



**CITY COUNCIL
REGULAR SESSION MINUTES
FEBRUARY 20, 2019**

PRESENT:

Rita G. Jonse, Mayor

COUNCIL MEMBERS:

Gene Kruppa, Place 1
Maria Amezcua, Mayor Pro Tem, Place 2
Anne R. Weir, Place 3
Dr. Larry Wallace Jr., Place 4
Deja Hill, Place 5
Valerie Dye, Place 6

CITY STAFF:

Thomas Bolt, City Manager
Lluvia Tijerina, City Secretary
Lydia Collins, Director of Finance
Ryan Phipps, Chief of Police
Scott Dunlop, Assistant Development Services Director
Sarah Friberg, Court Clerk
Mike Tuley, Director of Public Works
Tracey Vasquez, HR Coordinator
Sammie Hatfield, Community Development Manager
Frank Phelan, P.E., City Engineer
Veronica Rivera, Legislative and General Counsel

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, February 20, 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, Finance Director Collins, led the Pledge of Allegiance.

PROCLAMATION

Declaring the month of February 2019, as “National African American History Month”

Mayor Jonse read and presented a proclamation declaring the month of February 2019, as “National African American History Month” to City Manager Bolt and Council Member Dr. Wallace Jr.

PUBLIC COMMENTS

Jordan Tucker, 11108 Amaranth Lane, Austin, Texas, spoke before City Council regarding the need for an updated and improved public library in Manor, Texas. She expressed her desire to be part of the Manor Public Library as a Librarian. Ms. Tucker stated that the library needed a more efficient computer lab and possibly offer different classes for the community.

Jean-Luc Parker, 13581 Pond Springs Rd., Austin, Texas, spoke before City Council regarding the Austin Spurs Basketball Team and possibly partnering with the City of Manor. Mr. Harper is requesting for the City to provide a collaborative way for all parties involved to obtain and retain community outreach. He is requesting for a link to be added to the City’s webpage for the purchase of discounted tickets to staff, families and students of Manor ISD.

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 February 6, 2019, Regular Meeting.**
- 2. Consideration, discussion, and possible action on the acceptance of the January 2019 Departmental Reports:**
 - **Police – Ryan Phipps, Chief of Police**
 - **Development Services – Scott Dunlop, Assistant Dev. Services Director**
 - **Community Development – Sammie Hatfield, Comm. Dev. Manager**
 - **Municipal Court – Sarah Friberg, Court Clerk**
 - **Public Works – Mike Tuley, Director of Public Works**
 - **Finance – Lydia Collins, Director of Finance**

Council Member Kruppa thanked the Chief of Police Phipps and the Victim Services Department for their services.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Dye the Council voted seven (7) For and none (0) Against to approve and adopt all items on the consent agenda. The motion carried unanimously.

REGULAR AGENDA

3. **Consideration, discussion, and possible action on a resolution authorizing and directing the securing of a fire damaged property, finding such fire damaged property presents a danger to the public safety and is in the best interest of the city, and authorizing city staff to attempt to address the matter with the owner or proceed with a hearing and/or abatement.**

The City staff's recommendation was that the City Council approve Resolution No. 2019-01 authorizing and directing the securing of a fire damaged property, finding such fire damaged property presents an imminent threat to public safety and is in the best interest of the city to declare the property an imminent threat, and authorizing city staff to address the matter with abatement.

City Manager Bolt discussed the structural fire that occurred at 208 E. Carrie Manor on February 1, 2019. He stated the home was destroyed and presented an imminent threat to public safety. City Manager Bolt stated the owner had applied for a demolition permit but wasn't sure if the owner would be able to comply with the demolition process.

Greg Eller, Building Official/Inspector of the City of Manor spoke before City Council in regard to the findings of the fire damage to the structure. He stated the structure was unsecure and close to the property line and could easily fall into the neighbor's property with strong winds. He suggested for the structure to be demolished by a professional company.

Bill Carlson, Deputy Fire Marshal of the City of Manor spoke before City Council in regard to the findings of the damaged building. He stated the structure was not safe and was unsecured. Deputy Fire Marshal Carlson expressed his concerns about the building collapsing and individuals entering the unstable building and the potential of injury or death. He is recommending for the structure to be demolished professionally.

City Manager Bolt stated that the home had never been occupied. Deputy Fire Marshal Carlson stated the investigation of the fire was suspended due to the structure instability.

Council Member Weir asked about who would be responsible for the demolition cost. City Manager Bolt stated that the cost for the demolition was the owner's responsibility.

The discussion was held regarding the time frame for the owner to demolish the building.

