



**MINUTES
SEALY CITY COUNCIL
415 MAIN STREET
SEALY, TX 77474
TUESDAY, DECEMBER 15, 2020
6:00 P.M.**

1. Call to Order

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

2. Invocation and Pledges of Allegiance

Mayor Bilski gave the Invocation and led the Pledges of Allegiance.

3. Roll Call and Certification of a Quorum

Present:

Carolyn Bilski	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
Steven Kutra, Finance Director
Jay Reeves, Police Chief
Lawrence Siska, Director of Parks/Streets/Drainage
Kim Kaiser, HR Administrator
Kimbra Hill, Main Street Manager
Katherine Ellis, Administrative Assistant- SEDC
Tim Kirwin, City Attorney
Chris Nichols, Special Counsel

4. Proclamations and Special Recognitions

None

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

Bliss owner Ann Reay expressed her dissent regarding parking tickets that are being issued on Main Street. She feels as though no warnings are being given, and she said the signage is vague. This in turn hurts local businesses. She said if the issue is not resolved, her exit strategy will go into effect.

Felicita Fernandez had a comment about traffic congestion on Highway 36 and wants to know why Front Street is still closed.

Helen Burchfield said she is extremely disappointed with council's recent actions and scolded them over the manner in which they handled the departures of Lloyd Merrell and Robert Worley. She accused the council of not trusting experts and questioned if businesses they have been working with to come to Sealy will still want to with them gone.

Melanie Willingham praised the city employees who help her with Sealybration and Fantasy of Lights events. She also said she feels the council is being unfair to employees during meetings, often catching them off guard and unprepared with some of their questions.

Ellen Remmert, a member of the planning commission, spoke up in favor of agenda items regarding parkland dedication, notifications for variance requests, approval of minor plats going to the planning board, and naming Kimbra Hill as the interim EDC director and soliciting resumes from other potential candidates.

Diane Wuthrich expressed concern about Hendrix Industries and potential emissions from their granite manufacturing plant.

Chris Beckendorff, a member of the Main Street Advisory Board, spoke about the accomplishments of the program under trying times this year and encouraged the council to promote Hill as the next EDC director.

Councilwoman Lerma made a motion to move item 18 after item 25. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, 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:

- **November 25, 2020 – Special Meeting**
- **November 30, 2020 – Special Meeting**
- **December 1, 2020 – Regular Meeting**

Councilwoman Sullivan moved to approve the consent agenda as presented. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

7. Presentation, discussion, and possible action by Austin County Emergency Services District No.2 representative.

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

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

The motion carried.

8. Discussion and possible action to amend Sec. 87-52 of the parkland dedication ordinance. *(This is the second of two readings.)*

Councilwoman Lerma moved to amend Sec. 87-52 of the parkland dedication ordinance. Councilwoman Sullivan seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

(This ordinance is enrolled as Ordinance No. 2020-23.)

9. Discussion and possible action to adopt an ordinance amending the Fiscal Year 2020-2021 budget. *(Per the City of Sealy Home Rule Charter, Section 3.12. (1) Procedure to Enact Legislation, only one reading is required for final passage of this ordinance.)*

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

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

The motion carried.

10. Discussion and possible action to adopt an ordinance amending the Fiscal Year 2020-2021 budget regarding Sealy Economic Development Corporation funds. *(Per the City of Sealy Home Rule Charter, Section 3.12. (1) Procedure to Enact Legislation, only one reading is required for final passage of this ordinance.)*

Councilwoman Lerma moved to adopt an ordinance amending the Fiscal Year 2020-2021 budget regarding Sealy Economic Development Corporation funds. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

(This ordinance is enrolled as Ordinance No. 2020-24.)

11. Discussion and possible action to adopt an ordinance amending the building and technical codes and standards (with amendments) contained in City of Sealy Code of Ordinances, Chapter 14. *(This is the first of two readings.)*

Councilwoman Sullivan moved to adopt an ordinance amending the building and technical codes and standards (with amendments) contained in City of Sealy Code of Ordinances, Chapter 14. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

12. Discussion and possible action to adopt an ordinance regarding variance notifications. *(This is the first of two readings.)*

Councilwoman Sullivan moved to adopt an ordinance regarding variance notifications, to include a time frame to be determined based on what staff gathers from surrounding communities as a general number. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

13. Discussion and possible action to adopt an ordinance amending the City of Sealy Code of Ordinances, Chapter 87 (Subdivision of Land and Plats)- regarding the approval processes and procedures for amending and minor plats. *(This is the first of two readings.)*

Councilwoman Lerma moved to adopt an ordinance amending the City of Sealy Code of Ordinances, Chapter 87 (Subdivision of Land and Plats)- regarding the approval processes and procedures for amending and minor plats. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

14. Discussion and possible action to approve a sidewalk project which includes ADA compliance.

Councilwoman Lerma moved to approve a sidewalk project which includes ADA compliance, in an amount not to exceed \$4,500. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

15. Presentation, discussion, and possible action by city attorney on tax abatement guidelines.

Chris Nichols gave a presentation and answered questions that councilmembers had regarding tax abatement guidelines. There is a public hearing scheduled for January 5, 2021.

No action was taken.

16. Discussion and possible action to approve a resolution for submission of an application to the Texas General Land Office (GLO) related to Hurricane Harvey disaster recovery efforts.

