



**MINUTES  
MANOR CITY COUNCIL MEETING  
201 E. PARSONS STREET  
MANOR, TEXAS 78653  
NOVEMBER 7, 2012, 7:00 P.M.**

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**Council Members Present:**

Mayor, Jeff Turner  
Place 2, Gil Burrell  
Place 3, Rita Jonse  
Place 4, Danny Scarbrough, Mayor Pro-Tem  
Place 5, Rebecca Davies

Place 1, Jim Hooker, Absent  
Place 6, Gene Kruppa, Absent

**City Staff Attending:**

Steve Shanks, City Manager  
Tom Bolt, Assistant City Manager  
Paulina Torres, City Secretary

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Turner at 7:01 p.m. who announced that a quorum of the City Council was present.

PLEDGE OF ALLEGIANCE

VISITOR AND CITIZEN'S FORUM

Ms. Carol Olewin, owner of property on 114 East Parsons Street, recommended to Council that a group should be created to address a Manor downtown vision. This group can work on issues that inhibit growth, such as sidewalks and limited parking. An evaluation of ordinances and possibly meet other Manor downtown alliances would assist in making downtown look like we want it to look like.

CONSENT AGENDA

1. Approval of the minutes:
  - a. September 05, 2012 special meeting / public meeting
  - b. September 19, 2012 regular meeting
  - c. October 17, 2012 regular meeting

A motion was made by Council Member Burrell and seconded by Council Member Scarbrough to approve the September 5<sup>th</sup>, 19<sup>th</sup>, and October 17<sup>th</sup> meeting minutes. The motion carried unanimously, 4-0. Council Member Davies came into the meeting after this motion was made.

### REGULAR AGENDA

2. Consider and act upon authorizing an addendum to the City of Manor's Professional Services Agreement with Jay Engineering Company, Inc. to prepare the plans, specifications, and contract documents and administer the contract as necessary to construct an LAS Feed System, Controls, and Site Improvements at the Northwest Terminus Pumping and Storage Facility as defined in Exhibit B of the proposed Addendum No. 38, for a lump sum fee of \$11,500.00.

Mr. Frank Phelan, City Engineer, addressed Council and explained that this project involved the necessary improvements to upgrade the disinfection system for the water fee we are getting from the ShadowGlen elevated storage tank area. Currently, we have incompatible types of disinfectants and we must improve the type of disinfectant chemicals to match. City Manager, Steve Shanks, explained that this would be coming from existing funds from Capital Impact fees. Mr. Shanks stated that we have to find ways to combine our water and be able to reroute our water in any kind of emergency situation. Council Member Scarbrough asked how long this process would take. Mr. Phelan replied that it would take a few weeks to put the plans together. Construction time could take about 60 days at most depending on equipment arrival.

Mr. Phelan stated that this site is dedicated to the City as part of the renegotiated ShadowGlen Development Agreement and is for future storage and a pumping facility. Council Member Jonse asked where this is located. Mr. Phelan stated it was up Gregg Manor Road where the ShadowGlen elevated storage tank was and right across the school.

City Council Burrell asked if the pump station behind the Lions Club property was still in operation. Mr. Phelan answered that it was and it was needed to serve the high school. Council Member Scarbrough confirmed that it would cost \$11,500.00. Mr. Phelan clarified that this was the fee for doing the design, however the total cost of the project was just under \$100,000. After the contract documents are prepared, the advertisement coordinated, and bids are opened, Mr. Phelan will provide Council a letter of recommendation for a contractor with the best bid.

A motion was made by Council Member Jonse and seconded by Council Member Scarbrough to authorize an addendum to the City of Manor's Professional Services Agreement with Jay Engineering Company, Inc. to prepare the plans, specifications, and contract documents and administer the contract as necessary to construct an LAS Feed System, Controls, and Site Improvements at the Northwest Terminus Pumping and Storage Facility as defined in Exhibit B of the proposed Addendum No. 38, for a lump sum fee of \$11,500.00. Motion passed unanimously, 5-0.

3. Consider and act upon authorizing the City Manager to execute an agreement with Atchley & Associates, LLP to perform an audit of the City of Manor's financial statements for the year ending September 30, 2012.

City Manager, Steve Shanks, reminded Council that they authorized him to execute this same agreement with Atchley & Associates, LLP, last year. Mr. Shanks explained that because Atchley & Associates, LLP, already has a clear idea of the City's business from last year, and due to the recent changes, such as adding a Finance Department, we felt that it

would be better to keep them one more year. However, we are planning on sending out RFPs next year. Council Member Jonse asked if the \$25,000 fee was a normal charge. Mr. Shanks stated these were their customary fees and the process involves having assigned people auditing all our transactions very thoroughly for several weeks.

A motion was made by Council Member Scarbrough and seconded by Council Member Jonse to authorize the City Manager to execute an agreement with Atchley & Associates, LLP to perform an audit of the City of Manor's financial statements for the year ending September 30, 2012. Motion passed unanimously, 5-0.

4. Consider and act upon approval of the annual rate adjustment figures submitted by Allied Waste Services (AWS), based on changes to the Consumer Price Index (CPI) and Producer Price Index (PPI) as provided for in the agreement between the City and AWS.

City Manager, Steve Shanks, explained to Council that Allied Waste Services have adjusted their rates based on 80 percent Consumer Price Index (CPI) for waste pickup and 20 percent Producer Price Index (PPI) based on diesel fuel. At this time, AWS has requested that the City approve a regular adjusted rate of 4.337 percent, which is an increase from the base rate of \$12.89 to \$13.45 a month per customer. However, last year's four (4) percent rate increase was never billed to the City. Allied Waste Services has requested an increase to the regular adjusted rate to possibly six (6) percent to help defray some of their lost revenue from the year before. This increase would take their adjusted rate amount from \$13.45 to \$13.66 a month per customer.

Council Member Burrell questioned what exactly Allied Waste Services was planning on doing with their property near Austin. To further discuss this matter, Council decided to wait after discussing agenda item number 5 to make a motion on this item.

5. Discussion and possible action directing the City Manager to negotiate revision(s) to the City's current contract with Allied Waste Services in response to public interest regarding bulk waste pickup and recycling option.

City Manager, Steve Shanks, began by stating that it was our understanding that Allied Waste Services would be using this property for fleet service and not for unloading and/or loading trash. He also noted that this property was not in our jurisdiction. Council Member Burrell stated he understood it wasn't in our jurisdiction, however he recalled reading in the American Statesman that trash transfers would be done there and that concerned him. Mr. Shanks continued explaining that TECQ has made it clear that AWS could not obtain a permit for recycling or dumping.

Council Member Burrell asked Mr. Shanks if he has asked AWS why they would not consider using the other property that is between the City of Elgin and the City of Manor. Both the City Manager and Mayor stated that it was possible they considered the size of that property and believed it to be too small for that purpose.

Council further discussed the location of this property and the exact location was not determined. Council Member Davies asked Mr. Shanks what were the recycling options that were being offered by AWS. Mr. Shanks explained that AWS offers single-stream recycling where a 96-gallon container can be set right beside your trash bin for pickup every other week. The recyclables include plastic, glass, and paper. Residents will be able to place all

recyclables inside this container without having to sort them. Also, the bulk waste pickup would change from having a twice a year curbside pickup to having it only in the fall. In the spring, AWS would place a 40-yard roll off in the City for a week to dump large items. The cost per customer is \$55.00; however AWS is willing to waive this cost with an approved contract extension.

Regarding agenda item number 4, a motion was made by Council Member Davies and seconded by Council Member Scarbrough to approve an annual rate adjustment figure of six (6) percent submitted by Allied Waste Services (AWS), based on changes to the Consumer Price Index (CPI) and Producer Price Index (PPI) as provided for in the agreement between the City and AWS. Motion passed unanimously, 5-0.

Regarding agenda item number 5, a motion was made by Council Member Burrell and seconded by Council Member Davies to direct the City Manager to negotiate revision(s) to the City's current contract with Allied Waste Services in response to public interest regarding bulk waste pickup and recycling option. Motion passed unanimously, 5-0.

6. Discuss and act upon a License Agreement between the City of Manor and Carol Olewin to construct, improve, and maintain a grease trap that would extend into City right-of-way or easement behind the property located at 114 E. Parsons Street in Manor, Texas.

Tom Bolt, Assistant City Manager, addressed Council and explained that in order to develop for commercial restaurant use, this property must have a grease trap constructed according to the agreement we have with the City of Austin. In this case and in most cases in the older part of town, they require 500-gallon grease traps. Because these buildings occupy most of the site they sit on, it is appropriate that a portion of them might be located within the easement. In order to accommodate that, we have license agreements for that and Mr. Bolt stated it was found necessary and was recommending approval. Council Member Burrell asked where these grease traps would be located. Mr. Bolt explained that these concrete vaults would be placed underground and would not be visible.

A motion was made by Council Member Davies and seconded by Council Member Burrell to act upon a License Agreement between the City of Manor and Carol Olewin to construct, improve, and maintain a grease trap that would extend into City right-of-way or easement behind the property located at 114 E. Parsons Street in Manor, Texas. Motion passed unanimously, 5-0.

Ms. Carol Olewin addressed Council and stated that she felt this was necessary and believes this is what is desired as a downtown vision by having a food service establishment.

7. Consider and act upon an Ordinance amending Ordinance Numbers 263 and 263A; providing comprehensive regulations, development and construction standards for the subdivision of land within the City and its extraterritorial jurisdiction; providing severability, open meetings, and effective date clauses, providing penalties; and providing for related matters.

Mr. Tom Bolt spoke to Council again and explained the changes of this new ordinance. Changes included an addition of a scoping meeting provision, descriptions of right-of-ways and streets, defined major arterials, and divided highways. The older version referenced the Texas Natural Resource Conservation Commission and this was changed to TCEQ (Texas

Commission for Environmental Quality). The other changes that were made were the parkland dedication requirements.

A motion was made by Council Member Scarbrough and seconded by Council Member Davies to act upon and approve an Ordinance amending Ordinance Numbers 263 and 263A; providing comprehensive regulations, development and construction standards for the subdivision of land within the City and it's extraterritorial jurisdiction; providing severability, open meetings, and effective date clauses; providing penalties; and providing for related matters. Motion passed unanimously, 5-0.

8. CITY MANAGER'S REPORT


- a. Utility Billing discussion
- b. Review, retention, and disposition of old documents
- c. Update on new Police vehicles
- d. Requested Jennie Lane Park exhibits
- e. City Seal discussion
- f. Upcoming City Business / Agendas

9. Adjourn

A motion was made by Council Member Davies and seconded by Council Member Scarbrough to adjourn. Motion was approved unanimously, 5-0. Mayor Jeff Turner adjourned the Council Meeting at 8:36 p.m.

ATTEST:

  
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Steve Shanks, City Manager

  
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Jeff Turner, Mayor