



**CITY COUNCIL  
SPECIAL SESSION MINUTES  
APRIL 15, 2020**

**The meeting was live streamed on Facebook Live beginning at 7:00 p.m.  
<https://www.facebook.com/cityofmanor/>**

**PRESENT:**

Dr. Larry Wallace Jr., Mayor

**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  
Valerie Dye, Place 6

**CITY STAFF:**

Thomas Bolt, City Manager  
Lluvia T. Almaraz, City Secretary  
Heath Ferguson, IT Manager  
Michael Pachnick, IT Technician

**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 Wallace Jr. at 7:06 p.m. on Wednesday, April 15, 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.

## PROCLAMATIONS

### **A. Declaring the City of Manor to be a “*Purple Heart City*”**

Mayor Wallace Jr. read a proclamation declaring the City of Manor to be a “Purple Heart City”

### **B. Declaring the week of April 19-25, 2020, as “Crime Victims’ Rights Week”**

Mayor Wallace Jr. read a proclamation declaring the week of April 19-25, 2020, as “Crime Victims’ Rights Week”

### **C. Declaring the month of April 2020, as “*National Child Abuse Prevention Month*”**

Mayor Wallace Jr. read a proclamation declaring the month of April 2020, as “National Child Abuse Prevention Month”

### **D. Declaring the month of April 2020, as “*Military Child Month*”**

Mayor Wallace Jr. read a proclamation declaring the month of April 2020, as “Military Child Month”

### **E. Declaring the month of April 2020, as “*Sexual Assault Awareness Month*”**

Mayor Wallace Jr. read a proclamation declaring the month of April 2020, as “Sexual Assault Awareness Month”

### **F. Declaring the month of April 2020, as “*Autism Awareness Month*”**

Mayor Wallace Jr. read a proclamation declaring the month of April 2020, as “Autism Awareness Month”

## PUBLIC COMMENTS

Due to State and County Orders limiting gatherings to no more than ten (10) people and temporary suspension by the Governor of sections of the Texas Open Meetings Act that may be interpreted to require face-to-face interaction between members of the public and public officials, in-person public comments were canceled.

In the alternative, an email ([publiccomments@cityofmanor.org](mailto:publiccomments@cityofmanor.org)) was provided for any comments on agenda items or general comments from the public. All emails included the name and address for the record. The name of the person making the comment and the subject of the comment would be read into the record, and the entire comment would be made as part of the city records for the meeting. Public Comments were open until 6:30 p.m. the day of the meeting.

City Manager Bolt read the following name of the person and subject of the comment for the record, submitted by email.

Rick Battaile – *Public Comments Regarding Bocce Court at Timmermann Park*

The attached email is recorded as part of the Public Comments.

There were no additional public comments received prior to the meeting.

## **CONSENT AGENDA**

- 1. Consideration, discussion, and possible action to approve the City Council Minutes:**
  - **March 23, 2020, Called Special Session; and**
  - **April 6, 2020, Called Special Session**
- 2. Consideration, discussion, and possible action on the acceptance of the March 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**

**MOTION:** Upon a motion made by Mayor Pro Tem Deja Hill and seconded by Council Member Amezcua, to approve and adopt all items on the Consent Agenda.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no discussion.

**Motion to approve carried 7-0**

## **REGULAR AGENDA**

- 3. Consideration, discussion, and possible action on an award of a construction contract for the 2019 Cap Metro Paving Improvements Project.**

The City staff recommended that the City Council award a construction contract to Smith Paving, Inc. in the amount of \$249,255 for all BASE BID Work.

City Manager Bolt discussed the construction contract for the 2019 Cap Metro Paving Improvements Project.

**MOTION:** Upon a motion made by Council Member Scarbrough and seconded by Council Member Amezcua, to award a construction contract to Smith Paving, Inc. in the amount of \$249,255 for all BASE BID Work.

Mayor Wallace Jr. open the floor for any questions to the motion.

Council Member Scarbrough inquired about the process for the paving construction of the project.

City Manager Bolt explained the base contract for the process of the Cap Metro Project.

