

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 1/17/2023

### Workshop Session

Mayor Davison called the workshop of the Manvel City Council to order at 5:05 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 4 Ed Perry  
City Council Member Place 6 Jerome Hudson

**Absent:** City Council Member Place 3 Niccole Tyson  
City Council Member Place 5 Jason Albert

**Also Present:** Kyle Jung, City Manager  
Robert Gervais, City Attorney  
Tammy Bell, City Secretary  
Keith Traylor, Chief of Police  
Jessica Rodriguez, Director of Development Services  
Gilbert Salas, Director of Community Services  
Joe Murray, Fire Marshal  
Jose Abraham, City Planner  
Brooke Cyphers, Public Information Officer

Discussion/update by Tim Austin on legislation regarding the creation of a Special District and funding for the Manvel Municipal Complex.

Discussion on any subject listed on the agenda dated January 17, 2023.

Discussion on agenda item #6

Discussion on agenda item #3

Discussion on agenda item #7

Mayor Davison closed the workshop at 6:03 p.m.

### **Regular Session**

#### **Call To Order**

Mayor Davison called the meeting of the Manvel City Council to order at 6:18 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 4 Ed Perry  
City Council Member Place 6 Jerome Hudson

**Absent:** City Council Member Place 3 Niccole Tyson  
City Council Member Place 5 Jason Albert

**Also Present:** Kyle Jung, City Manager  
Robert Gervais, City Attorney  
Tammy Bell, City Secretary  
Keith Traylor, Chief of Police  
Jessica Rodriguez, Director of Development Services  
Gilbert Salas, Director of Community Services  
Joe Murray, Fire Marshal  
Jose Abraham, City Planner  
Brooke Cyphers, Public Information Officer

#### **Inspirational Reading - Mayor Davison**

#### **Pledge**

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

Richard Rainer and Jake Baker of XL Commercial Real Estate - Spoke on development of 3.67 acres of property across the street from the HEB. Multiple offer of intent letters have been received from developers but the issue they are facing is that the city does not allow pump detention. They will be coming to the city to request a variance in the near future.

Dan Davis - Spoke on the petition - agenda item #8

#### **Presentation**

Proclamation - National Human Trafficking Month, January 2023

#### **City Manager Update**

Covid numbers

44 confirmed cases, up 16 from last meeting

20 probable, up 5

7,610 recovered, up 43

No additional deaths

7,727 total reported cases

Update on Consent item #3 and #4 - this is a brand new plant the city will be accepting. The developer is still working on the WWTP and the city will be accepting that as well once it is ready.

The bridge on Jordan over the GCWA has been completed.

We are collecting applications for PD&Z and MEDC. The deadline for that is the end of January. Position change is effective in March.

**Consent Agenda**

1. Approve the second and final reading 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)
2. Approve the second and final reading of Ordinance ~~2022-O-31~~ 2022-O-33;  
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)
3. Acceptance of infrastructure improvements for Manvel Town Center Water Line Interconnect to begin the one-year Maintenance Period.
4. Acceptance of infrastructure improvements for Manvel Town Center Water Plant to begin the one-year Maintenance Period.
5. Acceptance of infrastructure improvements for Meridiana Detention Basin T Phase 3, Detention Basin V Phase 2, Detention Basin M-2, and Detention Basin N-2 to begin the one-year maintenance period.
6. Approve a Special Warranty Deed from Brazoria County conveying a 60 foot wide road easement in Block 54, Suburban Gardens Subdivision, Division E, being in the H.N. Little Survey, Abstract 319, Brazoria County, Texas and being more particularly described in Deed Recorded in the Brazoria County Clerk Deed Records in Volume 1135, Page 466.  
(Carpenter Road)

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

The motion carried with a vote: 5/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 4 Ed Perry, City Council Member Place 6 Jerome Hudson  
No: None  
Absent: City Council Member Place 3 Niccole Tyson, City Council Member Place 5 Jason Albert  
Abstained: None

**Regular Agenda**

1. Consideration and possible action to approve Resolution 2023-R-01;  
A RESOLUTION UPDATING THE SIGNATURE CARDS DESIGNATING CITY OFFICIALS AS SIGNATORIES AT FIRST STATE BANK FOR THE CITY'S BANK ACCOUNTS; AND PROVIDING THAT THIS RESOLUTION SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Council Member Hehn made the motion to approve. Mayor Davison seconded the motion.  
The motion carried with a vote: 5/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 4 Ed Perry, City Council Member Place 6 Jerome Hudson  
No: None  
Absent: City Council Member Place 3 Niccole Tyson, City Council Member Place 5 Jason Albert  
Abstained: None

2. Consideration and possible action to approve Resolution 2023-R-02;  
A RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO INTRODUCE LEGISLATION REGARDING THE CREATION OF A SPECIAL DISTRICT; WAIVING NOTICE OF SUCH INTRODUCTION; AUTHORIZING THE ENGAGEMENT OF SPECIAL LEGAL COUNSEL; AND MAKING CERTAIN FINDINGS.

