

THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §



LARRY AKERY, COUNCIL PLACE 1
LORRAINE HEHN, COUNCIL PLACE 2
NICCOLE TYSON, COUNCIL PLACE 3
DAN DAVIS, COUNCIL PLACE 4
JASON ALBERT, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6

DEBRA DAVISON, MAYOR
KYLE JUNG, CITY MANAGER
TAMMY BELL, CITY SECRETARY

MINUTES 9/20/2021

Workshop Session

Mayor Davison called the workshop of the Manvel City Council to order at 6:00 p.m.
Those in attendance were:

Present: Mayor Debra Davison
City Council Member Place 1 Larry Akery
City Council Member Place 2 Lorraine Hehn
City Council Member Place 3 Niccole Tyson
City Council Member Place 4 Dan Davis
City Council Member Place 5 Jason Albert
City Council Member Place 6 Jerome Hudson

Absent: None

Also Present: Kyle Jung, City Manager
Dan Johnson, Assistant City Manager/City Engineer
Robert Gervais, City Attorney
Keith Traylor, Chief of Police
Jessica Rodriguez, Director of Development Services
Chris Thomas, Finance Director
Tammy Bell, City Secretary

Discussion on the Fiscal Year 2021-2022 Proposed Budget

Dan asked about how the budget helps the city meet its strategic goals. With this budget, what is the road map to achieving these goals?

Chris, we don't want to add a burden on the tax payers, but we also need to keep the budget affordable for the city to operate without adding a burden on the tax payers in the future. We need to provide a small buffer in the budget to not cause bigger problems later. This budget is trying to do the right thing for the city, the staff and the tax payer.

Dan - Pay scale, some are getting a raise at 3%, some higher based on the HGAC survey and some based on contractual agreements. What if the city only approved a 5% for all staff across the board.

Dan asked Kyle if there was anything missing in this proposed budget that would allow him or the staff to be successful?

Kyle, almost everything the staff has asked for has been included in this budget. Kyle asked the Council if there is anything they would like to see added?

Kyle stated the one thing that may be needed he would suggest a portable generator. In light of the recent hurricane, this could be very useful.

Dan stood strong on his view of wanting to lower the tax rate for the citizens. Suggesting the council adopt the no new revenue rate and not overburden the tax payers.

Mayor - comment on 5% across the board. Feels the assessment from a third party would be the first step.

Lorraine - Emergency Services money is available and the purchase of a portable generator would be a good use of the funds.

Lorraine - In the last meeting, it was discussed to have staff start the process of moving forward with a salary survey.

Jason - Appreciates the response if we can go to 5% across the board for raises. Council as a body needs to do right across the board. Not just for the Police Department. How can they approve the budget but not approve any raises until the City Manager can provide what's right for everyone, not just for a few people.

Mayor - Wants to see the proposed raises approved and then move forward on the survey.

Chris - The survey is going to take some time. However, this will be hard to swallow for the staff if no raises are issued during this time. 5% across the board could be achievable.

Jason - Ok the plan is 5 % across the board and then work on the salary survey. Currently, the raises are very all over the place with no rhyme or reason. The current proposal appears very unfair to him.

Dan - We are not wanting to stop things, but need to slow things down. How is it justified that some people are getting 3%, some 5%, some 10% and some over 10%? How is that justifiable?

If raises are placed in the budget, the charter allows the City Manager to issue the raises. The 5% was meant to be an even playing field across the board for all staff. Let's appropriate the funds for the salary survey and Police performance survey.

Cuts in the budget -budget based on the proposed maximum rate.

Dan - Total raises are 300,000-375,000.00

At the last meeting, he received the numbers of what staff make and what the proposed increases are. This is the reason he suggested the 5% across the board. Pull back on some other areas to make sure this can be accomplished. Cut back on the emergency service account time cut out 200,000.00 or on Croix Park cut it back maybe 50,000.00. The council, staff and community can work together on this. We need to refine what the milestones are and how to get there.

Discussion on any subject addressed on the Agenda for September 20, 2021

None.

Mayor Davison adjourned the workshop at 6:56 p.m.

Regular Session

Call To Order

Inspirational Reading - Council Member Niccole Tyson

Pledge

Pledge of Allegiance and Texas Pledge: "Honor the Texas flag; I pledge allegiance to thee Texas, one state under God, one and indivisible.

