

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 2/7/2022

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 (Late)
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
Tammy Bell, City Secretary
Keith Traylor, Chief of Police
Chris Thomas, Finance Director
Gilbert Salas, Director of Community Services
Jessica Rodriguez, Development Services Director
Kwasi Bosompem, Planner

Presentation/Update on the Master Water Plan

David Dunn and John Peterson of HDR Engineering gave a presentation on the Master Water Plan.

Discussion on any subject listed on the Agenda dated February 7, 2022.

Mayor Davison adjourned the workshop at 6:49 p.m.

Regular Session

Call To Order

Mayor Davison called the meeting of the Manvel City Council to order at 7:02 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 5 Jason Albert
City Council Member Place 6 Jerome Hudson
City Council Member Place 4 Dan Davis

Absent: None

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

Inspirational Reading - Council Member Dan Davis

Pledge

Citizen Comments: "Comment Card" Required

Mr. Johnson - spoke about Cameron Recycling.

Read an email sent on 9/14/2014 from Darlene Hall sent to the City Secretary asking for help about issues ongoing with Cameron Recycling.

Public Hearing

TO HEAR INPUT FROM THE PUBLIC ON AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 21,000 SQUARE FEET LOCATED AT 7507 MASTERS 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 621111 "OFFICES OF PHYSICIANS (EXCEPT MENTAL HEALTH SPECIALISTS)"; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING SEVERABILITY; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF.

Opened at 7:06 p.m.

1st call for comments

None

2nd call for comments

None

3rd call for comments

None

Closed at 7:08 p.m.

City Manager Update

COVID numbers compared to last meeting:

6,032 total cases in Manvel

Up 680 from last meeting

372 confirmed, down 893

68 probable, down 9

5,549 recovered, up 1,581

1 additional death, total of 43 deaths in Manvel

Winter weather storm - City did not experience any damage or issues

Staff - New police officer, water treatment plant operator, extended offer to Public Information Officer

Regular Agenda

1. Consideration and possible action to approve Final Plat for Meridiana Detention Reserve V Phase 2;
Being a subdivision of 1.074 acres out of the H.T. & B.R.R. Company Survey, Section 61, Abstract 282, and the Oliver Hall Survey, Abstract 203, City of Manvel, Brazoria County, Texas. (30-Day extension forwarded with favorable recommendation FAILED by PD&Z with a 0/5 vote)
2. Consideration and possible action to approve Final Plat for Meridiana Section 52;
Being a subdivision of 21.88 acres out of the H.T. & B.R.R. Company Survey, Section 61, Abstract 282, and the Oliver Hall Survey, Abstract 203, City of Manvel, Brazoria County, Texas. (30-Day extension forwarded with favorable recommendation FAILED by PD&Z with a 0/5 vote)
3. Consideration and possible action to approve Final Plat for Meridiana Detention Reserve M-2;
Being a subdivision of 4.644 acres out of the H.T. & B.R.R. Company Survey, Section 61, Abstract 282, and the Oliver Hall Survey, Abstract 203, City of Manvel, Brazoria County, Texas. (30-Day extension forwarded with favorable recommendation FAILED by PD&Z with a 0/5 vote)
4. Consideration and possible action to approve Final Plat for Meridiana Detention Reserve N-2;
Being a subdivision of 7.081 acres out of the H.T. & B.R.R. Company Survey, Section 61, Abstract 282, and the Oliver Hall Survey, Abstract 203, City of Manvel, Brazoria County, Texas. (30-Day extension forwarded with favorable recommendation FAILED by PD&Z with a 0/5 vote)

Council Member Dan Davis made the motion to approve agenda items 1, 2, 3, and 4.

Council Member Niccole Tyson seconded the motion.

The motion FAILED with a vote: 0/7

Yes: None

No: 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

Abstained: None

5. Consideration and possible action to direct staff to provide Applicants written statements of the conditions for any conditional approvals, and the reasons for disapproval of any plans or plats that were not approved, per Texas Local Government Code §212.0091.

Council Member Hudson made the motion to approve. Council Member Hehn seconded the motion.

