



**CITY COUNCIL
REGULAR SESSION MINUTES
FEBRUARY 19, 2020**

PRESENT:

Dr. Larry Wallace Jr., Mayor (Arrived at 6:17 p.m.)

COUNCIL MEMBERS:

Emily Hill, Place 1
Maria Amezcua, Place 2
Dr. Christopher Harvey, Place 3
Danny Scarbrough, Place 4
Deja Hill, Mayor Pro Tem, Place 5 (Arrived at 6:07 p.m.)
Valerie Dye, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia T. Almaraz, City Secretary
Ryan Phipps, Chief of Police
Lydia Collins, Director of Finance
Scott Dunlop, Assistant Development Services Director
Debbie Charbonneau, Community Development Manager
Sarah Friberg, Court Administrator
Michael Tuley, Public Works Director

WORKSHOP SESSION – 6:00 P.M.

With a quorum of the Council Members present, the workshop session of the Manor City Council was called to order by Council Member Scarbrough at 6:10 p.m. on Wednesday, February 19, 2020, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

A. Discussion of Regular Agenda Items

Assistant Development Services Director Dunlop discussed the following items:

- Item 14 - Ordinance No. 565 - *Zoning Code Modifications*

Zoning Code Modifications

- Definitions (Sec. 14.01.008)
- Establishment of Zoning Districts (Sec. 14.02.003)
 - Created 4 new districts
 - Single Family Estate
 - Two-Family
 - Townhome
 - Multi-Family 15
 - Modified name of 5 districts
 - Single Family Suburban
 - Single Family Standard
 - Multi-Family 25
 - Institutional Small
 - Institutional Large
- Moved and redefined Residential Zoning Districts (Sec. 14.02.004)
- Changed/Re-formatted Residential Permitted Use Table (Sec. 14.02.005)
- Added Residential Land Use Conditions (Sec. 14.02.006)
- Revised Residential Development Standards (Lot sizes, setbacks, DU sizes) (Sec. 14.02.007)
 - Noted that lots in town start at smaller DU size
 - Added section on setback encroachments
- Moved and redefined Non-Residential Zoning Districts (Sec. 14.02.008)
- Changed/Reformatted Non-Residential Permitted Use Table (Sec. 14.02.009)
- Added Non-Residential District Conditions (Sec. 14.02.010)
- Added Non-Residential Use Conditions (Sec. 14.02.011)
- Revised Non-Residential Development Standards (Lot sized, lot areas, setbacks)
 - Added section on setback encroachments
- Moved Historic District, Municipal Parks District, MRRA, and Airport Overlay into Special Districts and Overlay division (Division IV)
- Added Accessory and Temporary Structures and Uses sections (Division V)
- Added Outdoor Storage and Display sections (Sec. 14.02.020)
- Added architectural standards (Division VI)
 - Covers things like façade/elevation differentiation, roof pitches, building articulation, windows and doors, entry articulation, garage doors, pedestrian access, amenities
- Added Specific Use Permit procedures (Article 14.03)
 - Formally Conditional Use Permits
- Revised and added to the Non-conforming section (Article 14.04)
 - Nonconforming structure (Sec. 14.04.002) – enlarged up to 50% of it's size before needing to conform, damaged greater than 50% needing to conform, vacant for more than 90 days converted to conforming use

- Nonconforming use (Sec. 14.04.003) – cannot be enlarged
- Nonconforming sites (Sec. 14.04.004) – can change to similar tenant or less intense use tenant and not conform. Change to a more intense use tenant and site has to be converted to conforming. Abandoned sites (vacant 90 days. Multi-tenant sites/buildings are vacant if less than 30% occupied.)
- Nonconforming Lots (Sec 14.04.005) – Can be developed as if conforming but cannot be further subdivided if it remains or creates nonconforming lots
- Added zoning procedures and moved PUD procedures (Secs. 14.05.002)

