



**CITY COUNCIL
REGULAR SESSION MINUTES
JANUARY 18, 2023**

PRESENT:

Dr. Christopher Harvey, Mayor

COUNCIL MEMBERS:

Emily Hill, Mayor Pro Tem, Place 1
Anne Weir, Place 2
Maria Amezcua, Place 3 (Absent)
Sonia Wallace, Place 4
Aaron Moreno, Place 5
Deja Hill, Place 6

CITY STAFF:

Scott Moore, City Manager
Lluvia T. Almaraz, City Secretary
Scott Dunlop, Development Services Director
Ryan Phipps, Chief of Police
Denver Collins, Assistant Chief of Police
Lydia Collins, Finance Director
Matthew Woodard, Public Works Director
Phil Green, IT Director
Tracey Vasquez, HR Manager
Veronica Rivera, Assistant City Attorney
Frank T. Phelan, P.E., City Engineer

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Manor City Council was called to order by Mayor Harvey at 7:04 p.m. on Wednesday, January 18, 2023, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

Mayor Harvey led the Pledge of Allegiance.

PUBLIC COMMENTS

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and expressed his thoughts regarding the city operating as a Council-Manager form of government vs a City Council managed enterprise. Mr. Battaile stated that the city did not have anything to show for its 150th celebration and he would like for the city to rise as a big city.

No one else appeared at this time.

PUBLIC HEARINGS

- 1. Conduct a public hearing on a Rezoning Application for one (1) lot on .264 acres, more or less, and being located at 101 W. Boyce, Manor, TX from Neighborhood Business (NB) to Downtown Business (DB).**

Applicant: Jiwon Jung; Owner: Buildblock

The city staff recommended that the City Council conduct the public hearing.

Mayor Harvey opened the public hearing.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and spoke in regard to the lack of communication between the P&Z Commission and the City Council. He suggested for the item to be postpone if the developer was not in attendance. He expressed his frustration regarding the downtown area proposed developments.

Development Services Director Dunlop discussed the proposed rezoning application. He stated that the P&Z Commission postpone the action on the item and had requested additional information from the developer.

Discussion was held regarding the type of businesses that would be added to the development.

Discussion was held regarding the types of regulations allowed in the downtown area.

Discussion was held regarding the Downtown business district current regulations.

Discussion was held regarding the impact on residents within the area.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Deja Hill, to close the Public Hearing.

There was no further discussion.

Motion to close carried 6-0

2. **Conduct a public hearing on a Rezoning Application for one (1) lot on .396 acres, more or less, and being located at 107 W. Boyce, Manor, TX from Single Family Suburban (SF-1) to Downtown (DB).**

Applicant: Jiwon Jung; Owner: Buildblock

The city staff recommended that the City Council conduct the public hearing.

Mayor Harvey opened the public hearing.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and proposed a different type of use for the downtown district area. He suggested for the area to be renamed and called Old Manor. He stated that Old Manor shouldn't have any buildings that are more than two (2) stories in height. He opposed to the type of density that was being requested. He briefly discussed the developer's background and his disagreement with the Comprehensive Plan for the downtown area.

Development Services Director Dunlop discussed the proposed rezoning application. He stated that the P&Z Commission postpone the action on the item and had requested additional information from the developer.

Discussion was held regarding the renaming of the downtown district area due to the legislative changes in 2017 and 2019.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Moreno, to close the Public Hearing.

Discussion was held regarding clarification of the proposed development.

Discussion was held regarding road and parking improvements.

Discussion was held regarding traffic analysis.

There was no further discussion.

Motion to close carried 6-0

3. **Conduct a public hearing on a Rezoning Application for one (1) lot on .165 acres, more or less, and being located at 108 W. Boyce, Manor, TX from Single Family Suburban (SF-1) to Downtown (DB).**

Applicant: Jiwon Jung; Owner: Buildblock

The city staff recommended that the City Council conduct the public hearing.

Mayor Harvey opened the public hearing.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and spoke in regard to infrastructure. He briefly discussed the Comprehensive Plan and spoke in opposition to the letter of intent for rezoning.

Development Services Director Dunlop discussed the proposed rezoning application. He stated that the P&Z Commission postpone the action on the item and had requested additional information from the developer.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir, to close the Public Hearing.

There was no further discussion.

Motion to close carried 6-0

- 4. Conduct a public hearing on a Rezoning Application for one (1) lot on .677 acres, more or less, and being located at 10905 E US 290, Manor, TX from Light Commercial (C-1) to Medium Commercial (C-2).**

Applicant: Mahoney Engineering; Owner: River City Partners Ltd.

The city staff recommended that the City Council conduct the public hearing.

Mayor Harvey opened the public hearing.

Development Services Director Dunlop discussed the proposed rezoning application.

Discussion was held regarding the current user regulations.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Moreno, to close the Public Hearing.

There was no further discussion.

Motion to close carried 6-0

At the request of Mayor Harvey, Item No. 6 was pulled from the Consent Agenda and considered separately.

CONSENT AGENDA

- 5. Consideration, discussion, and possible action to approve the City Council Minutes.**

- **January 4, 2023, City Council Workshop; and**
- **January 4, 2023, City Council Regular Meeting**

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Wallace to approve the Consent Agenda.