The motion carried with a vote: 7/0

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

No: None

Absent: None

Abstained: None

6. Consideration and possible action to approve the first of two readings of Ordinance 2022-O-03; AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 21,000 SQUARE FEET LOCATED AT 7507 MASTERS 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 621111 "OFFICES OF PHYSICIANS (EXCEPT MENTAL HEALTH SPECIALISTS)"; PROVIDING FOR THE AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; PROVIDING 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 with conditions by PD&Z with a 5/0 vote)

Council Member Hudson made the motion to approve. Council Member Hehn seconded the motion.

The motion carried with a vote: 6/0 with 1 abstain

Council Member Dan Davis Filed an Abstention Affidavit

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 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: None

Abstained: City Council Member Place 4 Dan Davis

Council Member Albert corrected the agenda to reflect the PD&Z vote for the recommendation being a 4-1 vote.

7. Consideration and possible action to approve the first of two readings of Ordinance 2022-O-05; AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, AMENDING CHAPTER 50. *PLANNING AND DEVELOPMENT*, ARTICLE III. *COMPREHENSIVE PLAN*, BY APPROVING THE 2022 MASTER WASTEWATER PLAN UPDATE DOCUMENT AS THE 2022 MASTER WASTEWATER PLAN; AMENDING SECTION 50-55. *MASTER WASTEWATER PLAN* INTEGRATING THE CITY'S 2022 MASTER WASTEWATER PLAN INTO THE CITY'S COMPREHENSIVE PLANS; PROVIDING FOR CONFORMITY OF ALL WASTEWATER REGULATIONS TO THE MASTER WASTEWATER PLAN; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 PER DAY FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY; AND PROVIDING A SEVERANCE CLAUSE AND EFFECTIVE DATE.

Council Member Hehn made the motion to approve. Council Member Hudson seconded the motion.

The motion carried with a vote: 7/0

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

No: None

Absent: None

Abstained: None

8. Consideration and possible action on appointing members to the Animal Control Advisory Board.

Council Member Albert made the motion to approve the appointment of James McClain, Jessica Rodriguez, Amanda Hoffpaur, and Alayna Goodson. Council Member Hehn seconded the motion.

The motion carried with a vote: 7/0

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

No: None

Absent: None

Abstained: None

9. Consideration and possible action to approve Resolution 2022-R-01;
A RESOLUTION ADOPTING AN AMENDED PERSONNEL POLICIES AND PROCEDURES HANDBOOK DATED FEBRUARY 7, 2022 FOR ALL CITY EMPLOYEES; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE.

Council Member Davis made the motion to approve with the recommendation from Council Member Albert to clean up section 64. Council Member Tyson seconded the motion.

The motion carried with a vote: 7/0

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 4 Dan Davis, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
No: None

Absent: None

Abstained: None

10. Consideration and possible action to direct staff on the following:
 - A) Noise Ordinance
 - B) Zoning Ordinance (Landscaping)

Jessica Rodriguez shares her research on noise ordinance ideas.

Council Member Hehn asked Chief Traylor about the enforcement process.

Chief - should be a sustained noise that is a clear nuisance and there should be a mechanism of measuring based on the zones. Need to update the ordinance in order to be able to properly enforce it.

Council Member Albert - What are our plans to address existing issues after this?

Council Member Davis - Feels this is the start in the right direction. If the city adopts something that adopts the noise standards that places zones, what would that mean for current businesses?

Is the current ordinance being enforced? If we are not, what do we need to do in the meantime to enforce the current ordinance? The opinion of Council Member Davis is that we need to enforce what is in the Ordinance.

Kyle - Anything over 65 decibels is a violation of the Ordinance.

Mayor Davison - Has issues with current ordinance with approaching noise at a spike, rather than sustained noise. Makes it hard to enforce.

Council Member Hehn likes the direction staff is going with the proposed changes but wants to make it clear what ever is proposed for adoption needs to be clearly and easily enforceable.

11. Discussion and update on participation of Brazoria County C&R 3 in the S. Masters drainage project as requested by Council Member Akery.