The discussion was held regarding the list of the streets that would be repaired.

There was no further discussion.

**Motion to approve carried 7-0**

**4. Consideration, discussion, and possible action on a Development Agreement for the Design and Construction of Water and Wastewater Line Improvements.**

The City staff recommended that the City Council approve a Development Agreement for the Design and Construction of Water and Wastewater Line Improvements.

Lee Derr with IDEA Public Schools, 1822 W. Brake Lane, Austin, Texas, submitted a speaker card in support of this item; however, he did not wish to speak but was available for any questions.

City Manager Bolt discussed the Development Agreement for the Design and Construction of Water and Wastewater Line Improvements.

**MOTION:** Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Dye, to approve a Development Agreement for the Design and Construction of Water and Wastewater Line Improvements.

Mayor Wallace Jr. open the floor for any questions to the motion.

The discussion was held regarding the water line location.

Frank Phelan, City Engineer joined the meeting by audio teleconference.

City Engineer Phelan discussed the new water line location on Tower Road and F.M 973.

The discussion was held regarding the existing 15" wastewater line that is owned by the City of Manor.

**Motion to approve carried 7-0**

**5. Consideration, discussion, and possible action on a Deposit Agreement for the Proposed Water Service Transfer for the IDEA Public Schools Project.**

The City staff recommended that the City Council approve the Deposit Agreement for the Proposed Water Service Transfer for the IDEA Public Schools Project and authorize the City Manager to execute the agreement.

Lee Derr with IDEA Public Schools, 1822 W. Brake Lane, Austin, Texas, submitted a speaker card in support of this item; however, he did not wish to speak but was available for any questions.

City Manager Bolt discussed the Deposit Agreement for the Water Service Transfer for the IDEA Public Schools Project.

**MOTION:** Upon a motion made by Council Member Amezcua and seconded by Council Member Emily Hill, to approve the Deposit Agreement for the Proposed Water Service Transfer for the IDEA Public Schools Project and authorize the City Manager to execute the agreement.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no discussion.

**Motion to approve carried 7-0**

**6. Consideration, discussion, and possible action on the installation of Little Free Libraries on certain park locations.**

The City staff recommended that the City Council approve the installation of Little Free Libraries on certain park locations.

City Manager Bolt discussed the installation of Little Free Libraries on certain park locations.

**MOTION:** Upon a motion made by Council Member Dye and seconded by Council Member Dr. Harvey, to approve the installation of Little Free Libraries on certain park locations.

Mayor Wallace Jr. open the floor for any questions to the motion.

Mayor Wallace asked if the project needed to be completed for Scout Colton Dwyer to meet his requirement for the Eagle Scout Badge.

The discussion was held regarding the deadline of the project.

The discussion was held regarding the minimum construction of the project before July 1, 2020.

Mayor Wallace Jr. recommended an amendment to the motion for Scout Colton Dwyer to coordinate an agreement with the Boy Scouts of America regarding the placement of books due to the current pandemic.

The discussion was held regarding Scout Dwyer's request for the approval of his project before July 1, 2020.

The discussion was held regarding the amendment to the motion.

Council Member Dye rescinded her motion.

**MOTION:** Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Scarbrough, to approve the construction of the Little Free Library in the Manor Arts Park and installation to be approved at the time all city and county orders are lifted with direction of the City Manager.

Mayor Wallace Jr. open the floor for any questions to the motion.

Mayor Pro Tem Deja Hill inquired if there was only one location proposed for the project.

The discussion was held regarding other proposed locations within the city.

There was no further discussion.

**Motion to approve carried 7-0**

**7. Consideration, discussion and possible action on Personnel Policy addressing COVID-19 related issues including sick leave, employee pay, use of accruals, and expanded FMLA coverage under recently passed Federal Acts.**

The City staff recommended that the City Council approve the Personnel Policy addressing COVID-19 related issues including sick leave, employee pay, use of accruals, and expanded FMLA coverage under recently passed Federal Acts.

City Manager Bolt discussed the Personnel Policy addressing COVID-19.

