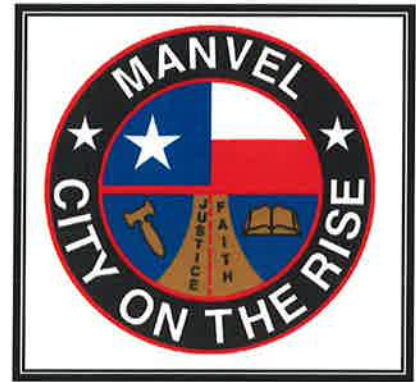


THE STATE OF TEXAS §
COUNTY OF BRAZORIA §
CITY OF MANVEL §



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 11/1/2021

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

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

1. Update by Council Member Hehn on the 2021 TML Annual Conference.

Council Member Hehn provided a general update on some of the discussions/presentations she attended during the TML Conference that she felt would be helpful for Manvel.

Topics:

*Communication /Social Media, Public Outreach

*Broadband Infrastructure

The City Manager updated the Council that ARPA funds can be used for Broadband Infrastructure. The City IT plan is in the works and included in the plan will be broadband options.

*SB29 Bill - (Community Censorship) Tax payer fund for political lobbying. Could possibly put the rural areas in a hardship.

*Elections - SB 1 - Cities and counties will see an impact in the cost needed to run the elections.

SB1439 - Not sure if this one has passed. Deals with the property tax rate.

HB 1929 - Land Use

HB1927 - Handgun carry law

2. Discussion on the police vehicle replacement program and the option of hiring a part-time or full-time mechanic as requested by Council Member Davis.

Council Member Davis - We can split this topic into two areas;

1)Police vehicle replacement program -

Asked the Chief the following;

How many vehicles and what year they were that went to Surfside? Chief - 2 Tahoes

Did you know the City of Surfside has purchased 3 Broncos? Chief - no

How many vehicles are in the shop or needing maintenance? Chief - not sure

How many patrol vehicles does the city currently have? Chief - 9

Council Member Hehn asked the City Manager about the current vehicle replacement policy. The City Manager stated that this is done in the budget process. This allows the city to replace vehicles as they have reached their life span.

Council Member Albert clarified that the city does not have a vehicle replacement plan. The city has a process but not an actual plan.

Council Member Davis continued with the following questions;

What is the current cost of vehicle maintenance per vehicle? Chief \$10,000-15,000 per year.

With all the large projects in the pipeline and the possibility of having to go out for debt, the city needs to be proactive in areas where costs can be saved.

The Mayor feels like this topic needs its own workshop session to be discussed in greater detail.

3. Discussion on standard agenda items for the City Manager update.
No discussion.
4. Discussion on any subject addressed on the Agenda for November 1, 2021.
No discussion.

Mayor Davison adjourned the workshop at 7:06 p.m.

Regular Session

Call To Order

Mayor Davison called the meeting of the Manvel City Council to order at 7:06 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
Robert Gervais, City Attorney
Tammy Bell, City Secretary
Keith Traylor, Chief of Police
Chris Thomas, Finance Director
Jessica Rodriguez, Director of Development Services

Inspirational Reading - Council Member Jason Albert Pledge

Citizen Comments: "Comment Card" Required

City Manager Update

Status of Live Streaming Meetings

A water treatment plant operator was hired and started today.

Covid

Total 3741 - up 63

102 confirmed - down 54

26 probable

3573 total

1 death, total of 4

Streaming of Meetings - the meetings are being streamed live starting this evening.

Regular Agenda

1. Consideration and possible action to approve the first of two readings of Ordinance 2021-O-31; AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, REORGANIZING THE ADMINISTRATIVE DEPARTMENTS OF THE CITY; APPROVING THE CITY OF MANVEL ORGANIZATIONAL CHART; PROVIDING AN EFFECTIVE DATE.

Jason - The Director of Fire Safety should be changed. Arson investigations are not listed anywhere.

The City Manager stated there are 3 areas that a Fire Marshal does; Plan reviews

Inspections

Arson Investigations

Lorraine -

The need for the city is to have inspections and fire plan reviews. A Fire Marshal does not do these things. Council Member Hehn wants clarification on what a FM does. After talking to the County FM the city does not need to pay a high dollar position for someone who is just an Arson Investigator.

