



MINUTES
SEALY CITY COUNCIL
415 MAIN STREET
SEALY, TX 77474
TUESDAY, JANUARY 21, 2020
6:00 P.M.

1. **Call to Order**

Mayor Whitehead called the meeting to order at 6:03 p.m.

2. **Invocation and Pledges of Allegiance**

Police Chaplin Brigid Stevenson gave the invocation and Mayor Whitehead led the pledges of allegiance.

3. **Roll Call and Certification of a Quorum**

Present:

Janice Whitehead
Dee Anne Lerma
Chris Noack
Sandra Vrablec
Jennifer Sullivan
Larry Koy
Adam Burttschell

Mayor
Councilmember, Place 1
Councilmember, Place 2
Councilmember, Place 3/Mayor Pro tem
Councilmember, Place 4
Councilmember, Place 5
Councilmember, Place 6

Absent:

None

A quorum was declared present.

Staff attending:

Lloyd Merrell, City Manager
Warren Escovy, Assistant City Manager / Planning Director
Brooke Knoll, City Secretary
Steven Kutra, Finance Director
Mark Pulos, Public Works Director
Lawrence Siska, Director of Streets, Parks and Drainage
Scott Riske, Police Captain
Robert Worley, Executive Director SEDC
Tim Kirwin, City Attorney

4. **Proclamations and Special Recognitions**

- 2019 employee service awards

City Manager Lloyd Merrell presented the following six City of Sealy employees with 2019 service awards:

15 years: Joe Wisniski, Fawn Mackey
20 years: Perry Strauss, John Campos
25 years: Wesley Gajewski
30 years: Mark Pulos

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

Melvin Cerny voiced his concerns about the apartments on Schmidt Road. He said there's no detention pond to his knowledge. Mayor Whitehead told Mr. Cerny to contact Warren Escovy to answer his questions.

Johnathan Rosenauer, youth minister with the First Baptist Church of Sealy, partnered with the City of City and hosted a "Disciple Now" event this past weekend. Approximately 50 teenagers picked up trash around the city for a mission project. He thanked city staff for their help with this event.

6. CONSENT AGENDA

a. Discussion and possible action regarding approval of minutes for the meeting held:

- **January 7, 2020**

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

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

The motion carried.

Mayor Whitehead moved to move item 11 to follow item 8. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

Councilman Koy moved to move item 17 to follow item 11. Councilwoman Lerma seconded the motion. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

7. Discussion and possible action regarding the post event report for Sealybration 2019.

Councilman Koy moved to table this agenda item until a representative from the Sealy Community Foundation can be present. Councilwoman Sullivan seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

8. Sealy Chamber of Commerce and Visitor and Convention Center quarterly report.

Tammy Hall with the Sealy Chamber of Commerce and Visitor and Convention Center gave an overview of the quarterly report supplied by the chamber concerning activities for the last quarter.

11. Discussion and possible action regarding drainage options for Retreat at Sealy.

Councilwoman Lerma moved to direct staff to work with the developer on the new drainage option instead of granting the easement. Councilman Noack seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Burttschell
NOES: Sullivan, Koy, Vrabec

The motion carried.

17. Update and discussion regarding the nuisance ordinance and current issues.

Assistant City Manager Warren Escovy stated that there is a hog rescue operation located just a few feet outside of the city limits near the intersection of Gebhardt and Svinky Road. The property has about 100 hogs on it, and neighbors have issues with the strong odor. He said that council passed a nuisance ordinance about a month ago, which grants the city the right to consider a nuisance anything that is within 5,000 feet of the city limit line. Currently, the plan to resolve this problem is to issue a citation. After having spoken with the police chief about it, Mr. Escovy said the officer would have to smell the hog odor and have the people responsible for the operation present to receive the ticket, which is difficult because they are not on site all the time. City Attorney Tim Kirwin said complainants could also go through the municipal court, which takes longer. He also said the city is going to file a complaint with the Texas Commission on Environmental Quality (TCEQ) about possible runoff from the site.

Several neighbors were in attendance to voice their concerns.

James Krenek said the odor at times is too unbearable to be in his back yard or on his property. He suggested that it would be easy to target the land owner.

Melvin Cerny said he has tried several times to talk with the individuals there, but all he has been able to meet with are program volunteers.

Roy Jones stated he had witnessed hogs in his yard. He is concerned that his ditch will fill up with manure.

Teresa Henry stated the hogs have been digging up her yard. She said she would like to see the property cleaned up because it looks like a homeless shelter out there.

Councilman Noack asked if staff can prioritize the complaint with TCEQ. Mr. Escovy stated he will make this a priority.

No action was taken.

9. Discussion and possible action regarding parking on Main Street.

City Manager Lloyd Merrell proposed to remove the center parking on Main Street and replace it with parking on Front Street and at a city-owned lot next to Bill's Country Market. The proposal calls for changing Main Street parking from 60-degree angled spots to 90-degree head-in spots. His plan creates more spaces than the 31 it eliminates. Mr. Merrell believes that this proposal will not only make Main Street safer, but more aesthetically pleasing as well.

Donald Gothard, Vice President of a mortgage company located at 113 Main Street, said he has been in Sealy for eight months and has no issues with the current parking situation. He stated he has a large truck and does not have a problem getting around downtown. He believes that this proposal will only increase the speed down that street.

David Krampitz of Bill's Country Market stated that removing the center parking spaces is not the way to make downtown grow. He said this is not what the citizens or downtown business owners want and submitted a petition that contains over 100 signatures in opposition of the removal of center parking spaces. He implored the council to re-think the proposal.