Council Member Perry made the motion to approve. Mayor Davison seconded the motion.  
The motion carried with a vote: 5/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 4 Ed Perry, City Council Member Place 6 Jerome Hudson  
No: None  
Absent: City Council Member Place 3 Niccole Tyson, City Council Member Place 5 Jason Albert  
Abstained: None

3. Consideration and possible action to approve Resolution 2023-R-03;  
A RESOLUTION AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION.

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

The motion carried with a vote: 5/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 4 Ed Perry, City Council Member Place 6 Jerome Hudson

No: None  
Absent: City Council Member Place 3 Niccole Tyson, City Council Member Place 5 Jason Albert  
Abstained: None

4. Consideration and possible action to approve the first of two readings of Ordinance 2023-O-01; AN ORDINANCE AMENDING CHAPTER 35 "LICENSES AND SPECIAL BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY ADOPTING A NEW ARTICLE XII "SPECIAL EVENTS" TO REGULATE SPECIAL EVENTS WITHIN THE CITY; REPEALING PROVISIONS IN CONFLICT THEREWITH; 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.

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

The motion carried with a vote: 5/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 4 Ed Perry, City Council Member Place 6 Jerome Hudson

No: None

Absent: City Council Member Place 3 Niccole Tyson, City Council Member Place 5 Jason Albert

Abstained: None

5. Consideration and possible action to approve the first of two readings of Ordinance 2023-O-02; AN ORDINANCE AMENDING CHAPTER 35 "LICENSES AND SPECIAL BUSINESS REGULATIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE X "MOBILE FOOD VENDORS" TO REGULATE MOBILE AND TEMPORARY FOOD VENDORS; REPEALING PROVISIONS IN CONFLICT THEREWITH; 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.

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

The motion carried with a vote: 5/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 4 Ed Perry, City Council Member Place 6 Jerome Hudson

No: None

Absent: City Council Member Place 3 Niccole Tyson, City Council Member Place 5 Jason Albert

Abstained: None

6. Discussion on Code of Ordinances Chapter 17 Buildings and Building Regulations, Article III Technical Codes - proposed update to the 2021 International Building Code (IBC).

No action taken.

7. Consideration and possible action to direct staff on a City Monument Sign. (Requested by Mayor Davison)

No action taken.

8. Submission of the Certificate of Sufficiency by the City Secretary for the Initiative Petition received on Saturday, December 31, 2022, with the following description;  
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 62, BY ADDING A SECTION EXEMPTING CERTAIN DEVELOPERS (THOSE INTENDING TO BUILD A SINGLE-FAMILY RESIDENCE FOR THEMSELVES) FROM SEVERAL CODIFIED PROVISIONS THEREIN AND PROVIDING A MAXIMUM FEE OF \$10.00 FOR CERTAIN RELATED FEES.

Robert Gervais, City Attorney -

The Charter says there are three things you can do in response to the petition:

1. Adopt the ordinance without amendments within 60 days.
2. Put it on the ballot as submitted without any amendment to the qualified voters.
3. Put it on the ballot as submitted without any amendments AND submit an alternative ordinance that Council will put on the ballot and whichever gets the most votes is the one that will be adopted.

No action taken.

#### Executive Session

City Council will convene into Executive Session pursuant to Texas Government Code, Sec. 551.074. "Personnel Matters - to deliberate the appointment, employment, evaluation, and duties of a public officer or employee".

Kyle J. Jung, City Manager and Robert Gervais, City Attorney

Mayor Davison recessed the meeting at 6:48 p.m. for Executive Session.

Mayor Davison reconvened the meeting at 8:19 p.m.

There was no action taken during Executive Session.

#### Mayor and Council Comments

#### Adjourn

Council Member Hudson made the motion to approve. Council Member Hehn seconded the motion. The motion carried with a vote: 5/0

Yes: Mayor Debra Davison, City Council Member Place 1 Larry Akery, City Council Member Place 2 Lorraine Hehn, City Council Member Place 4 Ed Perry, City Council Member Place 6 Jerome Hudson

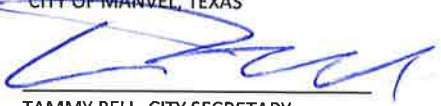
No: None

Absent: City Council Member Place 3 Niccole Tyson, City Council Member Place 5 Jason Albert

Abstained: None

#### CERTIFICATION

  
DEBRA DAVISON, MAYOR  
CITY OF MANVEL, TEXAS

  
TAMMY BELL, CITY SECRETARY  
CITY OF MANVEL, TEXAS

