



MINUTES  
SEALY CITY COUNCIL  
415 MAIN STREET  
SEALY, TX 77474  
TUESDAY, OCTOBER 20, 2020  
6:00 P.M.

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1. **Call to Order**

Mayor Pro tem Vrablec called the meeting to order at 6:00 p.m.

2. **Invocation and Pledges of Allegiance**

Mayor Pro tem Vrablec gave the Invocation and led the Pledges of Allegiance.

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

Present:

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

Absent:

Janice Whitehead	Mayor
Chris Noack	Councilmember, Place 2

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  
Steven Kutra, Finance Director  
Lawrence Siska, Director of Parks/Streets/Drainage  
Katherine Ellis, SEDC Administrative Assistant  
Tim Kirwin, City Attorney  
Chris Nichols, Special Counsel  
Kimbra Hill, Main Street Manager

4. **Proclamations and Special Recognitions**

None

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

*Councilwoman Sullivan entered the meeting at 6:03 p.m.*

Diane Wuthrich said the election process will be over in two weeks. She believes that council needs to slow down and table a few agenda items until the new mayor takes office.

## 6. **CONSENT AGENDA**

- a) **Discussion and possible action regarding approval of minutes for the meeting held:**
  - **September 28, 2020 – Special Meeting**
- b) **Discussion and possible action to adopt an Ordinance amending Section 70-1 regarding supervision and control of parks. *(This is the second of two readings.)***
- c) **Discussion and possible action to amend the Solid Waste Ordinance to provide for recycling services. *(This is the second of two readings.)***
- d) **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 second of two readings.)***

Councilman Burttschell moved to approve the minutes for the meeting held September 28, 2020. Councilman Koy seconded the motion. Mayor Pro tem Vrabec called for the vote:

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

The motion carried.

Councilwoman Lerma moved to adopt an Ordinance amending Section 70-1 regarding supervision and control of parks. Councilman Koy seconded the motion. Mayor Pro tem Vrabec called for the vote:

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

The motion carried.

*(This ordinance is enrolled as Ordinance No. 2020-16.)*

*Councilwoman Sullivan exited the meeting at 6:15 p.m.*

Councilwoman Lerma moved to amend the Solid Waste Ordinance to provide for recycling services. Councilman Burttschell seconded the motion. Mayor Pro tem Vrabec called for the vote:

AYES: Vrabec, Lerma, Koy, Burttschell  
NOES: None

The motion carried.

*(This ordinance is enrolled as Ordinance No. 2020-17.)*

*Councilwoman Sullivan re-entered the meeting at 6:17 p.m.*

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. Councilman Koy seconded the motion. Mayor Pro tem Vrabec called for the vote:

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

The motion carried.

*(This ordinance is enrolled as Ordinance No. 2020-18.)*

**7. Presentation, discussion and possible action regarding Foreign Trade Zones.**

Shane Williams with Port Houston regarding Foreign Trade Zones and answered questions that the councilmembers had.

*Councilwoman Sullivan exited the meeting at 6:53 p.m.*

Councilman Koy moved to table this item, but gather more information regarding how this trade zone works and how to get into it. Councilman Burttschell seconded the motion. Mayor Pro tem Vrablec called for the vote:

AYES: Vrablec, Lerma, Koy, Burttschell  
NOES: None

The motion carried.

**8. Discussion and possible action to approve a Resolution of the City of Sealy approving the Sealy Economic Development Corporation's expenditure of funds to Anchor Manufacturing to promote new and expanded business development, in an amount not to exceed \$250,000.00. *(This is the first of two readings.)***

*Councilwoman Sullivan re-entered the meeting at 6:58 p.m.*

Councilman Koy moved to approve a Resolution of the City of Sealy approving the Sealy Economic Development Corporation's expenditure of funds to Anchor Manufacturing to promote new and expanded business development, in an amount not to exceed \$250,000.00, and the first year is \$75,000. Councilman Burttschell seconded the motion. Mayor Pro tem Vrablec called for the vote:

AYES: Vrablec, Sullivan, Koy Burttschell  
NOES: None  
ABSTAIN: Lerma

The motion carried.