Provisions removed to be added elsewhere

- Site plans (added to Site Development Ord, new Chapter 15)
 - Site Development Ord:
 - Site Development Permits (minor updates)
 - Parking Standards (major updates)
 - Landscaping (major updates)
 - Signs (major updates)
 - Outdoor Lighting (no changes)
 - Wireless Transmission Facilities (new code)
- Parking Requirements (added to Site Development Ord, new Chapter 15)
- Sexually oriented businesses (added to Business Chapter 4)
- Performance standards (added to Chapter 8 Offenses and Nuisances as Environmental Standards)
- Item 15 - Ordinance No. 566 - Chapter 2 *Animal Control*
- Item 16 - Ordinance No. 567 - Chapter 15 *Site Development*
- Item 17 - Ordinance No. 568 - Chapter 4 *Business Regulations*
- Item 18 - Ordinance No. 569 - Chapter 6 *Health and Sanitation*
- Item 19 - Ordinance No. 570 - Chapter 8 *Offenses and Nuisances*
- Item 20 - Ordinance No. 571 – Chapter 15 *Site Development to Manor's Code of Ordinances*

With no further discussion the workshop session of the Manor City Council was adjourned at 7:06 p.m. on Wednesday, February 19, 2020.

REGULAR SESSION – 7:12 P.M.

With a quorum of the Council Members present, the regular session of the Manor City Council was called to order by Mayor Wallace Jr. at 7:12 p.m. on Wednesday, February 19, 2020, in the Council Chambers of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

PLEDGE OF ALLEGIANCE

Mayor Wallace Jr. led the Pledge of Allegiance.

PUBLIC COMMENTS

Laurie Eiserloh, 3900 Avenue C, Austin Texas, introduced herself and spoke before City Council regarding her candidacy for Travis County District Attorney.

Robert Battaile, 502 E. Eggleston Street, Manor, Texas, spoke before City Council regarding the Bocce Spring League Tournament at Timmermann Park.

No one else appeared to speak at this time.

CONSENT AGENDA

1. Consideration, discussion, and possible action to approve the City Council Minutes:

- February 5, 2020, Called-Special Session; and
- February 5, 2020, Regular Meeting

2. Consideration, discussion, and possible action on the acceptance of the January 2020 Departmental Reports:

- Police – Ryan Phipps, Chief of Police
- Development Services – Scott Dunlop, Assistant Dev. Services Director
- Community Development – Debbie Charbonneau, Community Dev. Manager
- Municipal Court – Sarah Friberg, Court Clerk
- Public Works – Michael Tuley, Director of Public Works
- Finance – Lydia Collins, Director of Finance

Mayor Wallace Jr. recognized the Public Works Department for sending two (2) park employees to irrigation school to obtain irrigation technician licenses.

MOTION: Upon a motion made by Council Member Amezcua and seconded by Council Member Dye, the Council voted seven (7) “ayes” and none (0) “nays” to approve and adopt all items on the Consent Agenda. The motion carried unanimously.

At the direction of City Manager Bolt, Public Hearing No. 3 and Regular Item No. 4 were pulled from the agenda per applicant’s request.

PUBLIC HEARING

3. Public Hearing: Conduct a public hearing upon an Ordinance rezoning 0.675 acres more or less, located at 10814 US Hwy 290 East, Manor, TX, from Light Commercial (C-1) to Medium Commercial (C-2).

Item pulled, there was no action taken.

REGULAR AGENDA

4. **First Reading: Consideration, discussion, and possible action on an Ordinance rezoning 0.675 acres more or less, located at 10814 US Hwy 290 East, Manor, TX, from Light Commercial (C-1) to Medium Commercial (C-2). Applicant: Kimley-Horn and Associates. Owner: Cottonwood Holdings, LTD**

Item pulled, there was no action taken.

5. **Consideration, discussion and possible action on an agreement between the City of Manor and Integral Care for participation of expanded mobile crisis outreach team.**

The City staff recommended that the City Council approve the agreement between the City of Manor and Integral Care for participation of expanded mobile crisis outreach team.

Chief Phipps discussed the agreement for participation of expanded mobile crisis outreach team with the City of Manor and Integral Care.

The discussion was held regarding the service times set for assistance for the City of Manor by EMCOT Staff Members.

The discussion was held regarding the service areas and services for the City of Manor and Manor ISD.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Hill, the Council voted seven (7) “ayes” and no (0) “nays” to approve the agreement between the City of Manor and Integral Care for participation of expanded mobile crisis outreach team. The motion carried unanimously.

6. **Consideration, discussion, and possible action on a resolution authorizing the Manor Police Department to apply for the General Victim Assistance Grant (VOCA) funds through the Office of the Governor, Public Safety Office, Criminal Justice Division.**

The City staff recommended that the City Council approve Resolution No. 2020-02 authorizing the Manor Police Department to apply for grant funds from the General Victim Assistance Grant (VOCA) through the Office of the Governor, Public Safety Office, Criminal Justice Division to continue the Victim Services Network Project.

