



**MINUTES
SEALY CITY COUNCIL
W.E. HILL COMMUNITY CENTER
1000 MAIN STREET
SEALY, TX 77474
TUESDAY, SEPTEMBER 7, 2021
6:00 P.M.**

1. Call to Order

Mayor Bilski called the meeting to order at 6:02 p.m.

2. Invocation and Pledges of Allegiance

Councilwoman Johnson gave the Invocation and led the Pledges of Allegiance.

3. Roll Call and Certification of a Quorum

Present:

Carolyn Bilski
Chris Noack
Vacant
Yvonne Johnson
Edward Zapalac

Mayor
Councilmember, Place 2
Councilmember, Place 3
Councilmember, Place 4
Councilmember, Place 5

Absent:

Dee Anne Lerma
Adam Burttschell

Councilmember, Place 1/Mayor Pro Tem
Councilmember, Place 6

None

A quorum was declared present.

Staff Attending:

Warren Escovy, City Manager
Mercedes Bencomo, Deputy City Secretary
Tim Kirwin, City Attorney
Kimbra Hill, SEDC Director
Steven Kutra, Finance Director
Chrissy McGee, Interim Senior Building Official
Joey Schmidt, Fire Marshal
Jay Reeves, Police Chief
Chelsea Humes, Main Street manager
Fawn Mackey, Court Administrator

4. Proclamations and Special Recognitions

None

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

Ellen Remmert expressed her concern about the number of employees the City has compared to other cities she has researched and suggested consolidation. She suggested that if an employee retires, not to replace him/her. She asked that the City tighten the belt on spending and get the budget under control. She asked where will the money come from to fund (agenda item #24) employee raises.

Michael Kubricht expressed his concern about traffic that runs through his neighborhood due to the I-10 expansion project. He proposed placing barricades at the south end of Quail Hollow drive where it intersects Kersten Road, which has become integrated with the new feeder road. He also asked for two "No Outlet" signs to be placed at the entrance to the neighborhood on Robin Rd. and also on Highway 90 at Ward Bend Road. He expressed that the neighborhood is opposed to speed bumps.

Larry Koy expressed his concern about agenda item #9 with costs for regard to getting water and sewer to this property if annexed. He is concerned about flooding at Dove Landing and wants the City to request drainage work from the County's GLO grant money to address. He also expressed his concern about the organizational chart (agenda item #19) and having job descriptions for each person before approving/filling the positions. He asked if the City will raise taxes and utility rates on the citizens (agenda items #20,21,22) and then give raises to employees (agenda item #24). He asked to hold off until Council finds money for water wells and new and replacement water lines needed. He expressed that the police station has had a shed placed behind it without approval from City Council. He said the City should be prudent in how to spend money.

6. CONSENT AGENDA

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

- **August 16, 2021 (Special Meeting)**
- **August 17, 2021 (Regular Meeting)**
- **August 19, 2021 (Special Meeting)**
- **August 23, 2021 (Special Meeting)**

Councilman Noack moved to approve the Consent Agenda. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

7. Discussion and possible action to correct the approved minutes of the regular meeting held on August 3, 2021.

Councilwoman Johnson moved to correct the approved minutes of the regular meeting held on August 3, 2021. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

8. **PUBLIC HEARING: To hear public comments regarding the institution of voluntary (consent) annexation proceedings to enlarge and extend the boundary limits of the City to include 98.507 acres, a portion of the Cane Belt Development LLC 99.973-acre tract.**

Mayor Bilski opened the public hearing at 6:19 p.m.

Felicita Fernandez expressed her concern regarding all of the new development coming into the City and suggested that it needed to slow down due to not having the funds for it.

Mayor Bilski closed the public hearing at 6:21 p.m.

