



**CITY COUNCIL  
REGULAR SESSION MINUTES  
OCTOBER 16, 2019**

**PRESENT:**

Rita G. Jonse, Mayor

**COUNCIL MEMBERS:**

Gil Burrell, Place 1 (Absent)  
Maria Amezcua, Mayor Pro Tem, Place 2  
Anne R. Weir, Place 3  
Danny Scarbrough, Place 4  
Deja Hill, Place 5  
Valerie Dye, Place 6

**CITY STAFF:**

Thomas Bolt, City Manager  
Lluvia T. Almaraz, City Secretary  
Lydia Collins, Director of Finance  
Scott Dunlop, Assistant Development Services Director  
Debbie Charbonneau, Community Development Manager  
Ryan Phipps, Chief of Police  
Sarah Friberg, Court Administrator  
Michael Tuley, Public Works Director  
Anthony Valchar, Assistant Director of Public Works  
Veronica Rivera, Legal Counsel  
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 Jonse at 7:00 p.m. on Wednesday, October 16, 2019, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

**PLEDGE OF ALLEGIANCE**

At the request of Mayor Jonse, Director of Finance Collins, led the Pledge of Allegiance.

## **PROCLAMATIONS**

### **A. Declaring November 1, 2019, as “Texas Arbor Day”**

Mayor Jonse read and presented a proclamation declaring Friday, November 1, 2019, as “Texas Arbor Day” to Michael Tuley, Public Works Director and Anthony Valchar, Assistant Director of Public Works.

### **B. Declaring the Week of November 4-8, 2019, as “Municipal Court Week”**

Mayor Jonse read and presented a proclamation declaring the week of November 4-8, 2019, as “Municipal Court Week” to Sarah Friberg, Court Clerk, and Lydia Collins, Director of Finance.

## **PRESENTATION**

### **Recognition of outgoing Associate Judge Phyllis Mathison, presented by Mayor Rita G. Jonse**

Mayor Jonse read and presented a plaque of recognition to Associate Judge Phyllis Mathison.

## **PUBLIC COMMENTS**

Dory West with the Manor Arts Council spoke to City Council regarding two (2) proposals to be considered regarding Jennie Lane Park restroom facilities and the picket fence park. She suggested for the restroom facility at Jennie Lane Park be considered as a potential public art opportunity for Local Artists and Manor ISD Students. She also proposed for a Resolution designating the picket fence park as a new City Park and suggested new Park Names by Manor Arts Council.

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 October 2, 2019, 2019, Regular Meeting.**
- 2. Consideration, discussion, and possible action on the acceptance of the September 2019 Departmental Reports:**
  - **Police – Ryan Phipps, Chief of Police**
  - **Development Services – Scott Dunlop, Assistant Dev. Services Director**
  - **Community Development – Debbie Charbonneau**
  - **Municipal Court – Sarah Friberg, Court Clerk**
  - **Public Works – Michael Tuley, Director of Public Works**
  - **Finance – Lydia Collins, Director of Finance**

Chief of Police Phipps invited everyone to attend the Manor Night at the Park Event formally known as National Night Out on Friday, October 18, 2019 at Timmermann's Park from 5:30 p.m. to 9:30 p.m.

The discussion was held regarding the parking for the event.

**MOTION:** Upon a motion made by Mayor Pro Tem Amezcua and seconded by Council Member Weir the Council voted six (6) For and none (0) Against to approve and adopt all items on the Consent Agenda. The motion carried unanimously.

## **PUBLIC HEARINGS**

3. **Public Hearing: Consideration, discussion, and possible action upon a Concept Plan for the Manor Commons SE Commercial, nineteen (19) lots on 73 acres more or less, located near US Hwy 290 E and FM 973 N, Manor, TX. Applicant: ALM Engineering Owner: Greenview Development 973 L.P**

Mayor Jonse opened the public hearing.

The City staff's recommendation was that the City Council deny a Concept Plan for the Manor Commons SE Commercial, nineteen (19) lots on 73 acres more or less, located near US Hwy 290 E and FM 973 N, Manor, TX.

Assistant Development Services Director Dunlop stated the plans would be resubmitted after the review of Engineers.

**MOTION:** Upon a motion made by Council Member Weir and seconded by Council Member Dye the Council voted six (6) For and none (0) Against to deny a Concept Plan for the Manor Commons SE Commercial, nineteen (19) lots on 73 acres more or less, located near US Hwy 290 E and FM 973 N, Manor, TX. The motion carried unanimously.

