



**MINUTES
SEALY CITY COUNCIL
W.E. HILL COMMUNITY CENTER
1000 MAIN STREET
SEALY, TX 77474
WEDNESDAY, MAY 12, 2021
6:00 P.M.**

1. Call to Order

Mayor Bilski called the meeting to order at 6:01 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:

Warren Escovy, City Manager
Brooke Knoll, City Secretary
Tim Kirwin, City Attorney
Chris Nichols, Special Counsel
Jay Reeves, Police Chief
Chris Hudson, Police Captain
Scott Riske, Police Captain
Lawrence Siska, Director of Streets, Parks, Drainage
Kimbra Hill, SEDC Director
Kim Kaiser, HR Administrator
Joey Schmidt, Fire Marshal/IT
Rudy Flores, Asst. Public Works Director
Chelsea Humes, Main Street Manager

4. Proclamations and Special Recognitions

None

Councilwoman Vrabec moved to address item 27 immediately after reconvening from executive session into open session. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

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

Clyde Jackson, owner of Bases Loaded, said electricity is desperately needed at the food truck park that is located on North Meyer Street.

Chelsea Humes gave a heads up that the Main Street Program is planning a three-day festival in April. This festival will be centered around the arts.

Sterling Schiller thanked Jennifer Sullivan and Larry Koy for their six years of service on the city council. He also congratulated Yvonne Johnson, Edward Zapalac and Chris Noack on their election victories.

6. CONSENT AGENDA

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

- **March 30, 2021 (Joint Meeting with Planning Commission)**
- **March 30, 2021 (Special/Priorities Meeting)**
- **April 6, 2021 (Regular Meeting)**
- **April 12, 2021 (Special 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. Official Canvass of the General City of Sealy Election conducted on Saturday, May 1, 2021.

Members of city council compared the tally sheets to the return sheets prepared by election workers for Early Voting and Election Day. The numbers were documented correctly according to the records for the General City of Sealy Election held on May 1, 2021.

8. Discussion and possible action to approve a Resolution and Order canvassing the returns and declaring the results of the General City of Sealy Election conducted on Saturday, May 1, 2021.

Councilwoman Lerma moved to approve a Resolution and Order canvassing the returns and declaring the results of the General City of Sealy Election conducted on Saturday, May 1, 2021. Councilwoman Lerma 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. 2021-13.)

9. Comments from current and outgoing councilmembers.

Mayor Bilski presented Jennifer Sullivan and Larry Koy with certificates of appreciation and parting gifts. She said they have been assets to the City of Sealy and thanked them for making Sealy better than yesterday.

Jennifer Sullivan thanked the citizens for giving her the opportunity to serve. She said the past six years have been some of the most challenging, yet rewarding times of her life. She appreciates everything that is done by both staff and council to keep the City running efficiently. She has confidence in knowing that the City is in excellent hands.

Larry Koy thanked each councilmember for their leadership. He also thanked staff for all of their hard work. He thanked Sterling Schiller for his comments that were made at the beginning of the meeting. He reminded the elected officials that they work for the City of Sealy and encouraged them to do their best to work with the citizens. He also thanked Sandra Lee, Lee Wiley and Roxanna Saldana for signing up to run. He said the virus hurt the City, but he hopes that things get back to "normal" soon.

Councilmember Burttschell said he has the utmost respect for Mrs. Sullivan and Mr. Koy and appreciates the time he got to spend with both of them.

Councilwoman Vrablec said it has been a joy to work with Mrs. Sullivan and Mr. Koy.

Councilman Noack said he has learned so much from Mrs. Sullivan and Mr. Koy over the past few years.

Councilwoman Lerma said it has been an honor to serve the past four years with Mrs. Sullivan and Mr. Koy. She considers both her friends and wishes them the very best.

Mayor Bilski praised Mrs. Sullivan and Mr. Koy and wishes them and their families the very best

10. Administer Statement of Officer Oath and Oath of Office to newly elected officers.

Chris Noack, Yvonne Johnson and Edward Zapalac took the official Oath of Office for their respective positions on city council.

11. Discussion and possible action to approve a Resolution to issue an application and requests for proposals (RFP) for administrative services, related to the Home Rehabilitation Assistance/HOME program administered by the Texas Department of Housing and Community Affairs (TDHCA).