**9. Discussion and possible action regarding adoption of a Development Agreement with TerraMark Ventures for Bullinger Creek development.**

Councilwoman Sullivan moved to table this agenda item. Councilman Koy seconded the motion. No vote was called.

Councilwoman Sullivan made an amendment to her original motion and moved to postpone this agenda item, rather than table it.

AYES: Vrablec, Sullivan, Koy, Burttschell



NOES: None  
ABSTAIN: Lerma

The motion carried.

Councilwoman Sullivan moved to have item #21 (executive session) follow item #9. Mayor Pro tem Vrabec seconded the motion. Mayor Pro tem Vrabec called for the vote:

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

The motion carried.

**21. EXECUTIVE SESSION: A closed meeting will be held concerning the following item(s):**

- a. Texas Government Code, Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS; CLOSED MEETING. This City may meet in executive session to deliberate the offer of a financial or other incentive to a business prospect that the City seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic negotiations namely TerraMark Ventures (Bullinger Creek).**

The city council recessed open session at 7:55 p.m.

Councilwoman Sullivan moved to have item #22 follow item #21. Councilman Koy seconded the motion. Mayor Pro tem Vrabec called for the vote:

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

The motion carried.

**22. Reconvene into regular session and consider action, if any, on items discussed in Executive Session.**

The city council reconvened into open session at 8:21 p.m.

Councilwoman Sullivan moved to approve Development Agreement with TerraMark Ventures for Bullinger Creek development, subject to all changes requested in open session and authorize the mayor to execute. Councilman Koy seconded the motion. Mayor Pro tem Vrabec called for the vote:

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

The motion carried.

**10. Discussion and possible action to amend the water and sewer rate ordinance. (*This is the first of two readings.*)**

Councilwoman Lerma moved to amend the water and sewer rate ordinance. Councilwoman Sullivan seconded the motion. Mayor Pro tem Vrablec called for the vote:

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

The motion carried.

**11. Discussion and possible action to amend the gas rate ordinance. (*This is the first of two readings.*)**

Councilwoman Lerma moved to amend the gas rate ordinance. Councilman Koy seconded the motion. Mayor Pro tem Vrablec called for the vote:

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

The motion carried.

**12. Discussion and possible action regarding increasing the drainage fee.**

Councilwoman Lerma moved to table this agenda item. Councilwoman Sullivan seconded the motion. Mayor Pro tem Vrablec called for the vote:

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

The motion carried.

**13. Discussion and possible action to direct staff to execute a contract/engagement letter with the audit firm of BrooksWatson & Co., PLLC.**

Councilwoman Lerma moved to direct staff to execute a contract/engagement letter with the audit firm of BrooksWatson & Co., PLLC. Councilwoman Sullivan seconded the motion. Mayor Pro tem Vrablec called for the vote:

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

The motion carried.

**14. Financial report presented by the Director of Finance.**

Finance Director Steven Kutra presented the financial report and answered any questions that councilmembers had.

*Councilwoman Vrablec exited the meeting at 8:10 p.m.  
Councilwoman Vrablec re-entered the meeting at 8:16 p.m.*

No action was taken.

**15. Discussion and possible action to adopt an Ordinance amending Section 102-445 (definitions) of the drainage ordinance. (*This is the first of two readings.*)**

Councilwoman Lerma moved to adopt an Ordinance amending Section 102-445 (definitions) of the drainage ordinance. Councilwoman Sullivan seconded the motion. Mayor Pro tem Vrabec called for the vote:

AYES: Vrabec, Lerma, Sullivan, Burttschell

NOES: Koy

The motion carried.