Citizen Comments: "Comment Card" Required

****Members of the public who wish to submit written comments on a listed agenda item must submit their comments via the Public Comment Request Form found on the city website www.cityofmanvel.com or by emailing tbell@cityofmanvel.com or by calling 281-489-0630 Xu for staff assistance.*

Kathryn Ducament - 6602 Mississippi - Drainage issue

My parents have lived here over 30 years. Never had any flooding issues until recently. Speaking on behalf of older residents and herself. Ditches not being addressed. Ditches not dug since 1997. Main issue is new residence behind them that city permitted, which is causing flooding in their yard. Parents had to buy flood insurance for the first time this year. Wants to see change and better stuff for them. Where is money going - not seeing anything for the community.

Presentation

1. Proclamation
Clean Energy Week - September 20 - 24, 2021.

Public Hearing

PUBLIC HEARING TO HEAR INPUT ON THE 2021 TAX YEAR PROPOSED PROPERTY TAX RATE.

A tax rate of \$0.578801 per \$100 valuation has been proposed by the governing body of City of Manvel.

PROPOSED TAX RATE \$0.578801 PER \$100

No – new revenue tax rate \$0.562856 per \$100

Voter-Approval Tax Rate \$0.578801 per \$100

The no-new-revenue tax rate is the tax rate for the 2021 tax year that will raise the same amount of property tax revenue for City of Manvel from the same properties in both the 2020 tax year and the 2021 tax year. The voter-approval tax rate is the highest tax rate that City of Manvel may adopt without holding an election to seek voter approval of the rate, The proposed tax rate is greater than the no-new-revenue tax rate. This means the City of Manvel is proposing to increase property taxes for the 2021 tax year.

The following table compares the taxes imposed on the average residence homestead by City of Manvel last year to the taxes proposed to be imposed on the average residence homestead by City of Manvel, this year.

	2020	2021	Change
Total tax rate (per \$100 of value)	\$0.610000	\$0.578801	decrease of \$-0.031199, or -5.11%
Average homestead taxable value	\$240,369	\$255,821	increase of \$15,452, or 6.43%
Tax on average homestead	\$1,466.25	\$1,480.69	increase of \$14.44, or 0.98%
Total tax levy on all properties	\$5,678,585	\$6,357,860	increase of \$679,275, or 11.96%

Opened at 7:14 p.m.

1st call for comments

Brian Vaughn - with the growth of the city, the cost for services increases. That being said, new revenue is coming in. Does not feel that increasing the tax rate is a good thing at this time.

2nd call for comments

None

3rd call -

None.

Closed at 7:17 p.m.

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF 1.03 ACRES OF LAND LOCATED AT 7346 TAYLOR STREET, MANVEL, TEXAS FROM OPEN-SINGLE FAMILY RESIDENTIAL (O-SFR) DISTRICT TO LIGHT COMMERCIAL (LC) DISTRICT PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Opened at 7:21 p.m.

First call for comments

Joe Bolduc - 8203 Magnolia Street

Property was purchased about 5-7 years ago to clean up the area they lived in. They fixed up the church and started to get requests from young ladies who wanted to get married in the church. They were having to turn down these individuals. As time has gone on, Nancy had changed her mind and decided she would like to make the church a wedding chapel. Mr. Bolduc limited the land to the smallest area of land for the sake of not wanting light commercial property that close to his property. There are 5-6 100 + year old oak trees that cannot be moved so that limits the expansion on some of what can be added.

David Lanz - 5249 Patterson. In favor of the proposal.

Brian Wilmer - Does the benefit we have today outweigh the negative we might face down the road? If it does, then we need to find a way to be creative to allow this to move forward. This is a beautiful facility and would make a great venue for weddings.

Carolyn Bowen - Last week I attended the PD&Z hearing and expressed my sentiments regarding the zoning change for the old church I visited many times in my childhood for bible school, weddings, funerals etc. The memory that stays most vivid in my mind was the funeral of Edith Kreuzer who was killed in a car accident as the family drove home from Livingston. She was wife of Bud Kreuzer, Manvel's first Mayor. Their daughter Elaine, my close friend, was in a coma at the time. All of Manvel attended and spilled out to the street. I had many sleepovers at that now restored old house across Magnolia from the church. I mentioned taking a shower there for the first time and I also recall that being the first time I used a telephone. We didn't have one; not many did, so Elaine and I had few friends we could call. There was no vandalism then and Bud kept a close eye on the church, as did Mandy Oliver with her shotgun. So Elaine and her Brother Kenneth and sister Barbara and I would go inside and play "church". It was not nearly as dressed up as it is now, but I thought it was beautiful and, yes, we pretended to have weddings and "singing".

