



**CITY COUNCIL
REGULAR SESSION MINUTES
DECEMBER 16, 2020
Via Telephone/Video Conference
(Zoom Meeting)**

The meeting was live streamed on Facebook Live beginning at 7:00 p.m.
<https://www.facebook.com/cityofmanor/>

Pursuant to Governor Greg Abbott's temporary suspension of various provisions of the Texas Open Meetings Act to allow for telephonic or videoconference meetings of governmental bodies that are accessible to the public in an effort to reduce in person meetings that assemble large groups of people the City Council meeting scheduled for Wednesday, December 16th, was only open to the public via remote access.

The following instructions were provided to the general public.

Instructions for Public Speaking:

- Members of the public that wish to speak during public comments, public hearing or an agenda item will need to register in advance by visiting www.cityofmanor.org where a registration link will be posted on the calendar entry for each public meeting. You will register by filling in the speaker card available for that specific meeting and submitting it to publiccomments@cityofmanor.org. Once registered, instructions will be emailed to you on how to join the videoconference by calling in. Your Speaker Card must be received two (2) hours prior to scheduled meeting.

Upon receiving instructions to join zoom meeting the following rules will apply:

- All speakers must address their comments to the Mayor rather than to individual Council Members or city staff. Speakers should speak clearly into their device and state their name and address prior to beginning their remarks. Speakers will be allowed three (3) minutes for testimony. Speakers making personal, impertinent, profane or slanderous remarks may be removed from the meeting.

Mayor Wallace Jr. advised that all votes would be conducted by a Roll Call Vote, meaning each City Council Member would be called on separately to cast their vote.

PRESENT VIA ZOOM:

Dr. Larry Wallace Jr., Mayor

COUNCIL MEMBERS:

Dr. Christopher Harvey, Mayor Pro Tem, Place 3
Emily Hill, Place 1 (joined zoom meeting at 7:26 p.m.)
Anne Weir, Place 2
Sonia Wallace, Place 4
Deja Hill, Place 5
Gene Kruppa, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia T. Almaraz, City Secretary
Ryan Phipps, Chief of Police
Lydia Collins, Director of Finance
Debbie Charbonneau, Heritage and Tourism Manager
Scott Dunlop, Assistant Development Services Director
Heath Ferguson, IT Manager
Frank T. Phelan, P.E., City Engineer
Paige Saenz, City Attorney
Ryan Smith, Fire Chief – Fire Marshal Travis County ESD No. 12

REGULAR SESSION – 7:00 P.M.

With a quorum of the Council Members present via video/telephone conference, the regular session of the Manor City Council was called to order by Mayor Wallace Jr. at 7:00 p.m. on Wednesday, December 16, 2020.

PLEDGE OF ALLEGIANCE

At the direction of Mayor Wallace Jr., Council Member Deja Hill led the Pledge of Allegiance.

PUBLIC COMMENTS

Sam Samaripa, 401 N. Bastrop Street, Manor, Texas, spoke before City Council via zoom regarding the Code of Ordinance regulations for fences and wall standards. Mr. Samaripa is requesting clarification of the ordinance to proceed with a variance request if needed.

There were no additional public comments received prior to the meeting.

REPORTS

Reports about item of community interest on which no action was taken.

A. Healthcare Committee/Commission

Mayor Wallace discussed the proposed Healthcare Committee/Commission.

Mayor Wallace opened the floor for discussion.

The discussion was held regarding the collaboration with American Health Association for the elderly.

Council Member Weir suggested for this to become a committee first and gradually turn into a Commission. She stated she would also be interested in working with the committee.

The discussion was held regarding community committees within the city regarding COVID.

The discussion was held regarding grants.

Mayor Pro Tem Dr. Harvey stated he agreed with the formation of a committee but also asked to stay mindful of the comprehensive plan.

The discussion was held regarding the timeline for the creation of the committee.

Council Member Wallace agreed with the formation of the committee but is also recommending additional testing centers within the community.

The discussion was held regarding Community Care services.

PUBLIC HEARINGS

- 1. Conduct a public hearing on an ordinance amending Chapter 14, Zoning, of the Manor Code of Ordinances of the City of Manor, Texas by providing for the amendment of definitions; residential land uses, and land use conditions; modifying general development regulations for two-family, townhome, and multi-family districts; amending non-residential and mixed-use districts land uses, amending non-residential and mixed-use districts conditions; amending development standards for outdoor storage and display, single-family detached and two-family; and amending planned unit development procedures.**

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

Mayor Wallace Jr. opened the public hearing.

At the direction of City Manager Bolt, Assistant Development Services Director Dunlop discussed the proposed zoning changes to the ordinance.