9. **Discussion and possible action to direct staff on the request for annexation of approximately 225 acres, located at the southwest corner of Harrison Road and Rexville Road and to prepare a service plan.**

Councilman Zapalac moved to direct staff to inform the developer that the city is not going to move forward on their petition for annexation. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

10. **Discussion and possible to approve a legal services agreement with Messer, Fort & McDonald, PLLC ("MFM").**

Councilman Zapalac moved to approve a legal services agreement with Messer, Fort & McDonald, PLLC. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

11. **Discussion and possible action to consider a request by the Austin County Rotary Club to sell alcoholic beverages at Liedertafel Hall.**

Mayor Bilski moved to approve a request by the Austin County Rotary Club to sell alcoholic beverages at Liedertafel Hall. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

12. **Discussion and possible action to appoint an individual to serve on the Tax Increment Reinvestment Zone (TIRZ) No. 2 Board.**

Councilman Zapalac moved to appoint Chris Noack to serve on the Tax Increment Reinvestment Zone (TIRZ) No. 2 Board. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Johnson, Zapalac

NOES: None

ABSTAIN: Noack

The motion carried.

13. Discussion and possible action to approve, disapprove, approve with conditions, or grant an extension for a final plat for Dove Landing Sec. 3, located approximately at the southeast corner of FM-3013 and Ricefield Road.

Councilman Zapalac moved to approve a final plat for Dove Landing Sec. 3, located approximately at the southeast corner of FM-3013 and Ricefield Road. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

14. Discussion and possible action to approve the revisions of the Historic District Improvement Grant Application and Historic District Improvement Grant Policies and Guidelines.

Councilman Zapalac moved to approve the revisions of the Historic District Improvement Grant Application and Historic District Improvement Grant Policies and Guidelines. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

15. Discussion and possible action to approve a performance agreement between the Sealy EDC and Krampitz & Nelson Enterprises, LLC, which includes funding for proposed incentives and the expenditure of funds for a sign improvement project in an amount not to exceed \$1,300.00.

Councilwoman Johnson moved to approve a performance agreement between the Sealy EDC and Krampitz & Nelson Enterprises, LLC, which includes funding for proposed incentives and the expenditure of funds for a sign improvement project in an amount not to exceed \$1,300.00. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

16. Discussion and possible action to ratify authorization regarding issuance of Proposals for Administrative Services and Requests for Qualifications for engineering services related to all Hazard Mitigation Assistance (HMA) Grant Programs administered by the Texas Division of Emergency Management and/or the Texas Water Development Board.

Councilman Zapalac moved to ratify authorization regarding issuance of Proposals for Administrative Services and Requests for Qualifications for engineering services related to all Hazard Mitigation Assistance (HMA) Grant Programs administered by the Texas Division of Emergency Management and/or the Texas Water Development Board. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

17. Discussion and possible action to approve a Perpetual Easement Agreement for gas utility from Hendrix Interests, LLC.

Councilman Noack moved to approve a Perpetual Easement Agreement for gas utility from Hendrix Interests, LLC. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

18. Discussion and possible action to adopt a Quarantine Leave Policy.

Councilwoman Johnson moved to approve a Quarantine Leave Policy. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

19. Discussion and possible action to approve changes to the organizational chart.

Mayor Bilski moved to adopt the organizational chart as presented, recognizing there are some vacancies that will be slow to fill and that we will also work towards having the standard operating procedures, the job requirements, and the job description listed in some format that the Council can review at a later time. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

20. Discussion and possible action regarding rates for services of the waterworks and sanitary sewer systems of the City of Sealy.

Councilman Zapalac moved to adopt the 2022 rates for services of the waterworks and sanitary sewer systems of the City of Sealy. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac
NOES: None

The motion carried.

21. Discussion and possible action regarding rates for services of solid waste of the City of Sealy.

Councilman Noack moved to approve the 2022 proposed solid waste rates. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac
NOES: None

The motion carried.

22. Discussion and possible action regarding rates for services for natural gas system of the City of Sealy.

Councilwoman Johnson moved to approve the 5-cent increase for the natural gas system rates. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac
NOES: None

The motion carried.

23. Discussion and possible action to approve a Resolution establishing a Schedule of Fees for culvert installation and drainage review.

Councilman Zapalac moved to approve a Resolution establishing a Schedule of Fees for culvert installation and drainage review. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac
NOES: None

The motion carried.

24. Discussion and possible action regarding employee merit increases.

Mayor Bilski made a motion to leave the merit increases as an adjustment at this time. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Johnson, Zapalac

NOES: Noack

The motion carried.

Councilman Zapalac made a motion to move to item 29 at this time. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

29. 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.

**• Second Amendment to Annexation and Development Agreement-
Bullinger Creek**

The City Council recessed open session at 9:11 p.m.

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

The City Council reconvened into open session at 10:31 p.m.

Councilman Noack moved to authorize the alternate route for the Hwy 36 sanitary sewer project. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

31. Discussion and possible action to approve the Second Amendment to Annexation and Development Agreement for Bullinger Creek.

Councilman Noack moved to approve the Second Amendment to Annexation and Development Agreement for Bullinger Creek. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

25. Discussion and possible action regarding revisions to the proposed Fiscal Year 2021-2022 budget.

Councilman Zapalac moved to reduce the gas fund budget from \$269,397.00 to \$83,926.00 by removing the utility position and reducing the gross tax receipts by \$100,000.00 while also keeping the position upgrade for the superintendent. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

Mayor Bilski moved to approve Warren Escovy's amendments to the budget, specifically:

- On General Fund Building Services, split City Hall roof over two budget years, reducing amount to 55K in new budget
- On Capital Outlay Engineering Services is reduced from 50K to 30K
- On Building Improvements, the Barn Fence is reduced from 20K to 10K
- Increases Salaries and Wages from 10K to 20K for eventual HR staffing hire
- Eliminate \$500 HR Certification Pay from HR budget
- Only one vehicle through Enterprise for Police Department

Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

Councilman Zapalac moved to approve the reductions made by himself and Councilman Noack, specifically:

- NOACK:
 - City Council Budget - Travel & Training reduce from 9k to 6k
 - Police, General Fund Police Motor Fuel & Oil reduce from 65k to 60k
 - HR, Employee Relations Supplies reduce from 7,300 to 5,300
 - Parks and Rec, Motor Fuel & Oil reduce from 10k to 7k
 - Municipal Courtroom Security Service reduce from 28,500 to 20,000
- ZAPALAC: Modify the overtime budgets for specific departments as follows and use compensatory time off (if needed) to cover the amounts lost here:

<u>Dept OT</u>	<u>WAS</u>	<u>NEW</u>
Streets	\$5,000	\$2,500
Parks & Rec	\$4,000	\$2,000

MecShop	\$1,500	\$750
EDC	\$1,500	\$750
Water	\$11,500	\$5,750
Sewer	\$6,000	\$3,000
Gas	\$9,000	\$4,500

Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

26. Discussion and possible action to approve a contract with GrantWorks, Inc. for American Rescue Plan Act services.

Councilman Zapalac moved to approve a contract with GrantWorks, Inc. for American Rescue Plan Act services. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

27. City Manager's report and possible discussion:

- a) Update regarding swimming pool
- b) Update regarding park improvements
- c) Update regarding the Planning Department
- d) Update regarding residential projects

City Manager Warren Escovy gave a brief update regarding the topics listed above.

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

Councilman Zapalac thanked staff for working hard to be transparent and helping to find budget cuts. Expressed that he is looking forward to seeing the results of the Standard Operating Procedures being put in place by departments.

32. Adjournment

At 11:35 p.m., Councilman Zapalac moved that the City Council stand adjourned until the next scheduled meeting. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Johnson, Zapalac

NOES: None

The motion carried.

PASSED AND APPROVED this 21st day of September 2021.



Carolyn Bilski

Carolyn Bilski, Mayor

ATTEST:

Mercedes Bencomo

Mercedes Bencomo, Deputy City Secretary