There was no further discussion.

Motion to approve carried 6-0

REGULAR AGENDA

6. Consideration, discussion, and possible action on the acceptance of the December 2022 Departmental Reports.

- **Economic Development – Scott Jones, Economic Development Director**
- **Development Services – Scott Dunlop, Development Services Director**
- **Community Development – Debbie Charbonneau, Heritage and Tourism Manager**
- **Police – Ryan Phipps, Chief of Police**
- **Municipal Court – Sarah Friberg, Court Clerk**
- **Public Works – Matthew Woodard, Director of Public Works**
- **Finance – Lydia Collins, Director of Finance**
- **Human Resources – Tracey Vasquez, HR Manager**
- **IT – Phil Green, IT Director**
- **Administration – Lluvia T. Almaraz, City Secretary**
- **Travis County ESD No. 12 – Ryan Smith, Fire Chief**
- **Manor Cemetery – Nora Sanchez, MC Manager**

Chief Phipps explained the new Police Department's monthly report and asked for Council's feedback on any new information they would like for him to include on future reports.

Discussion was held regarding the PD's response time.

Discussion was held regarding the DWI report.

Discussion was held regarding the total of crashes within the city.

Discussion was held regarding clarification on the total calls of service within the city.

Chief Phipps informed council of the new hired Animal Control Officer. He also stated that Manor PD was working with the county on a proposed agreement for sheltering animals at the county's shelter.

Discussion was held regarding the need of a future animal facility for Manor.

Mayor Harvey thanked Chief Phipps for the hard work on filling the Animal Control Position.

Mayor Harvey thanked City Manager, City Staff, Mayor Pro Tem and sponsors for organizing the celebration of the first MLK Day city's event.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Moreno to approve Item No. 6.

Discussion was held regarding the Manor ESD 12 response time.

Discussion was held regarding the cemetery's upkeep on the perimeter section.

There was no further discussion.

Motion to approve carried 6-0

7. Consideration, discussion, and possible action on a resolution to conduct a public hearing on the Land Use Assumptions Map and proposed Capital Improvement Projects recommended by the Advisory Committee.

The city staff recommended that the City Council approve Resolution No. 2023-01 to conduct a public hearing for the Land Use Assumptions Map and proposed Capital Improvement Projects.

City Engineer Phelan discussed the proposed resolution to conduct the public hearing of the Land Use Assumptions Map and proposed Capital Improvement Projects.

Resolution No. 2023-01: A Resolution of The City of Manor, Texas, Setting a Public Hearing Date on the Land Use Assumptions and Capital Improvement Projects of the Community Impact Fee; and Providing Open Meetings and Other Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Weir to approve Resolution No. 2023-01 to conduct a public hearing for the Land Use Assumptions Map and proposed Capital Improvement

There was no further discussion.

Motion to approve carried 6-0

At the request of Mayor Harvey Item Nos 8, 9 and 10 were conducted in one motion.

8. First Reading: Consideration, discussion, and possible action on an Ordinance rezoning one (1) lot on .264 acres, more or less, and being located at 101 W Boyce, Manor, TX from Neighborhood Business (NB) to Downtown Business (DB).

Applicant: Jiwon Jung; Owner: Buildblock

9. First Reading: Consideration, discussion, and possible action on an Ordinance rezoning one (1) lot on .396 acres, more or less, and being located at 107 W Boyce, Manor, TX from Single Family Suburban (SF-1) to Downtown (DB).

Applicant: Jiwon Jung; Owner: Buildblock

10. First Reading: Consideration, discussion, and possible action on an Ordinance rezoning one (1) lot on .165 acres, more or less, and being located at 108 W Boyce, Manor, TX from Single Family Suburban (SF-1) to Downtown (DB).

The city staff recommended that the City Council postpone item 8, 9, and 10 to the February 15, 2023, Regular Council meeting to give Planning and Zoning Commission additional time to receive input from the developer.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to postpone Item Nos 8, 9 and 10 to the February 15, 2023, Regular Council Meeting.

Discussion was held regarding clarification on the communication from Council to developer.

There was no further discussion.

Motion to approve postponement carried 6-0

11. First Reading: Consideration, discussion, and possible action on an Ordinance rezoning one (1) lot on .677 acres, more or less, and being located at 10905 E US 290, Manor, TX from Light Commercial (C-1) to Medium Commercial (C-2).

The city staff recommended that the City Council approve the first reading of an ordinance rezoning one (1) lot on .677 acres, more or less, and being located at 10905 E. US 290, Manor, TX from Light Commercial (C-1) to Medium Commercial (C-2).

Development Services Director Dunlop discussed the proposed rezoning request.

Ordinance: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Light Commercial (C-1) To Medium Commercial (C-2); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Moreno, to approve first reading of an ordinance rezoning one (1) lot on .677 acres, more or less, and being located at 10905 E. US 290, Manor, TX from Light Commercial (C-1) to Medium Commercial (C-2).

There was no further discussion.