The discussion was held regarding community involvement.

The discussion was held regarding changes to the outdoor storage and display regulations.

The discussion was held regarding zoning regulations for Community Gardens.

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

There was no further discussion.

Motion to close carried 7-0

CONSENT AGENDA

- 2. Consideration, discussion, and possible action to approve the City Council Minutes.**
 - **December 2, 2020, City Council Regular Meeting; and**
 - **December 5, 2020, City Council Called Special Session - Retreat**

- 3. Consideration, discussion, and possible action on the acceptance of the November 2020 Departmental Reports.**
 - **Police – Ryan Phipps, Chief of Police**
 - **Development Services – Scott Dunlop, Asst. Dev. Services Director**
 - **Community Development – Debbie Charbonneau, Heritage and Tourism Manager**
 - **Municipal Court – Sarah Friberg, Court Clerk**
 - **Public Works – Michael Tuley, Director of Public Works**
 - **Finance – Lydia Collins, Director of Finance**

Council Member Kruppa inquired about the recruitment of veterans for the Police Department. Chief Phipps discussed the current procedures for recruiting and possibilities of adding programs to help veterans apply.

Council Member Kruppa inquired about any new annexations for the city. Assistant Development Services Director Dunlop explained the new state laws for voluntarily annexations. He discussed the pending annexations for the city for 2021.

The discussion was held regarding permit and fees for the Shadowglen Subdivision.

Mayor Wallace acknowledged city staff for their department presentations at the December 5, 2020, Council Retreat. He also acknowledged Public Works staff for continuing their education in the field.

Mayor Pro Tem Dr. Harvey highlighted the additional training for staff in the Police Department.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, to approve and adopt all items on the Consent Agenda.

There was no further discussion.

Motion to approve carried 7-0

REGULAR AGENDA

- 4. First Reading: Consideration, discussion, and possible action on an ordinance amending Chapter 14, Zoning, of the Manor Code of Ordinances of the City of Manor, Texas by providing for the amendment of definitions; residential land uses, and land use conditions; modifying general development regulations for two-family, townhome, and multi-family districts; amending non-residential and mixed-use districts land uses, amending non-residential and mixed-use districts conditions; amending development standards for outdoor storage and display, single-family detached and two-family; and amending planned unit development procedures.**

The City staff recommended that the City Council approve the first reading of an ordinance as set forth in the caption above.

Assistant Development Services Director Dunlop was available to address any questions posed by the City Council.

Ordinance: An Ordinance of The City of Manor, Texas, Amending Chapter 14, Zoning, of the Code of Ordinances of The City of Manor, Texas, by Providing for the Amendment of Definitions, Residential Land Uses, and Land Use Conditions; Modifying General Development Regulations for Two-Family, Townhome and Multi-Family Districts; Amending Non-Residential and Mixed-Use Districts Land Uses; Amending Non-Residential and Mixed-Use Districts Conditions; Amending Development Standards for Outdoor Storage and Display, Single Family Detached and Two-Family; Amending Planned Unit Development Procedures; Providing a Severability Clause, Providing Savings, Open Meetings and Effective Date Clauses; and Providing For Related Matters.

MOTION: Upon a motion made by Mayor Pro Tem Dr. Harvey and seconded by Council Member Wallace, to approve the first reading of an ordinance as set forth in the caption above.

There was no further discussion.

Motion to approve carried 7-0

5. Consideration, discussion, and possible action on a change order to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project.

The City staff recommended that the City Council approve Change Order No. 4 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project with Excel Construction Services, LLC in the amount of \$321,490.00

At the direction of City Manager Bolt, City Engineer Phelan discussed the change order to the construction contract for the Wilbarger Creek Wastewater Treatment Plant.

The discussion was held regarding the completion date for the project.

The discussion was held regarding the sludge processing system.

MOTION: Upon a motion made by Council Member Kruppa to approve Change Order No. 4 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project.

Council Member Kruppa amended his motion to include amount.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, to approve Change Order No. 4 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project with Excel Construction Services, LLC in the amount of \$321,490.00

There was no further discussion.

Motion to approve carried 7-0

6. Consideration, discussion, and possible action on a Statement of Work for Design, Bidding and Construction Phase Engineering Services to George Butlers Associates, Inc. for the Capital Improvements Plan (CIP) W-15 Water Line Improvements Project.

The City staff recommended that the City Council approve the Statement of Work No. 2 for the Engineering Design, Bidding and Construction phase services for the CIP W-15 Water Line Improvements Project to George Butler Associates, Inc.

At the direction of City Manager Bolt, City Engineer Phelan discussed the Statement of Work for the DIP W-15 Water Line Improvements Project.

