



**CITY COUNCIL
REGULAR SESSION MINUTES
JUNE 15, 2022**

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
Vacant, Place 6

CITY STAFF:

Scott Moore, City Manager
Lluvia T. Almaraz, City Secretary
Scott Dunlop, Development Services Director
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
Phil Green, IT Director
Sarah Friberg, Court Administrator
Veronica Rivera, Assistant City Attorney
Paige Saenz, 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 7:10 p.m. on Wednesday, June 15, 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.

PROCLAMATION

A. Declaring Sunday, June 19, 2022, as “Juneteenth Day”

Mayor Harvey read and presented proclamation to City Manager Moore.

PUBLIC COMMENTS

Thomas Bolt, 11613 Prince Phillip Way, Manor, Texas, spoke in regard to Manor Arts Council and new projected projects for Manor Art Park and Jennie Lane Park.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas spoke in regard to Plazas and the Finance Department Report.

No one else appeared at this time.

PUBLIC HEARINGS

- 1. Conduct a Public Hearing on an ordinance annexing 62.84 acres, 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.**

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill, to postpone item to the July 20, 2022, Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 5-0

- 2. Conduct a Public Hearing on an ordinance rezoning 62.84 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract No. 154, and being located near the intersection of US Hwy 290 and Old Kimbro Road, Manor, TX to Townhome (TH) and Medium Commercial (C-2).**

Applicant: Kimley-Horn and Associates

Owner: Millcreek Residential

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Wallace, to postpone item to the July 20, 2022, Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 5-0

3. Conduct a Public Hearing on a revised Concept Plan for the Butler - Manor Subdivision, seventeen (17) lots on 95.16 acres more or less, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX.

Applicant: LJA Engineering

Owner: Butler Family Partnership, Ltd.

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

Mayor Harvey opened the public hearing.

Wilmer Roberts, 13804 Tercel Trace, Manor, Texas, submitted a speaker card in support of this item. Mr. Roberts expressed his concerns regarding traffic and safety with the new proposed development.

Robert Battaile, 502 E. Eggleston, St., Manor, Texas, submitted a speaker card in opposition to this item. He expressed his concerns of the development not having a plaza nor park amenities.

Scott Dunlop, Development Services Director discussed the process of a concept plan and a proposed development.

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 5-0

At the direction of Mayor Harvey Item No. 5, Item No. 6 and Item No. 7 were pulled from the consent agenda and considered separately.

CONSENT AGENDA

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

- **June 1, 2022, City Council Workshop – Charter Review; and**
- **June 1, 2022, City Council Regular Meeting**

8. Consideration, discussion, and possible action on accepting the Fiscal Year 2020-2021 Financial Audit Report.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill, to approve the consent agenda Item No. 4 and Item No. 8.

There was no further discussion.

Motion to approve carried 5-0

REGULAR AGENDA

5. Consideration, discussion, and possible action on the acceptance of the May 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**

Scott Jones, Economic Development Director gave a summary briefing of his summary report.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Moreno to approve and accept the May 2022 Departmental Reports.

There was no further discussion.

Motion to approve carried 6-0

Mayor Harvey stated that Item No. 6 will be conducted after Item No. 9 and Item No. 7 will be conducted after Item No. 12.

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 7:44 p.m. on Wednesday, June 15, 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 - *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; Section 551.071, Texas Government Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding Development Agreement with Building Hope; and Section 551.071, Texas Government*

Code and Section 1.05, Texas Disciplinary Rules of Professional Conduct (Consultation with Attorney) to consult with legal counsel regarding Capital Metropolitan Transportation Authority at 7:44 p.m. on Wednesday, June 15, 2022.

The Executive Session was adjourned at 10:30 p.m. on Wednesday, June 15, 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 10:30 p.m. on Wednesday, June 15, 2022.

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

There was no action taken.

REGULAR AGENDA

9. Consideration, discussion, and possible action on the Development Agreement (Butler/ East Hwy 290 & 13100 N. FM 973).

The city staff recommended that the City Council approve the Development Agreement (Butler/East Hwy 290 & 13100 N. FM 973).

Veronica Rivera, Assistant City Attorney discussed the revised Development Agreement regarding structures.

Robert Battaile, 502 E. Eggleston, St., Manor, Texas, submitted a speaker card in opposition to this item. He expressed his concerns of the development not having a plaza nor a park.

Matt Harris, P.O. Box 9190, Austin, Texas, submitted a speaker card in support of this item. Mr. Harris discussed the attached Power Point presentation and gave a site summary of the development.

The discussion was held regarding the beautification of the development.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLP submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by the City Council.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill, to approve the Development Agreement (Butler/East Hwy 290 & 13100 N. FM 973).

There was no further discussion.

