

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 1/3/2023

Workshop Session - 5:00 p.m.

Mayor Davison called the workshop of the Manvel City Council to order at 5:04 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 Ed Perry
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, Director of Finance
Gilbert Salas, Director of Community Services
Jessica Rodriguez, Director of Development Services
Jose Abraham, City Planner
Joe Murray, Fire Marshal
Brooke Cyphers, Public Information Officer

Discussion/update by Joe Morrow on financing options for city infrastructure.

Update provided via zoom by Joe Morrow.

Council Member Albert asked if it would be beneficial to go out for the entire debt issuance and just make the 1 year interest payment as opposed to going out for a second debt issuance in a year

when interest rates have increased.

Kyle Jung, City Manager - That will be something the Council will have to decide on.

Discussion on any subject listed on the Agenda dated January 3, 2023.

None

Mayor Davison adjourned the Workshop at 6:09 p.m.

Regular Session - 6:00 p.m.

Call To Order

Mayor Davison called the meeting of the Manvel City Council to order at 6:09 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 Ed Perry
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, Director of Finance
Gilbert Salas, Director of Community Services
Jessica Rodriguez, Director of Development Services
Jose Abraham, City Planner
Joe Murray, Fire Marshal
Brooke Cyphers, Public Information Officer

Inspirational Reading - Council Member Tyson

Pledge

Executive Session

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

Pending Litigation – Rise Communities, LLC and GR-M1, LTD. VS. Manvel Planning Development and Zoning Commission, and Jose Abraham, City Planner.

Mayor Davison recessed the meeting at 6:10 p.m. for Executive Session.

Mayor Davison reconvened the meeting at 6:53 pm. There was no action taken during Executive Session.

Public Hearing

TO HEAR INPUT FROM THE PUBLIC REGARDING AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING CLASSIFICATION OF AN APPROXIMATE 5.7420 ACRE TRACT LOCATED AT 2951 COUNTY ROAD 58, MANVEL, TEXAS, FROM LIGHT COMMERCIAL DISTRICT (LC) TO LIGHT COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT (LC-SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE USE OF PROPERTY FOR NAICS USE CODE 447110 "GASOLINE STATIONS WITH CONVENIENCE STORES"; 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 6:53 p.m.

1st call for comments - None

2nd call for comments - None

3rd call for comments - None

Closed at 6:55 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 AN APPROXIMATE 13.82 ACRE TRACT OF LAND LOCATED AT 11700 MAGNOLIA PARKWAY, 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 6:55 p.m.

1st call for comments - None

2nd call for comments - None

3rd call for comments - None

Closed at 6:56 p.m.

Public Comments: "Comment Card" Required

Angelo Cassaro, Bluewater Lakes HOA Board Director - 19007 Lakeridge Ct

Issues with the noise of the businesses around the Bluewater Lakes subdivision; the cement plant especially. The Valencia subdivision construction vehicles are driving through Bluewater Lakes leaving mud on the streets.

City Manager Update

The county finished the paving of Cemetery, Georgia and Crestridge.

You can recycle your live Christmas trees at the County Substation or the Stella Roberts Recycling Center.

PD Update

Keith Traylor spoke on the pinning/badging ceremony for the Sgt. and 4 Corporal positions.

No Covid Update

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Acceptance of the infrastructure improvements for Manvel Town Center Public Utilities Phase 1B to begin the One-Year Maintenance Period.
3. Consideration and possible action to approve Resolution 2022-R-21;
A RESOLUTION AMENDING RESOLUTION 2022-R-20 TO REFLECT THE CORRECT ACREAGE IN CONSENTING TO THE ADDITION OF LAND INTO BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 40.

Council Member Hehn made the motion to approve the Consent Agenda. 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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2022-O-31; AN ORDINANCE OF THE CITY OF MANVEL, TEXAS AMENDING THE ZONING ORDINANCE OF THE CITY, BY AMENDING THE ZONING CLASSIFICATION OF 5.742 ACRES LOCATED AT 2951 COUNTY ROAD 58/ CROIX RD, MANVEL, TEXAS, FROM LIGHT COMMERCIAL DISTRICT (LC) TO LIGHT COMMERCIAL DISTRICT WITH SPECIFIC USE PERMIT (LC/ SUP); PROVIDING FOR THE GRANTING OF A SPECIFIC USE PERMIT WITH CONDITIONS TO AUTHORIZE THE EXISTING USE OF PROPERTY FOR 447110 "GASOLINE STATIONS WITH CONVENIENCE STORES"; 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)

Jose Abraham, City Planner gave an overview of the request to City Council. Use is in line with comprehensive plan. The gas station is pre-existing. They are adding more pumps. Staff is recommending approval with conditions.

