



**CITY COUNCIL
REGULAR SESSION MINUTES
APRIL 20, 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
Vacant, Place 6

CITY STAFF:

Scott Dunlop, Interim City Manager
Lluvia T. Almaraz, City Secretary
Ryan Phipps, Chief of Police
Lydia Collins, Director of Finance
Debbie Charbonneau, Heritage and Tourism Manager
Tracey Vasquez, HR Manager
Michael Tuley, Director of Public Works
Sarah Friberg, Court Administrator
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 7:04 p.m. on Wednesday, April 20, 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 Friday, April 22, 2022, as “*Earth Day*”

Mayor Harvey read and presented proclamation to City Secretary Almaraz. Ms. Almaraz invited everyone to attend the City’s Free Shred Day Event on Saturday, April 23, 2022, from 9:00 a.m. until 1:00 p.m. at Manor City Hall.

PUBLIC COMMENTS

Robert Battaile, 502 E. Eggleston Street, Manor, Texas spoke regarding a Candidate Forum request and illegal signage at the ShadowGlen Park Trail.

No one else appeared at this time.

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 7:12 p.m. on Wednesday, April 20, 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 551.074 (Personnel Matters) to interview and consider the appointment of an applicant to the position of City Manager; and 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 Butler FM 973/Hwy 290 mixed use development* at 7:12 p.m. on Wednesday, April 20, 2022.

The Executive Session was adjourned at 7:35 p.m. on Wednesday, April 20, 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 7:35 p.m. on Wednesday, April 20, 2022.

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

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua to approve the appointment of Scott Moore to the position of City Manager and authorize the Mayor to execute a contract with Scott Moore in accordance with the terms discussed in executive session with an effective date of May 2, 2022.

At the direction of Mayor Harvey, HR Manager Vasquez introduced new City Manager Scott Moore.

Mr. Moore introduced himself and his family and thanked City Council for the new opportunity.

There was no further discussion.

Motion to approve carried 6-0

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua to direct city staff to negotiate a development agreement and a 380 agreement; and request an economic development analysis for presentation to City Council by May 18, 2022, but no later than June 1, 2022, for the Butler Project.

There was no further discussion.

Motion to approve carried 6-0

Interim City Manager Dunlop stated that due to the power outage at the P&Z Committee meeting on April 13, 2022, Public Hearings 1- 9 were being postponed until the May 18, 2022, Regular Council Meeting.

Mayor Harvey read the following Public Hearings.

PUBLIC HEARINGS

1. **Conduct a public hearing on an ordinance rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB).** *Applicant: Wenkai Chen; Owner: Wenkai Chen*
2. **Conduct a public hearing on an ordinance rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2).** *Applicant: Duque States, LLC; Owner: Duque States, LLC*
3. **Conduct a public hearing on an ordinance 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH).** *Applicant: BGE, Inc.; Owner: Lane Ave Development, LLC*

4. **Conduct a public hearing on an ordinance rezoning 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH).**
Applicant: SEC Planning, LLC; Owner: Manor 290 OZ Real Estate, LP
5. **Conduct a public hearing on an ordinance rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Street, Manor, TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).** *Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Dwyer Realty Companies*
6. **Conduct a public hearing on an ordinance rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).**
Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Edward Butler
7. **Conduct a public hearing on a Specific Use Permit Application for 3.40 acres, more or less, and being located at 13801 N. FM 973, Manor, TX to permit a Gas Station Use.** *Applicant: JAB Engineering, LLC; Owner: Platinum 973, LLC*
8. **Conduct a public hearing on a Concept Plan for the KB Homes Subdivision, three hundred eighty (380) lots on 136.92 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX.** *Applicant: Carlson, Brigrance & Doering, Inc.; Owner: KB Home Lone Star, Inc.*
9. **Conduct a public hearing on a Zoning Ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.**

Richard Baker, 306 E. Townes, Manor, Texas, submitted a speaker card in opposition to Item No. 3 but did not speak.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to postpone Agenda Items 1-9 until the May 18, 2022, Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 6-0

10. Conduct a public hearing on an ordinance annexing 11.408 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the city, at the request of the property owner; approving an agreement for the provision of services for the annexed area and providing for other related matters.

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

Mayor Harvey opened the public hearing.

Robert Battaile, 502 E. Eggleston Street, Unit A, Manor, Texas, submitted a speaker card; however, he did not wish to speak.

Interim City Manager Dunlop discussed the proposed annexation.

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

There was no further discussion.

Motion to close carried 6-0

At the request of Mayor Harvey, Item No. 12 was pulled from Consent Agenda and considered separately.

CONSENT AGENDA

11. Consideration, discussion, and possible action to approve the City Council Minutes.

- **April 6, 2022, City Council Workshop – Charter Review; and**
- **April 6, 2022, City Council Regular Meeting**

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua to approve the City Council Minutes of the April 6, 2022, City Council Workshop – Charter Review; and April 6, 2022, City Council Regular Meeting.

There was no further discussion.

