



**CITY COUNCIL
REGULAR SESSION MINUTES
OCTOBER 19, 2022**

PRESENT:

Dr. Christopher Harvey, Mayor

COUNCIL MEMBERS:

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

CITY STAFF:

Scott Moore, City Manager
Lluvia T. Almaraz, City Secretary
Scott Dunlop, Development Services Director
Lydia Collins, Director of Finance
Ryan Phipps, Chief of Police
Denver Collins, Captain
Scott Jones, Economic Development Director
Phil Green, IT Director
Tracey Vasquez, HR Manager
Sarah Friberg, Court Administrator
Matthew Woodard, Public Works Director
Veronica Rivera, Assistant City Attorney

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 7:00 p.m. on Wednesday, October 19, 2022, 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.

PROCLAMATIONS

A. Declaring the week of November 7 – November 11, 2022, as “Municipal Court Week”

Mayor Harvey read and presented proclamation to Sarah Friberg, Court Administrator.

PUBLIC COMMENTS

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and spoke in regard to the license agreement with the City of Manor and Austin Bocce League. Mr. Battaile expressed his frustration regarding the closure of the Bocce Ball Courts and stated he would sue the city if the Bocce Ball Courts were not open by Wednesday of the following week.

Manuel Dasilva, 31728 Andrew Johnson St., Manor, Texas, submitted a speaker card and spoke in support of the Bocce Ball Courts and asked the City Council to reconsider and reopen the courts. Mr. Dasilva stated he was no longer associated with the Austin Bocce League and didn't support the measures the League was taking.

Mayor Harvey clarified that all city projects should be approved by City Council prior to the construction to make sure all safety measures are met and done correctly. He stated that due to complaints that were received regarding safety concerns with the bocce courts, the city had to close the courts down until further notice.

Anissa Jackson, 13001 Tindel St., Manor, Texas, submitted a speaker card and spoke in regard to the lack of animal control the city was facing. Ms. Jackson stated that she was recently attacked by stray dogs and now was unable to walk her own dog in her neighborhood due to safety concerns. She also expressed her concerns regarding the sidewalk parking issues in her subdivision. She asked City Council's assistance for these matters.

Lauren Moore, 18105 Skysail Dr., Manor, Texas, submitted a speaker card and spoke in regard to the lack of animal control the city was facing. She stated that her cat was recently killed by dogs she tried to help. Ms. Moore stated that she had reached out to the Austin Animal Center but was informed that they were not taking any animals. She also stated that she had reached out to Manor PD but was informed that the city didn't have any resources for animal control at this time. She is requesting accountability from the city.

Joel Ford, 12924 Shipbell Dr., Manor, Texas, submitted a speaker card and spoke in regard to the lack of animal control the city was facing. He stated that his cat was recently killed by a stray dog. Mr. Ford stated that Manor PD was informed of animal concerns but was told that the city didn't have any resources for animal control at this time. He also stated that he had reached out the county, but they couldn't provide assistance. He is requesting for the City Council to assist in the matter.

Chief Phipps gave an update on the animal control dilemma within the city. He discussed the procedures that are taken by Manor PD when a call was received regarding any animal. He confirmed that the city had an agreement with the county but due to the overflow of animals the county was not able to house additional animals at this time. He gave a brief statistical report of animal concerns from the Bell Farms, Carriage Hills and Manor Commons subdivisions.

Chief Phipps explained how the animal control position had been hard to fill and it is currently vacant. He is hoping that the position fills quickly and plans to have an action in place regarding the animal control situation.

Raymond Lee with 709 Lexington LLC, Austin, Texas, submitted a speaker card and spoke in regard of acquiring the alleyway on 709 Lexington Street. He asked the City Council to consider and accept his proposal. He briefly discussed the proposed project for the Bloor House.

No one else appeared at this time.

PUBLIC HEARINGS

1. Conduct a public hearing on an Ordinance rezoning 22.78 acres more or less, out of the Greenbury Gates Survey No 63, and being located at 12200 Tower Rd, Manor, Tx from Light Industrial (IN-1) to Multi-Family 25 (MF-2).