Council Member Hehn made the motion to approve with the following conditions:

1. A plat shall be prepared and approved in conformance with Chapter 62 – Subdivisions, prior to the proposed addition of five (5) gas dispensers on the subject site;
2. The proposed addition of five (5) gas dispensers on the subject site shall be in conformance with Section 77-31, Light-commercial (LC) district requirements;
3. Design, location and arrangement of all driveways and parking spaces shall be provided for the safe and convenient movement of vehicular and pedestrian traffic without adversely affecting the general public or adjacent developments as required by Section 77-50 (e)(9) and City of Manvel Design Criteria Manual as amended.
4. With the proposed addition of five (5) gas dispensers on the subject site, parking spaces required for the entire site to meet

the current standards of Section 77-45, Parking, shall be provided.

5. Outdoor lighting shall be shielded and shall conform with the Illuminating Engineering Society of North America ("IES") criteria for full cut-off fixtures, which is 100 percent of light output below 90 degrees, and 90 percent of light output below 80 degrees from a vertical line through the fixture.

6. Outdoor lighting shall be deflected, shaded, and focused away from abutting properties and shall not be a nuisance to abutting properties, and shall be designed so that any overspill of lighting onto abutting properties shall not exceed three-tenths foot-candles, measured vertically and horizontally.

7. Opaque privacy fence shall be provided for screening along the side and rear property lines adjoining an existing residential use or zoning, using a minimum of eight-foot-high wooden or masonry fence must be constructed and retained adjacent to the property line.

8. Proposed expansion area must comply with all landscaping requirements of Section 77-44.

9. One evergreen tree that is 1½ inches in caliper measured at the base of the tree shall be planted every 35 feet at the perimeter of the subject site along the proposed expansion area to provide adequate buffer to abutting residentially used or zoned property.

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

No: None

Absent: None

Abstained: None

2. Consideration and possible action to approve the first of two readings of Ordinance 2022-O-32; 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 13.82 ACRES LOCATED AT 11700 MAGNOLIA PARKWAY, CONTAINING 13.82 ACRES, OR 602,164 SQUARE FEET OF LAND SITUATED IN THE H.T. & B. R.R. CO. SURVEY, ABSTRACT NO. 298, BRAZORIA COUNTY, TEXAS, ALSO BEING A RESIDUE OF A CALLED 16.0231 ACRE TRACT DESCRIBED IN DEED TO ARAMCO INVESTMENT GROUP, AS RECORDED UNDER BRAZORIA COUNTY CLERK'S FILE (B.C.C.F. NO. 2010005107), 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)

Jose Abraham, City Planner gave an overview of the rezone. The existing home will be demolished. Staff recommends approval.

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

No: None
Absent: None
Abstained: None

3. Consideration and possible action to approve, *Manvel Palms Master Plan*:
Being a subdivision of 125.58 acres out of the H.T.&B.R.R. Co. Survey, Section 75, A-299, City of Manvel, Brazoria County, Texas.
(Motion to forward with recommendation by PD&Z FAILED with a 0-5 Vote)

Jessica Rodriguez, Director of Development Services provided an overview. Staff recommends denial based on the need for a traffic study.

Council Member Albert made the motion to approve. Council Member Hudson 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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
Absent: None
Abstained: None

4. 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 Albert 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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson
No: None
Absent: None
Abstained: None

5. Consideration and possible action to approve a request for a Subdivision Variance for property located at 8080 Bailey Rd, Pearland, Tx, seeking to vary Chapter 62, Section 62-113, *Sidewalks.*, to allow development of the subject site without the construction of sidewalks.

Jose Abraham, City Planner provided an overview to Council. The existing open ditch can be considered a unique situation. Staff recommends denial.

Council Member Albert made the motion to approve. 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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None
Absent: None
Abstained: None

6. Discussion on creating a position to hire a Community Events Coordinator. (Requested by Council Member Hehn and Council Member Akery).

Larry - missed the Christmas parade.

Mayor - gave accolades for the Christmas event that was held; Cookies & Cocoa with Santa. Encouraged Council to become more involved and to attend the events that are held. Feels that a full-time position is improbable at this point.

Mayor and Council Comments

Council Member Perry - Saturday, January 7th at 6 p.m. at the Hilton Garden Inn, the Pearland MLK Celebration Committee will be presenting scholarships to Alvin and Pearland ISD students.

Adjourn

Council Member Albert made the motion to adjourn. 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 Ed Perry, City Council Member Place 5 Jason Albert, City Council Member Place 6 Jerome Hudson

No: None
Absent: None
Abstained: None

CERTIFICATION



DEBRA DAVISON, MAYOR
CITY OF MANVEL, TEXAS



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