MOTION: Upon a motion made by Council Member Dr. Wallace Jr. and seconded by Mayor Pro Tem Amezcua the Council voted seven (7) For and none (0) Against to approve Resolution No. 2019-01 authorizing and directing the securing of a fire damaged property, finding such fire damaged property presents an imminent threat to the public safety and is in the best interest of the city to declare the property an imminent threat, and authorizing city staff to address the matter with abatement. The motion carried unanimously.

- 4. Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances Chapter 14, Exhibit A, Article II, Section 20(j)(3) on Lot 10 & the West half of Lot 9, Block 38, Town of Manor, locally known as 502 East Eggleston to allow for 0ft rear setback for an accessory structure. Applicant: Robert Battaile. Owner: Robert Battaile.**

The City staff's recommendation was that the City Council deny a waiver request from Manor Code of Ordinances Chapter 14, Exhibit A, Article II, Section 20(j)(3) on Lot 10 & the West half of Lot 9, Block 38, Town of Manor, locally known as 502 East Eggleston to allow for 0ft rear setback for an accessory structure.

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

Robert Battaile, 502 E. Eggleston St., Manor, Texas spoke before City Council in support of this item. Mr. Battaile is requesting a waiver for the structure of a storage building in his property.

The discussion was held regarding previous fences within the alleyways and new setbacks established for alleyways.

Council Member Dr. Wallace Jr. inquired about the reason for the City's recommendation to deny the request. City Manager Bolt stated the fence was not located properly per city regulations and the fence is on an alleyway. He stated there are define setbacks for property lines and fire safety reasons.

MOTION: Upon a motion made by Council Member Dr. Wallace Jr. and seconded by Mayor Pro Tem Amezcua the Council voted seven (7) For and none (0) Against to deny a waiver request from Manor Code of Ordinances Chapter 14, Exhibit A, Article II, Section 20(j)(3) on Lot 10 & the West half of Lot 9, Block 38, Town of Manor, locally known as 502 East Eggleston to allow for 0ft rear setback for an accessory structure. The motion carried unanimously.

- 5. Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(a) for 9.973 acres of land situated in the James Manor Survey No. 40, Abstract No. 546 to allow for a unit density of 25.15 per acre. Applicant: Kimley-Horn & Associates. Owner: W2 Real Estate Partners.**

The City staff's recommendation was that the City Council approve a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(a) for 9.973 acres of land situated in the James Manor Survey No. 40, Abstract No. 546 to allow for a unit density of 25 per acre.

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

Mike Braeuer with W2 Real Estate Partners, Austin, Texas, submitted a card in support of this item; however, he did not speak but was available to address any questions posed by the City Council.

City Manager Bolt discussed the waiver request for the property to allow for a unity density of 25 per acre.

Harrison Hudson with Kimley-Horn & Associates spoke before City Council in support of this item. Mr. Hudson discussed the waiver request and stated that the unit density for multifamily was in line with the surrounding cities. He stated the unit counts are increasing from 246 to 276.

The discussion was held regarding the multifamily zoning requirements for surrounding cities.

The discussion was held regarding the .15 units per acre calculation.

Council Member Hill inquired about the height of the buildings. Mr. Hudson explained the structure of the units.

The discussion was held regarding the changes in the development regarding units and parking.

MOTION: Upon a motion made by Council Member Dr. Wallace Jr. and seconded by Council Member Weir the Council voted seven (7) For and none (0) Against to deny a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(a) for 9.973 acres of land situated in the James Manor Survey No. 40, Abstract No. 546 to allow for a unit density of 25 per acre. The motion carried unanimously.

6. Consideration, discussion, and possible action on a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(b)(iv)(C) and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(m) to allow for reduction to the minimum number of parking spaces per each living unit to 1.8. Applicant: Kimley-Horn & Associates. Owner: W2 Real Estate Partners

The City staff's recommendation was that the City Council approve a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(b)(iv)(C) and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(m) to allow for 1.5 spaces per 1-bedroom unit, 2 spaces per 2-bedroom unit, 2.5 spaces per 3+ bedroom unit and an additional 5% of total spaces for visitor use.

Mike Braeuer with W2 Real Estate Partners, Austin, Texas, submitted a card in support of this item; however, he did not speak but was available to address any questions posed by the City Council.

Harrison Hudson with Kimley-Horn & Associates spoke before City Council in support of this item. Mr. Hudson discussed the waiver request to allow for reduction to the minimum number of parking spaces per each living unit to 1.8.

The discussion was held regarding the parking requirements for the City.

The discussion was held regarding the market rate for the development.

Council Member Dr. Wallace Jr. expressed his concerns regarding the minimum parking spaces per units for the development.

Council Member Kruppa inquired about any additional waivers that might be asked on a later date by the developer. Asst. Development Services Director Dunlop stated the developer had not requested any other waivers for the development at this time.

The discussion was held regarding the City staff's recommendation for parking.