Councilwoman Lerma moved to approve a resolution for submission of an application to the Texas General Land Office (GLO) related to Hurricane Harvey disaster recovery efforts, with the required matching funds coming out of the water enterprise fund. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

(This resolution is enrolled as Resolution No. 2020-31.)

17. Discussion and possible action to approve the Sealy Main Street Advisory Board Strategic plan.

Councilwoman Lerma moved to approve the Sealy Main Street Advisory Board Strategic plan. Councilwoman Sullivan seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

Councilwoman Lerma made a motion to move agenda item 18 after item 26. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

19. Discussion and possible action regarding rental and rental agreements for City facilities and fees related to same.

Mayor Bilski shed light on upcoming City facility rentals that have already been booked. The general consensus was to allow these events to proceed as planned; however, staff will need to post and distribute safety guidelines related to COVID-19.

No action was taken.

20. IMPACT FEES SEMI-ANNUAL / ANNUAL REPORTS – Consider, and if deemed appropriate, approve and adopt Comment 2020-02 and Comment 2020-03 from the Capital Improvement Advisory Committee recommending no changes in the City’s impact fees for water and wastewater improvements.

Councilman Burttschell moved to approve and adopt Comment 2020-02 and Comment 2020-03 from the Capital Improvement Advisory Committee recommending no changes in the City’s impact fees for water and wastewater improvements. Councilwoman Sullivan seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

21. Discussion and possible action regarding improvements to the sound system at the Hill Community Center.

Joseph Schmidt presented council with two quotes and revised design for the wireless sound system at the Hill Community Center.

Councilwoman Sullivan moved to approve the sound system purchase, in an amount not to exceed \$24,000 and to request reimbursement through the CARES Act to cover the cost. Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried

22. Discussion and possible action on department and staff reports:

- a. Finance Director:**
 - i. Monthly Report**
- b. Code Enforcement:**
 - i. Health Inspections**
 - ii. Restaurant Ratings**
- c. Building Official:**
 - i. Inspections Report**
- d. Municipal Court:**
 - i. Monthly Report**

Fawn Mackey and Warren Escovy presented department/staff reports and answered questions that councilmembers had.

23. City Manager’s report and possible discussion:

- a. Update on Harvest Moon Apartments**
- b. Update on COVID-19 Relief Funding**
- c. City Holiday Schedule**

Warren Escovy briefly updated council on the topics listed above.

24. Requests for future agenda items, comments, and announcements.

Councilwoman Lerma

- She requested an agenda item regarding filling the position of the public works director. She wants to take a look at the budgeted amount to ensure that there is enough timing/funding. There may need to be an adjustment to the six month hire date.
- She requested an annual presentation on retirement plan funding.
- She would like all future agenda item language to include a not to exceed amount, if applicable.

Councilman Noack

- He wants to bring the Main Street ordinance back for review and would like to look into adding a fire lane.
- He would like an update on the status of outstanding utility bills; he said an email will suffice.
- He thanked Warren Escovy for stepping in as Interim City Manager; however, he is a bit concerned as to how he will manage both of his job duties.

Councilwoman Vrabec

- None

Councilwoman Sullivan

- She would like to see “compact car parking only” stenciled on the middle parking spaces down Main Street.

Councilman Koy

- He requested an agenda item to discuss utilities for the Sealy Fire Department and EMS on January 5.
- He requested an agenda item to discuss the usage of funds from the 2018 certificates of obligation on January 19.

Councilman Burttschell

- He requested an agenda item to discuss the Main Street parking issue.
- Even though the City of Sealy is short staffed, he said he has full faith and confidence in department heads and staff and thanked employees for their hard work.

Mayor Bilski

- She said she had a productive meeting with department heads this morning, and reiterated that both staff and council are working for the citizens.

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

- a. Sec. 551.087. DELIBERATION REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS. The City will meet in closed session to (1) discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or (2) to deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) and Sec. 551.071 CONSULTATION WITH ATTORNEY; The City will meet in closed session to seek**

the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter - Westward Pointe (DR. Horton).

- b. Sec. 551.071. CONSULTATION WITH ATTORNEY; The City will meet in closed session to seek the advice of its attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter- Bullinger Creek Final Plat and Development Agreement with TerraMark Ventures.**
- c. PERSONNEL MATTERS UNDER TEXAS GOVERNMENT CODE, Sec. 551.074 (to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee) – Prospective EDC Executive Director position.**

The city council recessed open session at 8:15 p.m.

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

The city council reconvened into open session at 10:00 p.m.

18. Discussion and possible action to approve a recommendation regarding filling the position of Executive Director for the Sealy Economic Development Corporation.

Councilman Noack moved to approve Kimbra Hill as Executive Director for the Sealy Economic Development Corporation effective January 1, 2021 at the introductory rate according to the pay scale. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrablec, Sullivan, Koy, Burttshell

NOES: None

The motion carried.

27. Adjournment

At 10:02 p.m., Councilman Burttshell 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, Sullivan, Koy, Burttshell

NOES: None

The motion carried.

PASSED AND APPROVED this 19th day of January 2021.

Carolyn Bilski, Mayor

ATTEST:

Brooke Knoll, City Secretary