



MINUTES
SEALY CITY COUNCIL
415 MAIN STREET
SEALY, TX 77474
TUESDAY, AUGUST 4, 2020
6:00 P.M.

1. **Call to Order**

Mayor Whitehead called the meeting to order at 6:00 p.m.

2. **Invocation and Pledges of Allegiance**

Mayor Whitehead gave the Invocation.

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

Present:

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

Absent:

None

A quorum was declared present.

Staff attending:

Lloyd Merrell, City Manager
Warren Escovy, Asst. City Manager
Brooke Knoll, City Secretary
Joey Schmidt, Fire Marshal/IT
Mark Pulos, Public Works Director
Lawrence Siska, Director of Parks/Streets/Drainage
Robert Worley, Sealy EDC Executive Director
Tim Kirwin, City Attorney
Chris Nichols, Special Council

4. **Proclamations and Special Recognitions**

None

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

Chelsea Humes spoke in favor of the Enterprise Zone Ordinance; she said it is a benefit to companies at absolutely no cost to the city.

Roxanna Saldana would like to see an actual plan to complete further progress at Allen's Creek. She would also like to see council budget funds for beautification in the FY 2020-2021 budget.

6. CONSENT AGENDA

a) Discussion and possible action regarding approval of minutes for the meetings held:

- **July 21, 2020 – Workshop**
- **July 21, 2020 – Regular Meeting**
- **July 23, 2020 – Budget Workshop**
- **July 30, 2020 – Budget Workshop**

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

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

NOES: None

The motion carried.

7. PUBLIC HEARING: Public hearing on establishing an Enterprise Zone Ordinance and the city's participation in the Texas EZ Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing incentives, designating a liaison for communication with interested parties, and nominating Hailiang Copper Texas, Inc. as an Enterprise Project to the Office of the Governor Economic Development & Tourism through the Economic Development Bank (Bank).

Mayor Whitehead opened the public hearing at 6:05 p.m.

Eric Geisler, Corbett Parker and Alex Maass all spoke in favor of the Enterprise Zone Ordinance.

Roxanna Saldana asked if the city still receives a sales tax refund. Sealy EDC Executive Director Robert Worley stated that an Enterprise Zone has no impact on city sales tax. City Manager Lloyd Merrell stated that it is a state sponsored program that gives the EDC another recruiting tool at no cost to the city.

Mayor Whitehead closed the public hearing at 6:17 p.m.

8. Discussion and possible action to adopt an ordinance authorizing the city's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing incentives, designating a liaison for communication with interested parties, and nominating Hailiang Copper Texas, Inc. as an Enterprise Project to the Office of the Governor Economic Development & Tourism through the Economic Development Bank. *(This is the first of two readings.)*

Councilwoman Lerma moved to adopt an ordinance authorizing the city's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303, Texas Government Code, providing incentives, designating a liaison for communication with interested parties, and nominating Hailiang Copper Texas, Inc. as an Enterprise Project to the Office of the Governor Economic Development & Tourism through the Economic Development

Bank, contingent upon a change in Section 4 to designate the city manager as the liaison rather than the assistant city manager. Councilwoman Vrabec seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

9. **Presentation of Collection Report to the City of Sealy by Perdue Brandon Fielder Collins & Mott.**

Mike Darlow with Perdue Brandon Fielder Collins & Mott gave council an overview of the Collection Report.

10. **Discussion and possible action to approve or deny four setback variances for a property located at 402 4th Street.**

Councilwoman Lerma moved to approve four setback variances for a property located at 402 4th Street, Councilwoman Sullivan seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

11. **Discussion and possible action to adopt a Resolution authorizing the submission of a Texas Community Development Block Grant – Disaster Recovery Program amendment application to the Texas General Land Office for the Disaster Recovery Fund; And authorizing the Mayor to act as the city's executive officer and authorized representative in all matters pertaining to the city's participation in the Texas Community Development Block Grant – Disaster Recovery Program.**

Councilman Noack moved to adopt a Resolution authorizing the submission of a Texas Community Development Block Grant – Disaster Recovery Program amendment application to the Texas General Land Office for the Disaster Recovery Fund; And authorizing the Mayor to act as the city's executive officer and authorized representative in all matters pertaining to the city's participation in the Texas Community Development Block Grant – Disaster Recovery Program. Councilwoman Lerma seconded the motion.