**MOTION:** Upon a motion made by Council Member Dr. Harvey and seconded by Council Member Amezcua, to approve the Personnel Policy addressing COVID-19 related issues including sick leave, employee pay, use of accruals, and expanded FMLA coverage under recently passed Federal Act including first responders.

Mayor Wallace Jr. open the floor for any questions to the motion.

The discussion was held regarding the policy covering all city employees.

The discussion was held regarding current policy procedures for FMLA approval.

There was no further discussion.

**Motion to approve carried 7-0**

**8. Consideration, discussion, and possible action on canceling the May 6, 2020, Regular Council Meeting.**

The City staff recommended that the City Council cancel the May 6, 2020, Regular Council Meeting.

**MOTION:** Upon a motion made by Council Member Emily Hill and seconded by Council Member Amezcua, to cancel the May 6, 2020, Regular Council Meeting.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no discussion.

**Motion to approve carried 7-0**

Council Member Amezcua advised she would be abstaining from discussion and consideration of the following item, as she is a friend of the applicant. The appropriate Conflict of Interest Affidavit had been filled out and filed with the City Secretary.

Council Member Amezcua removed herself from the dais.

**9. Consideration, discussion, and possible action on abandonment of all or part of a city alley located at 401 Lexington Street, next to Lots 3, 4 and 5, Blk 62.**

City Manager Bolt explained the partial abandonment of right-of-way located at 401 Lexington Street. He is requesting for direction from City Council.

The discussion was held regarding the garage location on the property and alleyway.

The discussion was held regarding the utility lines on the alleyway.

The discussion was held regarding the partial abandonment vs the assessment of the alleyway.

The discussion was held regarding the size of the garage on the alleyway.

The discussion was held regarding the reasons why the garage would be taken down by current or future owner.

Council Member Scarbrough recommended for the city to abandon the part of the alleyway where the garage was located on.

The discussion was held regarding Conflict of Interest.

Council Member Dr. Harvey expressed his concerns regarding the partial abandonment of the alleyway.

The discussion was held regarding other properties within the city with same situation.

Council Member Scarbrough discussed the past lot plating issues within the city.

**MOTION:** Upon a motion made by Council Member Scarbrough and seconded by Council Member Dye, to abandoned and sale the piece of land to current owners based on the age of the house and past city practices when the house was built.

Mayor Wallace Jr. open the floor for any questions to the motion.

There was no further discussion.


**Motion failed 3-3** (Mayor Pro Tem Deja Hill, Council Member Emily Hill and Council Member Dr. Harvey voted against; Mayor Wallace Jr. voted for)

#### **ADJOURNMENT**

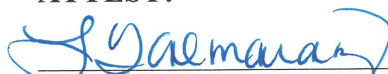
The Regular Session of the Manor City Council Adjourned at 8:15 p.m. on Wednesday, April 15, 2020.

These minutes approved by the Manor City Council on the 23<sup>rd</sup> day of April 2020.

#### **APPROVED:**

  
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Dr. Larry Wallace Jr.  
Mayor

#### **ATTEST:**

  
\_\_\_\_\_  
Lluvia T. Almaraz, TRMC  
City Secretary





**From:** Rick Battaile <

**Sent:** Monday, March 23, 2020 2:34 PM

**To:** Dr. Larry Wallace Jr. <Mayor@cityofmanor.org>; Emil Hill <CouncilMember1@cityofmanor.org>; Maria Amezcua <CouncilMember2@cityofmanor.org>; Dr. Christopher Harvey <CouncilMember3@cityofmanor.org>; Danny Scarbrough <CouncilMember4@cityofmanor.org>; Deja Hill <CouncilMember5@cityofmanor.org>; Valerie Dye <CouncilMember6@cityofmanor.org>; Tom Bolt <tbolt@cityofmanor.org>

**Cc:** robert@austinbocceleague

**Subject:** Public Comments Regarding Bocce Courts at Timmermann Park

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Dear Mayor, City Council Members, and City Manager:

The attached document represents public testimony I would have presented at the March 18, 2020 Manor City Council meeting.

Thank you for your attention and consideration.

Respectfully submitted,

Rick Battaile