Manvel was born in that section of town south of the railroad. That WAS downtown prior to Highway 6 and Old Manvel Road (makes sense by the train). That was the primary road where people went to the depot in Alvin and did business there. In downtown Manvel there was a hotel on Masters between Old Manvel Rd (Bissell) and King St on the East side. I remember Jack Albritten tearing down the old feed store at Masters and Old Manvel Rd and I understand a grocery store was there as well.

The church is still there and the school is across the street on Taylor. Behind the school was a welding shop and I also remember Bible School and events at the old church on King Street when it was Manvel Bible Church. The Moore family owned most of the land back then and deed records for them go back to the 1850's.

Rich Koeppen bought the old house the Kreuzer's lived in and his first body shop was on Magnolia. The Olivers lived next door. Eddie served on the school board and probably council as well.

Gates Machine is a huge industrial business right around the corner on...old Manvel...or did I hear it called Bissell? This part of Manvel should never have been zoned residential in the first place. It was Manvel's original downtown business district. It was exactly as it is now when no one knew what was coming, so everything was zoned residential, thinking zoning would be changed as needed. (It is needed!) That area had to be residential in order to get a HUD grant for the utilities. As I understood it, that area was chosen for the grant because of the more dense population of low income families. There was no "plan" some Council group envisioned. There was grant money for badly needed utilities considering the area was sold in city-sized lots with no utilities available. It is still the same on 1128 with no utilities there. I suppose whoever platted the city expected utilities to come sooner. There are 30 & 50' lots, 100' deep, so a grant was needed.

Zoning changes are made on a regular basis for Meridiana and Lakeland and other developers. Why not a community-minded family restoring an old church? I was born in Manvel, grew up there and have been within 10 miles of it for what will be 75 years next Monday. I bought the property across the street just to save the old school. I have to say it was a horrible investment, but I cherish it and had hopes of restoring it one day. I would like my property to be commercial as well. I thought of putting my business there one day, or making it into a tea room, or maybe the City could make it an authentic museum. Manvel needs a window into its history and this is where that was lived. I can visualize Bud Kreuzer and Eddie Oliver at the Friendly Inn deciding Manvel needed to incorporate to keep Houston away and with Todd Furnace, Jimmy Del Bello, Mr. Bahlor and a few other visionaries Manvel became a City. There was no City Hall, so where did they hold meetings? Maybe in this church in "downtown" Manvel.

Mrs. Huffman mentions in her book a store in Manvel that was owned by someone she called Joe. She tells of roads all being of mud and Joe would have weeds and plants growing in the mud from seeds on the old wood floor. She was describing where Iowa Colony folks went to do business....in downtown Manvel's business district. The fact that a council before you saw fit to zone this residential area while seeking a grant does not mean you can't correct that error now and bring the old downtown back to business. Being flexible and making changes when needed is being open-minded. There are not many homes in that area, so why not commercial?

We all agree these owners have done a beautiful job of restoring this church and we are grateful....but not grateful

enough to allow them to recover some of their money invested and spent daily on maintenance? Come on! They just want a wedding venue, but frankly, I would build a reception hall and have the entire event there, catered by local restaurants and using local florists or other businesses it would attract. Let there be a peaceful wedding chapel and noise an issue? You are aware of the train there, right? This could be Manvel's restore downtown project!

Downtown League City built a beautiful shopping district around a gazebo and an old church. The other buildings are moved in and new mixed in, but of the same style of the era when the church was built. Now it is busy with restaurants and shops... and the train.

Second call for comments

Muhammod Alam - in favor of the rezone request

Third call - no comments

Closed at 7:43 p.m.

TO HEAR INPUT FROM THE PUBLIC TO CONSIDER THE AMENDMENT OF LAND USE ASSUMPTIONS AND A CAPITAL IMPROVEMENTS PLAN AND THE IMPOSITION OF AN IMPACT FEE.

Opened at 7:43 p.m.

Russ Bynum - Hillwood communities' developer of Pomona. Under contract and due to close on the Velencia property. Against the proposed impact fee as it's being presented. Requesting the item be tabled so council can reevaluate the numbers.

