



**MINUTES
MANOR CITY COUNCIL MEETING
201 E. PARSONS STREET
MANOR, TEXAS 78653
December 19, 2012, 7:00 P.M.**

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 6, Gene Kruppa

Place 1, Jim Hooker, Absent

City Staff Attending:

Steve Shanks, City Manager
Tom Bolt, Assistant City Manager
Paulina Torres, City Secretary
Lydia Collins, Finance Director
Michael Tuley, Public Works Director
Vanessa Drimalas, Court Clerk

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

The meeting was called to order by Mayor Turner at 7:00 p.m. who announced that a quorum of the City Council was present.

PLEDGE OF ALLEGIANCE

VISITOR AND CITIZEN'S FORUM

No citizens signed up to speak during the forum.

CONSENT AGENDA

1. Approval of the minutes:
 - a. December 5, 2012 regular meeting

A motion was made by Council Member Davies and seconded by Council Member Burrell to approve the December 5th, meeting minutes. The motion carried unanimously, 5-0. Council Member Jonse came in after this action.

2. Departmental Reports:
 - a. Municipal Court
 - b. Public Works Department
 - c. Development Services Department
 - d. Police Department

3. Financial Report

REGULAR AGENDA (discussion and action items)

4. Discussion and consideration of a renewal of the franchise agreement with ATMOS Energy for the use of public rights-of-way to distribute and deliver gas utility within the City of Manor.

City Manager, Steve Shanks, explained that after further review of the City Charter, even if this agreement is considered a renewal, we must still follow the same procedures as if it were a new franchise agreement. Two readings will be held after public hearings, for which ten days' notice will be given in a paper of general circulation. Mr. Shanks asked Council to table this item until such time that a meeting with proper notice is given.

A motion was made by Council Member Jonse and seconded by Council Member Scarbrough to table this item until we have a meeting with proper notice. Motion passed unanimously, 6-0.

5. Consider and act upon a Resolution authorizing the City Manager to execute an assignment of the residential portion(s) of the ShadowGlen Development Agreement upon approval of form by City Attorney and City Manager.

At the recommendation of City Attorney, Council took no action on this agenda item until further discussing it in Executive Session.

6. Consider and act upon a Resolution to transfer the service of City of Manor warrants and court notices from Precinct 3 to Precinct 2 of the Travis County Constables Office.

City Manager, Steve Shanks, explained that many of our warrants are already being serviced by Precinct 2. Precinct 3, by the end of year, will not be serving the City of Manor and are in support of transferring Precincts.

A motion was made by Council Member Scarbrough and seconded by Council Member Kruppa to approve a resolution to transfer the service of City of Manor warrants and court notices from Precinct 3 to Precinct 2 of the Travis County Constables Office. Motion passed unanimously, 6-0.

7. Consideration and possible action to approve a Preliminary Plan for Shadowglen Pecan Gate, Phase 2 Sections 19A, 19B, and 20. 34.79 total acres out of the Cottonwood Holdings LTD and 120.7149 acres of the Cottonwood Holdings, LTD. of the Sumner Bacon Survey No. 62. (199 single family lots). Applicant: Brett Burke, AECOM Technical Services, Owner: 2010 Shadowglen, LLC. Staff: Thomas Bolt

A motion was made to postpone this agenda item until the January 16, 2013 meeting by Council Member Scarbrough and was seconded by Council Member Kruppa. Motion passed unanimously, 6-0.

8. Discussion and possible action to approve a Short Form Final Plat for Balli's Subdivision, Replat of Tract 2a resubdivision of 4.972 acres being tract 2 of Balli's Subdivision out of the A.C Caldwell Survey No. 52, Abstract 154 Document 2000100109, Official Public Records,

Travis County. Lots 2-A, 1.5 Acres, 2-B, 1.560 Acres. & 2-C, 1.912 Acres. Applicant: C Richard Ralph. Owner Amir Batoeinngi.

Assistant City Manager, Tom Bolt, advised Council that there has been no contact with neither the agent nor the owner regarding this matter for about two months. This is the improper method for this Subdivision and is going to require a different application and different review process. At the recommendation of Staff, a motion was made by Council Member Burrell and seconded by Council Member Jonse to deny the Short Form Final Plat for Balli's Subdivision. Motion was passed unanimously, 6-0.

9. Consideration and possible action to approve a Conditional Use Permit for sale of alcohol for on-site consumption at 118 E. Parsons St. Manor TX. Owner: Alejandro Ramos. Agent: Edgar Ramos.

Assistant City Manager, Tom Bolt, explained to Council that the Planning and Zoning Commission has considered this agenda item and recommends approval with the condition that games of chance, such as eight-liners, be prohibited.

Mr. Edgar Ramos spoke to Council and explained that their goal is to create a family-oriented sports bar, with televisions, karaoke, an open door to the restaurant for appetizers and possibly a pool table. He also explained that in order to keep this location family-oriented, they are considering limiting the entrance of young patrons at a certain hour of the night. Mr. Ramos stated that parking has been considered and should not be a problem due to all that is available in the front and back of the building.