Mayor - Positive comments on Code Enforcement going under the Police Department. Jason -

Fire Safety should fall under the Fire Marshal's Office.

Mayor - Plan reviews and fire inspections should be done by the Fire Marshal. Jason - Option 1 seems to be the suitable option.

Council Member Davis made the motion to approve. Mayor Davison seconded the motion.
The motion carried with a vote:

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

2. Consideration and possible action to approve Ordinance 2021-O-32;
AN ORDINANCE AMENDING ORDINANCE NO. 2021-O-29 AMENDING THE CITY FISCAL YEAR 2022 BUDGET ENDING SEPTEMBER 30, 2022, BY AMENDING THE GENERAL FUND BUDGET TO ACCOUNT FOR TMRS STAFF RETIREMENT SERVICE CREDIT, POLICE EMPLOYEE DEVELOPMENT PROGRAM, AND STAFF NEXT LEVEL BENEFIT PLAN. AND AMENDING THE UTILITY FUND BUDGET TO ACCOUNT FOR STAFF RETIREMENT SERVICE CREDIT AND MEDICAL BENEFIT PLAN. DIRECTING THE BUDGET OFFICER TO FILE OR CAUSE TO BE FILED A COPY OF THE AMENDED BUDGET WITH THE CITY SECRETARY AND WITH THE OFFICE OF THE BRAZORIA COUNTY CLERK AND PROVIDING THIS ORDINANCE SHALL BECOME EFFECTIVE FROM AND AFTER ITS PASSAGE AND ADOPTION.

Jason - At the budget meeting he asked about updating all staff from 3% to 5%, but he does not see that increase for all staff on this ordinance.

Jason is extremely disappointed that the additional increase was not included.

Mayor - It was decided we would hold off on the staff as a whole until the salary survey was completed.

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

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

****Mayor Davison made the motion to move agenda item number 6 up. Motion seconded by Dan Davis.**

The motion carried with a 7/0 vote.

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

3. Consideration and possible action to approve the first of two readings of Ordinance 2021-O-33; AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, "UPDATED SERVICE CREDITS" IN SAID SYSTEM FOR SERVICE PERFORMED BY QUALIFYING MEMBERS OF SUCH SYSTEM WHO PRESENTLY ARE MEMBERS OF THE CITY OF Manvel; PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE FOR SUCH ACTIONS.
4. Consideration and possible action to approve the first of two readings of Ordinance 2021-O-34; AN ORDINANCE AUTHORIZING AND ALLOWING, UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM, RESTRICTED PRIOR SERVICE CREDIT TO EMPLOYEES WHO ARE MEMBERS OF THE SYSTEM FOR SERVICE PREVIOUSLY PERFORMED FOR VARIOUS OTHER PUBLIC ENTITIES FOR WHICH THEY HAVE NOT RECEIVED CREDITED SERVICE; AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.
5. Consideration and possible action to approve a Master Terms and Conditions Agreement between Next Level Medical and the City of Manvel for acute and primary care medical services.

Council Member Davis made the motion to approve agenda item #3, #4, and #5. Council Member Hudson seconded the motion.

The motion carried with a vote:

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 accept the recommendation for Changes to the City Charter as forwarded by the Charter Commission on 8/31/2021 and direct staff regarding proposed amendments and calling a special election.

This item was voted on after item #2 on the regular agenda.

Dan - If this passes tonight and is approved by the voters, he will be donating any funds he receives to a non-profit.

Mayor - Was on the original charter commission and was opposed to council being paid. Tonight, the Mayors' vote will be whether this should be on the ballot as recommended by the Charter Commission to have the voters determine the outcome.

Niccole Mitchell - Charter Commission Chair

Jason Albert asked how the board completed the review so quickly? Niccole stated that the board took their role seriously and did the homework reviewing the current charter to prepare for each meeting.

This item is not for the current council to determine if they will be paid, but to let the voters decide if those who fill the council seats in the upcoming years will be paid.