4. **Public Hearing and First Reading: Consideration, discussion and possible action on an ordinance rezoning 30.86 acres of land more or less out of the Greenbury Gates Survey No. 63 Abstract No. 315, and being located at 13119 US Hwy 290 East, Manor, TX, from ETJ/Interim Agricultural to Medium Commercial (C-2). Applicant: Kimley-Horn & Associates Owner: Gordon Weir**

Mayor Jonse opened the public hearing.

The City staff's recommendation was that the City Council conduct the public hearing of an ordinance rezoning 30.86 acres of land more or less out of the Greenbury Gates Survey No. 63 Abstract No. 315, and being located at 13119 US Hwy 290 East, Manor, TX, from ETJ/Interim Agricultural to Medium Commercial (C-2).

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

Carolyn Weir, 13119 Highway 290 East, Manor, Texas, submitted a card in support of this item; however, she did not wish to speak but was available to address any questions posed by the City Council.

Brandon Robinson with Carriage Hills HOA spoke before City Council in opposition of this item. Mr. Robinson expressed his and the HOA's concerns regarding the rezoning and new development for the location. Mr. Robinson requested for Council to not approve an RV Park development in this location due to sewer and flooding issues.

Casey Carver, 12917 Pealing Way, Manor, Texas, spoke before City Council in opposition of this item. Mr. Carver expressed his concerns regarding the erosion issues this type of development would bring to the community.

Tyler Burke, 12701 Wedding Drive, Manor, Texas, spoke before City Council in opposition of this item. Mr. Burke is in support of the annexation for this area but is opposing the development of an RV Park. He suggested for Council to rezone property for single family homes development or businesses that would benefit the City of Manor.

Andrew Myers, 12856 St. Mary Drive, Manor, Texas, spoke before City Council in opposition of this item. Mr. Myers expressed his and Bell Farms HOA concerns regarding the proposed RV Park development. He requested for Council to protect the community's security and the property value of their homes.

Brandon Parry, 12929 Corrillon Way, Manor, Texas, spoke before City Council in opposition of this item. Mr. Parry expressed his concerns regarding the RV Park development.

Crystal Almaguer, 12760 Saint Mary Dr., Manor, Texas, spoke before City Council in opposition of this item. Ms. Almaguer expressed her concerns regarding the erosion and environmental issues regarding the RV Park development. She also expressed her concerns regarding the connection of neighborhoods to the RV Park for emergency services. She stated she is supporting the annexation of the land by the City but would like to see a different type of development that would allow the City to regulate properly.

Kelly Baker, 13001 Carillon Way, Manor, Texas, spoke before City Council in opposition of this item. Ms. Baker expressed her concerns regarding the RV Park development. She stated she was in support of the annexation by the City but would like to see single family homes or businesses built in that location.

Alondra Hernandez, 12617 Casting Drive, Manor, Texas submitted a card in opposition of this item; however, she did not wish to speak.

Janine Wise, 133525 Ring Drive, Manor, Texas, submitted a card in opposition of this item; however, she did not wish to speak.

Victoria Van Patten, 12828 Door Bell Drive, Manor, Texas, submitted a card in opposition of this item; however, she did not wish to speak.

Harvey Morales, 12929 Corrillon Way, Manor, Texas, submitted a card in opposition of this item; however, he did not wish to speak.

Maxwell Nisus, 12828 Door Bell Drive, Manor, Texas, submitted a card in opposition of this item; however, he did not wish to speak.

City Manager Bolt discussed the RV Park development. He stated the developer had approached the city and was requesting annexation and rezoning of the property. City Manager Bolt stated he also did not want this type of development in that area but at this time the city had no regulations due to the property not being annexed to the city.

City Manager Bolt opened the floor for discussion and questions.

The discussion was held regarding other options for development after annexation.

The discussion was held regarding the city annexing the property as agriculture.

The discussion was held regarding rezoning concerns for C-2 regulations.

The discussion was held regarding the timing of development.

The discussion was held regarding the development process.

The discussion was held regarding the involvement of the County Commissioner.

The discussion was held regarding regulations for the RV Park Development.

The discussion was held regarding Travis County development regulations.

City Manager Bolt explained the zoning categories regulations.

Mayor Jonse adjourned the regular session of the Manor City Council into Executive Session at 7:49 p.m. Wednesday, October 16, 2019, in accordance with the requirements of the Open Meetings Law.

## **EXECUTIVE SESSION**

The Manor City Council convened into executive session pursuant to the provisions of Chapter 551 Texas Government Code, in accordance with the authority contained in *Section 551.071 Consultation with Attorney*, at 7:49 p.m., on Wednesday, October 16, 2019, City Council Conference Room of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

The Executive Session was adjourned at 8:20 p.m. on Wednesday, October 16, 2019.

