texas, conducted the meeting scheduled for August 2, 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 6:07 p.m.

**PRESENT:**

Mayor Gretchen Fagan  
Council 1 John Ford  
Council 2 Mark Stoll  
Council 3 Chad Degges  
Council 4 Derek Townsend, Sr. (video)

**ABSENT:**

Council 5 Lori Klein Quinn - Excused

**OTHERS PRESENT:**

City Manager – David Esquivel  
Interim Assistant City Manager/Police Chief – Jeff Bert  
City Secretary – Doris Speer  
City Attorney – Loren B. Smith  
Director of Public Works – Beth Jones  
Marketing Director – Mike Baxter  
Finance Director – Glenn Windsor  
Asst. Fire Chief/Fire Marshal – Joe Sykora  
City Planner – Amelia Lindley  
Assistant City Secretary – Tracy Garcia  
CSO Administrative Assistant – Johnita Robinson  
Police Lieutenant-Support Services – Brandon Patin  
Utilities Superintendent – Will Goff  
Court Administrator – Maria Morris  
Customer Service Manager-UB – Lauren Sykora

B. Invocation – Led by Pastor Kevin Barra, Bayou City Fellowship

- C. Pledges to U.S. and Texas Flags – Led by Randy Parr
- D. No public comments were received.
- E. Presentations
  - 1. Presentation was given by Tomball Regional Health Foundation regarding TRHF's accomplishments to date.
- F. Reports and Announcements
  - 1. Announcements
    - I. **Tomball City Pool – 2021 Swim Season - Jerry Matheson Park Pool**  
*will be 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 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.*
    - II. August 6, 2021 – **49<sup>th</sup> Annual Tomball Night, Parade of Lights, and Health & Wellness Expo**
    - III. August 16, 2021 and September 7, 2021 - Public Hearings for the Purpose of Adopting the City of Tomball's Budget for Fiscal Year 2021-2022
    - IV. August 14, 2021 – **2<sup>nd</sup> Saturday at the Depot**
    - V. September 18, 2021 – **GroovFest 2021** – 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 2 Stoll, Seconded by Council 3 Degges, to approve the Minutes of the July 19, 2021 Special Tomball City Council Meeting and the July 19, 2021 Regular Tomball City Council Meeting.  
  
Voting Yea: Council 1 Ford, Council 2 Stoll, Council 3 Degges, Council 4 Townsend, Sr.  
Absent: Council 5 Klein Quinn  
  
Motion carried unanimously.

H. Old Business

1. Motion made by Council 2 Stoll, Seconded by Council 1 Ford, to adopt, on Second Reading, Ordinance No. 2021-24, 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 4.00 acres of land legally described as TRS 284D 284E & 286 Tomball Outlots, from the Single-Family 20 Estate District to the Light Industrial District, said property being generally located at the northwest corner of Agg Road and Persimmon Road, 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.

Absent: Council 5 Klein Quinn

Motion carried unanimously.

2. Motion made by Council 2 Stoll, Seconded by Council 1 Ford, to adopt, on Second Reading, Ordinance No. 2021-26, 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 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, from the Agricultural District to the General Retail District, said property being generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, at 343 East Hufsmith Road, 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.

Absent: Council 5 Klein Quinn

Motion carried unanimously.

3. Motion made by Council 2 Stoll, Seconded by Council 1 Ford, to adopt, on Second Reading, Ordinance No. 2021-27, an ordinance of the City of Tomball, Texas, amending Chapter 50 (Zoning) of the Tomball Code of Ordinances by

granting a Conditional Use Permit (CUP) to Clinton Hankla to operate an “Office showroom / warehouse” facility at 343 East Hufsmith Road; said property being approximately 3.78 acres of land legally described as Lot 1 Block 1 Tennis Venture Tract, within the City of Tomball, Harris County, Texas, generally located on the north side of East Hufsmith Road, between Peach Street and Hospital Street, and is zoned General Retail use district; providing requirements and conditions for this CUP; containing findings and other provisions relating to the subject; providing a penalty in an amount not to exceed \$2,000 for violations hereof; and providing for severability.

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

Absent: Council 5 Klein Quinn

Motion carried unanimously.

I. 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. Appoint/Reappoint Members to the Tomball Regional Health Foundation Board of Directors for Terms Expiring September 1, 2021
2. Reappoint three Associate/Alternate Judges to the Municipal Court for terms of office, which begin August 3, 2021, and ends on August 2, 2023.
3. Reappoint Associate/Alternate Prosecutor, Erik Berglund, to the Municipal Court for a term of office which begins August 3, 2021 and ends on August 2, 2023.

Motion made by Council 1 Ford, Seconded by Council 3 Degges, to approve the appointments as presented in the Consent Agenda.

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

Absent: Council 5 Klein Quinn

Motion carried unanimously.

Latrell Shannon and Jim Ross are reappointed to the Tomball Regional Health Foundation Board of Directors, for terms expiring September 1, 2023.

Cindy Bennett-Smith, Blair Bruce, and Michael Tiffin are reappointed as Associate/Alternate Judges to the Municipal Court, for terms expiring August 2, 2023.

Erik Berglund is reappointed as Associate/Alternate Prosecutor to the Municipal Court, for term expiring August 2, 2023.

J. New Business

1. Motion made by Council 3 Degges, Seconded by Council 2 Stoll, to approve the annual Consumer Price Index (CPI) and Fuel Index adjustment from GFL (formally WCA Waste Corporation) of 3.77%, effective October 1, 2021.

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

Absent: Council 5 Klein Quinn

Motion carried unanimously.

2. Motion made by Council 2 Stoll, Seconded by Council 3 Degges, to authorize the City Manager to execute the grant application to State Energy Conservation Office (SECO) for the Local and County Government Lighting Conversion to LED.

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

Absent: Council 5 Klein Quinn

Motion carried unanimously.

3. Executive Session: The City Council recessed at 6:32 p.m. 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 – Interim Fire Chief

Upon reconvening at 7:07 p.m., the following action was taken:

4. Motion made by Council 3 Degges, Seconded by Council 2 Stoll, to confirm Joe Sykora as Interim Fire Chief.

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

Absent: Council 5 Klein Quinn

Motion carried unanimously.

- K. Motion made by Council 2 Stoll, Seconded by Council 1 Ford, to adjourn.

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

Absent: Council 5 Klein Quinn

Motion carried unanimously.

Meeting adjourned at 7:10 p.m.

PASSED AND APPROVED this the 16th day of August 2021.

Doris Speer

Doris Speer  
City Secretary, TRMC, MMC

Gretchen Fagan

Gretchen Fagan  
Mayor