The discussion was held regarding the total number of parking spaces available for visitors.

Council Member Kruppa stated that the 5% of spaces for visitors totaled 37 parking spaces. He stated that the developer only offered 20 spaces and did not meet the 5% requirement.

MOTION: Upon a motion made by Council Member Dr. Wallace Jr. and seconded by Council Member Weir the Council voted seven (7) For and none (0) Against to deny a waiver request from Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 34(b)(iv)(C) and Manor Code of Ordinances, Chapter 14, Exhibit A, Article II, Section 20(m) to allow for 1.5 spaces per 1-bedroom unit, 2 spaces per 2-bedroom unit, 2.5 spaces per 3+ bedroom unit and an additional 5% of total spaces for visitor use. The motion carried unanimously.

7. Consideration, discussion, and possible action on an Interlocal Cooperation Agreement between Travis County and the City of Manor relating to on-site septic system permitting services.

The City staff's recommendation was that the City Council approve an Interlocal Cooperation Agreement between Travis County and the City of Manor relating to on-site septic system permitting services and authorize the City Manager to finalize the agreement and for the Mayor to execute the final agreement.

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

City Manager Bolt discussed the agreement relating to on-site septic system permitting services between Travis County and the City of Manor.

MOTION: Upon a motion made by Council Member Mayor Pro Tem Amezcua and seconded by Council Member Dye the Council voted seven (7) For and none (0) Against to approve an Interlocal Cooperation Agreement between Travis County and the City of Manor relating to on-site septic system permitting services and authorize the City Manager to finalize the agreement and for the Mayor to execute the final agreement. The motion carried unanimously.

8. Consideration, discussion, and possible action on Change Order No. 1 for the 2017 Water Distribution System Improvements Project.

The City staff's recommendation was that the City Council approve the proposed Change Order 1 for the 2017 water Distribution System Improvements Project.

City Engineer Phelan discussed the Change Order for the 2017 Water Distribution System Improvement Project. He stated the plans had been approved and the project had been put out to bid. He explained the price changes on each item listed for the project.

The discussion was held regarding the overall budget for the project.

The discussion was held regarding the date of completion for the project.

The discussion was held regarding the Flowable Fill per COA Specification 402S cost.

Council Member Dr. Wallace Jr. asked if there were any other anticipated change orders for the project and if the amounts listed were actual or estimated costs. City Engineer Phelan stated the unit prices were fixed by the change order, but final adjustments might be needed at the end of the project.

Council Member Hill inquired about the items already established on the bid. City Engineer Phelan stated items 1-17 were established bid items and items 18-20 were new items added to the bid.

MOTION: Upon a motion made by Council Member Kruppa and seconded by Council Member Dr. Wallace Jr. the Council voted seven (7) For and none (0) Against to approve the proposed Change Order 1 for the 2017 water Distribution System Improvements Project. The motion carried unanimously.

Mayor Jonse adjourned the regular session of the Manor City Council into Executive Session at 7:54 p.m. Wednesday, February 20, 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 551.074 Personnel Matters – Discussion of City Manager’s Employment; and Section 551.071 Consultation with Attorney* at 7:54 p.m., on Wednesday, February 20, 2019, City Council Conference Room of the Manor City Hall, 105 E. Eggleston St., Manor, Texas.

The Executive Session was adjourned at 8:12 p.m. on Wednesday, February 20, 2019.

OPEN SESSION

The City Council reconvene into Open Session pursuant to the provisions of Chapter 551 Texas Government Code at 8:12 p.m. on Wednesday, February 20, 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.

- *Section 551.074 Personnel Matters – Discussion of City Manager’s Employment*

There was no action taken.

9. Consideration, discussion, and possible action on an amendment to the City Manager’s Contract.

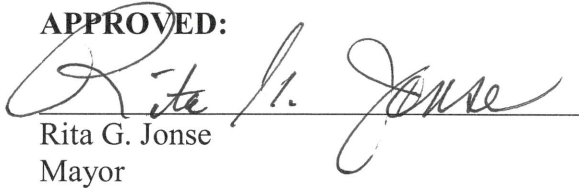
MOTION: Upon a motion made by Council Member Dr. Wallace Jr. and seconded by Council Member Weir the Council voted seven (7) For and none (0) Against to amend the City Manager’s Contract for an extended (2) two additional years plus a 4.5% increase totaling \$188,804.00. The motion carried unanimously.

ADJOURNMENT

The Regular Session of the Manor City Council Adjourned at 8:13 p.m. on Wednesday, February 20, 2019.

These minutes approved by the Manor City Council on the 6th day of March 2019.

APPROVED:


Rita G. Jonse
Mayor

ATTEST:


Luvia Tijerina, TRMC
City Secretary