Motion to approve carried 5-0

- 6. Second and Final 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**

The city staff recommended that the City Council approve the second and final reading of Ordinance No. 656 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).

Scott Dunlop, Development Services Director discussed the proposed rezoning request.

Mark Johnson, 12750 Merit Dr.#1175, Dallas, Texas, submitted a speaker card in support of this item; however, he did not wish to speak but was available to answer any questions posed by the City Council.

Katherine Niceta with Metcalfe Wolff, Stuart & Williams, LLP, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer questions posed by the City Council.

Ordinance No. 656: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Medium Commercial (C-2) to Multi-Family 25 (MF-2); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve the second and final reading of Ordinance No. 656 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).

There was no further discussion.

Motion to approve carried 5-0

- 10. Consideration, discussion, and possible action on the Chapter 380 Grant Agreement Butler Commercial Project.**

The city staff recommended that the City Council approve the Chapter 380 Grant Agreement Butler Commercial Project.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLP submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by the City Council.

Matt Harris, P.O. Box 9190, Austin, Texas, submitted a speaker card in support of this item; however, he did not wish to speak but was available to answer any questions posed by the City Council.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill, to approve the Chapter 380 Grant Agreement Butler Commercial Project.

There was no further discussion.

Motion to approve carried 5-0

11. Consideration, discussion and possible action on a revised Concept Plan for the Butler - Manor Subdivision, seventeen (17) lots on 95.16 acres more or less, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX.

Applicant: LJA Engineering; Owner: Butler Family Partnership, Ltd.

The city staff recommended that the City Council approve a revised Concept Plan for the Butler - Manor Subdivision, seventeen (17) lots on 95.16 acres more or less, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX.

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill, to approve a revised Concept Plan for the Butler - Manor Subdivision, seventeen (17) lots on 95.16 acres more or less, and being located near the intersection of US Hwy 290 and N. FM 973, Manor, TX.

There was no further discussion.

Motion to approve carried 5-0

12. Consideration, discussion, and possible action on the First Amendment to Development Agreement (EntradaGlen).

The city staff recommended that the City Council approve the First Amendment to Development Agreement (EntradaGlen).

Veronica Rivera, Assistant City Attorney discussed the proposed amendment.

Robert Battaile, 502 E. Eggleston, St., Manor, Texas, submitted a speaker card in opposition to this item. He inquired if any public parks were being proposed and asked the no. of housing units that were being developed.

Talley Williams with Metcalfe Wolff Stuart & Williams, LLP submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer any questions posed by the City Council.

Scott Dunlop, Development Services Director discussed the proposed development regulations.

Discussion was held regarding the trash sites regulations for the development.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Moreno, to approve the First Amendment to Development Agreement (EntradaGlen).

There was no further discussion.

Motion to approve carried 5-0

7. **Second and Final 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 Street, Manor, TX from Light Commercial (C-1) to Multi-Family 25 (MF-2).**
Applicant: Metcalfe, Wolff, Stuart & Williams, LLP; Owner: Dwyer Realty Companies

The city staff recommended that the City Council approve the second and final reading of Ordinance No. 655 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).

Robert Battaile, 502 E. Eggleston, St., Manor, Texas, submitted a speaker card in opposition to this item. He inquired if the development was in the Manor's historic district and if any public parks were being proposed in the development.

Katherine Niceta with Metcalfe Wolff, Stuart & Williams, LLP, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer questions posed by the City Council.

Sushil Mehta with DD&B Construction Inc., submitted a speaker card in support of this item; however, he did not wish to speak but was available to answer questions posed by the City Council.

Scott Dunlop, Development Services Director discussed the proposed rezoning request.

Ordinance No. 655: An Ordinance of The City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land From Light Commercial (C-1) to Multi-Family 25 (MF-2); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve the second and final reading of Ordinance No. 655 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).

Discussion was held regarding the drainage concerns in the area.

There was no further discussion.

Motion to approve carried 4-1 (Council Member Weir voted against)

13. Consideration, discussion, and possible action on the Third Amendment to Development Agreement (Manor Heights).

The city staff recommended that the City Council approve the Third Amendment to Development Agreement (Manor Heights).

Talley Williams with Metcalfe Wolff, Stuart & Williams, LLP, submitted a speaker card in support of this item; however, she did not wish to speak but was available to answer questions posed by the City Council.

Robert Battaile, 502 E. Eggleston, St., Manor, Texas, submitted a speaker card in opposition to this item. He discussed his concerns with the proposed park trails of the development.

Mayor Harvey discussed the comprehensive plan regarding parkland for future developments.

Scott Dunlop, Development Services Director discussed the proposed development.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir, to approve the Third Amendment to Development Agreement (Manor Heights).

There was no further discussion.

