



MINUTES
SEALY CITY COUNCIL
415 MAIN STREET
SEALY, TX 77474
TUESDAY, AUGUST 18, 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 Vrabec	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
Kim Kaiser, Human Resources Administrator

4. **Proclamations and Special Recognitions**

None

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

Cynthia Grigar, Bonnie Smith and Jeanette Klekar all spoke in opposition of the variance request for a property located at 405 Gebhardt Road (item # 7).

6. CONSENT AGENDA

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

- **August 4, 2020 - Regular Meeting**

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

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

NOES: None

The motion carried.

7. Discussion and possible action to approve or deny a variance request from Section 28-51 Density to allow 26 units per acre instead of the required 18 for a property located at 405 Gebhardt Road.

Councilwoman Lerma moved to deny a variance request from Section 28-51 Density to allow 26 units per acre instead of the required 18 for a property located at 405 Gebhardt Road. Councilman Burttschell seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried.

8. Discussion and possible action to approve or deny building variances from Section 28-54 and a parking variance from Section 28-71 at 727 Oleander Street.

Mayor Whitehead moved to table this agenda item. Councilwoman Vrabec seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

ABSTAIN: Lerma

The motion carried.

9. 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 second 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. Councilman Burttschell seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

(This ordinance is enrolled in Ordinance No. 2020-10.)

10. 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 second 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 Noack 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. 2020-23.)

11. Discussion and possible action to approve a resolution declaring certain property (mower) salvage/surplus and ordering its disposition.

Councilwoman Lerma moved to approve a resolution declaring certain property (mower) salvage/surplus and ordering its disposition. Councilman Burttschell 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. 2020-24.)

12. Discussion and possible action to approve an Interlocal Agreement with Public Employee Benefits Alliance.

Councilwoman Lerma left the meeting at 6:40 pm.

Councilwoman Sullivan moved to approve an Interlocal Agreement with Public Employee Benefits Alliance. Councilwoman Vrabec seconded the motion. Mayor Whitehead called for the vote:

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

13. Discussion and possible action to approve letter of intent with Deer Oaks EAP.

Councilman Burttschell moved to approve a letter of intent with Deer Oaks EAP. Councilman Noack seconded the motion. Mayor Whitehead called for the vote:

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

14. Discussion and possible action to appoint three individuals to serve on the Parks Board.

Councilman Noack moved to appoint Jim Turnbull, Sterling Schiller and Rene Kofman to serve on the Parks Board. Councilwoman Vrabec seconded the motion. Mayor Whitehead called for the vote:

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

15. Discussion and possible action to renew the Natural Gas Contract with WTG Gas Marketing, Inc.

Councilwoman Sullivan moved to renew the Natural Gas Contract with WTG Gas Marketing, Inc. Councilwoman Vrabec seconded the motion. Mayor Whitehead called for the vote:

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

16. Discussion and possible action regarding HOT fund applications for FY 2020/2021.

Councilwoman Lerma returned to the meeting at 6:50 pm.

Councilwoman Sullivan said the committee's recommendation was to allocate \$70,000 to the Sealy Chamber of Commerce Convention and Visitor Bureau, \$5,000 to the Sealy Community Foundation for the Fantasy of Lights event and \$45,000 to the Sealy Community Foundation for Sealybration.

Councilwoman Lerma mentioned that she would like to see the Chamber be audited. Finance Director Steven Kutra will look into the cost of an audit.

No action was taken.

17. Discussion and possible action on proposed property tax rate.

Councilman Noack moved to approve the proposed tax rate of \$0.26898/\$100, composed of an M&O rate of \$0.19469/\$100 and an I&S rate of \$0.07429/\$100. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

The city secretary took a record vote as follows:

Mayor Whitehead – Aye
Councilwoman Lerma – Aye
Councilman Noack – Aye
Councilwoman Vrabec – Aye

Councilwoman Sullivan – Aye
Councilman Koy – Aye
Councilman Burttschell – Aye

There were no opposing votes. The motion carried.

18. Discussion and possible action to adopt an ordinance establishing and providing rates for services of the waterworks and sanitary sewer systems of the City of Sealy. (*This is the first of two readings.*)

Councilwoman Sullivan moved to adopt an ordinance establishing and providing rates for services of the waterworks and sanitary sewer systems of the City of Sealy. Councilwoman Lerma 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 to adopt an ordinance establishing and providing rates for services for natural gas system of the City of Sealy. (*This is the first of two readings.*)

Councilwoman Lerma moved to adopt an ordinance establishing and providing rates for services for natural gas system of the City of Sealy. Councilman Burttschell 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 to adopt an ordinance establishing and providing rates for services of solid waste of the City of Sealy. (*This is the first of two readings.*)

Councilwoman Sullivan moved to adopt an ordinance establishing and providing rates for services of solid waste of the City of Sealy. Councilwoman Lerma 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 amend Ordinance No. 2004-05 regarding drainage. (Koy)

Councilman Koy said that Ordinance No. 2004-05 was originated to collect money from citizens for the specific purpose of funding drainage work in Sealy. Since then, it's been used for other purposes, such as the purchasing of heavy equipment. He spoke of the proposed changes that he'd like to see made to the ordinance.

There will be an ordinance review workshop in September. No action was taken.

Councilwoman Lerma left the meeting at 7:40 pm.

22. City Manager's report and discussion:

- a) **Received confirmation from Bond Counsel Marcus Deitz that funds for the master utility and master drainage plan can be drawn from COs.**
- b) **Update on easement acquisition for the Highway 36 N sewer line project**
- c) **Downtown striping is complete**
- d) **Railings for the remainder of the downtown area**

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

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

Councilman Burttschell

- He requested an agenda item to review the parking ordinance for Main Street. He said this can be discussed at a workshop meeting.

Councilman Koy

- None

Councilwoman Sullivan

- None

Councilwoman Vrablec

- None

Councilman Noack

- He would like feedback regarding the utility bills. He would like to see if sewer usage can be displayed and would like an update regarding whether or not this is possible.
- He wanted to remind the city attorney and the mayor about the information he requested regarding what the council can legally do regarding development.
- He thanked Lawrence Siska and Lloyd Merrell for adding the parking spots in front of Paramount Promotions.
- He requested an agenda item to discuss increasing the drainage fee on the utility bill.

Mayor Whitehead

- None

24. Adjournment

At 7:47 p.m., Councilwoman Vrablec 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, Noack, Vrablec, Sullivan, Koy, Burttschell

NOES: None

The motion carried.

PASSED AND APPROVED this 1st day of September 2020.




Janice Whitehead, Mayor

ATTEST:


Brooke Knoll, City Secretary