



**MINUTES OF
REGULAR CITY COUNCIL MEETING
W.E. HILL COMMUNITY CENTER
1000 MAIN STREET
SEALY, TX 77474
TUESDAY, SEPTEMBER 20, 2022
6:00 P.M.**

The City Council of the City of Sealy, Texas, conducted the meeting scheduled for September 20, 2022, 6:00 PM, at the W. E. Hill Community Center located at 1000 Main Street, Sealy Texas, 77474.

A. Call to Order

Mayor Bilski called the meeting to order at 6:01 p.m.

B. Invocation and Pledges of Allegiance

Mayor Bilski led the Pledges of Allegiance and gave the Invocation.

C. Roll Call and Certification of a Quorum

Present:

Carolyn Bilski	Mayor
Dee Anne Lerma	Councilmember, Place 1/Mayor Pro Tem
Chris Noack	Councilmember, Place 2
Bradley Miller	Councilmember, Place 3 (Joined at 6:56)
Edward Zapalac	Councilmember, Place 5
Adam Burttschell	Councilmember, Place 6

Absent:

Yvonne Johnson	Councilmember, Place 4
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A quorum was declared present.

Staff Attending:

Kimbra Hill, City Manager
Kimberly Dickey, City Secretary
Tim Kirwin, City Attorney
Chris Nichols, Special Council
Andrea Campbell, Assistant City Secretary
Steven Kutra, Director of Finance
Ashley Erb, Assistant Finance Director
Rudy Flores, Public Works Director
Patrick Parsons, Superintendent of Water & Sewer
Chrissy McGee, Community Development Director
Josh Brothers, City Planner
Fawn Mackey, Court Administrator

Scott Riske, Police Captain
Russell Grimes, Police Detective
John Fullen, Police Officer

D. Proclamations and Special Recognitions

None

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

F. Presentation – Mike Darlow with Perdue Brandon Fielder Collins & Mott LLP tax collection report.

G. Consent Agenda

This agenda consists of non-controversial, or “housekeeping” items required by law. Items may be removed from the Consent Agenda by any Council Member making such a request prior to a motion and vote on the Consent Agenda.

- Approval of Minutes for Regular Meeting September 6, 2022.

Councilmember Lerma made a motion to accept the Minutes for Regular Meeting September 6, 2022. Motion seconded by Councilmember Noack.

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

The motion carried

H. Regular Agenda

1. Discussion and possible action to approve depository services with Wells Fargo.

Councilmember Lerma made a motion to approve depository services with Wells Fargo. Motion seconded by Councilmember Zapalac.

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

The motion carried

2. Discussion and possible action regarding Event Form approval for Farmers Market.

Councilmember Lerma made a motion to approve Sealy Marketplace Downtown until December 2023 for the third Saturday each month. Motion seconded by Councilmember Noack.

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

The motion carried

3. Discussion and possible action regarding designation of representative and alternate to the Houston-Galveston Area Council 2023 General Assembly.

Councilmember Burttschell made a motion to designate Mayor Bilski as representative and Councilwoman Lerma as alternate for the Houston-Galveston Area Council 2023 General Assembly. Motion seconded by Councilmember Zapalac.

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

The motion carried

4. Discussion and possible action regarding the quarterly report for Gordon Memorial Library.

Katie Statham presented the Library Report.

No Action.

5. Discussion and possible action regarding FM 3013 Speed Limit reduction **ORDINANCE 2022-16**. (This is the second of two readings).

Councilmember Lerma made a motion to accept the FM 3013 Speed Limit reduction **ORDINANCE**. Motion seconded by Councilmember Noack.

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

The motion carried.

6. Discussion and possible action regarding **ORDINANCE** on the Master Fee Schedule. (This is the second of two readings).

Councilmember Zapalac made a motion to approve the Master Fee Schedule as written in addition, the extra-large industrial rate to change from \$0.10 to \$0.38 cents effective November 14th 2022. Motion seconded by Councilmember Noack.

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

The motion carried.

7. Discussion and possible action to repeal RESOLUTION 2021-03.

Councilmember Lerma made a motion to repeal RESOLUTION 2021-03. Motion seconded by Councilmember Burttschell.

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

The motion carried.

8. Discussion and possible action to repeal RESOLUTION 2021-04.

Councilmember Lerma made a motion to repeal RESOLUTION 2021-04. Motion seconded by Councilmember Noack.

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

The motion carried.

9. Discussion and possible action to repeal RESOLUTION 2019-05.

Councilmember Lerma made a motion to repeal RESOLUTION 2019-05. Motion seconded by Councilmember Noack.

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

The motion carried.

10. Discussion and possible action regarding sign variance area application from Prasek's Family Smokehouse.

Councilmember Burttschell made a motion to approve the sign variance area application from Prasek's Family Smokehouse. Motion seconded by Councilmember Zapalac.

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

The motion carried.