Applicant: Kenneth Tumlinson; Owner: Kenneth Tumlinson

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

Mayor Harvey opened the public hearing.

Director of Development Services Dunlop discussed the proposed rezoning request.

Discussion was held regarding the uses for MF-2 development.

Craig Swanson with Marcus & Millichap, 9600 N. Mopac Expressway, Suite 300, Manor, Texas, submitted a speaker card in support of this item. Mr. Swanson discussed the proposed rezoning request on behalf of his client.

Mayor Harvey asked if Mr. Swanson had contacted Economic Development Director, Scott Jones to discuss other industrial development options. Mr. Swanson confirmed that he hadn't communicated with Mr. Jones and would consider the discussion for other options if needed.

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

Council Member Deja Hill asked if the city had received comments from adjacent neighbors regarding zoning changes. Development Services Director Dunlop confirmed that the city did not receive any comments or concerns.

There was no further discussion.

Motion to close carried 6-0

- 2. Conduct a public hearing on regarding the submission of a Rezoning Application for 10 acres, more or less, out of the Greenbury Gates Survey No. 63, and being located at 11712 Arnhamn Lane, Manor, TX.**

Applicant: Baeza Engineering, PLLC; Owner: John and Sandy Kerr

The city staff recommended that the City Council postpone the Public Hearing to the November 16, 2022, Regular Council Meeting due to reposting notifications.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to postpone the Public Hearing to the November 16, 2022, Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 6-0

CONSENT AGENDA

- 3. Consideration, discussion, and possible action to approve the City Council Minutes.**
 - **December 11, 2021, City Council Workshop – Teambuilding; and**
 - **October 3, 2022, City Council Special Meeting**
- 4. Consideration, discussion, and possible action on the acceptance of the September 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 – Michael Tuley, 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**

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Weir to approve the Consent Agenda.

There was no further discussion.

Motion to approve carried 6-0

REGULAR AGENDA

5. **First Reading: Consideration, discussion, and possible action on an Ordinance rezoning 22.78 acres more or less, out of the Greenbury Gates Survey No 63, and being located at 12200 Tower Rd, Manor, Tx from Light Industrial (IN-1) to Multi-Family 25 (MF-2).**
Applicant: Kenneth Tumlinson; Owner: Kenneth Tumlinson

The city staff recommended that the City Council approve the first reading of an Ordinance rezoning 22.78 acres more or less, out of the Greenbury Gates Survey No 63, and being located at 12200 Tower Rd, Manor, Tx from Light Industrial (IN-1) to Multi-Family 25 (MF-2).

Development Services Dunlop discussed the proposed rezoning request.

Discussion was held regarding current zoning regulations uses within the area.

Discussion was held regarding postponement of item to give additional time for discussion with Economic Development Director.

Discussion was held regarding potential users for the current industrial property.

Discussion was held regarding potential concerns from residents for current zoning uses of industrial development.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua to approve the first reading of an Ordinance rezoning 22.78 acres more or less, out of the Greenbury Gates Survey No 63, and being located at 12200 Tower Rd, Manor, Tx from Light Industrial (IN-1) to Multi-Family 25 (MF-2).

Council Member Weir suggested for the item to be postpone to give additional time for Economic Development Director Jones to be able speak to the applicant.

Assistant City Attorney Rivera suggested that City Council could substitute a motion if postponement was being considered.

MOTION: Upon a substitute motion made by Council Member Weir and seconded by Mayor Pro Tem Emily Hill to postpone item to the November 2, 2022, Regular Council Meeting.

There was no further discussion.

Motion to approve substitute motion carried 5-1 (Mayor Harvey voted against)

6. First Reading: Consideration, discussion, and possible action on an Ordinance rezoning 10 acres, more or less, out of the Greenbury Gates Survey No. 63, and being located at 11712 Arnham Lane, Manor, TX.