**16. Discussion and possible action regarding ballfield rentals at B&PW Park.**

Lawrence Siska suggested requiring \$500 refundable deposits for ballfield rentals at B&PW Park for tournaments. He explained this fee would help with maintenance and ensuring that the fields are clean after each tournament.

Councilwoman Sullivan moved to table this agenda item and directed staff to obtain more information regarding how other cities are handling similar issues. Councilwoman Lerma seconded the motion. Mayor Pro tem Vrabec called for the vote:

AYES: Vrabec, Lerma, Sullivan, Koy, Burttschell

NOES: None

The motion carried.

**17. Discussion and possible action to approve a TXCDBG sewer improvement project contract with Mercer Construction Company.**

Councilwoman Lerma moved to table this agenda item. Councilman Koy seconded the motion. Mayor Pro tem Vrabec called for the vote:

AYES: Vrabec, Lerma, Sullivan, Koy, Burttschell

NOES: None

The motion carried.

**18. Discussion and possible action to adopt a Resolution appointing members to the Capital Improvements Advisory Committee.**

Councilman Koy moved to adopt a resolution appointing members to the Capital Improvements Advisory Committee. Councilman Burttschell seconded the motion. Mayor Pro tem Vrabec called for the vote:

AYES: Vrabec, Lerma, Sullivan, Koy, Burttschell

NOES: None

The five appointed members are:

Clayton Schavrda

Ellen Remmert

Roxanna Saldana

Robert Goddard



Dwayne Virnau

The motion carried.

*(This resolution is enrolled as Resolution No. 2020-28.)*

**19. City Manager's report and discussion:**

**a. Re-opening of City facility rentals**

Lloyd Merrell is in favor of re-opening the Hill Community Center and Liedertafel Hall and allowing one rental per week. The city attorney said safety procedures will be implemented. Councilwoman Lerma inquired if cleaning fees will be increased, and Lawrence Siska said there will be no added expenses.

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

Councilwoman Lerma

- She said councilmembers were appointed to create an updated performance review for the city manager and wants an update on the progress.

Councilwoman Sullivan

- She requested an update on the Enterprise trucks parking in the lot across from Chicken Express.
- She requested an agenda item to discuss fund balance issues and come up with a plan to have a minimum 90-day fund balance at all times.
- She requested an agenda item to return to normal operations on utility accounts, if council approval is required to do so.

Councilman Koy

- He requested an agenda item regarding the school parking lot paving issue.
- He requested an agenda item to amend the EDC bylaws.

Councilman Burttschell

- He asked if council can get an update on the drainage pipe leading to the Cryan Park Pond, in addition to widening/deepening it before the apartment complex gets finished.
- He requested that council receive notification on plat approvals that do not come forth to council.
- He wants staff to look into COVID-19 relief funding through FEMA.

Councilwoman Vrabec

- She would like an update on the city manager's evaluation form.

Warren Escovy said there were going to be four items on the Westward Pointe development on this agenda, but that information was not submitted to staff on time. He wanted to see if councilmembers were open to having a special meeting on Wednesday, October 28<sup>th</sup> or Thursday, October 29<sup>th</sup>.

Councilmembers said they would rather address these items on November 9<sup>th</sup>.

**23. Adjournment**

At 9:19 p.m., Councilwoman Lerma moved that the city council stand adjourned until the next scheduled meeting. Councilman Koy seconded the motion. Mayor Pro tem Vrablec called for the vote:

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

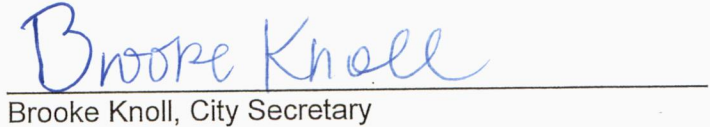
The motion carried.

**PASSED AND APPROVED** this 9<sup>th</sup> day of November 2020.



  
Janice Whitehead, Mayor

ATTEST:

  
Brooke Knoll, City Secretary