



**CITY COUNCIL
REGULAR SESSION MINUTES
JANUARY 3, 2018**

PRESENT:

Rita G. Jonse, Mayor

COUNCIL MEMBERS:

Gene Kruppa, Place 1 (Absent)
Maria Amezcua, Place 2
Anne R. Weir, Mayor Pro Tem, Place 3
Zindia Pierson, Place 4
Deja Hill, Place 5
Todd Shaner, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia Tijerina, City Secretary
Scott Dunlop, Planning Coordinator
Tracey Vasquez, HR Coordinator

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 Rita G. Jonse at 7:00 p.m. on Wednesday, January 3, 2018, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

At the request of Mayor Jonse, Vicky McFarland with the Chamber of Commerce, led the Pledge of Allegiance.

PUBLIC COMMENTS

Jeffery Lewis, 11308 Terrace Meadow Way, Manor, Texas, spoke before City Council regarding his nomination for the Travis Central Appraisal District Board. Mr. Lewis discussed his educational background and work experience. He is requesting City Council's support and nomination to serve on the Texas Central Appraisal District Board.

No one else appeared to speak at this time.

CONSENT AGENDA

1. Consideration, discussion, and possible action to approve the City Council Minutes of the December 20, 2017, Regular Meeting.
2. Consideration, discussion, and possible action on the second and final reading of an ordinance rezoning Lot 2 Manor Storage Plat, locally known as 12421 US Hwy 290 E, 3 acres more or less from Interim Agricultural (A) district zoning to Medium Commercial (C-2) district zoning. Owner: Manor Plaza LLC. Applicant: Gil Engineering Associates, Inc.

The discussion was held regarding the findings of a substantial change in circumstances of the property.

Ordinance No. 500: An Ordinance of the City of Manor, Texas, Amending the Zoning Ordinance by Rezoning a Parcel of Land from Interim Agricultural (A) to Medium Commercial (C-2); Making Findings of Fact; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Amezcua, the Council voted six (6) For and none (0) Against to approve and adopt all items on the consent agenda. Council Member Hill abstained. The motion carried unanimously.

REGULAR AGENDA

3. Consideration, discussion, and possible action on a petition for disannexation for 2.317 acres, Abstract 154 Survey 52 Caldwell A C, locally known as 13330 Old Kimbro Rd, Manor, TX 78653.

The City staff's recommendation was that the City Council deny a petition for disannexation for 2.317 acres, Abstract 154 Survey 52 Caldwell A C.

Scott Dunlop, Planning Coordinator, was available to address any questions posed by the City Council.

City Manager Bolt explained the disannexation for the property and stated all state requirements regarding notice were met and completed by the City.

Council Member Weir inquired if the property owner was served with the disannexation letter. City Manager Bolt confirmed letters were mailed out to property owners by Planning Coordinator Dunlop.

Mayor Jonse stated the annexation process was a lengthy process and the City held public hearings. City Manager Bolt stated the City held public hearings and two (2) ordinance readings for the annexation.

The discussion was held regarding the annexation process.

Council Member Amezcua inquired if the property would receive City services now. City Manager Bolt discussed the agreement that was signed by the annexed property owners and stated because the agreement was not signed by this property owner to delay the annexation process they are now within the City limits.

MOTION: Upon a motion made by Council Member Shaner and seconded by Council Member Weir, the Council voted six (6) For and none (0) Against to deny a petition for disannexation for 2.317 acres, Abstract 154 Survey 52 Caldwell A C. The motion carried unanimously.

4. Consideration, discussion, and possible action on proposed changes to the City of Manor Personnel Policies and Procedures Handbook.

The City staff's recommendation was that the City Council approve the proposed changes to the City of Manor Personnel Policies and Procedures Handbook with regard to On-all and Call-back compensation.

Tracey Vasquez, HR Coordinator, was available to address any questions posed by the City Council.

City Manager Bolt explained the proposed changes to the City of Manor Personnel Policies and Procedures Handbook.

The discussion was held regarding the call-back compensation provisions.