Motion to approve carried 5-0

14. Consideration, discussion, and possible action on Amendment One to the Interlocal Agreement by and Between Capital Metropolitan Transportation Authority and City of Manor, Texas for Build Central Texas.

The city staff recommended that the City Council approve as to form of amendment one to the Interlocal Agreement by and Between Capital Metropolitan Transportation Authority and City of Manor, Texas for Build Central Texas and direct the Mayor to execute the agreement once finalized.

MOTION: Upon a motion made by Council Member Moreno to approve as to form of amendment one to the Interlocal Agreement by and Between Capital Metropolitan Transportation Authority and City of Manor, Texas for Build Central Texas and direct the Mayor to execute the agreement once finalized.

Paige Saenz, City Attorney advised if council approved amendment as presented, they were accepting the allocating funding for Project Green line of \$800,000. She stated if council did not agree with amount, council would motion to remove the allocation funding language from the amendment.

Council Member Moreno amended his motion to include the removal of the language allocating funding for the Project Green Line.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve as to form of amendment one to the Interlocal Agreement by and Between Capital Metropolitan Transportation Authority and City of Manor, Texas for Build Central Texas and direct the Mayor to execute the agreement once finalized and remove the language allocating funding for the Project Green Line.

There was no further discussion.

Motion to approve carried 5-0

At the request of Mayor Harvey Agenda Item No. 15 and Item No. 16 were conducted in one motion.

15. First Reading: Consideration, discussion and possible action on an ordinance annexing 62.84 acres, , 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.

16. First Reading: Consideration, discussion, and possible action on an ordinance rezoning 62.84 acres, more or less, out of the A.C. Caldwell Survey No. 52, Abstract No. 154, and being located near the intersection of US Hwy 290 and Old Kimbro Road, Manor, TX to Townhome (TH) and Medium Commercial (C-2). *Applicant: Kimley-Horn and Associates; Owner: Millcreek Residential*

MOTION: Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Hill, to postpone Item No. 15 and Item No. 16 to the July 20, 2022, Regular Council Meeting.

There was no further discussion.

Motion to postpone carried 5-0

17. Consideration, discussion, and possible action on a Water Service Area Transfer Agreement between the City of Manor, Texas and Manville Water Supply Corporation for a 13.189 acre tract.

The city staff recommended that the City Council approve the Water Service Area Transfer Agreement between the City of Manor, Texas and Manville Water Supply Corporation for a 13.189 acre tract and authorize the Mayor to execute the agreement.

MOTION: Upon a motion made by Council Member Moreno to approve the Water Service Area Transfer Agreement between the City of Manor, Texas and Manville Water Supply Corporation for a 13.189 acre tract and authorize the City Manager to execute the agreement.

Veronica Rivera, Assistant City Attorney clarified that the Mayor needed to sign agreement instead of City Manager, she requested for a friendly amendment to the motion.

Council Member Moreno amended his motion to authorize the Mayor to sign agreement.

MOTION: Upon a motion made by Council Member Moreno and seconded by Council Member Wallace, to approve the Water Service Area Transfer Agreement between the City of Manor, Texas and Manville Water Supply Corporation for a 13.189 acre tract and authorize the Mayor to execute the agreement.

There was no further discussion.

Motion to approve carried 5-0

18. Consideration, discussion, and possible action on the Compensation Consulting Firm regarding a PayScale study.

The city staff recommended that the City Council approve a Compensation Consulting Firm regarding a PayScale study.

Tracey Vasquez, HR Manager discussed the proposed consulting firms.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Weir, to approve a Compensation Consulting Firm regarding a PayScale study and award to McGrath Human Resources Group.

There was no further discussion.

Motion to approve carried 5-0

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 10:51 p.m. on Wednesday, June 15, 2022.

These minutes approved by the Manor City Council on the 6th day of July 2022.

APPROVED:

