



**MINUTES
SEALY CITY COUNCIL
1000 MAIN STREET
SEALY, TX 77474
TUESDAY, MARCH 16, 2021
6:00 P.M.**

1. Call to Order

Mayor Bilski called the meeting to order at 6:16 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
Chris Noack	Councilmember, Place 2
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:

None

A quorum was declared present.

Staff attending:

Warren Escovy, Interim City Manager
Brooke Knoll, City Secretary
Mark Pulos, Public Works Director
Rudy Flores, Assistant Public Works Director
Jay Reeves, Police Chief
Steven Kutra, Finance Director
Lawrence Siska, Director of Parks/Streets/Drainage
Joey Schmidt, Fire Marshal/IT
Tim Kirwin, City Attorney

4. Proclamations and Special Recognitions

a) Certified Municipal Official (CMO) Designations for Councilwoman Lerma and Councilwoman Vrablec

Mayor Bilski said this agenda item will be postponed.

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

Ernie Loeb with D.R. Horton requested to speak under item 11.

6. CONSENT AGENDA

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

- **February 24, 2021 (Special Meeting)**
- **March 2, 2021 (Regular Meeting)**

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

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

NOES: None

The motion carried.

7. Presentation, discussion and possible action by Tommy Kuykendall with Civil Corp regarding Allen's Creek drainage improvements and funding sources for same.

Tommy Kuykendall gave a PowerPoint presentation regarding existing conditions, details from a previous study, information regarding the Town Park Center dedication plat, preliminary design options, issues to assess, a tentative schedule, and costs associated with Allen's Creek drainage improvements. He answered questions from councilmembers.

Councilman Koy moved to proceed with an environmental study. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

8. Discussion and possible action to direct staff to widen Cryan Park Pond as specified in the Civil Plan from Tommy Kuykendall with Civil Corp.

Tommy Kuykendall gave a PowerPoint presentation regarding the existing pond, pre-development drainage, and proposed design options. He answered questions from councilmembers.

Mayor Bilski moved to authorize staff to move forward with the plan that was presented by Tommy Kuykendall. Councilman Burttschell seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

9. Discussion and possible action to accept the fiscal year 2020 annual comprehensive financial report. (Presentation by a representative of BrooksWatson & Co., Certified Public Accountants)

Louis Breedlove with BrooksWatson & Co. gave a PowerPoint presentation regarding the 2020 Annual Comprehensive Financial Report for the fiscal year ended September 30, 2020.

Councilwoman Lerma moved to accept the fiscal year 2020 annual comprehensive financial report. Councilman Burttschell 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 approve, disapprove, or approve with conditions a preliminary plat for a property located approximately south of Eagle Lake Road on FM-3538, known as Cane Crossing Estates (formerly known as Cane Belt Estates).**

Llarance Turner with Kaluza Inc. and developer were present to answer any questions councilmembers had.

Councilwoman Lerma moved to approve a preliminary plat for a property located approximately south of Eagle Lake Road on FM-3538, known as Cane Crossing Estates. Councilwoman Sullivan seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

11. **Discussion and possible action to adopt a Resolution consenting to the creation of Austin County Municipal District No. 1 with conditions.**

Ernie Loeb, Director of Land for D.R. Horton in Houston, gave a PowerPoint presentation regarding a project overview of Westward Pointe.

No action.

12. **Discussion and possible action regarding adoption of a Development Agreement with David Cryan for D.R. Horton (Westward Pointe) development.**

No action.

13. **Discussion and possible action to approve, disapprove, or approve with conditions a replat (final plat) for a property located approximately south of FM-2187 and west of Sealy Homestead, known as Hunters Crossing Sec. 1.**

Councilwoman Lerma made a motion to move item 13 after executive session. 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 make a recommendation to city council to approve, disapprove, or approve with conditions a replat (final plat) for a property located approximately at 1615 Eagle Lake Road, known as Juarez Subdivision.

Councilwoman Lerma moved to approve a replat (final plat) for a property located approximately at 1615 Eagle Lake Road, known as Juarez Subdivision. Councilwoman Sullivan seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

15. Discussion and possible action to adopt a Resolution regarding City rental facility fees.

Councilwoman Sullivan moved to adopt a resolution implementing a 4-hour rental fee at the current base price both Liedertafel Hall and the B&PW Pavilion, \$15 for each additional hour at B&PW Pavilion, and \$45 each additional hour at Liedertafel Hall. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

This resolution is enrolled as Resolution No. 2021-04.

16. Discussion and possible action to approve a Resolution amending planning and building schedule of fees.

Councilwoman Sullivan moved to approve a resolution amending planning and building schedule of fees. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

This resolution is enrolled as Resolution No. 2021-05.

17. Discussion and possible action regarding gas utility issues (including rates) from winter freeze.

Councilman Burttschell moved to direct staff to release a Statement from City Council of City of Sealy, Texas requesting State leadership to investigate all opportunities for reimbursement and/or assistance for the extreme gas pricing related to the winter freeze. This statement will also be provided to other cities experiencing the same hardship. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

18. City Manager's report and possible discussion:

- a) Update on Evelyn Court
- b) COVID-19 Reimbursement Update
- c) Comprehensive Plan Update

Warren Escovy briefly updated council on the topics listed above.

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

Councilman Burttschell

- None

Councilman Koy

- None

Councilwoman Sullivan

- None

Councilwoman Vrablec

- None

Councilman Noack

- He thanked Steven Kutra and said he knows he is a big reason as to why we received a gold star on the audit.
- He would like an agenda item to discuss a MUD/PID policy.
- He said he was in favor of the idea of a four-hour window for rental facilities; however, he did not appreciate being cut off, and he will never vote in favor of something when all of his questions were not answered.

Lerma

- She requested an agenda item regarding commercial building permit fees.
- She requested an agenda item to discuss the lighting ordinance.
- She requested a copy of the Austin County MUD presentation from Ernie Loeb.
- She would like full accounting of the COVID reimbursement costs.
- She would like to consider implementing some of the recommendations that were listed in the financial audit.

Mayor Bilski

- None

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

- a. **Section 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; – Lloyd Merrell v. City of Sealy and Mayor Carolyn Bilski
- b. **Section 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; approval of a municipal utility district; Development Agreement with David Cryan for D.R. Horton (Westward Pointe).

City council recessed into executive session at 8:42 p.m.

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

City council reconvened into open session at 9:43 p.m.

Councilwoman Sullivan moved to direct staff to develop an agreement to move forward gas expansion for Hunter's Crossing. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

Councilwoman Sullivan moved to adopt a Resolution consenting to the creation of Austin County Municipal Utility District No. 1 with conditions. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

This resolution is enrolled as Resolution No. 2021-06.

Councilwoman Lerma moved to table agenda item 13. Councilwoman Sullivan seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

22. Adjournment

At 9:45 p.m., Councilwoman Lerma moved that the city council stand adjourned until the next scheduled meeting. Councilwoman Vrabec seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

PASSED AND APPROVED this 6th day of April 2021.



Carolyn Bilski

Carolyn Bilski, Mayor

ATTEST:

Brooke Knoll

Brooke Knoll, City Secretary