MOTION: Upon a motion made by Council Member Shaner and seconded by Council Member Pierson, the Council voted six (6) For and none (0) Against to approve the proposed changes to the City of Manor Personnel Policies and Procedures Handbook with regard to On-all and Call-back compensation. The motion carried unanimously.

5. Consideration, discussion, and possible action on an ordinance amending sections 1.06.032 and 1.06.063 of Article 1.06, Chapter 1, of the Manor Code of Ordinances to comply with Charter provisions regarding the appointment of the City Secretary and the Director of Development Services.

The City staff's recommendation was that the City Council approve the ordinance amending sections 1.06.032 and 1.06.063 of Article 1.06, Chapter 1, of the Manor Code of Ordinances to comply with Charter provisions regarding the appointment of the City Secretary and the Director of Development Services.

City Manager Bolt explained the amendment to the ordinance regarding appointment of the City Secretary and Director of Development Services.

MOTION: Upon a motion made by Council Member Hill and seconded by Council Member Amezcua, the Council voted six (6) For and none (0) Against to approve Ordinance No. 501: An Ordinance of The City Of Manor, Texas, Amending Sections 1.06.032 And 1.06.063 of Article 1.06, Chapter 1, of the Manor Code of Ordinances to comply with Charter provisions regarding the appointment of the City Secretary and the Director of Development Services; Providing for conflicting ordinances; Providing for Severability; Providing an Open Meetings Clause and Establishing an Effective Date. The motion carried unanimously.

6. **Consideration, Discussion, and Possible action on an ordinance amending Chapter 4 of the Manor City Code by adding Article 4.08 to prohibit smoking in food products establishments, bars, hotel and motel rooms with certain exceptions, and within 15 feet of any opening to a place where smoking is prohibited; providing for an offense if the owner or person in control of an establishment fails to post no smoking signs, advise a patron that smoking is not allowed, or request a patron to leave after having been advised that smoking is not allowed; providing for an exemption for outdoor seating areas of food product establishments.**

The City staff's recommendation was that the City Council approve an ordinance amending Chapter 4 of the Manor City Code by adding Article 4.08 to prohibit smoking in food products establishments, bars, hotel and motel rooms with certain exceptions, and within 15 feet of any opening to a place where smoking is prohibited; providing for an offense if the owner or person in control of an establishment fails to post no smoking signs, advise a patron that smoking is not allowed, or request a patron to leave after having been advised that smoking is not allowed; providing for an exemption for outdoor seating areas of food product establishments.

City Manager Bolt discussed the proposed smoking ordinance.

Council Member Amezcua inquired about the deadline for establishments and if there would be establishments grandfathered in. City Manager Bolt stated establishments would not be grandfathered in and there would be a deadline. He stated the Police Department would be involved regarding the notice to establishments.

The discussion was held regarding the deadline notice and the nonsmoking signs for establishments.

Council Member Weir inquired about the steps for the offense if an establishment did not comply. City Manager Bolt stated the judge would determine the process of the offense.

Council Member Pierson inquired about the time that would be given to establishments to comply with new ordinance. City Manager Bolt stated the ordinance will take effect upon approval and the Police Department will take charge of notifying establishments if approved.

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Amezcua, the Council voted five (5) For and one (1) Against to approve Ordinance No. 502: An ordinance of the City of Manor, Texas, amending Chapter 4 of the Manor City Code by adding Article 4.08 to prohibit smoking in Food Products Establishments, Bars, Hotel And Motel Rooms with Certain Exceptions, and Within 15 Feet of any Opening to a Place where Smoking is Prohibited; Providing for an offense if the owner or person in control of an establishment fails to post No Smoking Signs, advise a patron that smoking is not allowed, or request a patron to leave after having been advised that smoking is not allowed; Providing For an exemption for outdoor seating areas of food product establishments with a caveat that a three (3) week notice will be given to establishments to comply with the ordinance effective today. Council Member Hill voted against. The motion carried.

7. Consideration, discussion, and possible action on a resolution nominating a candidate for the Board of Directors of the Travis Central Appraisal District.

The City staff's recommendation was that the City Council approve a resolution nominating a candidate for the Board of Directors of the Travis Central Appraisal District.

City Manager Bolt explained the criteria for the board.