Applicant: Baeza Engineering, PLLC; Owner: John and Sandy Kerr

The city staff recommended that the City Council postpone item to the November 16, 2022, Regular Council Meeting due to reposting notifications.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Wallace, to postpone item to the November 16, 2022, Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 6-0

7. Consideration, discussion, and possible action on alternate public transportation services for the City of Manor.

The city staff recommended that the City Council direct the Administration to gather additional alternate public transportation service options for future discussion and action in November 2022.

Discussion was held regarding different options that the city could conduct for public transportation within the city.

Discussion was held regarding potential agreement regulations for bus services, if needed.

Discussion was held on what other surrounding cities have used for bus services within their city limits besides CapMetro.

Discussion was held regarding current routes that are being utilized.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Weir, to direct the Administration to gather additional alternate public transportation service options for future discussion and action in November 2022.

There was no further discussion.

Motion to approve carried 6-0

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 8:26 p.m. on Wednesday, October 19, 2022, 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 Consultation with Attorney and Section 1.05, Texas Disciplinary Rules of Professional Conduct - Regarding Interlocal Agreement for Fire Code Enforcement Services; 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 the EntradaGlen PID; and Section 551.072, Texas Government Code to deliberate the value and conveyance of the City's interest in real property at 8:26 p.m. on Wednesday, October 19, 2022.*

The Executive Session was adjourned at 10:18 p.m. on Wednesday, October 19, 2022

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 10:18 p.m. on Wednesday, October 19, 2022.

Mayor Harvey opened the floor for action to be taken on the items discussed in the Executive Session.

8. Consideration, discussion and possible action on an Interlocal Agreement for Fire Code Enforcement Services.

The city staff recommended that the City Council approve the Interlocal Agreement for Fire Code Enforcement Services between Travis County Emergency Service District No. 12 and the City of Manor.

MOTION: Upon a motion made by Council Member Wallace and seconded by Mayor Pro Tem Emily Hill to approve the Interlocal Agreement for Fire Code Enforcement Services between Travis County Emergency Service District No. 12 and the City of Manor.

There was no further discussion.

Motion to approve carried 4-2 (Council Member Deja Hill and Council Member Amezcua voted against)

9. Consideration, discussion and possible action on an Interlocal Agreement for Enforcement of Travis County Fire Code Between Travis County and City of Manor.

No Action Taken

10. Consideration, discussion and possible action on an Interlocal Agreement Between Travis County and the City of Manor for Enforcement of Travis County Fire Code for Work in Progress.

No Action Taken

11. Consideration, discussion and possible action on an Ordinance of the City of Manor, Texas, Authorizing the Designation of Fire Marshal, making findings of fact, providing a savings clause, providing an effective date and providing for certain related matters.

The city staff recommended that the City Council approve Ordinance No. 676 designating the Fire Marshal for the City of Manor.

Assistant City Attorney Rivera advised that the City Council designate the Fire Marshal for City of Manor based on the entity that was chosen and approved for Item No. 8.

Ordinance No. 676: An Ordinance of The City of Manor, Texas, Authorizing the Designation of Fire Marshal; Making Findings of Fact; Providing a Savings Clause; Providing an Effective Date; and Providing for Certain Related Matters.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua, to approve ordinance No. 676 designating the Fire Marshal for the City of Manor.

There was no further discussion.

Motion to approve carried 6-0

12. Consideration, discussion and possible action on the First Amendment to the Amended and Restated Agreement Regarding the Dissolution of the EntradaGlen Public Improvement District.

Jordan and Pete Dwyer with Dwyer Realty Companies submitted a speaker card in support of this item; however, they did not wish to speak but were available to answer any questions posed by the City Council.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua, to approved the agreement as presented providing a 30 day extension to the dissolution provision which currently is 10/31/22 to 11/30/22 so that the parties can come to a final agreement to be presented to City Council at the November 16, 2022, council meeting

There was no further discussion.

Motion to approve carried 6-0

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 10:18 p.m. on Wednesday, October 19, 2022.

These minutes approved by the Manor City Council on the 2nd day of November 2022. (*Audio recording archived*)

APPROVED:

Dr. Christopher Harvey
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Draft Minutes