

Mayor Todd Kana
Daniel Miller, Position 1
Matthew Dantzer, Position 2
Richard Carby, Mayor Pro Tem, Position 3
Brenda Hoppe, Position 4
Jack L Huitt Jr., Position 5



Don Doering, City Administrator
Leonard Schneider, City Attorney
Kyle Montgomery, Police Chief
Beverly Standley, Finance/HR Administrator
Tim Robertson, City Engineer
Mike Kurzy, Baxter & Woodman
Christian Gable, City Secretary

MINUTES OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL JANUARY 9, 2024

A meeting of the City Council was held on this date, January 9, 2024, beginning at 6:00 pm in the Sewall Smith Council Chambers 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

1. CALL MEETING TO ORDER

City Secretary Christian Gable called the meeting to order at 6:00 pm and called the roll, certifying a quorum was present with the following Council members in attendance: Daniel Miller, Matthew Dantzer, Brenda Hoppe, and Jack L Huitt Jr.

Absent: Mayor Todd Kana, Mayor Pro Tem Richard Carby

Staff present: City Administrator Don Doering, City Attorney Leonard Schneider, City Engineer Tim Robertson, Finance/HR Administrator Beverly Standley, Police Chief Kyle Montgomery, City Secretary Christian Gable

MOTION: Upon a motion to elect Brenda Hoppe as the Chair for the meeting made by Councilmember Dantzer and seconded by Councilmember Huitt, the Councilmembers voted, Daniel Miller – Aye, Matthew Dantzer – Aye, Brenda Hoppe – Aye, Jack Huitt – Aye, and the motion carried unanimously, 4-0.

a. INVOCATION

Councilmember Dantzer delivered the invocation.

b. PLEDGE OF ALLEGIANCE

Councilmember Hoppe led the Pledge of Allegiance to the USA and Texas flags.

2. CITIZEN COMMENTS, REQUESTS OR PETITIONS FROM THE PUBLIC

(This agenda item provides an opportunity for citizens to address the City Council on any matter not on the agenda). Comments shall be limited to three (3) minutes per person. Comments by the governing body shall be limited to:

- a. Statements of specific factual information given in response to an inquiry;*
- b. A recitation of existing policy in response to an inquiry;*
- c. A proposal to place the subject on a future agenda.*

None

3. CONSENT AGENDA

(This portion of the agenda consists of items considered routine and will be enacted by one motion unless separate discussion is requested by a member of the City Council or a citizen. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.)

a. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the regular City Council Meeting held December 12, 2023.

b. CONSIDERATION – ADOPT ORDINANCE NO. O-2024-001 – CALLING GENERAL ELECTION AND SPECIAL ELECTION

Consideration and possible action to adopt:

ORDINANCE NO. O-2024-001

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) COUNCILMEMBERS; DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; PROVIDING THE FORM OF THE BALLOTS AT SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

c. CONSIDERATION – AUTHORIZE ELECTION SERVICES AGREEMENT WITH MONTGOMERY COUNTY TO HOLD MAY 4, 2024 JOINT ELECTION

(Mayor Todd Kana)

Consideration and possible action to authorize Election Services Agreement to hold a May 4, 2024 Joint Election with Montgomery County and all other participating Political Subdivisions and authorize Mayor to execute.

d. CONSIDERATION – AUTHORIZE JOINT ELECTION AGREEMENT WITH MONTGOMERY COUNTY AND ALL PARTICIPATING ENTITIES (Mayor Todd Kana)

Consideration and possible action to authorize Joint Election Agreement with Montgomery County and all participating entities and authorize Mayor to execute.

e. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SITE PLAN FOR SHERWIN WILLIAMS

f. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SITE PLAN FOR MISTER CAR WASH

g. CONSIDERATION AND POSSIBLE ACTION TO APPROVE SITE PLAN FOR THE OAKS ON 6TH STREET

MOTION: Upon a motion to approve the Consent Agenda made by Councilmember Dantzer and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 4-0.

4. CONSIDERATION AND POSSIBLE ACTION TO APPROVE FIRST AMENDMENT TO UTILITY DEVELOPMENT AND ESCROW AGREEMENT WITH MAGNOLIA EAST 149, LLC (Mayor Todd Kana)

Chessie Zimmerman with Stratus Properties explained the purpose of the amendment being related to the project completion date.

David Rivera with LJA Engineering was present to clarify as needed.

City Engineer Tim Robertson recommended tying the agreement with the contract time.

City Attorney Leonard Schneider had no objection to changing "January 2024" to "April 2024" in the agreement.

MOTION: Upon a motion to approve with an amendment to paragraph one of the Amendment from January 1st to April 1st of 2024 made by Councilmember Dantzer, and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 4-0.

5. CONSIDERATION AND POSSIBLE ACTION TO NOMINATE FOR THE BRAZOS TRANSIT DISTRICT'S BOARD OF DIRECTORS (Mayor Todd Kana)

No action was taken.

6. CLOSED EXECUTIVE SESSION

The City Council of the City of Magnolia, Texas, reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below as authorized by Title 5, Chapter 551, of the Texas Government Code. §551.071(Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), §551.086 (Deliberations about competitive matters), and §551.087 (Deliberation about Economic Development Matters.)

The City Council may enter into executive session under Texas Government Code Section 551.071 to consult and receive legal advice from its attorneys on MISD v City of Magnolia, et al and to receive legal advice on sanitary sewer force main and water line easement from Audubon Magnolia Development, LLC; and to receive legal advice concerning the Wholesale Water Supply and Sanitary Sewer Agreement and addendums between the City of Magnolia and Audubon and Demand Letter by Audubon.

Councilmember Hoppe convened into Closed Executive Session at 6:12 pm.

7. RECONVENE into regular session and consider and/or take action on item(s) discussed in executive session.

Councilmember Hoppe adjourned Closed Executive Session and reconvened the open meeting at 6:29 pm.

8. ADMINISTRATION - DEPARTMENT REPORTS

ACTIVITIES/ UPDATES/ ANNOUNCEMENTS AND ITEMS OF COMMUNITY INTEREST

a. POLICE DEPARTMENT (Chief of Police, Kyle Montgomery)

Police Chief Kyle Montgomery gave a brief summary of his report included in the meeting packet and clarified that the Facebook post regarding Twin Liquors was a theft, not a robbery as originally posted.

- b. PUBLIC WORKS DEPARTMENT (City Engineer, Tim Robertson)
Engineering Report was included in the meeting packet.
- c. ADMINISTRATION DEPARTMENT (City Administrator, Don Doering)
City Administrator Don Doering gave a brief summary of his report found in the meeting packet.

9. ADJOURN

MOTION: Upon a motion to adjourn made by Councilmember Dantzer and seconded by Councilmember Huitt, the Councilmembers voted, the motion carried unanimously, 4-0, and the meeting adjourned at 6:35 pm.



Brenda Hoppe, Elected Chair, Councilmember

CERTIFICATION

I certify that this is a true and correct copy of the minutes of the City Council meeting held on January 9, 2024.



Christian Gable, City Secretary