



MINUTES
SEALY CITY COUNCIL
W.E. HILL COMMUNITY CENTER
1000 MAIN STREET
SEALY, TX 77474
TUESDAY, MARCH 15, 2022
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
6:35 p.m.)
Chris Noack
Bradley Miller
Yvonne Johnson
Edward Zapalac

Mayor
Councilmember, Place 1/Mayor Pro Tem (Arrived at
Councilmember, Place 2
Councilmember, Place 3
Councilmember, Place 4
Councilmember, Place 5

Absent:

Adam Burttschell

Councilmember, Place 6

A quorum was declared present.

Staff Attending:

Kimbra Hill, Interim City Manager
Mercedes Bencomo, City Secretary
Jay Reeves, Police Chief
Tim Kirwin, City Attorney
Chrissy McGee, Community Development Director
Rudy Flores, Public Works Director
Chelsea Humes, Interim EDC Director/Main Street Manager
Katherine Ellis, Executive Assistant
Sandra Vrabec, City Planner
Joshua Brothers, GIS Coordinator

4. **Proclamations and Special Recognitions**

- **Memorial Resolution honoring Peggy Spradley**

Tori Fisher accepted the Memorial Resolution on behalf of the Chamber of Commerce.

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

Sam Wilson, with Wilson Engineering, spoke about a new medical annex facility that Dr. Krishnaswamy would like to bring to the City that would convert a residential property for commercial use.

Felicita Fernandez expressed her concern regarding the traffic going up and down Harrison Road.

**6. Discussion and possible action regarding approval of minutes for the meeting held:
• March 1, 2022**

Councilman Zapalac moved to approve the minutes for the meeting listed above. Councilman Miller seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Miller, Johnson, Zapalac

NOES: None

The motion carried.

7. Discussion and possible action to receive and accept petition from Ranch Country of Texas, Inc. and request from Austin County Judge Tim Lapham for voluntary (consent) annexation of portions of Harrison Road.

Councilman Noack moved to receive and accept the petition from Ranch Country of Texas, Inc. and request from Austin County Judge Tim Lapham for voluntary (consent) annexation of portions of Harrison Road. Councilman Miller seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Noack, Miller, Johnson, Zapalac

NOES: None

The motion carried.

8. Discussion and possible action to approve a Resolution calling two public hearings regarding annexation of two portions of Harrison Road adjacent land, to be held Tuesday, April 5, 2022 and Tuesday April 19, 2022 at 6:00 p.m. at the City's meeting place at W. E. Hill Community Center, 1000 Main Street, Sealy, Texas 77474; ordering the preparation of a written service plan agreement ; ordering the preparation of a digital map; authorizing publication in the newspaper and posting on the City website on March 24, 2022 of the notice of public hearings; and authorizing the City Secretary to provide notification by certified mail of the public hearings to Sealy ISD, BNSF Railway Company and the County Judge.

Councilman Noack moved to approve a Resolution calling two public hearings regarding annexation of two portions of Harrison Road adjacent land, to be held Tuesday, April 5, 2022 and Tuesday April 19, 2022 at 6:00 p.m. at the City's meeting place at W. E. Hill Community Center, 1000 Main Street, Sealy, Texas 77474; ordering the preparation of a written service plan agreement ; ordering the preparation of a digital map; authorizing publication in the newspaper and posting on the City website on March 24, 2022 of the notice of public hearings; and authorizing the City Secretary to provide notification by certified mail of the public hearings to Sealy ISD, BNSF Railway Company and the County Judge. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

9. **Discussion and possible action to approve, disapprove, approve with conditions, or grant an extension for a final plat for Westward Pointe Sec. 1, located approximately at FM 3013 and Harrison Road.**

Councilman Zapalac moved to approve a final plat for Westward Pointe Sec. 1, located approximately at FM 3013 and Harrison Road. Councilman Miller seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

10. **Discussion and possible action to approve, disapprove, approve with conditions, or grant an extension for a minor plat for AutoZone, located approximately at the corner of Meyer Street, Engelking Street, and Atchison Street.**

Councilwoman Johnson moved to approve a minor plat for AutoZone, located approximately at the corner of Meyer Street, Engelking Street, and Atchison Street. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

Councilman Zapalac moved to put agenda items 11, 12, and 13 after agenda item 18. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

14. **Discussion and possible action to approve, disapprove, approve with conditions, or grant an extension for a preliminary plat for Cane Crossing Estates, located approximately south of Eagle Lake Road on FM-3538.**

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

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

The motion carried.

