



MINUTES
SEALY CITY COUNCIL
415 MAIN STREET
SEALY, TX 77474
TUESDAY, MAY 28, 2019
6:00 P.M.

1. Call to Order

Mayor Whitehead called the meeting to order at 6:01 p.m.

2. Invocation and Pledge of Allegiance

Brigid Stevenson, Sealy Police Chaplin, gave the invocation. Mayor Whitehead led the Pledges of Allegiance.

3. Roll Call and Certification of a Quorum.

Present:

Janice Whitehead	Mayor
Dee Anne Lerma	Councilmember, Place 1
Chris Noack	Councilmember, Place 2
Sandra Vrabec	Councilmember, Place 3/Mayor Pro tem
Jennifer Sullivan	Councilmember, Place 4
Larry Koy	Councilmember, Place 5
Adam Burttschell	Councilmember, Place 6

A quorum was declared present.

Staff attending:

Warren Escovy, Asst. City Manager
Dayl Cooksey, City Secretary
Jay Reeves, Chief of Police
Lawrence Siska, Director of Parks/Streets/Drainage
Mark Pulos, Public Works Director
Steven Kutra, Finance Director
Robert Worley, Sealy EDC Executive Director
Tim Kirwin, City Attorney

4. Proclamations and Special Recognitions

None

5. Petition(s) and/or Request(s) from the Public.

Gregg Clements read a letter to the Council from Mike Weber with Town Park Center, who was unable to attend the meeting.

6. CONSENT AGENDA

- a. **Discussion and possible action regarding approval of minutes for the meeting held:**
 - **May 14, 2019 – Workshop**
 - **May 14, 2019**
- b. **Discussion and possible action to approve an ordinance to change the regular city Council meeting dates. (*This is the second of two readings.*)**

Councilwoman Sullivan moved to approve the consent agenda. Councilwoman Vrablec seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Vrablec, Sullivan, Koy, Burttschell
NOES: None

The motion carried. (*The ordinance is enrolled as Ordinance No. 2019-08.*)

7. Discussion and possible action to authorize the City Manager to execute a contract for the Main Street Water Line Project.

Kelly Hajek with Strand Associates told the Council that the low bidder for the Main Street Water Line project is Vaca Underground Utilities, Inc., in the amount of \$3,136,540.00, which includes bid alternates 1 and 2. The bid included a bid bond for 5 percent and Addendum No. 1 was acknowledged.

Councilwoman Lerma moved to authorize the City Manager to execute a contract with Vaca Underground Utilities, Inc., for the Main Street Water Line Project, including bid alternates 1 and 2. Councilman Noack seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Vrablec, Sullivan, Koy, Burttschell
NOES: None

The motion carried.

8. Monthly financial report presented by the Director of Finance.

Steven Kutra, Finance Director, provided a PowerPoint presentation of the monthly financials for the City of Sealy.

9. Public Works – Water/Sewer/Gas Staff report and discussion.

Mark Pulos, Public Works Director, provided an updated project list for the water, sewer and gas departments.

10. Discussion and consideration to approve a project of the Sealy EDC to provide financial or other incentives for the Dove Tail Crossing Project.

Robert Worley said that the Sealy EDC board approved this project after the board made two findings. The board concluded that the installation of utility lines will promote business development in the area and provide homes for industrial employees for future projects.

Councilwoman Lerma moved to approve the Sealy EDC Project to provide financial incentives to Dove Tail Crossing Project for the installation of utility lines to the property in an amount not to exceed \$300,000. Councilman Burttschell seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Vrabec, Sullivan, Koy, Burttschell
NOES: None

The motion carried.

11. Discussion and possible action to approve a resolution appointing Chief Jay Reeves to serve as a representative for the City of Sealy as a member of the Austin County 911 Board.

Councilwoman Lerma moved to approve a resolution appointing Chief Jay Reeves to serve as the representative for the City of Sealy as a member of the Austin County 911. Councilwoman Vrabec seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Vrabec, Sullivan, Koy, Burttschell
NOES: None

The motion carried.

12. Discussion and possible action regarding the drainage channel outfall on San Felipe Road.

Miguel Villafranca said he owns part of the property being discussed regarding the drainage channel outfall. Mr. Villafranca said it has a natural drainage and does not need a drainage channel as proposed by the engineers to alleviate concerns regarding drainage in the area.

Gilbert Bassett told the Council that the city used to clean the outfall on San Felipe Road. The city could not continue to clean out the area because there is no easement and it is on private property. Mr. Bassett said that it is grown up with trees and impedes the drainage on his property and on the street.