Motion to approve carried 6-0

REGULAR AGENDA

12. Consideration, discussion, and possible action on the acceptance of the March 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**

Heritage and Tourism Manager Charbonneau reminded everyone of the city sponsored Golf Tournament event at ShadowGlen Golf Course on Thursday, April 21, 2022, and gave a brief update on Manor Palooza. She gave an update on the financial impact for local businesses regarding the Spring Fling Shop Local Campaign.

MOTION: Upon a motion made by Mayor Pro Tem Hill and seconded by Council Member Wallace, to approve and accept the March 2022 Departmental Reports.

There was no further discussion.

Motion to approve carried 6-0

Interim City Manager Dunlop stated that due to the power outage at the P&Z Committee meeting on April 13, 2022, Agenda Items 13-21 were being postponed until the May 18, 2022, Regular Council Meeting.

Mayor Harvey read the following agenda items.

13. Consideration, discussion, and possible action on an ordinance rezoning 0.198 acres, more or less, Lot 5 and West ½ of Lot 4, Block 9, A.E. Lane Addition, and being located at 109 West Lane Avenue, Manor, TX from Single Family Suburban (SF-1) to Neighborhood Business (NB). Applicant: Wenkai Chen; Owner: Wenkai Chen

14. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 10.945 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract No. 154, and being located at 15001 US Hwy 290 E, Manor, TX from Agricultural (A) to Medium Commercial (C-2). Applicant: Duque States, LLC; Owner: Duque States, LLC

15. **First Reading:** Consideration, discussion, and possible action on an ordinance rezoning 6.533 acres, more or less, Town of Manor, Block 15, Lots 6-10, Block 17, Lots 1-10, Block 18, Lots 1-10, Block 19, Lots 1-10, Block 20, Lots 1-5, Block 74, Lots 1-5, and 0.397 acres out of the James Manor Survey No. 40, Abstract 546, and being located near the intersection of N. LaGrange Street and East Lane Avenue, Manor, TX from Manufactured Home (MH-1), Light Commercial (C-1), and Single Family Suburban (SF-1) to Townhome (TH). *Applicant: BGE, Inc.; Owner: Lane Ave Development, LLC*
16. **First Reading:** Consideration, discussion, and possible action on an ordinance rezoning 86.05 acres, more or less, out of the AC Caldwell Survey No. 52, Abstract 154, and being located at 13301 US Hwy 290 E, Manor, TX from Single Family Suburban (SF-1) to Medium Commercial (C-2), Multi-Family 25 (MF-2), and Townhome (TH).
Applicant: SEC Planning, LLC; Owner: Manor 290 OZ Real Estate, LP
17. **First Reading:** Consideration, discussion, and possible action on an ordinance rezoning 13.224 acres, more or less, out of the James Manor Survey No. 40, Abstract No. 546, and being located near the intersection of East Parsons Street and Bastrop Steet, Manor TX from Light Commercial (C-1) to Multi-Family 25 (MF-2). *Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Dwyer Realty Companies*
18. **First Reading:** Consideration, discussion, and possible action on an ordinance rezoning 26.30 acres, more or less, out of the Greenbury Gates Survey No. 63 and James Manor Survey No. 40, and being located near the intersection of N. FM 973 and Shadowglen Trace, Manor, TX from Medium Commercial (C-2) to Multi-Family 25 (MF-2).
Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Edward Butler
19. Consideration, discussion, and possible action a Specific Use Permit Application for 3.40 acres, more or less, and being located at 13801 N. FM 973, Manor, TX to permit a Gas Station Use. *Applicant: JAB Engineering, LLC; Owner: Platinum 973, LLC*
20. Consideration, discussion, and possible action on a Concept Plan for the KB Homes Subdivision, three hundred eighty (380) lots on 136.92 acres more or less, and being located near the intersection of N. FM 973 and Johnson Road, Manor, TX.
Applicant: Carlson, Brigrance & Doering, Inc.; Owner: KB Home Lone Star, Inc.
21. **First Reading:** Consideration, discussion, and possible action on a Zoning Ordinance Amendment to amend the definitions, residential land use conditions, general development regulations for Multi-Family districts, non-residential uses in non-residential and mixed-use zoning districts; non-residential and mixed-use land use conditions, non-residential and mixed-use development standards, Single Family Attached and Multi-Family and mixed-use architectural standards, and nonconforming structures.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Moreno, to postpone Agenda Items 13-21 until the May 18, 2022, Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 6-0

22. First Reading: Consideration, discussion, and possible action on an ordinance annexing 11.408 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the city, at the request of the property owner; approving an agreement for the provision of services for the annexed area and providing for other related matters.

The city staff recommended that the City Council approve the first reading of an ordinance annexing 11.408 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the city, at the request of the property owner; approving an agreement for the provision of services for the annexed area and providing for other related matters.

Interim City Manager Dunlop discussed the proposed annexation.