## **OPEN SESSION**

The City Council reconvene 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 8:20 p.m. on Wednesday, October 16, 2019, 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.

**MOTION:** Upon a motion made by Council Member Weir and seconded by Mayor Pro Tem Amezcua the Council voted six (6) For and none (0) Against to continue the Public Hearing open and take no action. The motion carried unanimously.

**MOTION:** Upon a motion made by Mayor Pro Tem Amezcua and seconded by Council Member Scarbrough the Council voted six (6) For and none (0) Against to postpone the first reading of the rezoning request to the November 6, 2019, Regular Council Meeting. The motion carried unanimously.

## **REGULAR AGENDA**

### **5. Consideration, discussion and possible action on ratifying the bylaws for the City's TIRZ Board.**

The City staff's recommendation was that the City Council approve the bylaws for the City's TIRZ Board.

The discussion was held regarding the TIRZ annual meeting for reviewing the TIRZ bylaws by the Board of Directors.

**MOTION:** Upon a motion made by Mayor Pro Tem Amezcua and seconded by Council Member Hill the Council voted six (6) For and none (0) Against to approve the bylaws for the City's TIRZ Board. The motion carried unanimously.

### **6. Consideration, discussion, and possible action on an award for Solid Waste Collection and Disposal and Recycle Services for the City of Manor.**

The City staff's recommendation was that the City Council award the Solid Waste Collection and Disposal and Recycle Services for the City of Manor to Waste Connections; and Authorize the City Manager to negotiate and execute a final contract.

Gary Gauci with Waste Management spoke before City Council in opposition of this item. He discussed the RFP Bid Meeting conducted by the City and process of the comparison of prices from other vendors. Mr. Gauci thanked the City for the transition from Republic to Waste Management and stated he was available to address any questions posed by the City Council. Mr. Gauci requested for Council to continue the trash services with Waste Management for the City of Manor.

Jay Howard with Texas Disposal Systems spoke before City Council regarding the services provided by Texas Disposal System. Mr. Howard stated Texas Disposal Systems was a local family owned business since 1977. He discussed how customer service issues are handled and managed promptly. He discussed the recycling and compost services offered by Texas Disposal Systems. Mr. Howard requested for Council to consider his local business for trash services for the City of Manor.

John Harris with Waste Connections spoke before City Council in support of this item. He discussed the submitted RFP proposal to the City. He discussed the services provided by Waste Connections. He stated Waste Connections was the 3<sup>rd</sup> largest waste provider in Texas and was known for their customer service and safety programs. Mr. Harris thanked the City Council for the bid opportunity. He requested for Council to consider Waste Connections proposal for trash services for the City of Manor.

Mayor Jonse inquired about the location of Waste Connections. Mr. Harris stated they had 2 local locations in Austin and in Pflugerville.

The discussion was held regarding the City staff's recommendation with Waste Connections.

**MOTION:** Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye the Council voted six (6) For and none (0) Against to award the Solid Waste Collection and Disposal and Recycle Services for the City of Manor to Waste Connections; and Authorize the City Manager to negotiate and execute a final contract. The motion carried unanimously.

Council Member Weir and Mayor Pro Tem Amezcua advised they would be abstaining from consideration on the following item. The appropriate Conflict of Interest Affidavits have been filled out and filed with the City Secretary.

**7. Consideration, discussion, and possible action on the Manor Lions Club H.O.T. Funds application of reimbursement of actual expenses meeting the State of Texas Hotel Tax Law Requirements Section 351.101.**

The City staff's recommendation was that the City Council approve the application of up to \$1,500 once all qualified invoices and or receipts have been turned in for reimbursement.

Karen Walker Ratcliffe with Manor Lions Club submitted a card in support of this item; however, she did not wish to speak but was available to address any questions posed by City Council.

City Manager Bolt discussed the Manor Lions Club H.O.T. Funds application for reimbursement of actual expenses for Manor Lions Fest.

**MOTION:** Upon a motion made by Council Member Hill and seconded by Council Member Scarbrough the Council voted four (4) For and none (0) Against to approve the application of \$1350 of qualified invoices and or receipts that have been turned in for reimbursement. The motion carried unanimously.

**8. Consideration, discussion, and possible action on a resolution to conduct a public hearing to discuss amending the Wastewater Capital Improvement Plan.**

The City staff's recommendation was that the City Council approve Resolution No. 2019-15 for conducting a public hearing for the proposed amendment to the Wastewater Capital Improvement Plan.

City Engineer Phelan discussed the resolution to conduct a public hearing to discuss the amendment to the Wastewater Capital Improvement Plan.

