

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



KEITH BONNER, COUNCIL PLACE 1
DAVID LANDS, COUNCIL PLACE 2
HARRY OPLIGER, COUNCIL PLACE 3
ED PERRY, COUNCIL PLACE 4
CRYSTAL SARMIENTO, COUNCIL PLACE 5
JEROME HUDSON, COUNCIL PLACE 6

DAN DAVIS, MAYOR
DAN JOHNSON, CITY MANAGER
TAMMY BELL, CITY SECRETARY

MISSION STATEMENT:

"The City of Manvel is a safe and responsible community, embracing the values of our past, present, and future citizens."

MINUTES 10/7/2024

Workshop Session

Mayor Davis called the workshop of the Manvel City Council to order at 5:00 p.m.
Those in attendance were:

Present: Mayor Dan Davis
City Councilmember Place 1 Keith Bonner
City Councilmember Place 2 David Lands
City Councilmember Place 3 Harry Opliger
City Councilmember Place 4 Ed Perry
City Councilmember Place 5 Crystal Sarmiento (Arrived Late)
City Councilmember Place 6 Jerome Hudson

Absent: None

Also Present: Dan Johnson, City Manager
Bobby Gervias, City Attorney
Keith Traylor, Chief of Police
Jose Abraham, Director of Development Services
Tammy Bell, City Secretary
Rosie Donaire, Director of Finance
Robbie Hall, Director of Public Works
Brooke Cyphers, Public Information Officer

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"*.

Yearly Performance Review for Daniel S Johnson, City Manager

WORKSHOP SESSION CONTINUED

Discussion on any item as listed on the agenda.

Mayor Davis convened the Workshop into Executive Session at 5:01 p.m.

Mayor Davis reconvened the Workshop out of Executive Session at 6:08 p.m., to be continued later in the meeting.

Regular Session

Call To Order

Mayor Davis called the meeting of the Manvel City Council to order at 6:08 p.m.

Those in attendance were:

Present: Mayor Dan Davis
City Councilmember Place 1 Keith Bonner
City Councilmember Place 2 David Lands
City Councilmember Place 3 Harry Opliger
City Councilmember Place 4 Ed Perry
City Councilmember Place 5 Crystal Sarmiento
City Councilmember Place 6 Jerome Hudson

Absent: None

Also Present: Dan Johnson, City Manager
Bobby Gervias, City Attorney
Keith Traylor, Chief of Police
Jose Abraham, Director of Development Services
Tammy Bell, City Secretary
Rosie Donaire, Director of Finance
Robbie Hall, Director of Public Works
Brooke Cyphers, Public Information Officer

Invocation

Inspirational Reading - Councilmember Opliger

Councilmember Lands provided the Inspirational Reading.

Pledge

Presentations

Proclamation

Chamber of Commerce Week - October 14, 2024 - October 18, 2024

National Colonial Heritage Month - October 2024

Servant Leadership Award

Karen Kinlaw

Croix Park Task Force Recognition

Paul Sofka

Ellen Naegeli

Leslie Culvert

Brian Wilmer

Larry Akery

Go Native - Lead Consultant

Manvel Market Recognition

Colleen Cicchetto

Public Comments: "Comment Card" Required

Christine Rohr, 4051 Champagne Way - spoke about the Animal Ordinance, specifically about TNR. Does not like that we are sending animals to Houston Humane Society.

Cindy Guire, 8925 Briarcrest - spoke about the Animal Ordinance. No ordinances she researched restrict rescues. They have and support TNRs. The ordinance needs to be scrapped. Hoarding animals will not be solved by this ordinance.

Cindy Cortinas, 7204 Carpenter Rd - regulating rescues is not the way to get help from rescues. TNR is her passion. TNR is the way in her opinion.

Tim Black, 5115 Furnace Rd - spoke about the Animal Ordinance. Also spoke about concerns over money and budget and land purchases in the city.

