



**MINUTES  
SEALY CITY COUNCIL  
415 MAIN STREET  
SEALY, TX 77474  
MONDAY, NOVEMBER 9, 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
Larry Koy	Councilmember, Place 5
Adam Burttschell	Councilmember, Place 6

Absent:

Jennifer Sullivan	Councilmember, Place 4
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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  
Katherine Ellis, SEDC Administrative Assistant  
Tim Kirwin, City Attorney  
Chris Nichols, Special Counsel  
Kimbra Hill, Main Street Manager

**4. Proclamations and Special Recognitions**

Mayor Pro tem Vrablec presented Mayor Janice Whitehead with a proclamation. She became a councilmember in May 2015 and served as mayor from May 2017-present. The City of Sealy appreciates her commitment and service to the community.

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

None

**6. CONSENT AGENDA**

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

- **October 6, 2020 – Regular Meeting**
- **October 20, 2020 – Regular Meeting**

Mayor Whitehead moved to address items 8, 9, and 10 after item 11. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

Councilwoman Vrabec moved to approve the consent agenda with corrections to item #14 on the October 6, 2020 minutes. Councilwoman Lerma seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

**7. Discussion and possible action regarding acceptance of easements for the Texas GLO drainage project.**

Councilwoman Lerma moved to accept easements that were noted as signed in an email that was sent by Warren Escovy on November 9, 2020 at 3:17 p.m. for the Texas GLO drainage project. Councilman Noack seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

**11. Discussion and possible action regarding traffic and road conditions on Mlcak Road.**

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

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

The motion carried.

A ten-minute recess was called to await the arrival of election results from Austin County Election Official Kim Rinn.

**8. Official Canvass of the Special City of Sealy Election conducted on Tuesday, November 3, 2020.**

Members of the City Council reviewed return sheets prepared by Austin County Election Official Kim Rinn for Early Voting and Election Day. The numbers were documented correctly according to the records for the special election held on November 3, 2020.

**9. Discussion and possible action to approve a Resolution and Order canvassing the returns and declaring the results of the special mayoral election.**

Councilwoman Lerma moved to approve a Resolution and Order canvassing the returns and declaring the results of the special mayoral election. Councilwoman Vrabec seconded the motion. Mayor Whitehead called for the vote:

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

The motion carried.

*(This resolution is enrolled as Resolution No. 2020-29.)*

**10. Administer Statement of Officer Oath and Oath of Office to Mayor Elect.**

City Secretary Brooke Knoll administered the Statement of Officer Oath and Oath of Office to Mayor Elect Carolyn Bilski.

Janice Whitehead stepped down, and Carolyn Bilski took office.

**12. Discussion and presentation by staff on employee medical healthcare options.**

Human Resources Administrator Kim Kaiser presented two medical healthcare options, which included Blue Cross Blue Shield and Entrust, and answered questions that councilmembers had.

Councilwoman Lerma moved to direct staff to move forward with an employee medical health care plan with Blue Cross Blue Shield. Councilwoman Vrabec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

**13. Discussion and possible action to approve a contract with a new health care provider.**

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

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

The motion carried.



14. **Discussion and possible action to approve or deny two variances from Sec. 28-11(a) and 28-11(c) to allow a minimum lot width of 55' and a minimum lot area of 6,600 square feet in a subdivision known as Westward Pointe, located approximately north of FM-3013, east of the Wal-Mart Distribution Center, and west of Harrison Road.**

Councilwoman Lerma moved to table this agenda item until December 1, 2020. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

15. **Discussion and possible action to approve or deny a Preliminary Plat for Westward Pointe Sec. 1, located approximately north of FM-3013, east of the Wal-Mart Distribution Center, and west of Harrison Road.**

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

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

The motion failed.

Councilwoman Lerma moved to accept the request for a 30-day extension on behalf of D.R. Horton. Councilman Koy seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

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

Councilman Noack moved to approve a TXCDBG sewer improvement project contract with Mercer Construction Company. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

17. **Discussion and possible action regarding changing to an automatic meter reading system.**

Sarah Burson with Badger Meter, Inc. gave a presentation regarding the pros/cost of switching to an automatic meter reading system and answered questions that councilmembers had.

