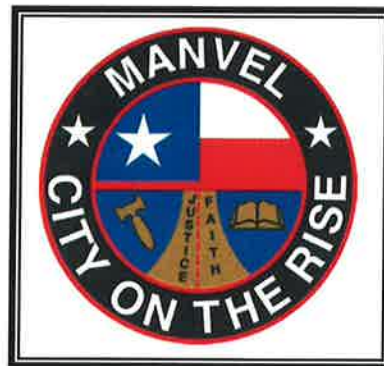


## MINUTES MANVEL CITY COUNCIL MEETING October 17, 2022

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  
ED PERRY, 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 10/17/2022

### Workshop Session

Mayor Pro-Tem Hehn called the workshop of the Manvel City Council to order at 5:02 p.m.  
Those in attendance were:

**Present:** 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 Ed Perry  
City Council Member Place 5 Jason Albert  
City Council Member Place 6 Jerome Hudson

**Absent:** Mayor Debra Davison

**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, Director of Finance  
Gilbert Salas, Director of Community Services  
Jessica Rodriguez, Director of Development Services  
Joe Murray, Fire Marshal  
Brooke Cyphers, Public Information Officer  
Jose Abraham, City Planner

Discussion on Manvel Code of Ordinances, Chapter 53, Signs

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### General discussion

New sign district - Where would it be and what would be allowed?

Council Member Albert - What is an attention-getting device?

Jason - Increase sign size from 16 sq feet to 32 sq feet.

Jessica - The city regulates the type of signs and locations but not necessarily the specifics of the signs.

Lorraine - What are we going to do about the flailing man?

Ed - What was the intent of making the flailing man a prohibited sign? Do we want it prohibited?

Discussion on the Street Maintenance Program.

No discussion

Workshop closed at 5:59 p.m.

### Regular Session

#### Call To Order

Mayor Pro-Tem Hehn called the meeting of the Manvel City Council to order at 6:07 p.m.

Those in attendance were:

**Present:** 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 Ed Perry  
City Council Member Place 5 Jason Albert  
City Council Member Place 6 Jerome Hudson

**Absent:** Mayor Debra Davison

**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, Director of Finance  
Gilbert Salas, Director of Community Services  
Jessica Rodriguez, Director of Development Services  
Joe Murray, Fire Marshal  
Brooke Cyphers, Public Information Officer  
Jose Abraham, City Planner

#### Inspirational Reading - Council Member Albert

#### Pledge

#### Public Comments: "Comment Card" Required

George White -

Texas Food Establishment Regulations (TFER) - City incorporates state, speak against abuse of law because state law says non-profit/charities/churches

Garrett Knox -

Political signs had been removed from his property by city staff. A staff member he spoke with admitted to doing it and replaced them. He is very disgruntled with the code enforcement and states that a lot of other families, businesses, and lack of consistency in communication from Fire Marshal and Code Enforcement. He is not happy with code enforcement. Code enforcement is unsettling and pushing businesses away.

Miranda Gonzales -

Representing Keating Toyota. Issues with code enforcement officer and food establishment guidelines. Lack of consistency and communication with Fire Marshal and Code Enforcement. Deliverance of policy is an issue. Constant discouragement is unsettling and forces businesses to do business in other cities. Pleased with the Police Chief and how he has handled her questions.

Dan Davis -

The sign ordinance is not clear. We need to have collaborative over proactive code enforcement. You have two sides that are being pitted against each other. Does not serve our history or set up our future well.

Noelia Benavides -

Also a realtor and was looking for clarity on the sign ordinance. She also spoke about how Manvel is making it difficult for businesses and are we really "a city on the rise" if we're this way?

#### **City Manager Update**

Covid numbers

9 confirmed, down 48

2 possible, down 13

95 recovered

1 new death

Trunk-or-Treat - Police dept and association will be participating in two community Trunk-or-Treats

#### **Consent Agenda**

1. Approve the second and final reading of Ordinance 2022-O-27;  
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, PROVIDING FOR THE DISANNEXATION OF A  $\pm 5.8$  ACRE TRIANGULAR AREA OF LAND LOCATED IN THE COLONY WEST SUBDIVISION IN THE CITY OF MANVEL, CONTAINING THE PORTIONS IN THE CITY LIMITS OF SECTION 1, (ABSTRACT 286 H T & B R R), LOTS 15, 16, 17, 18 AND 24A(EAST HALF), BRAZORIA COUNTY, TEXAS; DISANNEXING AND DISCONTINUING SAID PROPERTY FROM THE CORPORATE BOUNDARIES OF THE CITY; CONTAINING CERTAIN FINDINGS; AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT.
2. Approve the second and final reading of Ordinance 2022-O-28;  
AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, PROVIDING FOR THE DISANNEXATION OF A  $\pm 11.8$  ACRE TRIANGULAR AREA OF LAND LOCATED IN THE COLONY WEST SUBDIVISION IN THE CITY OF MANVEL, CONTAINING THE PORTIONS IN THE CITY LIMITS OF SECTIONS 2, 3, AND 4, (ABSTRACT 286 H T & B R R), LOTS 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 39A, 40, AND 41, BRAZORIA COUNTY, TEXAS; DISANNEXING AND DISCONTINUING SAID PROPERTY FROM THE CORPORATE BOUNDARIES OF THE CITY; CONTAINING CERTAIN FINDINGS;

## MINUTES MANVEL CITY COUNCIL MEETING October 17, 2022

AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT.

3. Approve the meeting minutes to date.

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

The motion carried with a 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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison

Abstained: None

### Regular Agenda

1. Consideration and possible action to approve a Subdivision variance request seeking to vary Chapter 62, Section 62-111, Additional Street Requirements and Section 62-113, Sidewalks for an approximate 4.9997-acre tract of land located at 3927 Shamrock Lane. The subject site abuts the southernmost property along the eastern side of Shamrock Lane, and authorize the Mayor to execute the Development Agreement.

