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

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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 and 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 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, Assistant City Manager
   Brooke Knoll, City Secretary
   Mark Pulos, Public Works Director
   Lawrence Siska, Director of Parks/Streets/Drainage
   Robert Worley, Sealy EDC Executive Director
   Jay Reeves, Police Chief
   Tim Kirwin, City Attorney
   Chris Nichols, Special Counsel
   Kimbra Hill, Main Street Manager
   Kim Kaiser, Human Resources Administrator

4. **Proclamations and Special Recognitions**

   None

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

Gene Svoboda spoke on behalf of item #11. He is the property owner and spoke in favor of this variance request.

Mayor Whitehead moved to hear item 9 after item 11. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

6. **CONSENT AGENDA**

   a) **Discussion and possible action regarding approval of minutes for the meetings held:**
      - **September 15, 2020 – Workshop Meeting**
      - **September 15, 2020 – Regular Meeting**
      - **September 23, 2020 – Special Meeting**
      - **September 24, 2020 – Workshop Meeting**
      - **September 24, 2020 – Special Meeting**

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.

7. **Discussion and possible action to approve a performance agreement for the Brazilian Jiu-Jitsu Project in an amount not to exceed $9,900.00.**

Councilman Noack moved to approve a performance agreement for the Brazilian Jiu-Jitsu Project in an amount not to exceed $9,900.00. Councilman Koy seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

8. **Discussion and possible action to approve a performance agreement for the Anchor Manufacturing Project in an amount not to exceed $250,000.00.**

Councilwoman Lerma exited the meeting at 6:09 p.m.

Mayor Whitehead moved to approve a performance agreement for the Anchor Manufacturing Project in an amount not to exceed $250,000.00. Councilman Koy seconded the motion. Mayor Whitehead called for the vote:

AYES: Whitehead, Vrablec, Sullivan, Koy, Burttschell

NOES: Noack

The motion carried.

10. **Discussion and possible action to approve or deny the Dove Landing Section 2 final plat for the 11.7140 acres of land located approximately on the SE corner of FM-3013 and FM-3538.**

Councilwoman Lerma re-entered the meeting at 6:22 p.m.

Councilman Noack moved to approve the Dove Landing Section 2 final plat for the 11.7140 acres of land located approximately on the SE corner of FM-3013 and FM-3538. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

11. **Discussion and possible action to approve or deny a variance from Sec 28-70(g) to utilize a 10' building line instead of the required 25' building line on the rear of the lot and a 5' building line on the side (north) of the lot located at 224 North Atchison Street.**

Councilwoman Lerma moved to approve a variance from Sec 28-70(g) to utilize a 10' building line instead of the required 25' building line on the rear of the lot and a 5' building line on the side (north) of the lot located at 224 North Atchison Street, under the conditions that civil plans must be submitted and approved within one year of variance approval, the drainage and the parking shall be approved with the civil plans and the approval of the variance does not means the plans will get approved for drainage and parking.. Councilman Burttschell seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

9. **Discussion and possible action regarding a Development Agreement for Bullinger Creek.**

Councilwoman Lerma exited the meeting at 6:35 p.m.

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

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

The motion carried.

12. **Discussion and possible action to approve or deny a variance from Sec 28-70 (g) to allow 24-foot paving instead of 28-foot paving in a subdivision located on Sens Road, south of Frazer.**

Councilman Noack moved to approve a variance from Sec 28-70 (g) to allow 24-foot paving instead of 28-foot paving in a subdivision located on Sens Road, south of Frazer. Councilwoman Vrablec seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

13. **Discussion and possible action to approve or deny a variance from Sec 87-36(h) to allow a trail system in lieu of sidewalks in a subdivision located on Sens Road, south of Frazer.**

Councilman Burttschell moved to approve a variance from Sec 87-36(h) to allow a trail system in lieu of sidewalks in a subdivision located on Sens Road, south of Frazer. Councilman Koy seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

14. **Discussion and possible action to amend the Solid Waste Ordinance to provide for recycling services.** ***(This is the first of two readings.)***

Councilwoman Lerma re-entered the meeting at 7:03 p.m.

Councilwoman Sullivan moved to amend the Solid Waste Ordinance to provide for recycling services. Councilwoman Vrablec seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

15. **Discussion and possible action to adopt an ordinance regulating parking and standing of commercial motor vehicles.** ***(This is the first of two readings.)***

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

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

The motion carried.