Mayor Jonse thanked Jeffery Lewis for wanting to represent the City of Manor area.

MOTION: Upon a motion made by Council Member Weir and seconded by Council Member Hill, the Council voted six (6) For and none (0) Against to approve Resolution No. 2018-01: A Resolution of the City of Manor, Texas nominating Jeffery Lewis as a candidate for the Board of Directors of the Travis Central Appraisal District. The motion carried unanimously.

8. Consideration, discussion, and possible action on the reappointment of Commissioner Keith Miller to Place 6 on the Planning and Zoning Commission.

The City staff's recommendation was that the City Council approve the reappointment of Commissioner Keith Miller to Place 6 on the Planning and Zoning Commission for a two-year term.

Scott Dunlop, Planning Coordinator, was available to address any questions posed by the City Council.

Council Member Shaner inquired about Mr. Miller's term on the Planning and Zoning Commission. City Manager Bolt stated Mr. Miller had served a two-year term.

MOTION: Upon a motion made by Council Member Shaner and seconded by Council Member Pierson, the Council voted six (6) For and none (0) Against to approve the reappointment of Commissioner Keith Miller to Place 6 on the Planning and Zoning Commission for a two-year term. The motion carried unanimously.

9. Consideration, discussion, and possible action on a First Amendment to the Amended and Restated Development Agreement for the Sky Village Subdivision (n/k/a "Manor Heights").

The City staff's recommendation was that the City Council approve a First Amendment to the Amended and Restated Development Agreement for the Sky Village Subdivision (n/k/a "Manor Heights"); and authorize the City Manager to finalize language related to wastewater improvements and execute the final First Amendment the Sky Village Development Agreement.

City Manager Bolt discussed the proposed first amendment to the amended and restated development agreement for the Sky Village Subdivision.

The discussion was held regarding the area that is being proposed and negotiations on the remaining lots.

City Manager Bolt stated there were issues with the wastewater line sizes that are being reviewed and the agreement will be revised.

MOTION: Upon a motion made by Council Member Pierson and seconded by Council Member Weir, the Council voted six (6) For and none (0) Against to approve a First Amendment to the Amended and Restated Development Agreement for the Sky Village Subdivision (n/k/a "Manor Heights"); and authorize the City Manager to finalize language related to wastewater improvements and execute the final First Amendment the Sky Village Development Agreement. The motion carried unanimously.

Mayor Jonse adjourned the regular session of the Manor City Council into Executive Session at 7:25 p.m. Wednesday, January 3, 2018, in accordance with the requirements of the Open Meetings Law.

EXECUTIVE SESSION

The City Council convene into Executive Session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in Section 551.074 Personnel Matters - *Discussion of City Manager's Evaluation*, at 7:25 p.m., on Wednesday, January 3, 2018, City Council Conference Room of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

The Executive Session was adjourned at 7:43 p.m. on Wednesday, January 3, 2018.

OPEN SESSION

The City Council reconvened into Open Session pursuant to the provisions of Chapter 551 Texas Government Code at 7:43 p.m. on Wednesday, January 3, 2018, in the Council Chambers of the Manor City Hall.

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

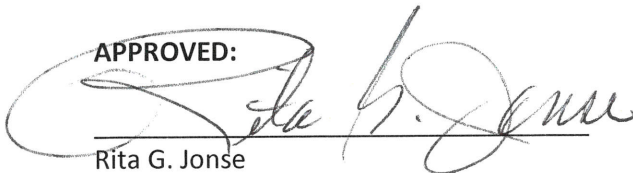
There was no action taken on the items discussed during Executive Session.

ADJOURNMENT

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Pierson, the Council voted six (6) For and none (0) Against to adjourn the regular session of the Manor City Council at 7:44 p.m. on Wednesday, January 3, 2018. The motion carried.

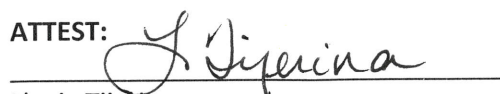
These minutes approved by the Manor City Council on the 17th day of January 2018.

APPROVED:



Rita G. Jonse
Mayor

ATTEST:



Lluvia Tijerina
City Secretary