Property is illegally subdivided by previous owner. Current owner wants to combine the lots so they can build the home.

Site is in ETJ

Currently off of an unimproved Brazoria County road

Provides access to other neighboring properties

No detriment to other property owners

Letters of no objection provided by FD and County

Staff recommends approval with 2 conditions;

1. Expire upon change of use
2. Cannot be further subdivided

Jason suggests to approve with rewording so that it doesn't say the property can never be subdivided, but that the variance would be reconsidered upon request of further subdivision.

Council Member Jason Albert made the motion to approve with an update made to the Development Agreement. Council Member Jerome Hudson seconded the motion.

The motion carried with a 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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison

Abstained: None

2. Consideration and possible action to approve Resolution 2022-R-16;  
A RESOLUTION OF THE CITY OF MANVEL, TEXAS ADOPTING A REVISED DESIGN CRITERIA MANUAL CONTAINING SUBDIVISION IMPROVEMENT STANDARDS FOR ALL DEVELOPMENT WITHIN THE CITY OR ITS EXTRATERRITORIAL

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JURISDICTION, PURSUANT TO AUTHORITY CONTAINED IN CHAPTER 62, SUBDIVISION ORDINANCE, OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 212 OF THE TEXAS LOCAL GOVERNMENT CODE, AND OTHER PROVISIONS OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, AS AMENDED OR TO BE AMENDED; AND CONTAINING OTHER MATTERS ON THE SUBJECT.

Dan Johnson – annual review of the Design Criteria Manual

7 items recommended

1. For MUDs, water and sewer availability will be provided with plats for capacity
2. Slopes for wastewater lines
3. Lift stations
4. Water plants – controlled access gates
5. Backflow prevention – reference city code
6. Sidewalk requirements
7. Brazoria County updated the drainage criteria – so this will be consistent with the county and drainage districts. Rainfall intensities are regional numbers.

Jason Albert - Are we painting too broad a stroke on the sidewalks?

Dan Johnson - We have a modification procedure. If it turns out that a sidewalk is not feasible, they will go through the modification procedure. In the original Manvel townsite, there is still a provision there. They still have a sort of out, if you will. That's where the modification procedure comes in.

Council Member Jerome Hudson made the motion to approve. Council Member Ed Perry seconded the motion.

The motion carried with a 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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison

Abstained: None

3. Consideration and possible action to approve Resolution 2022-R-17;  
A RESOLUTION OF THE CITY OF MANVEL, TEXAS ADOPTING A STREET MAINTENANCE PROGRAM FOR THE CITY OF MANVEL; PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Adewale Taiwo - Capitol Projects Manager presented the Street Maintenance Program from Fugro USA Land, which details comprehensive and concise guidelines covering street maintenance improvements to include pavement distress data, data processing, network level pavement condition, treatment cost, current backlog, budget analysis, a 5-year network-level maintenance, rehabilitation treatment work plan, and road-widening projects.

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

The motion carried with a vote: 6/0

## MINUTES MANVEL CITY COUNCIL MEETING October 17, 2022

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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: Mayor Debra Davison Abstained: None

4. Consideration and possible action to direct staff on the following as requested by Council Member Hehn and Council Member Perry;

\*Special Events Policy,

\**Code of Ordinances, Chapter 33 Food and Food Handlers, and*

\**Code of Ordinances, Chapter 35 -Article X - Mobile Food Vendors.* (Requested by Council Member Hehn and Council Member Perry)

Council Member Hehn wants to find a way to give direction to staff to either match what our neighboring cities are doing so Manvel can have events the same as they are.

Keep them open, keep them safe, and bring them back. This is what Manvel code enforcement and FM should be focusing on. When looking around at all the cities around us, they have events all the time. Manvel has nothing.

Ed Perry - What can we do to make sure that we are both following guidelines and being safe but also making the event process more user friendly?

Niccole Tyson - States that the process and demeanor with staff is very difficult to navigate. There needs to be a clearer path.

Jason Albert - The staff needs to be crystal clear. The ordinances should be clear. It should not be left to interpretation. Would like to hear from the community on what their experiences have been.

Lorraine Hehn - Consolidate the events permitting process to what Alvin, Friendswood, Pearland, Iowa Colony, Angleton and all neighboring cities are doing. Need to work on mobile food vending to make this easier as well. We need solutions to make us match up with our sister cities so we can move forward.

Jason Albert - We have some not-so great staff. This needs to be addressed. We need to be of service to the community. Would like to hear from the FM and the Chief in reference to us accepting an inspection from another jurisdiction.

Joe Murray, Fire Marshal - Agrees that this process needs to be streamlined and can look into seeing how we can accept inspections of other jurisdictions.

Kyle Jung, City Manager - Will address attitude among staff members and will bring back ways to address streamlining processes.

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

The motion carried with a 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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

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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: 6/0

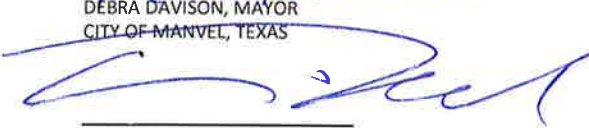
Yes: City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 3 Niccole Tyson, City Council Member Place 4 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None  
Absent: Mayor Debra Davison  
Abstained: None

The meeting adjourned at 8:11 p.m.

### CERTIFICATION

  
DEBRA DAVISON, MAYOR  
CITY OF MANVEL, TEXAS

  
TAMMY BELL, CITY SECRETARY  
CITY OF MANVEL, TEXAS