Councilwoman Lerma moved to approve a Resolution to issue an application and requests for proposals (RFP) for administrative services, related to the Home Rehabilitation Assistance/HOME program administered by the Texas Department of Housing and Community Affairs (TDHCA). Councilwoman Vrablec seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

(This resolution is enrolled as Resolution No. 2021-14.)

12. Discussion and possible action to approve an Interlocal Agreement with TML MultiState Intergovernmental Employee Benefits Pool (d.b.a TML Health Benefits).

Human Resources Administrator Kim Kaiser explained that an interlocal agreement with TML Health Benefits Pool is necessary to continue receiving the discounted rate for the employee assistance program through Deer Oaks. Previously, the City received services for the employee assistance program at a reduced rate because we were members of the Public Employees Benefit Alliance (PEBA). PEBA is dissolving in December of this year, so it is necessary for the City to enter into an agreement with TML Health Benefits Pool to continue those discounted services.

This would be an automatic renewal contract, and the cost to the City is \$1.52 per employee per month.

Councilwoman Vrabec moved to approve an Interlocal Agreement with TML MultiState Intergovernmental Employee Benefits Pool (d.b.a TML Health Benefits). Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

13. Discussion and possible action regarding date change(s) for Mudbugs on Main event.

Main Street Manager Chelsea Humes, Lani Miller with Twisted Willow, and Donna Brazada with Patches explained that Chief Reeves already granted approval for road closures on May 22 from 4 p.m.-8 p.m. for the Mudbugs on Main event date change.

Yvonne Johnson moved to accept the date change and authorize future date changes for any potential bad weather circumstances. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

14. Discussion and possible action regarding proposed fiscal year 2020-2021 budget amendments.

City Manager Warren Escovy identified potential savings with the council.

Councilwoman Lerma moved to accept the proposed fiscal year 2020-2021 budget amendments. Councilwoman Vrabec seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

15. Discussion and possible action to approve the Sealy EDC bylaw revisions.

SEDC Executive Director Kimbra Hill gave an overview of proposed Sealy EDC bylaw revisions that have been approved by the Sealy EDC Board of Directors.

Councilwoman Lerma moved to approve the EDC bylaw revisions as presented, with the addition of changing wording to state that the board "shall" review and the city manager "shall" review the SEDC Executive Director. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

16. Discussion and possible action to approve a Performance Agreement between the Sealy EDC and Jeff Trevino (The Texas Project), which includes SEDC funding for proposed incentives and the expenditure of funds for the Texas Project, located at 223 Main Street, to promote new and expanded business for a Historic District Improvement Grant in an amount not to exceed \$15,000.00.

Councilwoman Lerma moved to approve a Performance Agreement between the Sealy EDC and Jeff Trevino (The Texas Project), which includes SEDC funding for proposed incentives and the expenditure of funds for the Texas Project, located at 223 Main Street, to promote new and expanded business for a Historic District Improvement Grant in an amount not to exceed \$15,000.00. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

17. Discussion and possible action to adopt a resolution to approve Sealy EDC's expenditure of funds using a Historic District Improvement grant to Jeff Trevino (The Texas Project) to promote new business development in an amount not to exceed \$15,000.00. (*This is the first of two readings.*)

Councilwoman Johnson moved to adopt a resolution to approve Sealy EDC's expenditure of funds using a Historic District Improvement grant to Jeff Trevino (The Texas Project) to promote new business development in an amount not to exceed \$15,000.00. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

18. Discussion and possible action to approve a Second Amendment to the Performance Agreement with Hendrix Industries, Inc. and Hank Vu.

Councilwoman Lerma moved to approve a Second Amendment to the Performance Agreement with Hendrix Industries, Inc. and Hank Vu. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

19. PUBLIC HEARING regarding adoption of tax abatement guidelines and criteria.

Mayor Bilski opened the public hearing at 7:40 p.m.

SEDC Executive Director Kimbra Hill and Special Counsel Chris Nichols gave an overview of proposed tax abatement guidelines and criteria.

Councilman Zapalac asked Chris Nichols about "permanent workers". Due to COVID, this definition could potentially apply to remote workers. Chris Nichols said the location where workers are to perform their jobs may need to be added to the application form. Kimbra Hill said the application already states how many on-site workers there will be.