1. The estimates use a 25% contingency, which is significantly higher than typical cost estimates. 2. There are several items in the study that seem to be grossly overstated based on the chart I have prepared. The City of Manvel column details estimates provided in the Impact Fee study. The LJA projects column (2020 and 2021) shows pricing for 2020 projects and 2021 projects. Over the last year, prices have increased. The increases have largely been attributed to supply chain issues and demand. As you can see, most of these prices have doubled and then some. The last two columns compare the higher prices we've seen in 2021 to the Impact Fee study prices. The prices in the Impact Fee study are more than double the already doubled prices from 2020. These few line items are a representation of the grossly overstated cost estimates in this study.

3. Are all of the improvements necessary or can they be phased to further reduce or delay costs? These three items directly affect all of the city's taxpayers. Overbuilding infrastructure puts a strain on the city's financial health. In addition, the operation of the plant facilities has become underutilized and creates inefficiencies that end up costing more money. Additionally, what is the mechanism for refunding for over collecting the fees? 4. An increase that is 5 times the current rate will stifle or likely halt growth in both residential construction and commercial businesses and will discourage future development in the city. 5. The other cities that have increased their impact fee that is well above the market average (Dayton and Magnolia) have not attracted high quality commercial or residential development. Development that has come to those areas are instead developing in the ETJ and are electing to build their own water/wastewater plants. 6. The increased costs will be passed on to the taxpayer. 7. Water and sewer revenues could also be part of the way to fund the improvements. These improvements will benefit the whole city, not just the ones that pay the fee. The Impact Fee passed by the Committee is not taking this into account. This fee is being paid by new development yet benefiting many in older developments. Additionally, this impact fee will fund some of the improvements to the City Center site, which will benefit the whole city. 8. The wastewater collection system for the new development to be served by the WWTP expansion will be constructed with gasketed PVC pipe, which will result in less infiltration into the system. In addition, modern fixtures typically use less water. Therefore, it is likely that the wastewater flow from the new development will result in a lower flow rate per connection than the 315 gallons per day required by the City. Historical data from other developments indicates that the actual flow rate is 250 gallons per day per connection or less. The capacity of the WWTP expansion should be based on historical data so that the facility is not unnecessarily oversized for the number of connections allocated to it, resulting in higher costs to the taxpayers.

I would like to see the study refined more and conducted in greater detail. I hope that after reading and listening to others, you feel the same. The amount specified in the study is too great to get wrong. Additionally, I'd like to see

the impact fee adopted in accordance with usual practices whereby water and sewer revenues are factored in as a component of the cost. An increase that is 5 times the current rate will stifle or likely halt growth in both residential construction and commercial businesses and will discourage future development in the city. While I do understand the impact fees will and likely should rise from where they are today, I don't think they should increase more than double the current rate. Increasing much more than that would likely cause our builders to pause to move forward with the Valencia development.

Rich Muller - Muller Law Group.

Also against the proposed impact fees as being considered. Would like the council to allow the developers to sit down with the consultant and see if they can come up with a concept that will work for the city and the developers. This is a plea to work together and be able to get the math right.

Bradly Pepper - Director of greater Houston builders association

Points stated by Russ and Rich are important. He is here to speak on behalf of housing affordability. These types of things will affect housing affordability in a negative way. All of this is making the American dream unachievable.

Dorothy Wynne - Where was everyone when the city was working on this? If an individual had an area and needed to put in a well and septic, it would cost well over 20,000.00. The board did look at the fees and heard nothing from the developers. There are two sides to this. What the board submitted to the council was based off the professionals because there were no developers attending those meetings.

Second call for comments - None

Third call for comments - None

Closed at 8:01

City Manager Update

Update on current events and city issues.

Update on the following;

City Center

Cameron Recycling

Status on county work assistance on city roads

Status of a compliance audit of management control, and fire hydrant analysis

Covid numbers - 3417 +245 from last meeting , 302 confirmed cases +15 from last meeting, 95 probable cases, 2984 recovered, 36 deaths +7 from last meeting

City Center

Talking about the next steps

Pgal working on a feasibility study of the sports complex

Dan is working on estimates of construction on the "spine" road and the next, water, sewer and drainage for the city center portion. Estimates are 3 1/2 to 4 million.

Cameron Recycling

The staff have had several meetings. The property owner is working on finding out where the noise is coming from.