Lieutenant Allen discussed the grant for General Victim Assistance Grant (VOCA) funds through the Office of the Governor, Public Safety Office, Criminal Justice Division.

Resolution No. 2020-02: A Resolution of the City Council of the City of Manor, Texas, Authorizing the Filing of a General Victim Assistance (VOCA) Grant Application to the Office of the Governor of Texas, Public Safety Office, Criminal Justice Division; and Authorizing the City Manager to Act as the Grantee’s Authorized Official in All Matters Pertaining to the City’s Participation in the VOCA Grant.

The discussion was held regarding the partnership with City of Jonestown and City of Lago Vista.

The discussion was held regarding the fees that would be included in the FY20-21 Budget.

MOTION: Upon a motion made by Council Member Dye and seconded by Council Member Scarbrough, the Council voted seven (7) “ayes” and no (0) “nays” to approve Resolution No. 2020-02 authorizing the Manor Police Department to apply for grant funds from the General Victim Assistance Grant (VOCA) through the Office of the Governor, Public Safety Office, Criminal Justice Division to continue the Victim Services Network Project. The motion carried unanimously.

7. Consideration, discussion, and possible action on adopting a Continuing Disclosure Policy for the City of Manor.

The City staff recommended that the City Council approve the Continuing Disclosure/Material Event Notice Policy.

Lydia Collins, Finance Director was available to address any questions posed by the City Council.

City Manager Bolt discussed the Continuing Disclosure Policy for the City of Manor.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to approve the Continuing Disclosure/Material Event Notice Policy. The motion carried unanimously.

8. Consideration, discussion, and possible action on award of a contract addendum for Design, Bidding and Construction Engineering services for the Bastrop Parsons Wastewater Improvements Project, CIP S-32.

The City staff recommend that the City Council award a contract addendum to Jay Engineering Company, Inc. for Design, Bidding and Construction Engineering services for the Bastrop Parsons Wastewater Improvements Project, CIP S-32.

At the direction of City Manager Bolt, City Engineer Phelan discussed the contract addendum for the Bastrop Parsons Wastewater Improvements Project, CIP S-32.

The discussion was held regarding the total cost of the project.

The discussion was held regarding the CIP project process.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to award a contract addendum to Jay Engineering Company, Inc. for Design, Bidding and Construction Engineering services for the Bastrop Parsons Wastewater Improvements Project, CIP S-32. The motion carried unanimously.

9. Consideration, discussion, and possible action on Change Order No. 2 for the 2017 Water Distribution System Improvements Project.

The City staff recommended that the City Council approve the proposed Change Order No. 2 for the 2017 Water Distribution System Improvements Project.

City Engineer Phelan discussed the Change Order for the 2017 Water Distribution System Improvement Project.

The discussion was held regarding the increase on the contract price and the contract time for the project.

The discussion was held regarding Change Order No. 1 for the project.

Mayor Wallace Jr. requested for future Change Orders to include a summary of previous change orders approved by Council, if any.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to approve the proposed Change Order No. 2 for the 2017 Water Distribution System Improvements Project. The motion carried unanimously.

10. Consideration, discussion, and possible action on Notice of Partial Assignment of Development Agreement – Shadowglen.

The City staff recommended that the City Council approve a partial assignment of development agreement with Shadowglen; and authorize the City Manager to execute the consent form.

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

City Manager Bolt discussed the Partial Assignment of Development Agreement for Shadowglen.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to approve a partial assignment of development agreement with Shadowglen; and authorize the City Manager to execute the consent form. The motion carried unanimously.

11. Consideration, discussion, and possible action on a development agreement for the Manor Apartment Development (W2 Real Estate).

The City staff recommended that the City Council approve a development agreement for the Manor Apartment Development (W2 Real Estate).

Assistant Development Services Dunlop discussed the development agreement for the Manor Apartment Development (W2 Real Estate).

The discussion was held regarding the wastewater line for the development.

The discussion was held regarding the expansion of the road.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) "ayes" and no (0) "nays" to approve a development agreement for the Manor Apartment Development (W2 Real Estate). The motion carried unanimously.

12. Consideration, discussion, and possible action on a parkland fee-in-lieu for the Manor Grand Apartments.

The City staff recommended that the City Council assess a parkland fee-in-lieu for the Manor Grand Apartments of \$550 per dwelling unit.

