



**CITY COUNCIL
REGULAR SESSION MINUTES
JANUARY 4, 2023**

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
Deja Hill, Place 6

CITY STAFF:

Scott Moore, City Manager
Lluvia T. Almaraz, City Secretary
Scott Dunlop, Development Services Director
Scott Jones, Economic Development Director
Phil Green, IT Director
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 7:01 p.m. on Wednesday, January 4, 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

Mayor Harvey clarified the procedures for the Public Comments and Consent Agenda.

Mr. Robert Battaile spoke up and asked for clarification.

Mayor Harvey warned Mr. Battaile that Council would not allow any future disrespectful comments or interruptions from him during the meetings and if needed he would be asked to leave meeting. Mayor Harvey clarified to Mr. Battaile that he would only be asked to speak during public comments or agenda items that he signed up to speak on.

Mr. Battaile asked for Item 2 to be included in his form for Public Comments.

Robert Battaile, 502 E. Eggleston St., Manor, Texas, submitted a speaker card and expressed his frustration regarding the discrimination he had received regarding the Disc Golf Course, Bocce Courts, public meetings of the Comprehensive Plan and process of minutes. Mr. Battaile stated that the December 21, 2022, Council Minutes were not written verbatim, and he didn't agree on how they were written. He questioned why his address was listed on the minutes and why the mayor's address was not listed. He requested for the mayor to name great stores within Manor and stated he would like to have the comprehensive plan meetings to be added back to the minutes. Mr. Battaile also mentioned that the Park Committee never scheduled a developer's meeting regarding parks and that Shadowglen open space didn't exist.

No one else appeared at this time.

PUBLIC HEARINGS

1. Conduct a public hearing on an ordinance granting Texas Community Propane Inc. the right, privilege and franchise to use streets, alleys and thoroughfares to operate and maintain a propane distribution system in the City of Manor.

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

Mayor Harvey opened the public hearing.

City Manager Moore discussed the proposed franchise agreement.

Discussion was held regarding rates.

Discussion was held regarding the franchise terms.

Assistant City Attorney Rivera stated that council had the discretion of changing the 20 year term.

Discussion was held regarding code regulations.

Discussion was held regarding and Emergency Plan coordination with EMS.

Mayor Harvey asked for additional clarification regarding the Emergency Plan to be brought back to council for discussion.

Discussion was held regarding other companies that offered propane services for the city.

MOTION: Upon a motion made by Council Member Wallace and seconded by Council Member Amezcua, 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 of the December 21, 2022, 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 7-0

REGULAR AGENDA

3. First Reading: Consideration, discussion, and possible action on an ordinance granting Texas Community Propane Inc. the right, privilege and franchise to use streets, alleys and thoroughfares to operate and maintain a propane distribution system in the City of Manor.

The city staff recommended that the City Council approve the first reading of an ordinance granting Texas Community Propane Inc. the right, privilege and franchise to use streets, alleys and thoroughfares to operate and maintain a propane distribution system in the City of Manor.

Ordinance: An Ordinance of The City of Manor, Texas Granting to Texas Community Propane, Inc. the Right, Privilege, and Franchise to use Streets, Alleys, And Thoroughfares to Operate and Maintain a Propane Distribution System in the City of Manor, Travis County, Texas; Providing Regulations for the Conduct of the System; 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 Moreno and seconded by Council Member Amezcua to approve the first reading of an ordinance granting Texas Community Propane Inc. the right, privilege and franchise to use streets, alleys and thoroughfares to operate and maintain a propane distribution system in the City of Manor.

There was no further discussion.

Motion to approve carried 7-0

4. Consideration, discussion, and possible action on the appointments of the Planning and Zoning Commission Members for Place No. 1; Place No. 3; Place No. 5, and Place No. 7.

The city staff recommended that the City Council appoint the Planning and Zoning Commission Members for Place No. 1; Place No. 3; Place No 5; and Place No. 7.

Development Services Director Dunlop stated that the city received applications from Commissioner Julie Leonard and Commissioner Cressandra Hardeman to be reconsidered for reappointment. He mentioned that Commissioner Lakesha Small was interested as well but hadn't submitted an application. He also stated that Commissioner Jennifer Wissman was moving and didn't request to be reappointed.

MOTION: Upon a motion made by Council Member Deja Hill and seconded by Council Member Amezcua to appoint Planning and Zoning Commission Members for Place No. 1; Place No. 3; Place No. 5, and Place No. 7 with questions.

Discussion was held regarding the application process.

Discussion was held regarding staff's recommendation to reappoint current members to Place No. 1, 3 and 7 and declare a vacancy for Place No. 5.

Discussion was held regarding the restriction of deadlines to submit applications.

City Secretary Almaraz explained the current appointment process and stated that Council had the discretion to either reappointment current members or declare vacancies.

Assistant City Attorney Rivera explained the amendment motion that needed to be done if Council declared vacancies and stated per City Charter the P&Z cases would go to Council if the P&Z Commission was not established with a full quorum.

Discussion was held regarding policy on board attendance.

Discussion was held regarding Rules of Procedures for Boards members.

MOTION: Upon a friendly amendment motion made by Council Member Deja Hill and seconded by Council Member Amezcua to re-appoint Planning and Zoning Commission Members for Place No. 1; Place No. 3; Place No. 7 and declare a vacancy for Place No. 5.

Council Member Deja Hill asked if the City Charter had current P&Z Commission amendments. Development Services Director Dunlop clarified that the P&Z Commission was established by ordinance and not the City Charter.

Mayor Pro Tem Emily Hill suggested for city staff to consider a firm deadline process for anyone that applied to any board for the purpose of fairness and consistency with the application procedures.

Mayor Harvey asked if there was a recommendation for the reappointment of Place No. 7 pending application submission by a certain deadline. Mayor Pro Tem Emily Hill recommended for the re-appointments to move forward with current members to Place No. 1, 3 and 7 and for the procedures to clarify the application process deadline.

Discussion was held regarding adding an appointment process to the Rules of Procedures for Board Members.

Council Member Deja Hill recommended for city staff to continue requesting new applications from board members when interested in reappointment.

There was no further discussion

Motion to approve and appoint carried 7-0

Mayor Harvey adjourned the regular session of the Manor City Council into Executive Session at 7:37 p.m. on Wednesday, January 4, 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 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 the EPCOR Wholesale Water Agreement; and Section 551.071 and Section 551.087, Texas Government Code to deliberate on the acquisition of real property* at 7:37 p.m. on Wednesday, January 4, 2023.

The Executive Session was adjourned at 9:14 p.m. on Wednesday, January 4, 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 9:14 p.m. on Wednesday, January 4, 2023.

There was no action taken.

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 9:14 p.m. on Wednesday, January 4, 2023.

These minutes approved by the Manor City Council on the 18th day of January 2023. *(Audio recording archived)*

APPROVED:

Dr. Christopher Harvey
Mayor

ATTEST:

Lluvia T. Almaraz, TRMC
City Secretary