Assistance on city roads

Dan - County is going to help with Wilson and Clark. At this time, we do not have a date as to when these roads will be done. As soon as we have a good date, we will share that with the council.

Fire Hydrants Survey - 8 hydrants listed as needing to be fixed. Seven of the hydrants have been replaced. The city will continue to conduct these annual audits.

Compliance Audit - Chris - The current auditors are making sure we are in compliance. The investment policy is reviewed and statements are analyzed.

Regular Agenda

1. Consideration and possible action to approve on first and final reading, Ordinance 2021-O-29; AN ORDINANCE APPROVING AND ADOPTING THE CITY OF MANVEL, TEXAS, OPERATING, CAPITAL IMPROVEMENT PROGRAM, AND MEDC BUDGET FOR THE FISCAL YEAR 2022; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH YEAR AS REFLECTED IN SAID BUDGET; ESTABLISHING THE PROCEDURE FOR INTRA-BUDGET TRANSFERS; APPROVING ALL PROGRAMS AND EXPENDITURES CONTAINED THEREIN; AUTHORIZING THE CITY MANAGER TO MAKE ANY BUDGETED EXPENDITURE WITHOUT FURTHER ACTION BY THE CITY COUNCIL, AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.

Jason - Impact fee - What is used in this budget? Chris - Existing number

Jason - Since the council is not in agreeance with the salary recommendations, would the City Manager be willing to voluntarily withdraw his recommendation on raises for council to come up with something fair for everyone?

Kyle - No

Dan Davis - 6 amendments he'd like to offer one at a time.

1) Motion to Amend the budget to appropriate funds for the draft police performance plan Failed for lack of a second

2) Motion to appropriate \$30,000 for salary market study and employee satisfaction survey to be completed and submitted to council no later than six months from October 1, 2021

Jason Albert seconded

Mayor - to put a six month timer on this could be unrealistic. It takes a professional team and we can't say how long it will take.

Dan Davis makes amendment to motion to remove the time frame Jason Albert seconded with the amendment to the motion

Motion carried with a vote of 6/1

For: Mayor Davison, Lorraine Hehn, Niccole Tyson, **Dan Davis, Jason Albert, Jerome Hudson** Against: Larry Akery

3) Appropriate \$30,000 for a historic sign project through the Friends of the Library Failed for lack of a second

4) Motion for 5% raises across the board for staff Failed for lack of a second

5) Motion to increase the following Community Services line items:

10-50-6035 Capital Outlay Street Reconstruction - increase by \$200,000 10-50-5456 Ditch mowing - increase by \$50,000

10-50-5570 Ditch cleaning - increase by \$50,000 Jason Albert seconded

Motion FAILED with a vote of 2/5 (*Mayor misstated the vote as 5/2 on recording) For: Dan Davis, Jason Albert

Against: Mayor Davison, Larry Akery, Lorraine Hehn, Niccole Tyson, Jerome Hudson

6) Decrease the emergency response line item by \$400,000 Failed for lack of a second

7) Jason Albert made a motion to remove language in Section 5 of the budget ordinance that authorizes the City Manager to make any budgeted expenditures without further action by the City Council.

Dan Davis seconded the motion.

The motion FAILED with a vote of 2/5 (*Mayor misstated the vote as 5/2 on recording) For: Dan Davis, Jason Albert

Against: Mayor Davison, Larry Akery, Lorraine Hehn, Niccole Tyson, Jerome Hudson

Council Member Lorraine Hehn made the motion to approve as amended with Dan's motions. Council Member Jerome Hudson seconded the motion.

The motion carried with a vote:

Vote: 5/2

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert Absent: None

Abstained: None

2. Consideration and possible action to ratify the property tax increase reflected in the 2022 fiscal year budget that was just adopted that raises more property taxes than the fiscal year 2021 budget.

Mayor Davison made the motion to approve. Council Member Lorraine Hehn seconded the motion. The motion

carried with a vote:

Vote: 5/2

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert Absent: None

Abstained: None

3. Consideration and possible action to approve on first and final reading, Ordinance 2021-O-30; AN ORDINANCE PROVIDING FOR THE ASSESSMENT, LEVY, AND COLLECTION OF AD VALOREM TAXES for THE CITY OF MANVEL, TEXAS, FOR THE year 2021, AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST ON ALL TAXES NOT TIMELY PAID; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH.

