

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  
Christian Gable, City Secretary

## MINUTES OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL FEBRUARY 13, 2024

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A meeting of the City Council was held on this date, February 13, 2024, beginning at 6:03 pm in the Sewall Smith Council Chambers 18111 Buddy Riley Blvd., Magnolia, Texas 77354.

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### 1. CALL MEETING TO ORDER

Mayor Pro Tem Carby called the meeting to order at 6:03 pm.

a. INVOCATION

Councilmember Dantzer delivered the invocation.

b. PLEDGE OF ALLEGIANCE

Mayor Pro Tem Carby led the Pledge of Allegiance to the USA and Texas flags.

c. ROLL CALL AND CERTIFICATION OF A QUORUM

Mayor Pro Tem Carby called the roll, certifying a quorum was present with the following Council members in attendance: Daniel Miller, Matthew Dantzer, Richard Carby, Brenda Hoppe, and Jack L Huitt Jr.

Absent: Mayor Todd Kana

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

### 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.*

Andrew Vigneaux voiced concern regarding building and expanding the City and how it can negatively affect current residents.

Audrey Amirian stated that her neighbors within Mill Creek are concerned about water safety after the last disruption and asked that the City notify the public why one neighborhood was issued a boil water notice while others are not. She clarified the inconvenience of losing water due to Audubon opening valves and asked that it is timed better in the future. She stated that the City's after-hours system does not recognize Mill Creek residents as utility customers making it difficult to seek assistance.

### **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 January 9, 2024.

#### **b. CONSIDERATION – APPROVE INVESTMENT PORTFOLIO FOR QUARTER ENDING DECEMBER 2023**

**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, 5-0.

#### **4. CONSIDERATION AND POSSIBLE ACTION TO APPOINT ROBERT ROSENQUIST AS AN ASSOCIATE MUNICIPAL COURT JUDGE (Mayor Todd Kana)**

Court Administrator Frances Suarez explained the purpose of appointing an associate judge. Robert Rosenquist gave a summary of his experience as a judge.

**MOTION:** Upon a motion to appoint Robert Rosenquist as Associate Municipal Court Judge made by Councilmember Hoppe and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0.

#### **5. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION R-2024-001 AMENDING THE CITY OF MAGNOLIA PERSONNEL POLICY MANUAL**

(Mayor Todd Kana)

HR Administrator Beverly Standley explained the purpose of the proposed Pet Policy.

**MOTION:** Upon a motion to approve made by Councilmember Hoppe and seconded by Councilmember Miller, the Councilmembers voted, Rick Carby - Aye, Daniel Miller - Aye, Brenda Hoppe - Aye, Matthew Dantzer - Nay, Jack Huitt – Nay, the motion carried, 3-2.

#### **6. CONSIDERATION AND POSSIBLE ACTION TO CONTINUE MEMBERSHIP WITH SCENIC TEXAS (Mayor Todd Kana)**

City Administrator Don Doering read the Scenic Texas mission statement and explained that we do not benefit from the current membership.

No action was taken.

#### **7. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK PARKS PLAN**

(Mayor Todd Kana)

City Engineer Tim Robertson introduced the project.

Katy Harris with LJA Engineering was present to answer any questions.



**MOTION:** Upon a motion to approve made by Mayor Pro Tem Carby and seconded by Councilmember Huitt, the Councilmembers voted, and the motion carried unanimously, 5-0.

**8. DISCUSSION – PROPOSED U-HAUL ANNEXATION AND ZONING DESIGNATION** (Mayor Todd Kana)

City Engineer Tim Robertson briefly introduced the property and clarified the location.  
A member of U-Haul's development team explained how the property will be accessed.

**9. CONSIDERATION AND POSSIBLE ACTION TO AWARD CONSTRUCTION CONTRACT FOR WATER WELL NO. 9 TO WEISINGER, INC FOR \$2,260,700** (Mayor Todd Kana)

City Engineer Tim Robertson recommended to award the contract to Weisinger, Inc.

**MOTION:** Upon a motion to award the construction contract for Water Well No. 9 to Weisinger, Inc for \$2,260,700 made by Councilmember Hoppe and seconded by Councilmember Dantzer, the Councilmembers voted, and the motion carried unanimously, 5-0.

**10. PRESENTATION - LEGISLATIVE SESSION RECAP PRESENTATION BY FOCUSED ADVOCACY, LLC**

Snapper Carr with Focused Advocacy gave a presentation and Lynlie Hurd, also with Focused Advocacy, was present.

**11. CONSIDERATION AND POSSIBLE ACTION TO CONTINUE AND RENEW CONTRACT WITH FOCUSED ADVOCACY, LLC** (Mayor Todd Kana)

Mayor Pro Tem Carby moved this item to follow Closed Executive Session.

**12. 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 to receive legal advice on to consult and receive legal advice from its attorneys on MISD v City of Magnolia, et al and SJRA v Cities of Conroe and Magnolia; 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;**

Mayor Pro Tem Carby convened into Closed Executive Session at 6:52 pm.

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

Mayor Pro Tem Carby adjourned Closed Executive Session and reconvened the open meeting at 7:32 pm.

**MOTION:** Upon a motion to renew the contract with Focused Advocacy, LLC for 12 months made by Councilmember Dantzer and seconded by Councilmember Miller, the Councilmembers voted, and the motion carried unanimously, 5-0.

**14. 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 the report found in the meeting packet.
- b. PUBLIC WORKS DEPARTMENT (City Administrator, Don Doering)  
The engineering report was provided in the meeting packet.
- c. ADMINISTRATION DEPARTMENT (City Administrator, Don Doering)  
City Administrator Don Doering gave a brief summary of the report found in the meeting packet.

**15. ADJOURN**

**MOTION:** Upon a motion to adjourn made by Mayor Pro Tem Carby and seconded by Councilmember Hoppe, the Councilmembers voted, the motion carried unanimously, 5-0, and the meeting adjourned at 7:38 pm.

  
Richard Carby, Mayor Pro Tem

**CERTIFICATION**

I certify that this is a true and correct copy of the minutes of the City Council meeting held on February 13, 2024.



  
Christian Gable, City Secretary