Resolution No. 2019-15: A Resolution of The City of Manor, Texas Setting a Public Hearing to be Held At 7:00 P.M. on Wednesday, December 4, 2019, at Manor City Hall, 105 E. Eggleston Street, Manor, Texas, 78653 to Consider the Amendment of the Wastewater Capital Improvements Plan.

**MOTION:** Upon a motion made by Scarbrough and seconded by Council Member Hill the Council voted six (6) For and none (0) Against to approve Resolution No. 2019-15 for conducting a public hearing for the proposed amendment to the Wastewater Capital Improvement Plan. The motion carried unanimously.

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

The City staff's recommendation was that the City Council approve Change Order No. 2 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project with Excel Construction Services, LLC in the amount of \$90,543.

City Engineer Phelan discussed the change order to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project.

The discussion was held regarding the modifications to the new Public Works building.

The discussion was held regarding other modifications for the project.

The discussion was held regarding the plant design.

The discussion was held regarding additional change orders for the project.

**MOTION:** Upon a motion made by Council Member Scarbrough and seconded by Council Member Weir the Council voted six (6) For and none (0) Against to approve Change Order No. 2 to the construction contract for the Wilbarger Creek Wastewater Treatment and Collection System Improvements project with Excel Construction Services, LLC in the amount of \$90,663. The motion carried unanimously.

**10. Consideration, discussion and possible action on a resolution commencing the annexation of 30.8643 acres of land, more or less; being located in Travis County, Texas and adjacent and contiguous to the city limits; and providing for open meetings and other related matters.**

The City staff's recommendation was that the City Council approve Resolution No. 2019-13 commencing the annexation of 30.8643 acres of land, more or less; being located in Travis County, Texas and adjacent and contiguous to the city limits; and providing for open meetings and other related matters.

Candra Wolcott, 12904 Pealing Way, Manor, Texas, submitted a card in opposition of this item; however, she was not present to speak to City Council.

Nicholas Lozano, 13320 Pine Needler Street, Manor, Texas, submitted a card in opposition of this item; however, he did not wish to speak.

Veronica Lozano, 13320 Pine Needler Street, Manor, Texas, submitted a card in opposition of this item; however, she did not wish to speak.

City Manager Bolt discussed the resolution commencing the annexation property.

Resolution No. 2019-13: A Resolution of The City of Manor, Texas, Commencing the Annexation of 30.8643 Acres of Land, More or Less; Being Located in Travis County, Texas and Adjacent and Contiguous to the City Limits; and Providing Open Meetings and Other Related Matters.

**MOTION:** Upon a motion made by Mayor Pro Tem Amezcua and seconded by Council Member Weir the Council voted six (6) For and none (0) Against to approve Resolution No. 2019-13 commencing the annexation of 30.8643 acres of land, more or less; being located in Travis County, Texas and adjacent and contiguous to the city limits; and providing for open meetings and other related matters. The motion carried unanimously.

**11. Consideration, discussion and possible action on a resolution supporting the extension of US Highway 290 East Tollway - Phase IV into the City Limits and Eastward; and providing for related matters.**

The City staff's recommendation was that the City Council approve Resolution No. 2019-14 supporting the extension of US Highway 290 East Tollway - Phase IV into the City Limits and Eastward; and providing for related matters.

City Manager Bolt discussed the resolution supporting the extension of US Highway 290 East Tollway – Phase IV into the City limits.

The discussion was held regarding statistical reports of the tollway and Cap Metro transit from Manor to surrounding cities.

Resolution No. 2019-14: A Resolution of the City of Manor, Texas, Providing Support and Comments for Extending US Highway 290 East Tollway - Phase IV, Into the City Limits and Eastward; and Recognizing the Recent Population Increases in the Area, the Number of Motorists Now Utilizing US Highway 290 East and the Effects on Local Traffic and Citizens of the City; and Providing for Related Matters.

**MOTION:** Upon a motion made by Council Member Weir and seconded by Council Member Dye the Council voted six (6) For and none (0) Against to approve Resolution No. 2019-14 supporting the extension of US Highway 290 East Tollway - Phase IV into the City Limits and Eastward; and providing for related matters. The motion carried unanimously.

#### ADJOURNMENT

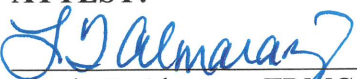
The Regular Session of the Manor City Council Adjourned at 9:01 p.m. on Wednesday, October 16, 2019.

These minutes approved by the Manor City Council on the 6<sup>Th</sup> day of November 2019.

**APPROVED:**

  
Rita G. Jonse  
Mayor

**ATTEST:**

  
Lluvia T. Almaraz, TRMC  
City Secretary