16. **Discussion and possible action to adopt an Ordinance amending Section 70-1 regarding supervision and control of parks.** ***(This is the first of two readings.)***

Councilwoman Sullivan moved to adopt an Ordinance amending Section 70-1 regarding supervision and control of parks. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

NOES: None

The motion carried

17. **Discussion and possible action to adopt an Ordinance amending Section 2-68 setting forth the responsibility of the director of public works and director of parks, streets, drainage, and building services.** ***(This is the first of two readings.)***

Councilwoman Lerma moved to adopt an Ordinance amending Section 2-68 setting forth the responsibility of the director of public works and director of parks, streets, drainage, and building services. Councilwoman Sullivan seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

18. **Discussion and possible action regarding requests for qualifications or proposals for zoning plan, comprehensive plan, drainage plan, utility plan, and water and sewer master plans.**

Councilwoman Lerma moved to authorize staff to proceed. Councilwoman Vrablec seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

19. **Discussion and possible action on Declaration of Disaster for public health emergency.**

Councilwoman Lerma explained that this topic was last visited in March, so she requested to re-visit this topic. City Attorney Tim Kirwin said terminating the Declaration of Disaster could possibly jeopardize the city's ability to claim future expenses. He will look into this.

No action was taken.

20. **Discussion and possible action to approve a resolution declaring certain property (44 culverts) salvage/surplus and ordering its disposition.**

Councilwoman Sullivan moved to approve a resolution authorizing the culverts to go to public action, with a minimum bid of $1,400. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

(This resolution is enrolled as Resolution No. 2020-26.)

21. **Discussion and possible action to adopt a fee Resolution for engineering services for annexations.**

Councilwoman Sullivan moved to adopt a fee resolution for $5,000 for engineering services for annexations. Councilman Noack seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

(This resolution is enrolled as Resolution No. 2020-27.)

22. **Discussion and possible action to authorize city attorney to issue default notice to Sealy ISD regarding parking lot.**

Council adjourned into executive session at 8:03 p.m. per Texas Government Code Section 551.071.

City council reconvened into open session at 8:52 p.m.

Councilman Noack moved that in good faith, the city council will hold off on sending the default notice, under the condition that a reasonable timeline that is viewed as acceptable by council is received in writing and signed by the superintendent and school board president by November 2, 2020 at 5:00 p.m. Councilman Burttschell seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

23. **Discussion and possible action regarding the pay scale of the wastewater treatment plant superintendent position.**

Councilman Noack moved to increase the pay scale for the wastewater treatment plan superintendent from $24.60-$31.58 to the new amount of $28.00-$37.00. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

24. **City Manager's report and possible discussion:**
    a. **Need to return to normal operations on utility accounts**
    b. **Private fund commitments for completion of downtown railings**
    c. **Rooms for Rent building demolition scheduled for the end of December**
    d. **Mosquito spraying continues**

e. **Housing developers continue to come to Sealy**
f. **Meeting schedule changes due to upcoming election**

Lloyd Merrell briefly updated council on the topics listed above.

25. **Request(s) for future agenda items and comment(s).**

Councilman Burttschell
- He said staff will need to gather a comparative analysis of pay scales for the rest of the utility department in the future.

Councilman Koy
- He would like to move forward, purchase and install a new sound system at the Hill Community Center.
- He said he would prefer to have a special meeting on Friday, November 6 instead of Monday, November 9.

Councilwoman Sullivan
- She inquired about the postponed council date. A special meeting will be held on Monday, November 9.

Councilwoman Vrablec
- None

Councilman Noack
- He thanked staff for adding sewer usage to the utility bill.
- He reminded staff about the October 16 deadline for the terms and conditions for the corona virus relief fund.
- He said since we are opening the Hill Community Center for voting and opened the bathrooms at B&PW Park, he would like to see other city facilities re-open for rentals as well.

Councilwoman Lerma
- She inquired about the amount that Rooms 4 Rent owes.

Mayor Whitehead
- None

26. **Adjournment**

At 9:29 p.m., Councilwoman Lerma moved that the city council stand adjourned until the next scheduled meeting. Councilwoman Vrablec 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 9th day of November 2020.

Janice Whitehead, Mayor

ATTEST:

Brooke Knoll, City Secretary