Tommy Kuykendall with Civil Corp provided an estimate regarding what would need to be done in the area. He said it is not as simple as cleaning out a ditch. There is a responsibility to ensure there is no adverse effects to other areas. A seemingly small project can become larger.

13. Consideration and possible action to call two (2) public hearings before the City Council of the City of Sealy, Texas, on July 2, 2019 at 6:00 p.m. and on July 16, 2019 at 6:00 p.m. at City Hall, 415 Main Street, Sealy, Austin County, Texas to hear any and all persons desiring to be heard on or in connection with any matter or question involving the proposed voluntary annexation into the City of Sealy, Texas of an approximate 45.11-acre tract of land situated in the Austin County located near the intersection of Rice Field Road and FM 3013 and that portion of FM 3013 running adjacent to the tract proposed for annexation as may be necessary to comply with state law contiguity requirements.

Councilwoman Sullivan moved to call two public hearings before the City Council on July 2, 2019 at 6:00 p.m., and July 16, 2019 at 6:00 p.m., concerning the voluntary annexation as listed on the agenda. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Vrabec, Sullivan, Koy, Burttschell
NOES: None

The motion carried.

14. Discuss, consider, and possible action to adopt an ordinance regulating engine brakes. (*This is the first of two readings*).

Councilwoman Lerma moved to approve the first reading of an ordinance regulating engine brakes within the City of Sealy. Councilman Koy seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Vrabec, Sullivan, Koy, Burttschell
NOES: None

The motion carried.

15. Discuss, consider, and possible action to adopt an ordinance regulating parking along Schmidt Road. (*This is the first of two readings*).

Felicia Fernandez, Thomas Theriot, Teresa Henry and Melvin Cerny voiced concerns about the parking along Schmidt Road with the proposed new apartment development. The City Attorney explained that the proposed ordinance will address the issues they are concerned with. The ordinance restricts parking along Schmidt Road. Mrs. Fernandez said Schmidt Road needs to be widened. Staff reported that there is not enough easement to widen the roadway.

Mayor Whitehead moved to table action until staff reviews and makes a recommendation to Council concerning Acres Lane and other roadways in the area. Councilman Koy seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Vrabec, Sullivan, Koy, Burttschell
NOES: None

The motion carried.

16. Discuss, consider, and possible action to adopt an ordinance amending development regulations under Chapter 28 of the Code of Ordinances. (*This is the first of two readings*).

Melvin Cerny told the Council that no variances should be given by the city.

Mayor Whitehead said this item is tabled until more information is received from staff and legal.

No action taken.

17. Discussion and possible action relating to leasing of a track hoe for the street department.

Councilwoman Sullivan moved to lease a track hoe for the Street Department for a two month period in the amount of \$12,878.73. Councilwoman Vrabec seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Vrabec, Sullivan, Koy, Burttschell
NOES: None

The motion carried.

18. Request(s) for future agenda items and comment(s).

Councilwoman Lerma

- She requested an update on the street repairs on Highway 90 by TxDOT. They did not notify the city prior to beginning the work. Warren Escovy reported that they will return to stripe the roadway next week.
- She requested an update on the Le Blanc Swimming Pool activities and programs.

Councilman Noack

- He requested a special meeting next Tuesday at 5:00 p.m., to review the changes to Chapter 28.
- He requested an executive session concerning the letter that was read from Town Park Center.

Councilwoman Vrablec

- She requested a review of the city's no smoking ordinance.

Councilwoman Sullivan

- She asked if the organizations that request HOT funds have been provided the new information. They were.
- She thanked the staff for helping keep the budget in line.

Councilman Koy

- He said he appreciated citizens coming to the Council meeting and voicing concerns. The councilmembers are listening and want to help to resolve problems.
- He requested that during the budget process, HOT funds be reserved for upgrades to the Liedertafel Hall as well as additional parking in the area.
- He said the city should begin work on the drainage project with the \$2 million grant. It was explained that the state has not provided the contract nor released the money for any of the projects approved in this particular grant.

Councilman Burttschell

- He asked that staff researched the wheelchair accessibility for Studio Blend & Gallery.

Mayor Whitehead

- TxDOT will provide a presentation to the City Council at a meeting on June 18th or July 2nd, 2019.

19. Adjournment.

At 8:19 p.m., Councilwoman Vrablec moved that the City Council stand adjourned until the next scheduled meeting. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Vrablec, Sullivan, Koy, Burttschell

NOES: None

The motion carried.

PASSED AND APPROVED this 4th day of June 2019.



Janice Whitehead
Janice Whitehead, Mayor

ATTEST:

Dayl Cooksey
Dayl Cooksey, City Secretary