



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

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**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  
Bradley Miller  
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  
Jay Reeves, Police Chief  
Joey Schmidt, Fire Marshal  
Steven Kutra, Finance Director  
Tim Kirwin, City Attorney  
Kimbra Hill, SEDC Director  
Chrissy McGee, Interim Senior Building Official  
Rudy Flores, Interim Public Works Director  
Chelsea Humes, Main Street Manager  
Sandra Vrablec, City Planner  
Jennifer Matura, Administrative Services Manager

**4. Proclamations and Special Recognitions**

Mayor Bilski recognized Renee Koffman for all of her hard work and dedication to beautify our parks and city hall with new flower beds.

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

Mayor Bilski suggested having citizens call the city if they have any questions regarding their sewer bill.

**6. CONSENT AGENDA**

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

- November 10, 2021
- November 16, 2021 (Joint w/ Charter Review Commission)
- November 16, 2021

Councilman Zapalac moved to approve the minutes for the November 10, 2021 meeting. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

Councilwoman Johnson moved to approve the minutes for the November 16, 2021 joint meeting. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

Councilman Zapalac moved to approve the minutes for the November 16, 2021 meeting. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

**7. Presentation by the Emergency Management Coordinator, Roy Mercer and discussion by City Council.**

Roy Mercer was present to give a presentation regarding his position and duties as the Emergency Management Coordinator.

**8. PUBLIC HEARING: A public hearing will be held regarding a development moratorium imposed on property development affecting only residential and commercial property which is specifically related to a shortage of essential public facilities being water capacity.**

Mayor Bilski opened the public hearing at 6:42 p.m.

Kimbra Hill presented the current growth of the city and the need for the development moratorium but with a better plan.

Mayor Bilski closed the public hearing at 6:51 p.m.

**9. Discussion and possible action to adopt an Ordinance to extend a development moratorium.**

Councilman Zapalac moved to adopt an Ordinance to extend a development moratorium for 180 days with additional language to include low impact development. Councilman Burttschell seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

**10. Discussion and possible action to adopt an Ordinance for fiscal year 2020-2021 Budget Amendments.**

Councilwoman Lerma moved to adopt an Ordinance for fiscal year 2020-2021 Budget Amendments. Councilman Noack seconded this motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

*(This Ordinance is enrolled as Ordinance No. 2021-25)*

**11. Discussion and possible action to award a bid or reject bids for the 2021 Walmart DC Sanitary Sewer Improvements.**

Councilwoman Lerma moved to award a bid for the 2021 Walmart DC Sanitary Sewer Improvements to G & A Boring Directional LLC. with the computed total bid of \$232,575.00. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

**12. Discussion and possible action to approve an engineering services agreement by and between The City of Sealy and Strand Associates, Inc.**

Councilwoman Lerma moved to approve an engineering services agreement by and between The City of Sealy and Strand Associates, Inc. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.



**13. Discussion and possible action to approve a performance agreement between Sealy EDC and Steve and Lisa Wilson, which includes the expenditure of funds for the Wilson Fowlkes Façade project in an amount not to exceed \$9,128.75.**

Councilman Zapalac moved to approve a performance agreement between Sealy EDC and Steve and Lisa Wilson, which includes the expenditure of funds for the Wilson Fowlkes Façade project in an amount not to exceed \$9,128.75. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

**14. Discussion and possible action to approve an SEDC expenditure of funds to reimburse the City of Sealy for a playground improvement at Joe Scranton Jr. Park in an amount not to exceed \$35,000.00.**

Councilwoman Johnson moved to approve an SEDC expenditure of funds to reimburse the City of Sealy for a playground improvement at Joe Scranton Jr. Park in an amount not to exceed \$35,000.00. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

**15. Discussion and possible action to adopt an Ordinance for the SEDC's Fiscal Year 2021-2022 Budget Amendments.**

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

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

The motion carried.

**16. Discussion and possible action to approve a mural for Downtown Sealy.**

Councilwoman Lerma moved to approve a mural for Downtown Sealy. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

**17. Discussion and possible action to approve the new city website template.**

Joseph Schmidt presented a new website template and received suggestions for updates regarding the template.

No action taken.

**18. Discussion and possible action to adopt a mass gathering Ordinance.**

Councilwoman Lerma made a motion to move this item into executive session under 23(a). Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

**19. Discussion and possible action to adopt an Ordinance to close, vacate, and abandon a portion of Daniels Street right-of-way and convey same.**

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

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

NOES: None

The motion carried.

**20. Discussion and possible action to adopt an ordinance establishing and providing rates for services for natural gas system of the City of Sealy.**

Councilman Zapalac moved to adopt an Ordinance establishing and providing rates for services for natural gas system of the City of Sealy. Councilman Miller seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

**21. Discussion and possible action to approve Amendment No. 1 to the City Manager Contract.**

Councilwoman Lerma moved to approve Amendment No. 1 to the City Manager Contract. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

**22. City Manager's report and possible discussion:**

- a) Update on Cryan Park
- b) Drainage update on Cryan Park Pond and Allen's Creek
- c) Fund Balance
- d) Staffing update regarding new hires and promotions



**e) Update regarding new city website template**

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

**23. 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;**
  - Opioid Settlement
  - Town Park Center, LLC v. City of Sealy, Texas; Janice Whitehead, Mayor; Lloyd Merrell, City Manager; and Warren Escovy, Assistant City Manager
  - Real property purchase approval
- b) 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 in negotiations with a third person.**
- c) Texas Government Code, Section 551.074, PERSONNEL MATTERS: (to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee)**
  - Senior Building Official
  - Public Works Director
  - City Manager

The City Council recessed open session at 8:22 p.m.

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

The City Council reconvened into open session at 11:52 p.m.

Councilwoman Lerma made a motion to direct the city attorney to prepare an acceptance of the Opioid Settlement. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

Councilman Miller made a motion for the EDC to move with the purchase of real property. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

Councilman Noack made a motion to confirm the appointment of Chrissy McGee as the Senior Building Official. Councilman Miller seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

Councilman Zapalac made a motion to confirm the appointment of Rudy Flores as the Public Works Director. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

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

NOES: Lerma

The motion carried.

**25. Requests for future agenda items, comments, and announcements.**

Bilski

- She complimented Wesley and Cody for the set up in the Fantasy of Lights Parade and thanked public works for all of their hard work during City events.

Lerma

- She thanked all of staff who helped with City events.
- She thanked Roy Mercer for his presentation.

Miller

- He suggested to look into buying a slide advancer for presenters during meetings.
- He suggested to make all the adjustments to customers bills up front.
- He requested to get internal and external obligations.

**26. Adjournment**

At 11:59 p.m., Councilwoman Lerma moved that the City Council stand adjourned until the next scheduled meeting. Councilman Miller seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

**PASSED AND APPROVED** this 4<sup>th</sup> day of January 2022.



Carolyn Bilski, Mayor

ATTEST:



Mercedes Bencomo, Deputy City Secretary