Assistant Development Services Director Dunlop discussed the parkland fee-in-lieu for the Manor Grand Apartments.

The discussion was held regarding the one-time assess permit fee to the developer for each dwelling unit.

The discussion was held regarding the park fund account.

The discussion was held regarding the set fee of \$550 on the subdivision ordinance.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) "ayes" and no (0) "nays" to assess a parkland fee-in-lieu for the Manor Grand Apartments of \$550 per dwelling unit. The motion carried unanimously.

13. Consideration, discussion, and possible action on a parkland fee-in-lieu for the Grassdale Apartments.

The City staff recommended that the City Council assess a parkland fee-in-lieu for the Grassdale Apartments of \$550 per dwelling unit.

Assistant Development Services Director Dunlop discussed the parkland fee-in-lieu for the Manor Grand Apartments.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to assess a parkland fee-in-lieu for the Grassdale Apartments of \$550 per dwelling unit. The motion carried unanimously.

14. Second and Final Reading: Consideration, discussion, and possible action on an Ordinance amending Manor Code of Ordinances Chapter 14 Zoning to amend sections General including Application, and Definitions; Zoning District and Regulations including General Requirements and Limitations, Zoning of Annexed Areas, and Establishment of Zoning Districts; Construction Plans; Conditional Use Permits; Nonconforming Uses; Sexually Oriented Businesses; and other related matters.

The City staff recommended that the City Council approve Ordinance No. 565 amending the Manor Code of Ordinance by Repealing Chapter 14 Zoning and Adopting a New Chapter 14 Zoning by Providing General Requirements, Zoning Districts, Zoning Regulations, and Standards for the Development and Use Land within the City.

Assistant Development Services Director Dunlop discussed the outdoor storage and display sections (Division V).

The discussion was held regarding the ordinance applying to Commercial Businesses only.

Ordinance No. 565: An Ordinance of the City of Manor, Texas, Amending the Manor Code of Ordinances by Repealing Chapter 14 Zoning and Adopting a new Chapter 14 Zoning by Providing General Requirements, Zoning Districts, Zoning Regulations, and Standards for the Development and Use of Land Within the City; Providing Severability, Savings Clause, Open Meetings and Effective Date Clauses; Providing Penalties; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Dye and seconded by Council Member Scarbrough, the Council voted seven (7) “ayes” and no (0) “nays” to approve Ordinance No. 565 amending the Manor Code of Ordinance by Repealing Chapter 14 Zoning and Adopting a New Chapter 14 Zoning by Providing General Requirements, Zoning Districts, Zoning Regulations, and Standards for the Development and Use Land within the City. The motion carried unanimously.

15. Consideration, discussion, and possible action on an Ordinance amending Manor Code of Ordinances Chapter 2 Animal Control.

The City staff recommended that the City Council approve Ordinance No. 566 amending Manor Code of Ordinances Chapter 2 Animal Control.

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

The discussion was held regarding the publication of the ordinance for the public.

Ordinance No. 566: An Ordinance of the City of Manor, Texas, Amending Chapter 2 Animal Control by Amending Article 2.01 General Provisions; Amending Article 2.04 General Regulations for Keeping Animals; Providing Severability, Savings Clause, Open Meetings and Effective Date Clauses; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Amezcua, the Council voted seven (7) “ayes” and no (0) “nays” to approve Ordinance No. 566 amending Manor Code of Ordinances Chapter 2 Animal Control. The motion carried unanimously.

16. Consideration, discussion, and possible action on an Ordinance amending Manor Code of Ordinances Chapter 3 Building Regulations.

The City staff recommended that the City Council approve Ordinance No. 567 amending Manor Code of Ordinances Chapter 3 Building Regulations.

Assistant Development Services Director Dunlop discussed the Building Regulations.

Ordinance No. 567: An Ordinance of The City of Manor, Texas, Amending Chapter 3 Building Regulations by Repealing Article 3.09 Landscaping and Screening; Repealing Article 3.10 Signs; Repealing Article 3.11 Outdoor Lighting; Providing Severability, Savings Clause, Open Meetings and Effective Date Clauses; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to approve Ordinance No. 567 amending Manor Code of Ordinances Chapter 3 Building Regulations. The motion carried unanimously.

17. Consideration, discussion, and possible action on an Ordinance amending Manor Code of Ordinances Chapter 4 Business Regulations.