Motion to approve carried 6-0

12. Consideration, discussion, and possible action on a lease contract for the funding of city vehicles and equipment.

The city staff recommended that the City Council award a lease contract to Frontier Bank and authorize the City Manager, to execute the contract after legal review.

Director of Finance Collins discussed the proposed lease contract for the funding of city vehicles and equipment.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Emily Hill, to award a lease contract to Frontier Bank and authorize the City Manager, to execute the contract after legal review.

Discussion was held regarding the proposed interest rate and the impact on next years budget.

There was no further discussion.

Motion to approve carried 6-0

13. Consideration, discussion, and possible action on the Purchase Contract with William R. Leake for a wastewater easement with temporary construction easement.

The city staff recommended that the City Council approve the purchase contract with William R. Leake for a wastewater easement with temporary construction easement.

City Manager Moore discussed the proposed purchase contract with William R. Leake for a wastewater easement.

City Engineer Phelan verified that the contract was for the extension of the wastewater line project and he would be providing change orders to Council for approval on a later date.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir, to approve the purchase contract with William R. Leake for a wastewater easement with temporary construction easement.

There was no further discussion.

Motion to approve carried 6-0

14. Consideration, discussion, and possible action on an ordinance adopting a policy and procedure for legislative prayer presentations; amending the city council rules of procedure to add legislative prayer in 7.01, correcting the reference to state law in 3.15 and 7.04, updating the cover page to reflect this ordinance, and revising the footer to reflect the document title; amending section 1.04.002 of the manor code of ordinances to recognize the changes to the city council rules of procedure; and providing for related matters.

The city staff recommended that the City Council approve Ordinance No. 686 adopting a policy and procedure for legislative prayer presentations; amending the city council rules of procedure to add legislative prayer in 7.01, correcting the reference to state law in 3.15 and 7.04, updating the cover page to reflect this ordinance, and revising the footer to reflect the document title; amending section 1.04.002 of the manor code of ordinances to recognize the changes to the city council rules of procedure; and providing for related matters.

Robert Battaile 502 E. Eggleston Street, Unit A, Manor, Texas, submitted a speaker card and expressed his frustration and insults to the City Council. Mayor Harvey informed Mr. Battaile that the Council would no longer take his abuse and that he needed to stay on the agenda topic of discussion only when called upon an item. Mayor Harvey gave Mr. Battaile his first warning.

Mr. Battaile stated he would like for the city to be all inclusive on the prayer policy.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Mayor Pro Tem Emily Hill to approve Ordinance No. 686 adopting a policy and procedure for legislative prayer presentations; amending the city council rules of procedure to add legislative prayer in 7.01, correcting the reference to state law in 3.15 and 7.04, updating the cover page to reflect this ordinance, and revising the footer to reflect the document title; amending section 1.04.002 of the manor code of ordinances to recognize the changes to the city council rules of procedure; and providing for related matters with questions and discussion.

Discussion was held regarding other city's policies regarding the legislative prayer.

Discussion was held regarding revisions to the proposed policy.

Discussion was held regarding the time limit for the prayer.

Discussion was held regarding the clarification on who would be conducting the invocation.

Discussion was held regarding the revision to policy to state City of Manor Religious leaders would qualify and that City Council would have an option to recommend leaders for the invocation.

Assistant City Attorney Rivera asked Council to give legal staff the opportunity to review the proposed changes to the policy as discussed before final approval.

MOTION: Upon a substitute motion made by Council Member Deja Hill and seconded by Mayor Pro Tem Emily Hill to postpone item until February 1, 2023, City Council Regular Meeting to allow legal to revised policy.

There was no further discussion.

Motion to approve postponement carried 6-0

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 8:41 p.m. on Wednesday, January 18, 2023, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The Manor City Council convene into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in - *Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding the EPCOR Wholesale Water Agreement; Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Manor Apartments; Sections 551.071, and 551.087, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding Manor Springs; Section 551.071, Texas Government Code, and Section 1.05, Texas Disciplinary Rules of Professional Conduct to consult with legal counsel regarding property on Ring Road; and Section 551.071, Texas Government Code, and Section 1.05, Texas Professional Rules of Disciplinary Conduct to consult with legal counsel regarding termination of a license agreement* at 8:41 p.m. on Wednesday, January 18, 2023.

The Executive Session was adjourned at 11:18 p.m. on Wednesday, January 18, 2023.

OPEN SESSION

The City Council reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code and took action on item(s) discussed during Closed Executive Session at 11:18 p.m. on Wednesday, January 18, 2023.

15. Consideration, discussion, and possible action on the Second Amendment to the Earnest Money Contract for the purchase of property located on Ring Road.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Deja Hill to approve the Second Amendment to the Earnest Money Contract for the purchase of property located on Ring Road and authorized the City Manager to execute the Second Amendment extending the closing date until the restrictions were taken care of.

There was no further discussion.

Motion to approve carried 6-0

There was no further action taken.

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 11:19 p.m. on Wednesday, January 18, 2023.

These minutes approved by the Manor City Council on the 6th day of February 2023. (*Audio recording archived*)

APPROVED:



Dr. Christopher Harvey
Mayor

ATTEST:



Lluvia T. Almaraz, TRMC
City Secretary