Ordinance: An Ordinance of the City of Manor, Texas Annexing 11.408 Acres of Land, More or Less, Located in Travis County, Including the Abutting Streets, Roadways and Rights-of-Way Into the Corporate Limits of the City, at the Request of The Property Owner; Approving an Agreement for the Provision of Services for the Annexed Area; Making Findings of Fact; Providing a Severability Clause and an Effective Date; and Providing for Open Meetings and Other Related Matters and Effective Date Clauses; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Mayor Pro Tem Hill, to approve the first reading of an ordinance annexing 11.408 acres of land, more or less, located in Travis County, including the abutting streets, roadways, and rights-of-way into the corporate limits of the city, at the request of the property owner; approving an agreement for the provision of services for the annexed area and providing for other related matters.

There was no further discussion.

Motion to approve carried 6-0

At the direction of city staff, Mayor Harvey pulled Item 23, no action was taken.

~~23. Consideration, discussion, and possible action on the Development Agreement establishing development standards for Monarch Ranch Development.~~

24. Consideration, discussion, and possible action on an award for Grant Writing Services Contract.

The city staff recommended that the City Council award the bid to Grant Development Services and authorize the Interim City Manager to execute contract after legal review.

Director of Finance Collins discussed the proposals for grant writing services.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to award the bid to Grant Development Services and authorize the Interim City Manager to execute contract after legal review.

There was no further discussion.

Motion to approve carried 6-0

25. Consideration, discussion, and possible action on an award of a lease contract for the funding of City vehicles.

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

Director of Finance Collins discussed the proposals for the funding of city vehicles.

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

There was no further discussion.

Motion to approve carried 6-0

26. Consideration, discussion, and possible action on an ordinance approving the Proposed Amended Budget for Fiscal Year 2021-2022.

The city staff recommended that the City Council approve Ordinance No. 643 the proposed amended budget for Fiscal Year 2021-2022.

Director of Finance Collins discussed the proposed amended budget.

Interim City Manager Dunlop highlighted the following budget items:

- Needs Assessment
- Street repairs and maintenance
- Street contract repairs
- I&I Study

- Drainage Fee Study
- Park Improvements
- IT Software
- Economic Development Subscriptions
- City Council Travel Expenses

Ordinance No. 643: An Ordinance of the City of Manor, Texas, Adopting an Amended Annual Budget for the Ensuing Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022; Appropriating the Various Amounts Thereof, and Repealing all Ordinances or Parts of Ordinances in Conflict Therewith; and Providing for an Effective Date.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve Ordinance No. 643 the proposed amended budget for fiscal year 2021-22.

There was no further discussion.

Motion to approve carried 6-0

27. Consideration, discussion, and possible action on an ordinance for the purpose of amending Rules of Procedure to Govern the Conduct of City Council Meetings; Amending Provisions Governing Public Comments Provided to Committees; Removing Committees Established by Ordinance; Amending Section 1.04.002 of the Manor Code of Ordinances to Refer to the New Rules of Procedure; and Providing for Related Matters.

The city staff recommended that the City Council approve Ordinance No. 644 for the purpose of amending Rules of Procedure to Govern the conduct of City Council Meetings; Amending Provisions Governing Public Comments Provided to Committees; Removing Committees Established by Ordinance; Amending Section 1.04.002 of the Manor Code of Ordinances to Refer to the new Rules of Procedures; and Providing for Related Matters.

City Secretary Almaraz discussed the proposed amendments to the City Council Rules of Procedure.

Ordinance No. 644: An Ordinance of The City of Manor, Texas, for the Purpose of Amending Rules of Procedure to Govern the Conduct of City Council Meetings; Amending Provisions Governing Public Comments Provided to Committees; Removing Committees Established by Ordinance; Amending Section 1.04.002 of the Manor Code of Ordinances to Refer to the New Rules of Procedure; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Amezcua, to approve Ordinance No. 644 for the purpose of amending Rules of Procedure to Govern the conduct of City Council Meetings; Amending Provisions Governing Public Comments Provided to Committees; Removing Committees Established by Ordinance; Amending Section 1.04.002 of the Manor Code of Ordinances to Refer to the new Rules of Procedures; and Providing for Related Matters.

There was no further discussion.

Motion to approve carried 6-0

28. Consideration, discussion, and possible action on an ordinance Adding Section 1.05.001 to the Code of Ordinances to Establish a Procedure for Public Comments applicable to Advisory Committees; and Providing for Related Matters.

The city staff recommended that the City Council approve Ordinance No. 645 Adding Section 1.05.001 to the Code of Ordinances to Establish a Procedure for Public Comments applicable to Advisory Committees; and Providing for Related Matters.

City Secretary Almaraz discussed the proposed ordinance adding the procedures for Public Comments to Advisory Committees.

Ordinance No. 645: An Ordinance of The City of Manor, Texas, Adding Section 1.05.001 to the Code of Ordinances to Establish a Procedure for Public Comments Applicable to Advisory Committees; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to approve Ordinance No. 645 Adding Section 1.05.001 to the Code of Ordinances to Establish a Procedure for Public Comments applicable to Advisory Committees; and Providing for Related Matters.

There was no further discussion.

Motion to approve carried 6-0

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 8:28 p.m. on Wednesday, April 20, 2022.

These minutes approved by the Manor City Council on the 4th day of May 2022. *(Audio recording archived)*

APPROVED:

Dr. Christopher Harvey
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Draft Minutes