The City staff recommended that the City Council approve Ordinance No. 568 amending Manor Code of Ordinances Chapter 4 Business Regulations.

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

Billy Duett, Duetts Tire Service, 106 W. Parson Street, Manor, Texas, spoke before City Council regarding Business Zoning Regulations. Mr. Duett is requesting City’s support for small businesses regarding business property improvements.

Ordinance No. 568: An Ordinance of the City of Manor, Texas, Amending Chapter 4 Business Regulations by Adding Article 4.11 Adult Oriented Businesses; Providing Severability, Savings Clause, Open Meetings and Effective Date Clauses; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to approve Ordinance No. 568 amending Manor Code of Ordinances Chapter 4 Business Regulations. The motion carried unanimously.

18. Consideration, discussion, and possible action on an Ordinance amending Manor Code of Ordinances Chapter 6 Health and Sanitation.

The City staff recommended that the City Council approve Ordinance No. 569 amending Manor Code of Ordinances Chapter 6 Health and Sanitation.

Assistant Development Services Director Dunlop discussed the penalties with the court for Chapter 6 Health and Sanitations for residents and commercial.

The discussion was held regarding the responsibilities of the homeowner to maintain property.

Ordinance No. 569: An Ordinance of the City of Manor, Texas, Amending Chapter 6, Article 6.03, Division 5, Section 6.03.131 Duties of Owners or Occupants; Providing Severability, Savings Clause, Open Meetings and Effective Date Clauses; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) “ayes” and no (0) “nays” to approve Ordinance No. 569 amending Manor Code of Ordinances Chapter 6 Health and Sanitation. The motion carried unanimously.

19. Consideration, discussion, and possible action on an Ordinance amending Manor Code of Ordinances Chapter 8 Offenses and Nuisances.

The City staff recommended that the City Council approve Ordinance No. 570 amending Manor Code of Ordinances Chapter 8 Offenses and Nuisances.

The discussion was held regarding the noise ordinance restrictions.

Chief Phipps discussed the process for handling noise complaints within the city.

The discussion was held regarding decibel meters.

The discussion was held regarding the businesses noise time restrictions and regulations.

Assistant Development Services Director Dunlop discussed Section 8.08.004 Odorous Matter.

The discussion was held regarding odors outside city limits.

Ordinance No. 570: An Ordinance of the City of Manor, Texas, Amending Chapter 8, Article 8.04 Noise; Adding Article 8.08 Environmental Standards; Providing Severability, Savings Clause, Open Meetings and Effective Date Clauses; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, the Council voted seven (7) "ayes" and no (0) "nays" to approve Ordinance No. 570 amending Manor Code of Ordinances Chapter 8 Offenses and Nuisances. The motion carried unanimously.

20. Consideration, discussion, and possible action on an Ordinance amending Manor Code of Ordinances to add Chapter 15 Site Development.

The City staff recommended that the City Council approve Ordinance No. 571 amending Manor Code of Ordinances to add Chapter 15 Site Development.

Assistant Development Services Director Dunlop discussed the new Chapter 15 for Manor Code of Ordinances for Site Development.

Ordinance No. 571: An Ordinance of the City of Manor, Texas, Amending Manor Code of Ordinances by Adding Chapter 15 Site Development; Providing Severability, Savings Clause, Open Meetings and Effective Date Clauses; and Providing for Related Matters.

MOTION: Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Dye, the Council voted seven (7) "ayes" and no (0) "nays" to approve Ordinance No. 571 amending Manor Code of Ordinances to add Chapter 15 Site Development. The motion carried unanimously.

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 551.076 and Section 551.089 Deliberation Regarding Security Devices or Security Audits* at 8:46 p.m., on Wednesday, February 19, 2020, City Council Conference Room of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

The Executive Session was adjourned at 9:06 p.m. on Wednesday, February 19, 2020.

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 9:06 p.m. on Wednesday, February 19, 2020, in the Council Chambers of the Manor City Hall.

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

There was no action taken.

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 9:07 p.m. on Wednesday, February 19, 2020.

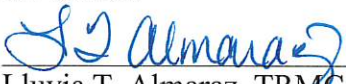
These minutes approved by the Manor City Council on the 4th day of March 2020.

APPROVED:



Dr. Larry Wallace Jr.
Mayor

ATTEST:



Lluvia T. Almaraz, TRMC
City Secretary