Mayor Whitehead called for the vote:

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

The motion carried.

12. **Presentation and discussion by city staff and/or consultants regarding an overview of the comprehensive plan.**

Warren Escovy provided a brief PowerPoint presentation regarding an overview of the comprehensive plan.

13. Presentation and discussion by city staff and/or consultants regarding city drainage improvements.

Lawrence Siska provided PowerPoint presentation which showed significant drainage improvements that have been made over the past few months.

A copy of the presentation will be available on the city website and Facebook page.

14. Discussion and possible action to adopt a Resolution approving the EDC to fund all or part of development plan(s) for the City of Sealy either directly or through reimbursement. Funding is not to exceed \$120,000.00. (*This is the first of two readings.*)

Councilwoman Lerma moved to adopt a Resolution approving the EDC to fund all or part of development plan(s) for the City of Sealy either directly or through reimbursement. Funding is not to exceed \$120,000.00. Councilman Burttschell seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried.

15. Discussion and possible action to approve an amendment for the Harvest Moon project performance agreement.

Councilwoman Lerma moved to approve an amendment for the Harvest Moon project performance agreement. Councilman Noack seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried.

16. Discussion and possible action to approve a resolution adopting the City of Sealy Municipal Gas Public Awareness Program.

Councilwoman Lerma moved to approve a resolution adopting the City of Sealy Municipal Gas Public Awareness Program. Councilman Burttschell seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried.

17. Discussion and possible action to adopt an ordinance regarding food service establishment inspection postings. (*This is the second of two readings.*)

Mayor Whitehead moved to table this agenda item. 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. Discussion and possible action to adopt an ordinance amending Parks Board membership and removal. (*This is the second of two readings.*)

Councilwoman Lerma moved to adopt an ordinance amending Parks Board membership and removal. 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. 2020-08.)

19. Discussion and possible action regarding improvements to Cryan Park. (Sullivan)

The council discussed feasible drainage options that Tommy Kuykendall presented at the July 21st drainage workshop.

20. Discussion and possible action regarding the fiscal year 2020-2021 budget for city council.

Council discussed the fiscal year 2020-2021 budget proposal for city council.

No action was taken.

21. Discussion and possible action regarding Stage Stores, Inc.'s bankruptcy plan.

Mayor Whitehead moved to take no action on Stage Stores, Inc.'s bankruptcy plan. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

22. City Manager's report and discussion:

- a) Hot Fund Committee Appointments – steven, brooke, warren and jennifer
- b) Update on COVID-19 Federal Relief Funds

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

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

Councilman Burttschell

- He inquired about an ordinance workshop. The city secretary said it's tentatively scheduled for a sometime in September.
- He asked if Westview drainage is still on the table and would like a future agenda item regarding the implementation of drainage projects.

Councilman Koy

- He said he will send the city attorney three closed session items and would like guidance on those.
- He requested an amendment to Ordinance No. 2004-05.
- He requested an agenda item to engineer, bid and construct drainage channel along Allen's Creek between Rexville Road and the I-10 feeder.
- He requested an agenda item to amend the bylaws of Sealy EDC. He wants it to state "no full time City of Sealy employee(s) may serve on the Board of Directors".
- He requested an agenda item regarding amphitheater and land from HOT funds.

Councilwoman Sullivan

- She requested an agenda item for next Wednesday (8/12) regarding utility rate increases that are proposed for FY 2020-2021.

Councilwoman Vrabec

- None

Councilman Noack

- He wants an explanation on why/if city is taking over park for Hunter's Crossing.
- He reminded Warren Escovy that he asked for a breakdown of his time spent between assistant city manager and planning director duties.
- He requested an update on Taco Bell.

Councilwoman Lerma

- She also requested an update on Taco Bell.
- She thanked staff for their hard work under unusual conditions.

Mayor Whitehead

- She stated that she is resigning as mayor. As of September 16, 2020, she will no longer reside in city limits; however, she will stay on as a hold over mayor until another mayor is elected to the position on November 3, 2020.

24. Adjournment

At 9:03 p.m., Councilman Koy moved that the city council stand adjourned until the next scheduled meeting. Councilwoman Vrabec seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried.

PASSED AND APPROVED this 18th day of August 2020.



Janice Whitehead

Janice Whitehead, Mayor

ATTEST:

Brooke Knoll

Brooke Knoll, City Secretary