Robina Spruill - Concurred with the statements made by Niccole. Requested that the council

take the recommendation of the board and add this item to the ballot to allow the voters to determine if the council should be paid. This is not taking from the community; it is adding to the community.

Council Member Albert hopes that if this goes on a ballot, that the voters will vote "no" to paying the Council.

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

The motion carried with a vote:

Vote:6/1

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: City Council Member Place 4 Dan Davis

Absent: None

Abstained: None

7. Consideration and possible action to authorize the City Manager to negotiate a Professional Services Agreement for the City Center Engineering Services.

Mayor Davison made the motion to approve. Council Member Hudson seconded the motion.

The motion carried with a vote:

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. Discussion on the mowing of Tx Dot Right-of-Ways as requested by Council Member Akery.

Discussed need for more frequent mowing along TXDOT right-of-ways, i.e. HWY 6.

9. Consideration and possible action to direct staff on the following as requested by Council Member Davis;

a) Allocation of the ARPA Funds.

b) Re-engagement of the Animal Control Advisory Committee.

c) Amendments to the Sex Offender Ordinance.

d) Creation of a right of access policy for any electronic communications by elected and appointed positions.

e) Amendment to the Zoning Ordinance to allow for full kitchens in living quarters for in-law suites.

a) American Rescue Plan Act Project Funding

Regional Drainage Pond - Phase 1 (Siphon reversal and begin dry detention)

FM 1128 water and sewer extension to Police Station, Police Station Park, and Public Works

Broadband/fiber optic extension to City Center

Drainage on Old Chocolate Bayou (\$517,500)
 Paving Carpenter Road (Not eligible category - \$150,000)
 Elevated storage tower

Staff will bring this back to the Council once the staff has completed the list of suggestions.

b) This was at the request of resident Alina Rogers. This would be an opportunity to engage an active board to work with the police department and non-profits to find homes for these animals.

Is there an openness tonight to give direction to staff?

Jason Albert stated the city currently is not in compliance with the animal advisory board ordinance.

c) Sex offender ordinance - the City of Pearland and Alvin have recently updated their Sex Offender Ordinance.

Council Member Davis wants to make sure our Ordinance is good. Council Member Hehn agrees.

Council agrees to have staff review the ordinance and bring back any suggested amendments.

d) Council Member Davis asked the City Manager if it is true that a higher-ranking employee went to IT with a request to review council emails for a Public Information request?

Kyle - Staff gets public information requests weekly. Due to an open records request from MUD 61, a large request for information came in. The question was asked if IT could do a global search for key words to find emails dealing with the individual topic.

Jason would like Bobby to look at the existing policy and see if what we have is sufficient?

Dan would like to see a policy that is along the lines that if a city employee is going to request emails for elected officials or any appointed officials, it is done in writing.

Council Member Davis made the motion to direct staff to create a policy that emails for elected officials or appointed officials must be made in writing, even if the request is from the staff level. Council Member Albert seconded the motion.

The motion **FAILED 2-5** (Council Members Davis and Albert voted for the motion).

e) Council Member Davis and Albert are in favor of staff bringing an ordinance back to council for review on this. Mayor Davison is against amending the zoning ordinance.

Council Member Davis made the motion to direct staff to review this and bring back options and pitfalls for full kitchens. Council Member Albert seconded the motion. The motion **FAILED 3-4** (those who voted in favor were Jason Albert, Dan Davis, and Niccole Tyson)

Consent Agenda

1. Approve Meridiana Detention Reserve N-2 Preliminary Plat;
 Being a subdivision of 7.08 acres out of the Oliver Hall Survey, A-203, City of Manvel, Brazoria County, Texas.
2. Acceptance of infrastructure improvements for MUD 29 Water Plant Expansion GST 2 to begin the One Year Maintenance Period.
3. Final acceptance of infrastructure improvements for Bluewater Lakes Section 4 and release of associated maintenance bonds.

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

The motion carried with a vote:

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

Mayor and Council Comments

Adjourn

Council Member Dan Davis made the motion to adjourn. Council Member Lorraine Hehn seconded the motion.

The motion carried with a vote:

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 10:10 p.m.

CERTIFICATION



DEBRA DAVISON, MAYOR
CITY OF MANVEL, TEXAS



TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS