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Wallace, to approve the Statement of Work No. 2 for the Engineering Design, Bidding and Construction phase services for the CIP W-15 Water Line Improvements Project to George Butler Associates, Inc.

There was no further discussion.

Motion to approve carried 7-0

7. Consideration, discussion, and possible action on the First Amendment to the Development Agreement Under Section 43.035, Texas Local Government Code with Jefferson Triangle Marine, LP.

The City staff recommended that the City Council approve the First Amendment to the Development Agreement Under Section 43.035, Texas Local Government Code with Jefferson Triangle Marine, LP and direct the Mayor and/or City Manager to execute the agreement and all necessary documents associated with the agreement.

At the direction of City Manager Bolt, City Engineer Phelan discussed the first amendment to the Development Agreement with Jefferson Triangle Marine, LP.

MOTION: Upon a motion made by Mayor Pro Tem Dr. Harvey and seconded by Council Member Emily Hill, to approve the First Amendment to the Development Agreement Under Section 43.035, Texas Local Government Code with Jefferson Triangle Marine, LP and direct the Mayor and/or City Manager to execute the agreement and all necessary documents associated with the agreement.

There was no further discussion.

Motion to approve carried 7-0

8. Consideration, discussion, and possible action a parkland fee-in-lieu for the Emerald Manor Apartments.

The City staff recommended that the City Council approve a parkland fee-in-lieu for the Emerald Manor Apartments of \$550 per dwelling unit.

At the direction of City Manager Bolt, Assistant Development Services Director Dunlop discussed the parkland fee-in-lieu for the Emerald Manor Apartments.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Wallace, to approve a parkland fee-in-lieu for the Emerald Manor Apartments of \$550 per dwelling unit.

The discussion was held regarding the clarification of the fee.

There was no further discussion.

Motion to approve carried 7-0

9. Consideration, discussion, and possible action on an ordinance amending Ordinance No. 587 authorizing the suspension of the maximum time period a temporary sign may be displayed.

The City staff recommended that the City Council approve Ordinance No. 597 amending Ordinance No. 587 authorizing the suspension of the maximum time period a temporary sign may be displayed.

Assistant Development Services Director Dunlop discussed the amendment ordinance with new extension date of March 31st, 2020.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Emily Hill, to approve Ordinance No. 597 amending Ordinance No. 587 authorizing the suspension of the maximum time period a temporary sign may be displayed until the end of the COVID pandemic.

City Manager Bolt asked for clarification on the expiration date.

Council member Kruppa amended his motion.

MOTION: Upon a motion made by Council Member Kruppa to approve Ordinance No. 597 amending Ordinance No. 587 authorizing the suspension of the maximum time period a temporary sign may be displayed until December 31, 2021.

Motion failed due to no one seconded.

Council Member Weir suggested for ordinance to be reviewed sooner.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Kruppa, to approve Ordinance No. 597 amending Ordinance No. 587 authorizing the suspension of the maximum time period a temporary sign may be displayed until June 30, 2021.

There was no further discussion.

Motion to approve carried 7-0

10. Consideration, discussion, and possible action on an ordinance amending the Manor Code of Ordinances Chapter 1 – General Provisions; Article 1.04 – Section 1.04002 Rules of Procedure.

The City staff recommended that the City Council approve Ordinance No. 598 amending the Manor Code of Ordinances Chapter 1 – General Provisions; Article 1.04 – Section 1.04002 Rules of Procedure.

City Manager Bolt discussed the amendments to the Rules of Procedure.

City Attorney Saenz discussed the suspended rules listed on the Rules of Procedure.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Emily Hill, to approve Ordinance No. 598 amending the Manor Code of Ordinances Chapter 1 – General Provisions; Article 1.04 – Section 1.04002 Rules of Procedure.

The discussion was held regarding the clarification of the changes to the Rules of Procedure.

There was no further discussion.

Motion to approve carried 7-0

11. Consideration, discussion, and possible action on the appointment of Manor City Council Members to the Tax Increment Reinvestment Zone (TIRZ) Board of Directors.

The City staff recommended that the City Council appoint the Manor City Council Members for the terms as indicated in the roster to the Tax Increment Reinvestment Zone Board of Directors

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Wallace, to appoint the Manor City Council Members for the terms as indicated in the roster to the Tax Increment Reinvestment Zone Board of Directors.

There was no further discussion.