11. Discussion and possible action to approve, disapprove, approve with conditions, or grant an extension for Shepherd's Way Reserve "B" partial replat.

Councilmember Noack made a motion to approve Shepherd's Way Reserve "B" partial replat. Motion seconded by Councilmember Burttschell.

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

The motion carried.

12. Discussion and possible action regarding a **RESOLUTION** designating the Director of Finance and Assistant Director of Finance as Investment Officers of the City of Sealy.

Councilmember Lerma made a motion to approve **RESOLUTION** designating the Director of Finance and Assistant Director of Finance as Investment Officers of the City of Sealy. Motion seconded by Councilmember Noack.

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

The motion carried.

13. Discussion and possible action regarding approval of a **RESOLUTION** adopting the City's Investment Policy.

Councilmember Lerma made a motion to approve a **RESOLUTION** adopting the City's Investment Policy. Motion seconded by Councilmember Miller.

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

The motion carried.

14. Discussion and possible action regarding a **RESOLUTION** authorizing participation in the TexPool Investment Pools and Designating authorized Representatives.

Councilmember Lerma made a motion to approve **RESOLUTION** authorizing participation in the TexPool Investment Pools and Designating authorized Representatives. Motion seconded by Councilmember Noack.

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

The motion carried.

15. Discussion and possible action regarding the Gas Contract(s) renewal with West Texas Gas.

Councilmember Noack made a motion to approve the Gas Contract renewal with West Texas Gas. Motion seconded by Councilmember Lerma.

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

The motion carried.

16. Discussion and possible action regarding a Dedication Deed of Natural Gas Utility Infrastructure between Hailiang Copper Texas, Inc and the City of Sealy.

Councilmember Lerma made a motion to approve Dedication Deed of Natural Gas Utility Infrastructure between Hailiang Copper Texas, Inc. and the City of Sealy. Motion seconded by Councilmember Noack.

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

The motion carried.

17. Discussion and possible action regarding Financial Report from Finance Director.

Councilmember Lerma made a motion to accept the Financial Report from Finance Director. Motion seconded by Councilmember Miller.

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

The motion carried.

I. **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, duties, discipline, or dismissal of a public officer or employee)
 - Public Works Director
 - Court Administrator
- 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;
 - Bullinger Creek Development and Settlement Agreement
 - D. R. Horton Development Agreement Amendment

Councilmember Miller made the motion to adjourn into Executive Session. Motion seconded by Councilmember Lerma.

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

The motion carried.

The Council adjourned Open Session to begin Executive Session at 8:01 p.m.

Councilwoman Lerma recused herself from Executive Session related to Bullinger Creek Development and Settlement Agreement.

Councilmember Lerma left the Council Meeting at 10:45 p.m.

The City Council reconvened returning to Open Session at 10:55 p.m.

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

Councilmember Noack made a motion to approve Settlement Release for Bullinger Creek based on final legal council approval. Motion seconded by Councilmember Miller.

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

The motion carried.

Councilmember Noack made a motion to approve Patrick Parsons as Interim Public Works Director effective October 1st 2022. Motion seconded by Councilmember Zapalac.

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

The motion carried.

19. Discussion and possible action regarding an amendment to the D.R. Horton Development Agreement.

Councilmember Miller made a motion to approve amendment to the D.R. Horton Development Agreement. Motion seconded by Councilmember Zapalac.

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

The motion carried.

20. Discussion and possible action regarding Organizational Chart.

Councilmember Zapalac made a motion to approve new Organizational Chart. Motion seconded by Councilmember Burttschell.

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

The motion carried.

21. Discussion and possible action regarding Pay Scale.

Councilmember Zapalac made a motion to approve new Pay Scale. Motion seconded by Councilmember Miller.

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

The motion carried.

22. Discussion and possible action regarding Fiscal Year 2022-2023 Proposed Budget.

No Action.

J. Request for future agenda items, comments, and announcements.

- Bilski – Dr. Krishna - Nasdaq announced today that there will be a new campus with ambulatory, surgical center, and multiple medical facilities built on the six-acre property next to his clinic. This comes to Sealy area through Health Care Solutions Holdings and brings an eighty-five Million dollars committed capital for the one hundred-thousand-foot facility.
- Zapalac - Lighting Ordinance and roof replacement at City Hall

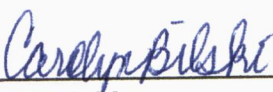
23. Adjourn

Motion by Councilmember Miller to Adjourn. Motion seconded by Councilmember Burttschell.

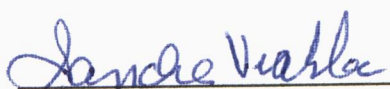
AYES: Bilski, Noack, Miller, Zapalac, Burttschell
NOES: None

The motion carried. Meeting Adjourned at 11:20 p.m.

PASSED AND APPROVED this October 4, 2022.



Carolyn Bilski, Mayor



Kimberly A. Dickey, City Secretary