City Manager Update

The Chamber Leadership Academy - Robbie and Rosie are enrolled

Teen Court is back in Session

MEDC 10/9

City offices closed October 14

State of Alvin pushed back

Consent Agenda

1. Acceptance of the meeting minutes to date.
2. Approve Resolution 2024-R-31;
A RESOLUTION DESIGNATING A REPRESENTATIVE AND ALTERNATE HOUSTON-GALVESTON AREA COUNCIL 2025 GENERAL ASSEMBLY.
3. Acceptance of infrastructure improvements for Booster Pump Upgrades for Brazoria County Municipal Utility District No. 29, Brazoria County, Texas to begin the Two-Year Maintenance Period
4. Acceptance of infrastructure improvements for Water Distribution, Storm Water Facilities, and Paving to serve Cadence Drive Phase 2 for Brazoria County Municipal Utility District No. 57, Brazoria County, Texas, to begin the Two-Year Maintenance Period.
5. Acceptance of infrastructure improvements for Commercial Lake to Serve Valencia for Brazoria County Municipal Utility District No. 83, Brazoria County, Texas to begin the Two-Year Maintenance Period.
6. Acceptance of infrastructure improvements for Lake "B" to Serve Valencia for Brazoria County Municipal Utility District No. 83, Brazoria County, Texas to begin the Two-Year Maintenance Period.

Councilmember Hudson made the motion to approve the Consent Agenda. Councilmember Opliger seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

Items Removed from Consent Agenda

None

Regular Agenda

1. Consideration and possible action to approve the second and final reading of Ordinance 2024-O-37;

AN ORDINANCE OF THE CITY OF MANVEL, TEXAS, REPEALING THE CURRENT CHAPTER 8. *ANIMALS*, AND ADOPTING A NEW CHAPTER 8. *ANIMALS*; ADDING A NEW ARTICLE II. *ANIMAL SELLER PERMIT*; ADDING A NEW ARTICLE III. *PETTING ZOOS*; PROVIDING A PENALTY FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Keith Traylor, Chief of Police, provided an overview of the updates.
Animal Control Officer Sherman answered Council questions.

The four amendments discussed by council and staff are:

- 1) delete the definition of colony caretaker in section 8.1
- 2) change 8.9(2) from requirement to recommendation for microchips
- 3) removed 8.9 #4 in its entirety
- 4) 8.7, change language to refer to section 8.6 instead of chapter

Mayor Davis made the motion to approve the four amendments as discussed. Councilmember Sarmiento seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

Mayor Davis made the motion to approve as amended. Councilmember Opliger seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

2. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-42; AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, CHAPTER 71. "UTILITIES" BY ADOPTING NEW RATES FOR WATER AND SEWER; MAKING OTHER CHANGES TO THE ORDINANCE GOVERNING THE PROVISION OF UTILITIES WITHIN THE CITY OF MANVEL; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR ANY VIOLATION OF ANY PROVISION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.

Rosie Donaire—Staff is requesting a rate increase of 6.3%, as recommended by the Freese and Nichols study from 2022.

Proposed changes:

Residential base rate for water - 32.59 to 34.65

Residential base rate for wastewater - 39.11 to 41.58

Commercial base rate for water - 39.11 to 41.58

Commercial base rate for wastewater - 45.63 to 48.51

This would go into effect for the November bill, which is October consumption.

The per-1,000-gallon rate will increase by 34 cents.

Mayor Davis wants more data to make an informed decision.

Councilmember Bonner made the motion to postpone until the next regular scheduled council meeting. Mayor Davis seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

3. Consideration and possible action to approve the first of two readings of Ordinance 2024-O-43; AN ORDINANCE AMENDING CHAPTER 44 "OFFENSES AND MISCELLANEOUS PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF MANVEL, TEXAS, BY AMENDING ARTICLE VIII. "SEXUAL OFFENDERS" TO REVISE REGULATIONS PERTAINING TO SEXUAL OFFENDERS; 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.

Sergeant Alvarado provided the updates.

Councilmember Sarmiento made the motion to approve. Councilmember Bonner seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

4. Consideration and possible action to approve Resolution 2024-R-29; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL, TEXAS, ADOPTING GUIDELINES AND CRITERIA FOR THE NAMING OF PUBLIC FACILITIES.