Sterling Schiller said he realizes city and county tax abatements are separate, but asked if the County sees tax abatement as being favorable. Mayor Bilski said the county is currently looking at going in the alternative direction.

Mayor Bilski closed the public hearing at 7:55 p.m.

20. Discussion and possible action to adopt tax abatement guidelines and criteria.

Councilwoman Lerma moved to adopt tax abatement guidelines and criteria as presented. Councilman Burttschell seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

21. Discussion and possible action to approve a contract with All Star Aquatics, Inc. for pool operating and management.

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

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

22. Discussion and possible action to consider purchase, lease or other alternative options for mini excavator and budget related to same.

Assistant Public Works Director Rudy Flores explained the urgent need for a mini excavator and answered questions from councilmembers.

Councilman Noack moved to purchase a mini excavator via a 36-month lease through Shoppa's. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrablec, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

23. City Manager Update and Possible Discussion:

- a) COVID-19 Vaccinations at B&PW Park Pavilion-May 26, 27, and 28
- b) City Manager's Meeting with Newly Elected Officials

Warren Escovy briefly updated council on the topics listed above.

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

Councilwoman Lerma

- She welcomed the new councilmembers and said she is glad to have them on board.
- She thanked Warren Escovy for his hard work on cutting items from the budget; she asked that he and staff continue to look at cost savings.
- She thanked Lawrence Siska and staff for striping around Sealy and said it looks wonderful.
- She requested that staff review all fees and fines, including a developer/builder who has damaged City infrastructure.
- She thanked Brooke Knoll for her hard work and preserving the integrity of the election.

Councilman Noack

- He requested an agenda item for June to review the sign ordinance.
- He requested an update on the splash pad.

Councilwoman Vrablec

- She said H-GAC is hosting a ZOOM meeting for newly elected officials.

Mayor Bilski

- She mentioned a potential priorities meeting on June 9.
- She requested an agenda item for June 1 to review commercial fees.

Councilwoman Johnson

- She has a concern about the loud generators at the food truck park. She wants to look into what can be done to provide electricity in that area.

Councilman Zapalac

- He asked if there is a status on the water wells; specifically, he inquired about funding that is going to be needed to plan for infrastructure replacement.
- He is curious about physical security on areas that need to be protected, such as well sites.

- He thanked Warren Escovy and staff for the informative binder he received and introductory meeting. He looks forward to working with everyone.

Councilman Burttschell

- He agreed with Councilwoman Johnson about the loud generators at the food park being a nuisance.
- He congratulated the new councilmembers on their election victories.
- He thanked everyone for their hard work with preparing budget amendments.
- He thanked Mayor Bilski for bringing up commercial permit fees.

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

- a) **Texas Government Code, Section 551.072. DELIBERATION REGARDING REAL PROPERTY;** The city council will conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property as deliberation in an open meeting would have a detrimental effect on the position of the city council in negotiations with a third person
- b) **Texas Government Code, 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; or 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 Chapter 551 of the Texas Government Code; –
 - State of Texas Vs. Quion Investors, Inc. Cause No. 21CV-6196; and
 - WTG gas utility penalty payment
 - 380 Economic Development Program for Businesses Impacted by COVID-19 Epidemic
 - Sex offender ordinance
 - Lease, purchase, exchange or value of real property

City council recessed open session at 8:33 p.m.

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

City Council reconvened into open session at 10:43 p.m.

No action was taken.

26. Discussion and possible action to approve an amendment to the 380 Economic Development Program for Businesses Impacted by COVID-19 Epidemic.

Councilwoman Lerma moved to approve an amendment to the 380 Economic Development Program for Businesses Impacted by COVID-19 Epidemic. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell

NOES: None

The motion carried.

28. Adjournment

At 10:45 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:

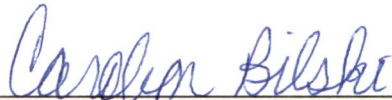
AYES: Bilski, Lerma, Noack, Vrabec, Johnson, Zapalac, Burttschell

NOES: None

The motion carried.

PASSED AND APPROVED this 1st day of June 2021.





Carolyn Bilski, Mayor

ATTEST:



Brooke Knoll, City Secretary