Council Member Hehn made the motion to approve. Council Member Hudson seconded the motion. The motion FAILED with a vote:

Vote: 4/3

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert

Absent:

Abstained: None

Council Member Dan Davis made the motion to approve the no new revenue rate.

The motion FAILED due to lack of a second

Council Member Dan Davis made the motion that the property tax be increased by the adoption of a tax rate of \$0.570000 (57 cents), which is effectively a 1.27% percent increase in the tax rate. The tax rate consists of \$0.400306 (40.0306 cents) for maintenance and operations, and \$0.169694 (16.9694 cents) for debt service as reflected in Ordinance 2021-O-30, to adopt the Municipal Tax Rate for Tax Year 2021. Council Member Tyson seconded the motion.

The motion carried with a vote:

Vote: 5/2

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Nicole Tyson, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert

Absent: None

Abstained: None

4. Consideration and possible action to direct staff regarding 2021 Update Study of Land Use Assumptions, Capital Improvement Plan & Impact Fees.

*Mayor Debra Davison left the meeting early and did not vote on this action item or the items that followed.

Presentation by Richard Weatherly.

Dan - Action tonight is just to give direction to staff on what numbers the council wants added to the ordinance to be adopted.

50% phase in and have a yearly report be done and adjust the fees based on actual cost.

Kyle - Depending on the impact fee rate, the utility rates will be increased to offset the impact. Dan - 4000.00 water and 6000.00 wastewater.

Council Member Larry Akery made the motion to approve. Council Member Jerome Hudson seconded the motion.

The motion carried with a vote:

Vote: 4/2

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Nicole Tyson, City Council Member Place 6 Jerome Hudson

No: City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert

Absent: Mayor Debra Davison

Abstained: None

5. Consideration and possible action to approve Resolution 2021-R-22;
A RESOLUTION DESIGNATING A REPRESENTATIVE AND ALTERNATE HOUSTON-GALVESTON AREA COUNCIL 2022 GENERAL ASSEMBLY

Council Member Jason Albert made the motion to approve. Council Member Dan Davis seconded the motion. The motion carried with a vote:

Vote: 6/0

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Nicole Tyson, City Council Member Place 4 Dan Davis, City Council

Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson No: None
 Absent: Mayor Debra Davison
 Abstained: None

6. Consideration and possible action to approve, Preliminary Plat Meridiana Elementary School Site No.2;
 Being a subdivision of 13.00 acres and consisting of 1 Block and 1 Reserve out of the Oliver Hall Survey, A-203, City of Manvel, Brazoria County, Texas.
 (Forwarded with favorable recommendation by PD&Z FAILED with a 0/6 Vote).

Council Member Dan Davis made the motion to approve. Council Member Jason Albert seconded the motion. The motion FAILED with a vote:

Vote: 0/6

Yes: None

No: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

Absent: Mayor Debra Davison

Abstained: None

7. Consideration and possible action to approve the first of two readings of Ordinance 2021-O-23;
 AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND 1.03 ACRES LOCATED AT 7346 TAYLOR STREET, LOTS 1 – 6, IN BLOCK 61, OF TOWN OF MANVEL, A SUBDIVISION OF BRAZORIA COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 3, PAGE 139 OF THE MAP RECORDS OF BRAZORIA COUNTY, TEXAS, FROM OPEN-SINGLE FAMILY RESIDENTIAL DISTRICT (O-SFR) TO LIGHT COMMERCIAL DISTRICT (LC); PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.
 (Forwarded with favorable recommendation by PD&Z FAILED with a 2-4 Vote. Dorothy Wynne and Ryan Miller voted for the motion).

Lorraine is in favor of the rezone.

Dan - If we change this, what are some of the next steps?

Kyle - Land use is the first step. Next steps would be platting, roads, drainage, flood plain mitigation, restrooms, parking. Since there were no permits as built, they would need to be provided for the city to review. There will need to be some inspections done on the structure to make sure it is safe as a commercial building.

Dan - At the last PD&Z meeting, the City Attorney stated that the zoning ordinance could be amended to add a SUP to this zone for this use.

Jessica - Doesn't think that the way to fix this is with a Specific Use Permit. Jason - Wants to see us looking for ways to say yes and work with people

Mr. Bolduck - We did not ask for the rezone, we were told that is what we had to do.

Council Member Jason Albert made the motion to approve. Council Member Dan Davis seconded the motion.