Brigid Stevenson spoke in favor of removing the center parking. She said she has a small car and has to be very careful not to hit other vehicles parked in front of the businesses. She believes it is not reasonable to expect the police to issue citations for non-compact cars because there is only one sergeant and two patrol cars out on a given shift. She then referred to Bellville and Brenham's successful downtown districts. She suggested that business owners can park remotely to allow customers to be up close.

Councilman Noack moved to keep the downtown center parking as is and to enforce compact parking for the center spaces. Councilman Burttschell seconded the motion. Mayor Whithead called for the vote:

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

NOES: None

The motion carried.

10. Discussion and possible action regarding the installation of railings on Main Street.

Councilwoman Lerma moved to approve the concept of the safety railings on Main Street and directed the city manager to have them installed. Councilman Burttschell 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 to approve a variance per Chapter 28 to allow crushed concrete instead of asphalt or concrete for a property located approximately at the 2000 block of Highway 90, north of the FM-3538 intersection.

Councilman Burttschell moved to approve a variance per Chapter 28 to allow crushed concrete instead of asphalt or concrete for a property located approximately at the 2000 block of Highway 90, north of the FM-3538 intersection. Councilman Noack seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Burttschell
NOES: Vrabec, Sullivan, Koy

The motion carried.

13. Presentation, discussion and possible action by City Attorney regarding Municipal Development Districts.

Mayor Whithead moved to table this agenda item. 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. Discussion and possible action to approve an ordinance calling the City of Sealy 2020 general election. (According to the City of Sealy Home Rule Charter, Section 3.12(3) – Procedures to Enact Legislation, only one reading is required for final passage of this ordinance.)

Councilwoman Sullivan moved to approve an ordinance calling the City of Sealy 2020 general election. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

(This ordinance is enrolled as Ordinance No. 2020-01.)

15. Discussion and possible action to approve a resolution authorizing the Mayor to execute and the City Secretary to attest an Interlocal agreement with Sealy ISD for conducting early voting and the sharing of a polling place on election day.

Councilwoman Lerma moved to approve a resolution authorizing the Mayor to execute and the City Secretary to attest an Interlocal agreement with Sealy ISD for conducting early voting and the sharing of a polling place on election day. Councilwoman Sullivan seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

(This resolution is enrolled as Resolution No. 2020-04.)

16. Presentation and discussion regarding planning department employment and project updates.

Warren Escovy gave a brief update on current planning department projects and informed the council that a new building inspector has been hired.

18. Discussion and possible action to award the bid for the Highway 36 water main extension project.

Councilwoman Lerma moved to award the bid for the Highway 36 water main extension project to Barclays Premier Utility Services, Inc. Councilman Noack seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried.

19. Discussion and possible action regarding the Mark A. Chapman dedication monument at B&PW Park.

Councilman Burttschell moved to approve the Mark A. Chapman dedication monument at B&PW Park. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried

20. Discussion and possible action regarding improvements to the pavilion at B&PW Park.

Councilwoman Sullivan moved to approve the improvements to the pavilion at B&PW Park. Councilman Koy seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried.

21. Discussion and possible action to approve a MOU between City of Sealy and the City of Zhujie.

(Councilman Koy dismissed himself from the meeting at 8:45 p.m.)

Councilman Burttschell moved to approve a MOU between the City of Sealy and the City of Zhujie. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Lerma, Noack, Burttschell

NOES: Vrabec, Sullivan

The motion carried.

22. **Discussion and possible action to approve a Resolution approving EDC funding in the amount not to exceed \$20,000 for promotional décor (holiday). (*This is the second of two readings.*)**

Councilwoman Lerma moved to approve a Resolution approving EDC funding in the amount not to exceed \$20,000 for promotional décor (holiday). Councilwoman Vrablec seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried.

(This resolution is enrolled as Resolution No. 2020-05.)

23. **Discussion and possible action to approve a resolution adopting the City's investment policy.**

Councilwoman Sullivan moved to approve a resolution adopting the City's investment policy. Mayor Whitehead seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried

(This resolution is enrolled as Resolution No. 2020-06.)

24. **Discussion and possible action to approve a preliminary plat for a 22-acre tract of land located approximately south of FM-2187 and west of Sealy Homestead.**

(Councilman Koy re-entered the meeting at 8:50 p.m.)

Councilwoman Lerma moved to approve a preliminary plat for a 22-acre tract of land located approximately south of FM-2187 and west of Sealy Homestead. Councilwoman Vrablec seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried

25. **City Manager's report and possible discussion:**
a. **TxDOT update**

Lloyd Merrell briefly updated the council on the topic listed above.

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

Councilwoman Lerma

- She mentioned the Highway 36 railroad crossing damage again. Lawrence Siska assured that it will be repaired soon.

Councilman Noack

- He requested talking points for a downtown parking study and the Westview Terrace drainage project at the priorities meeting.
- He requested an agenda item for the February 4th meeting regarding compact car parking in the downtown district, including discussion of signage and ordinance enforcement.
- He asked if staff can pressure wash the "Sealy, Texas" sign in front of Tony's Family Restaurant. Lawrence Siska said it cannot be pressure washed, but it can be cleaned.
- He asked for an update on the WWTP. Mark Pulos will notify council as soon as it is up and running completely.

Councilwoman Vrabec

- None

Councilwoman Sullivan

- She requested an agenda item to pick date for Spring clean-up.

Councilman Koy

- He encouraged everyone to get out and vote.

Councilman Burttschell

- None

Mayor Whitehead

- None

27. Adjournment

At 9:00 p.m., Councilwoman Vrabec moved that the city council stand adjourned until the next scheduled meeting. Councilwoman Sullivan seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried.

CERTIFICATION

PASSED AND APPROVED this 4th day of February 2020.



Janice Whitehead
Janice Whitehead, Mayor

ATTEST:

Brooke Knoll
Brooke Knoll, City Secretary