15. Discussion and possible action to award a contract for the Downtown Well and Raw Water Main project, contingent upon pending TCEQ approval, and authorize Mayor to execute the contract documents.

Councilwoman Lerma arrived at 6:35 p.m.

Councilman Zapalac moved to award a contract for the Downtown Well and Raw Water Main project to Weisinger Incorporated of Willis, Texas in an amount not to exceed \$2,489,800.00 contingent upon pending TCEQ approval, and authorize Mayor to execute the contract documents. Councilman Miller seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

16. Discussion and possible action to adopt a Resolution to authorize the Houston-Galveston Area Council to apply for a local Hazard Mitigation Plan Program Grant to write the Hazard Mitigation Plan and submit it to FEMA for approval.

Councilwoman Lerma moved to adopt a Resolution to authorize the Houston-Galveston Area Council to apply for a local Hazard Mitigation Plan Program Grant to write the Hazard Mitigation Plan and submit it to FEMA for approval. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

17. Discussion and possible action to adopt an Ordinance declaring unopposed candidates and canceling the General Election.

Councilwoman Johnson moved to adopt an Ordinance declaring unopposed candidates and canceling the General Election. Councilman Noack seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

18. Discussion and possible action to approve a contract between the City of Sealy and Strand Associates for engineering services for American Rescue Plan Act grant.

Councilman Noack moved to approve a contract between the City of Sealy and Strand Associates for engineering services for American Rescue Plan Act grant. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

AYES: Bilski, Lerma, Noack, Miller, Johnson, Zapala

NOES: None

The motion carried.

11. Discussion and possible action to approve or disapprove a sign variance from Prasek's Family Smokehouse located at 2949 SW I-10 Frontage Road.

Councilman Noack moved to approve a sign variance from Prasek's Family Smokehouse to allow a 70-foot sign. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote:

AYES: Lerma, Noack, Miller, Johnson

NOES: Zapalac

ABSTAIN: Bilski

The motion carried.

12. Discussion and possible action to approve or disapprove a variance from Sec 28-70 (a) front street building line for a property located approximately at 1004 N. Circle Drive, known as the Sealy Medical Annex.

Councilman Noack moved to approve a variance from Sec 28-70 (a) front street building line for a property located approximately at 1004 N. Circle Drive, known as the Sealy Medical Annex. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

13. Discussion and possible action to approve or disapprove a variance from Sec 28-71 (g) off-street parking and loading areas for a property located approximately at 1004 N. Circle Drive, known as the Sealy Medical Annex.

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

AYES: Bilski, Lerma, Noack, Johnson, Zapalac

NOES: Miller

The motion carried.

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

- a. Texas Government Code, Section 551.074, PERSONNEL MATTERS: (to deliberate the appointment, employment, evaluation, reassignment, or duties of a public officer or employee)
 - Interim City Manager
- 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 551.071, 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;

- **Bullinger Creek Development**
- **Gas Utility**

The City Council recessed open session at 8:02 p.m.

(Councilwoman Lerma recused herself from the discussion regarding the Bullinger Creek Development.)

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

The City Council reconvened into open session at 10:36 p.m.

Councilman Noack moved to appoint Kimbra Hill as the City of Sealy's City Manager and to adjust the Organizational Chart as such. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

Councilman Zapalac moved to authorize staff to move forward with the investigation of a real property purchase. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

NOES: None

The motion carried.

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

Zapalac

- He expressed his appreciation to staff and the new City Manager.

Johnson

- She congratulated Kimbra Hill for her new position and expressed her appreciation to staff.

Noack

- He congratulated Kimbra Hill for her new position and expressed his appreciation to staff.
- He requested to have a town hall meeting to present the propositions for the city charter election.

Miller

- He requested an agenda item to discuss the sign ordinance.
- He requested an agenda item to discuss future detention options.
- He expressed his appreciation to staff.

Lerma

- She requested that the minutes from this meeting reflect that she recused herself from the Bullinger Creek item in executive session.

- She congratulated Kimbra Hill for her new position and expressed her appreciation to staff.
 - She requested an agenda item to review the sign ordinance.
- Bilski
- She expressed her appreciation to Strand Engineers for their expertise.

22. Adjournment

At 10:41 p.m., Councilman Miller moved that the City Council stand adjourned until the next scheduled meeting. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote:

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

The motion carried.

PASSED AND APPROVED this 5th day of April 2022.



Carolyn Bilski, Mayor

ATTEST:

Mercedes Bencomo, City Secretary