The motion carried with a vote:

Vote: 6/0

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison Abstained: None

8. Consideration and possible action to approve a Subdivision Variance to Chapter 62, Section 62-111, *Additional Street Requirements* for 3.000 acres of property located on Markham Road, generally bounded by Belcher Road (north), Mustang Bayou Road (south), Ridge Road (east), and Quail Ridge Drive (west) and authorize the Mayor to execute a Development Agreement. (Tabled on 8/16/2021 and 9/7/2021)

Update from Jessica - staff emailed updated development agreement to Land Surveyor. 10 variances to the subdivision ordinance.

Jason - Are they aware and amenable?

Jessica - I'm not sure. The land surveyor is here to provide an update.

Kathy Fontenot - Land Surveyor - Did forward development agreement to property owner. Mr. Markham in agreement with knockboxes and emergency access. If what's in the development agreement is what's required, then that's what they'll have to do.

Jessica highlights that there will have to be signed and notarized statements from the property owner and Mr. Markham saying that they are agreeing to this.

Council Member Lorraine Hehn made the motion to table. Council Member Jason Albert seconded the motion.

The motion carried with a vote:

Vote: 6/0

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison

Abstained: None

9. Consideration and possible action to direct staff regarding the need for city staff positions and open staff positions. (Requested by Council Member Davis).

Kyle - no new update on staffing. The main position will be the director of Fire Safety. Hoping to have the concurrent vote on the first meeting in October.

Taking applications for a waste water treatment plant position.

10. Consideration and possible action to direct staff on a Grant Policy as requested by Council Member Davis.

Dan likes the following

Page 2 items 7 and 8 gives staff some flexibility.

Page 9 assures the policy fits the vision we have for the community.

Dan would like to see Jason's point considered for addition. Possibly add to the workshop at the next meeting.

Consent Agenda

All Consent Agenda items listed are considered to be routine by the City Council and will be approved by one motion. There will be no separate discussion of these items unless a City Council Member so requests, in which event the item will be removed from the Consent Agenda and considered in sequence on the Agenda.

1. Approve Preliminary Plat for Meridiana Pursley Boulevard Phase 7;
Being a Subdivision of 0.84 acres out of the H.T. & B.R.R. Co. Survey, Section 61, A-282, City of Manvel, Texas.
2. Approve Preliminary Plat for Meridiana Detention Reserve 'T' Phase 2;
Being A Subdivision of 0.77 acres and consisting of 1 Block and 1 Reserve out of the H.T. & B.R.R. Co. Survey, Section 61, A-282, City of Manvel, Brazoria County, Texas.
3. Approve Preliminary Plat for Meridiana Section 51A;
Being a Subdivision of 7.18 acres out of the Oliver Hall Survey, A-203, and the H.T. & B.R.R. Co. Survey, Section 61 A-282, City of Manvel, Brazoria County, Texas.
4. Approve second and final reading of Ordinance 2021-O-27;
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 9.464 acreS LOCATED AT 7227 CEMETERY ROAD, MANVEL, TEXAS, FROM LIGHT COMMERCIAL DISTRICT/STATE HIGHWAY 6 OVERLAY DISTRICT (LC/SH6) TO LIGHT COMMERCIAL DISTRICT/STATE HIGHWAY 6 OVERLAY DISTRICT WITH SPECIFIC USE PERMIT (LC/SH6-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE 531130 "LESSORS OF MINI WAREHOUSES AND SELF-STORAGE UNITS"; providing FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF. (Forwarded with favorable recommendation by PD&Z 7-0 Vote)
5. Acceptance of the infrastructure improvements for the Croix Parkway Waterline Extension and Storm Sewer Outfall in the Pomona Development and release the associated maintenance bonds.
6. Acceptance of the meeting minutes to date.

Council Member Jason Albert made the motion to approve consent agenda items 1 through 6. Council Member Dan Davis seconded the motion.

The motion carried with a vote:

Vote: 6/0

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City

Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison Abstained: None

Mayor and Council Comments

Adjourn

Council Member Jason Albert made the motion to adjourn. Council Member Jerome Hudson seconded the motion.

The motion carried with a vote:

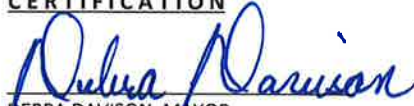
Vote:

Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison Abstained: None

CERTIFICATION



DEBRA DAVISON, MAYOR
CITY OF MANVEL, TEXAS



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