Learned about 3 weeks ago that the Drainage Plan was approved by the District. C&R 3 wants to have a meeting with the city staff to discuss ideas, equipment, supplies and timing.

Mayor Davison asked if it would be helpful to get the parties together, just those who are going to be participating and possibly having interlocal with all those partners.

Dan Johnson - Possibly have the Mayor and Larry at the meeting table in place of a full-out forum.

12. Consideration and possible action to direct staff on alternatives to speed up the process of building a new Police Department facility. (Requested by Council Member Albert)

Council Member Albert started off with concerns about the Police Department being proposed as the first building being built in the city center due to possibly not being able to get quick access out of the complex when a call comes in. Proposes idea of tearing down building that houses Development Services and building new building to make that building and City Hall PD and Court, and then building new City Hall first instead of PD at the City Center.

Suggestions - The city has a provision not to build new critical facilities in the flood plain.

Dan Johnson - Answers question could another building be built on the current property - no, but if we purchase the vacant lot possibly.

Could possibly build on the property the city owns on FM 1128 where the current PD is located.

This option would possibly leave a 2-acre park where the current PD building is located.

Mayor suggests a workshop to cement some of these ideas and to talk about land purchase. Also suggests a satellite (substation) at the City Center for PD to reduce response time.

Council Member Albert made the motion to direct the City Manager to erect the new police department facility on FM 1128 city property in place of being in the City Center complex. Mayor Davison seconded the motion.

The motion carried with a vote: 7/0

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

No: None

Absent: None

Abstained: None

Consent Agenda

1. Approve Preliminary Plat for Meridiana Detention Reserve "B-2";
Being a Subdivision of 11.14 acres, consisting of 1 Block and 1 Reserve, out of the Oliver Hall Survey, A-203. City of Manvel, Brazoria County, Texas.
2. Approve Preliminary Plat for Meridiana Detention Reserve "C-2";
Being a Subdivision of 4.43 acres, consisting of 1 Block and 1 Reserve, out of the Oliver Hall Survey, A-203. City of Manvel, Brazoria County, Texas.
3. Approve Preliminary Plat for Meridiana Unit 13 Open Space;
Being a Subdivision of 29.1 O acres, consisting of 1 Block and 1 Reserve, out of the Oliver Hall Survey, A-203. City of Manvel, Brazoria County, Texas.
4. Acceptance of the 2021 Police Department Racial Profiling Report.
5. Acceptance of infrastructure improvements for Lakeland Section 5 and release the associated maintenance bonds.
6. Acceptance of the infrastructure improvements for Pomona Section 18 to begin the two-year Maintenance Period.
7. Acceptance of the infrastructure improvements for Pomona Section 23 to begin the two-year Maintenance Period.
8. Acceptance of the infrastructure improvements for Pomona Parkway Phase 5 to begin the two-year Maintenance Period.
9. Acceptance of the meeting minutes to date.

Council Member Dan Davis made the motion to approve the consent agenda. Council Member Jerome Hudson seconded the motion.

The motion carried with a vote: 7/0

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

No: None

Absent: None

Abstained: None

Executive Session

City Council will convene into Executive Session pursuant to Texas Government Code, Section 551.071: "Consultation with Attorney" to discuss the following:

Discuss demand letter from Brazoria County MUD #61

Mayor Davison convened the meeting into executive session at 8:31 p.m.

Mayor Davison reconvened the meeting out of executive session at 8:50 p.m.

No action was taken during executive session.

Mayor and Council Comments

Adjourn

Council Member Dan Davis made the motion to adjourn. Council Member Jerome Hudson seconded the motion.

The motion carried with a vote: 7/0

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

No: None

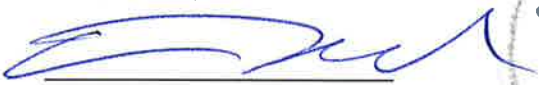
Absent: None

Abstained: None

The meeting adjourned at 8:50 p.m.

CERTIFICATION


DEBRA DAVISON, MAYOR
CITY OF MANVEL, TEXAS


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