Motion to approve carried 7-0

12. Consideration, discussion, and possible action on the reappointments for the Board of Adjustment Members.

The City staff recommended that the City Council appoint William D. Manns to Place 1, Chase Mitchell to Place 2, Aaron Moreno to Place 3, James D. Sulcer to Place 4, and Karen Mazerac to Place 5 for a term expiring January 1, 2023.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, to appoint William D. Manns to Place 1, Chase Mitchell to Place 2, Aaron Moreno to Place 3, James D. Sulcer to Place 4, and Karen Mazerac to Place 5 for a term expiring January 1, 2023.

There was no further discussion.

Motion to approve carried 7-0

13. Consideration, discussion, and possible action on the appointment of the Park Committee plus two (2) Planning and Zoning Commissioners to serve as the Public Tree Advisory Board; and Chairperson to serve a one-year term.

The City staff recommended that the City Council appoint the Park Committee plus Planning and Zoning Commission Vice-Chair Julie Leonard and Commissioner LaKesha Small to serve as the Tree Advisory Board and appoint a Chairperson to serve a one-year term.

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Wallace, to appoint the Park Committee plus Planning and Zoning Commission Vice-Chair Julie Leonard and Commissioner LaKesha Small to serve as the Tree Advisory Board and appoint LaKesha Small as Chairperson to serve a one-year term.

The discussion was held regarding the appointment of the Chairperson.

There was no further discussion.

Motion to approve carried 7-0

14. Consideration, discussion, and possible action on the appointment of three (3) Education Committee Council Members; and Chairperson to serve a one-year term.

Mayor Wallace Jr. recommended that City Council to appoint three (3) Education Committee Council Members; and Chairperson to serve a one-year term.

Mayor Pro Tem Dr. Harvey nominated himself, Council Member Emily Hill and Council Member Wallace; and nominated Council Member Hill as Chairperson.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Kruppa, to appoint Council Member Emily Hill, Council Member Wallace, and Mayor Pro Tem Dr. Harvey to the Education Committee; and appoint Council Member Emily Hill as Chairperson.

Council Member Deja Hill amended her motion.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Kruppa, to appoint Council Member Emily Hill, Council Member Wallace, and Mayor Pro Tem Dr. Harvey to the Education Committee and appoint Council Member Emily Hill as Chairperson to serve a one-year term.

There was no further discussion.

Motion to approve carried 7-0

15. Tabled Item: Consideration, discussion, and possible action on City Council Committees Meetings.

Mayor Wallace Jr. recommended that City Council approve the 1st & 3rd Wednesday's (9-5pm) as Council Days to hold committees, workshops, etc., as approved and/or needed by the Mayor and City Manager before presenting alternative dates to council for approval.

The discussion was held regarding set days for council committees.

The discussion was held regarding consequences for council members if meetings are missed.

The discussion was held regarding how meetings would be conducted.

Mayor Pro Tem Dr. Harvey expressed his concerns with setting committee dates.

Council Member Kruppa expressed his concerns with setting committee dates.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Wallace, to table item to the second meeting in January 2021, regular council meeting.

Council Member Deja Hill suggested to not limit the set dates for council meetings. She still recommended for times to be set from 9-5p.m.

City Manager Bolt suggested to set a calendar for committee dates.

Council Member Weir expressed her concerns with setting committee dates.

Council Member Kruppa suggested for item to be tabled to the second meeting in February 2021.

Council Member Kruppa amended his motion.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Wallace, to table item to the February 17, 2021, regular council meeting.

Council Member Deja Hill requested for a committee calendar with past meetings for Council to review.

There was no further discussion.

Motion to approve carried 7-0

16. Discuss and consider consenting on the creation of the proposed Travis County Emergency Services District No. 17.

Fire Chief Smith discussed the consent on the creation of the proposed Travis County Emergency Services District No. 17.

The discussion was held regarding any ramifications to the city.

The discussion was held regarding the clarification of the petition for consenting the proposed Travis County Emergency Services District No. 17.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Weir, to consent the creation of the proposed Travis County Emergency Services District No. 17.

There was no further discussion.

Motion to approve carried 5-2

(Mayor Pro Tem Dr. Harvey and Council Member Emily Hill voted against)

Mayor Wallace Jr. adjourned the regular session of the Manor City Council into Executive Session at 9:30 p.m. on Wednesday, December 16, 2020, in accordance with the requirements of the Open Meetings Law.

City Attorney Saenz joined Executive Session via zoom.

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 Councilmember qualifications* at 9: 30 p.m. on Wednesday, December 16, 2020.

The Executive Session was adjourned at 10:06 p.m. on Wednesday, December 16, 2020.

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 10:06 p.m. on Wednesday, December 16, 2020.

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

There was no action taken.

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 10:07 p.m. on Wednesday, December 16, 2020.

These minutes approved by the Manor City Council on the 6th day of January 2020.

APPROVED:

Dr. Larry Wallace Jr.
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary