



~~MINUTES~~
**SEALY CITY COUNCIL
W.E. HILL COMMUNITY CENTER
1000 MAIN STREET
SEALY, TX 77474
TUESDAY, SEPTEMBER 21, 2021
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

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

3. Roll Call and Certification of a Quorum

Present:

Carolyn Bilski
Dee Anne Lerma
Chris Noack
Vacant
Yvonne Johnson
Edward Zapalac
Adam Burttschell

Mayor
Councilmember, Place 1/Mayor Pro Tem
Councilmember, Place 2
Councilmember, Place 3
Councilmember, Place 4
Councilmember, Place 5
Councilmember, Place 6

Absent:

None

A quorum was declared present.

Staff Attending:

Warren Escovy, City Manager
Mercedes Bencomo, Deputy City Secretary
Steven Kutra, Finance Director
Joey Schmidt, Fire Marshal
Jay Reeves, Police Chief
Fawn Mackey, Court Administrator
Chris Nichols, Special Counsel
Rudy Flores, Interim Public Works Director

4. Proclamations and Special Recognitions

None.

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

Larry Koy expressed how important it is to continue working on all drainage issues that the city has.

6. CONSENT AGENDA

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

- **September 7, 2021 (Regular)**

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

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

NOES: None

The motion carried.

7. Presentation, discussion and possible action of Collection Report to the City of Sealy by Perdue Brandon Fielder Collins & Mott.

Michael Darlow with Perdue Brandon Fielder Collins & Mott gave a presentation regarding the Collection Report to the City of Sealy.

8. Presentation, discussion and possible action regarding impact fees.

Chris Nichols gave a presentaion regarding impact fees and answered any questions that council had.

9. Discussion and possible action to approve a resolution adopting the City's investment policy.

Councilman Zapalac moved to approve a resolution adopting the City's investment policy. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

10. Discussion and possible action to authorize a utility infrastructure study.

Councilwoman Lerma moved to authorize a utility infrastructure study in the amount of \$350,000.00 using Strand Associates. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

11. Discussion and possible action regarding PTO for employee birthdays.

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

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

NOES: None

The motion carried.

12. Discussion and possible action to add Ward Bend Street to the No Thru Truck Ordinance.

Councilman Zapalac moved to add Ward Bend Street to the No Thru Truck Ordinance. Councilman Burttschell seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

13. Discussion and possible action to adopt an ordinance amending the City of Sealy Code of Ordinances, Section 98-7-regarding No Thru Truck signs. (*This is the first of two readings.*)

Councilwoman Lerma moved to adopt an ordinance amending the City of Sealy Code of Ordinances, Section 98-7-regarding No Thru Truck signs to add the following streets: Nelson Street, Schmidt Road, Silliman Street, and Ward Bend Street. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

14. Discussion and possible action to adopt an ordinance establishing and providing rates for services of the waterworks and sanitary sewer systems of the City of Sealy. (*This is the first of two readings.*)

Councilwoman Lerma moved to adopt an ordinance establishing and providing 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, Lerma, Noack, Johnson, Zapalac, Burttschell

NOES: None

The motion carried.

15. Discussion and possible action to adopt an ordinance establishing and providing rates for services for natural gas system of the City of Sealy. (*This is the first of two readings.*)

Councilwoman Lerma moved to adopt an ordinance establishing and providing rates for services for natural gas system of the City of Sealy. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

16. Discussion and possible action to adopt an ordinance establishing and providing rates for services of solid waste of the City of Sealy. (*This is the first of two readings.*)

Councilwoman Lerma moved to adopt an ordinance establishing and providing rates for services of solid waste of the City of Sealy. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

17. Discussion and possible action to adopt an ordinance canceling the City of Sealy's Special Election scheduled for November 2, 2021. (*This is the first of two readings.*)

Councilwoman Johnson moved to adopt an ordinance canceling the City of Sealy's Special Election scheduled for November 2, 2021. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

18. Discussion and possible action regarding amendments to non-annexation agreements.

Councilman Zapalac moved to authorize legal to begin the process for all expiring non-annexation agreements with approximately a 5-10 year term. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

19. Discussion and possible action to approve a petition for voluntary annexation submitted by D.R. Horton.

Councilwoman Lerma moved to approve a petition for voluntary annexation submitted by D.R. Horton. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

20. City Manager's report and possible discussion:

- a) Update on Tropical Storm Nicholas
- b) Update on Drainage Projects
- c) Update on Issues from Winter Storm Uri

City Manager Warren Escovy gave a brief update on each of the topics listed above.

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

- Lerma
 - She requested the impact fee map.
 - She requested the non-annexation agreements and map.
- Mayor
 - She requested a 5 p.m. meeting for Wednesday, September 29, 2021 to approve the gas contract.
- Johnson
 - She expressed her concern about the length of time it has taken to fix the restrooms at Scranton Park.
 - She commented that the city should have a dog park.
- Zapalac
 - He requested an update on the new website.
- Burttschell
 - He requested an updated list of the obligations for the CO's.

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

- a) **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; Utilities Functions Agreement and Development Agreement - Cane Belt
- b) **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) ; Hendrix tax abatement

The City Council recessed open session at 7:56 p.m.

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

The City Council reconvened into open session at 8:15 p.m.

24. Discussion and possible action to approve a Utilities Functions Agreement for Cane Belt.

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

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

NOES: None

The motion carried.

25. Discussion and possible action to approve a Development Agreement for Cane Belt.

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

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

NOES: None

The motion carried.

26. Adjournment

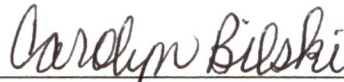
At 8:15 p.m., Councilwoman Lerma moved that the City Council stand adjourned until the next scheduled meeting. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

PASSED AND APPROVED this 5th day of October 2021.



Carolyn Bilski, Mayor

ATTEST:



Mercedes Bencomo, Deputy City Secretary