Councilmember Sarmiento made the motion to approve. Councilmember Hudson seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

October 7, 2024 MANVEL CITY COUNCIL MEETING MINUTES

No: None
Absent: None
Abstained: None

5. Consideration and possible action to approve Resolution 2024-R-32;
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANVEL NOMINATING CANDIDATES FOR A POSITION ON THE BOARD OF DIRECTORS OF THE BRAZORIA COUNTY APPRAISAL DISTRICT.

Tammy Bell, City Secretary, provided the overview. This is for choosing people to be on the ballot.

Current Members:

Tommy King
Patrick O'Day
Gayle Robinson
George Sanders
Susan Spoor

Councilmember Bonner spoke in favor of Patrick O'Day.

Mayor Davis made the motion to nominate Patrick O'Day and George Sanders. Councilmember Bonner seconded the motion.

The motion carried with a vote: 6/1

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: City Councilmember Place 3 Harry Opliger

Absent: None

Abstained: None

6. Consideration and possible action to approve requested variances to requirements of the Manvel Town Center Planned Unit Development (PUD), provided in Exhibit E of Ordinance 2017-O-33, Section IV. Project/Plan Description pertaining to:
- (Section IV (C) (5)) - Minimum parking requirements.
 - (Section IV (C) (8)) - Allowance for open storage; and
 - (Section IV (E) (4) (c)) - Lettering height for wall-mounted signage.

****Moved to after Regular Agenda Item 3****

Ellie Roohbakhsh, Associate Planner, provided the overview.

The applicant is requesting three variances:

- 1) Parking reduction from 5 to 4 spaces per 1,000 sqft for gross leasable floor area and 2 spaces per 1,000 for the outdoor garden center component.
- 2) Open Storage - Requesting 12% for long-term and seasonal storage for inventory, equipment, vehicles, or other business-related property.
- 3) Signage height to permit a maximum height of 120" for main Lowe's sign.

Staff recommends approval of the requested variances.

Steve Chandler, Weitzman, and Todd Bartock of Lowe's introduced themselves. Todd shared that they are looking at Q3 2025 opening. This should provide a few hundred job opportunities.

October 7, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Mayor Davis made the motion to approve the variances as requested. Councilmember Lands seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

7. Consideration and possible action to approve an Interlocal Agreement for the Use of a Communication Tower between Brazoria County on behalf of the Sheriff's Office and the City of Manvel.

This device will allow citizens to contact their own water meter to see water leaks, for instance. This will also help with billing because it receives meter reading data from the device.

Councilmember Bonner made the motion to approve. Councilmember Perry seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

8. Consideration and possible action regarding compensation of the City Manager.

Mayor Davis convened the meeting back into the Executive Session from the Workshop at 8:25 p.m.

Mayor Davis reconvened the meeting out of Executive Session at 11:20 p.m.

No action was taken during the Executive Session.

Mayor Davis made the motion to approve a 5% performance-based incentive. Councilmember Opliger seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

No: None

Absent: None

Abstained: None

Mayor and Council Comments

October 7, 2024 MANVEL CITY COUNCIL MEETING MINUTES

Adjourn

Mayor Davis made the motion to adjourn the meeting at 11:21 p.m. Councilmember Bonner seconded the motion.

The motion carried with a vote: 7/0

Yes: Mayor Dan Davis, City Councilmember Place 1 Keith Bonner, City Councilmember Place 2 David Lands, City Councilmember Place 3 Harry Opliger, City Councilmember Place 4 Ed Perry, City Councilmember Place 5 Crystal Sarmiento, City Councilmember Place 6 Jerome Hudson

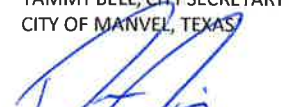
No: None

Absent: None

Abstained: None

CERTIFICATION


TAMMY BELL, CITY SECRETARY
CITY OF MANVEL, TEXAS


DAN DAVIS, MAYOR
CITY OF MANVEL, TEXAS