Council Member Jonse asked Mr. Ramos if they found the conditional prohibition of games of chance or eight-liners acceptable. Mr. Ramos stated that their intentions have never been to place those kinds of games in their location.

Council Member Burrell asked how the noise would be handled. Mr. Ramos explained that sound proofing the whole location is included in their renovation plans.

A motion was made by Council Member Burrell and seconded by Council Member Scarbrough to approve the Conditional Use Permit for sale of alcohol for on-site consumption at 118 E. Parsons St. Manor, Texas with the conditional prohibition of games of chance or eight-lines. Motion passed unanimously, 6-0.

10. Consideration and possible action to approve a Preliminary Plan for Presidential Glen Phase 2 & 3. Owner: Presidential Glen LTD. And West Elgin Development Corporation, A Texas Limited Liability Company. Agent: AECOM – Brett Burke.

A motion was made to postpone this agenda item until the January 16, 2013 meeting by Council Member Scarbrough and was seconded by Council Member Kruppa. Motion passed unanimously, 6-0.

EXECUTIVE SESSION

The Council adjourned into Executive Session at 7:34 p.m. pursuant to Sections 551.071 and 551.087 of the Texas Government Code, Rule 1.05, Texas Disciplinary Rules of

Professional Conduct, to consult with legal counsel and/or deliberate regarding the following:

- Discussion of issues regarding the purchase of water from the City of Pflugerville and their pending application with the Texas Water Development Board.
- Discussion of notice of a petition filed with Travis County Commissioner's Court for the formation of an Emergency Services District #2A.
- Discussion of legislative issues that may affect the existing Presidential Glen Municipal Utility District.

Council also discussed agenda item number 5: Consider and act upon a Resolution authorizing the City Manager to execute an assignment of the residential portion(s) of the ShadowGlen Development Agreement upon approval of form by City Attorney and City Manager.

ADJOURN FROM EXECUTIVE SESSION

The Council reconvened into Open Session at 8:45 p.m. for possible action as deemed appropriate in the City Council's discretion regarding:

Agenda item number 5: Consider and act upon a Resolution authorizing the City Manager to execute an assignment of the residential portion(s) of the ShadowGlen Development Agreement upon approval of form by City Attorney and City Manager.

A motion was made by Council Member Davies and seconded by Council Member Scarbrough to authorize the City Manager to execute an assignment of the residential portion(s) of the ShadowGlen Development Agreement upon approval of form by City Attorney and City Manager and require letters of credit being in place including the letter of credit for the sidewalk. Motion passed unanimously, 6-0.

11. Possible action to direct the City Manager with regards to the purchase of water from the City of Pflugerville.

No action was taken by Council.

12. Possible action to direct the City Manager with regards to the formation of a Travis County Emergency Services District No. 2A.

No action was taken by Council.

13. Possible action to direct the City Manager with regards to legislative issues that may affect the Presidential Glen MUD.

No action was taken by Council.

14. CITY MANAGER'S REPORT

a. City Hall Project

- **The estimates are back in line with the original estimates. We are working with the architects to set up a schedule for pre-bidding meetings, biddings and advertising set to begin next month.**

- b. Holiday Luncheon with City Staff
 - Was held last Friday in the new City Hall. Five outstanding employees were recognized: Vanessa Drimalas – Finance & Court Department; Veronica Briones – Development Department; Corporal Charles King – Police Department; Robert Easley – Streets Department; Fabian “Big Cat” Zamora – Utilities Department.
- c. Holiday Schedules and upcoming Events
 - City Hall will be closed December 24th and 25th. It may be necessary to cancel the January 2nd Council Meeting due to the holidays.
- d. Manor HS Mustangs Football
 - City Manager has been in contact with Manor ISD and the Mustang Athletic Booster Club to schedule an event to recognize the team’s achievement. The City wants to provide all its support possible.
- e. Manor EDC and Downtown Revitalization Mtg.
 - Manor EDC meeting set for January 23rd, 2013 at 6:30 p.m. at the new City Hall. Invitations are going to be sent out in the beginning of January. The Downtown Revitalization meeting is not scheduled yet but planning on meeting in February.
- f. EOY Audit & Financial Statements
 - We are wrapping up last information that has been requested and should expect to see our financial statements in January 2013.

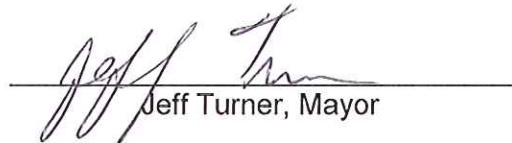
15. ADJOURNMENT

A motion was made by Council Member Burrell and seconded by Council Member Jonse to adjourn. Motion was approved unanimously, 6-0. Mayor Turner adjourned the Council Meeting at 8:59 p.m.

ATTEST:



Steve Shanks, City Manager



Jeff Turner, Mayor