Dr. Christopher Harvey
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary

Butler-Manor Project located at E. US 290
and 13100 N. FM 973



Closer Equipment Co. Inc SunCrest Farm

The Whiskey Girls Saloon

KB Home Presidential Meadows

Lexington St

SHADOWGLEN

Manor ISD

Multifamily

Commercial

Shadow Glen Pkwy

GREENBURY

Presidential Meadow Elem School

Club

FastMed Urgent Care

Panda Express

Whataburger

Texaco Manor

Red Roof Inn & Suites Austin East - Manor

Walmart Supercenter

The Grassdale at Manor Apartments

United States Postal Service

St Joseph Catholic Church

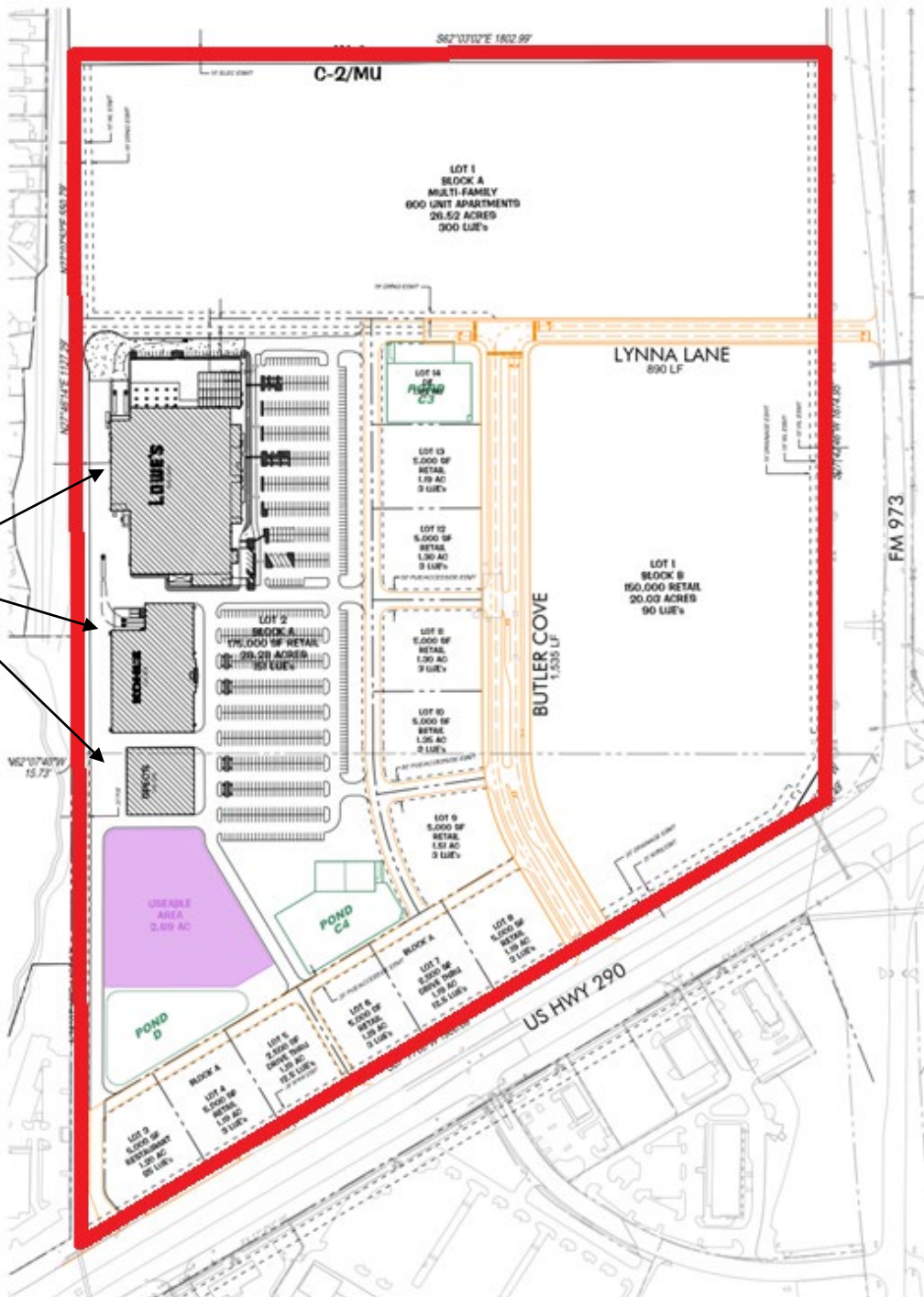
Timmermann Park

NEW KATY

BELL FARMS

Old Hwy 20

PROPOSED



Site Summary

- ▶ ±95 acres
- ▶ ± 69 acres total commercial
- ▶ ± 26.30 acres residential
- ▶ Estimated ± 400,000 square feet of retail space
- ▶ Potential tenants/occupants: Kohl's, Home Depot, grocery store, various service/retail tenants (including restaurants)

Butler Family

- ▶ Butler Family has been in Central Texas for over 75 years.
- ▶ Mr. Butler (former Mayor of Austin) owned a number of car dealerships over the years.
- ▶ Owned KVET/KASE until it was sold to Clear Channel in 1998.
- ▶ Operates Capitol Wright Distributing – one of the largest beverage distributorships in the country, with over 5,000 retail customers in 14 counties.
- ▶ Active Real Estate Investor. Projects include:
 - Avery Ranch (5,000 home subdivision)
 - 1460 and Hwy 79 (HEB anchored retail center in Round Rock)
 - Lakeline Project (HEB anchored retail center, 400 apartments, and several acres of retail)
 - 2010 E. 6th (115K sq. ft office building in East Austin)
 - Current projects include over 2,000 residential lots and over 1,000 condominium units