Councilwoman Lerma moved to direct staff to bring a contract from Badger Meter, Inc. to council on November 17<sup>th</sup>. Councilman Koy seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

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

Councilwoman Vrabec moved to amend the water and sewer rate ordinance. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

*(This ordinance is enrolled as Ordinance No. 2020-19.)*

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

Councilman Burttschell moved to amend the gas rate ordinance. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

*(This ordinance is enrolled as Ordinance No. 2020-20.)*

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

Councilwoman Lerma moved to adopt an Ordinance amending Section 102-445 (definitions) the drainage ordinance. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Burttschell  
NOES: None  
ABSTAIN: Koy

The motion carried.

*(This ordinance is enrolled as Ordinance No. 2020-21.)*

**21. Discussion and possible action to approve a Resolution for HGAC General Assembly Designation.**

Councilman Koy moved to approve a Resolution appointing Mayor Carolyn Bilski as representative and Mayor Pro tem Sandra Vrabec as the alternate to the HGAC. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:



AYES: Bilski, Lerma, Noack, Koy, Burttschell  
NOES: None  
ABSTAIN: Vrablec

The motion carried.

*(This resolution is enrolled as Resolution No. 2020-30.)*

**22. Discussion and possible action to authorize the mayor to execute an Interlocal Agreement for Law Enforcement with Austin County.**

Councilwoman Lerma moved to authorize the mayor to execute an Interlocal Agreement for Law Enforcement with Austin County. Councilman Koy seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

**23. Discussion and possible action regarding stadium parking paving timeline from Sealy ISD.**

Councilwoman Lerma moved to accept Sealy ISD's stadium parking paving timeline. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

**24. City Manager's report and possible discussion:**

- a) Update on drainage pipe leading to Cryan Park Pond**
- b) Update on the Enterprise Truck Parking**
- c) Update on Fund Balance**
- d) Update on CARES Act Funds**

Lloyd Merrell briefly updated council on the topics listed above.

Councilmembers stated they would like to see Finance Director Steven Kutra provide financial reports at every meeting until further notice.

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

Councilman Burttschell

- None

Councilman Koy

- He requested an agenda item to amend the EDC bylaws.
- He requested an agenda item to discuss fencing at the police department.
- He requested an agenda item to contract out the easements and 12" waterline down Sens Road.

Councilwoman Vrablec

- She asked if staff has heard back from TxDOT about the yield signs on Hwy 90 and Loop 350. Warren Escovy said he will be speaking with Clay Harris tomorrow and will ask for an update.

Councilman Noack

- He would like to see a new budget after health insurance is accounted for.
- He informed council that a new city manager evaluation will be brought forth once the committee can meet.
- He thanked Councilwoman Vrablec for attending the weekly meetings with staff and the city attorney.

Councilwoman Lerma

- She would like a restaurant rating and health reporting update.
- She requested an agenda item to remove the disaster declaration.
- She requested an update on how the city is notifying neighbors of variance requests.
- She wants to know how often ordinances are being codified.
- She requested an agenda item to discuss the dedication of parkland.
- She requested an agenda item to discuss calling for an audit for the Sealy Chamber of Commerce.
- She would like an update on the status of a sound system for the Hill Community Center.
- She made a special request that staff provide very accurate accounting of any balances due for Rooms 4 Rent. She said a closing date is scheduled for November 12<sup>th</sup>.
- She spoke with a county official and found out that the county is accepting rapid results test for its employees. She wants a better understanding of why the city is not accepting this form of testing.

Mayor Bilski

- She would like a restaurant inspection report to be included in meeting packets.
- She wants to discuss the disaster declaration with the city attorney after this meeting.
- She wants to address the variance notification issue.
- She wants to see an independent audit conducted as soon as possible.
- She wants parkland dedication to be discussed at the December 1<sup>st</sup> meeting.

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

- a. Texas Government Code, Sec. 551.071. CONSULTATION WITH ATTORNEY. A governmental body may conduct a private consultation with its attorney when the governmental body seeks the advice of its attorney about: pending or contemplated litigation; or a settlement offer - SEALY ISD.**

There was no executive session.

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

There was no executive session.

**28. Adjournment**

At 9:17 p.m., Councilwoman Lerma moved that the City Council stand adjourned until the next scheduled meeting. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrablec, Koy, Burttschell

NOES: None

The motion carried.

**PASSED AND APPROVED** this 17<sup>th</sup> day of November 2020.



*Carolyn Bilski*

Carolyn Bilski, Mayor

ATTEST:

*Brooke Knoll*

Brooke Knoll, City Secretary