



**MINUTES**  
**SEALY CITY COUNCIL**  
**W.E. HILL COMMUNITY CENTER**  
**1000 MAIN STREET**  
**SEALY, TX 77474**  
**TUESDAY, APRIL 04, 2023**  
**6:00 P.M.**

The City Council of the City of Sealy, Texas, conducted the meeting scheduled for April 4, 2023, 6:00 p.m., 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 6:00 p.m.

**B. Invocation and Pledges of Allegiance**

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

**C. 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 entered meeting at 6:07 p.m.  
Councilmember, Place 4 entered meeting at 6:16 p.m.  
Councilmember, Place 5  
Councilmember, Place 6

Absent:

None

A quorum was declared present.

Staff Attending:

Sandra Vrablec, City Secretary  
Tim Kirwin, City Attorney  
Krystal Sodalak, Finance Director  
Jay Reeves, Police Chief  
Scott Riske, Police Captain  
Russell Grimes, Police Detective  
Chrissy McGee, Community Development Director  
Joshua Brothers, City Planner  
Patrick Parson, Public Works Director  
Stephen Bozich, Director of Parks, Streets, Drainage, and Building Services  
Fawn Mackey, Court Administrator  
Michelle Winney, Administrative Assistant for Parks  
Andrea Campbell, Human Resources Manager  
Katherine Ellis, Deputy Executive Director for EDC  
Eren Maldonado, Administrative Assistant

Nick Hagen, Public Utility Superintendent  
Chase Miller, Customer Service  
Kristen Chandler, Code Enforcement/Health Inspector  
John Fullen, Police Sargent  
Whitney Robertson, Administrative Assistant

#### **D. Public Comments and Petitions(s)**

Mike Kubricht spoke about Sealybration and that City Council is catching a lot of blame that they should not be getting. They had to make a very tough and unpopular decision but it's time to stop the bleeding. We will give you money for a couple of years till you start making a profit and support yourself. Well, that never happened. It was time and I commend you for it. It may not have been a unanimous decision. I'm just offering my support and telling you what my opinion is.

Steve Wilson spoke on Off-Site Detention -- 2 are City ponds and whether there was capacity are not. If there is a way to let the public know about changes to the Ordinances.

Larry W. Koy spoke on Sealybration is a great thing. EDC is working on parking at Hill Center. I commend Sealy City Council for taking a stand. I like the Sealybration but if you don't have the money.

Babette Smith spoke about Mud Bugs this is the 3<sup>rd</sup> year.

#### **E. Proclamation**

- **Autism Awareness Month**
- **Child Abuse Prevention Month**
- **Public Safety Telecommunicator Week**

#### **F. Consent Agenda**

(In accordance with Sec. 2-35. (1) of the Code of Ordinances, "Routine matters thought to require little or no deliberation by city council may be placed on a consent agenda, which shall be treated as one agenda item." At any time prior to the call for a vote on the consent agenda, any council member may request that one or more items may be removed from the consent agenda and handled separately in the same manner as a regular agenda item.)

- **March 21, 2023 Regular Meeting minutes**

A motion was made by Councilwoman Lerma to approve with noted change the March 21, 2023 Regular Meeting minutes.

Councilman Noack seconded the motion. Mayor Bilski called for the vote.

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

NOES: None

The motion carried.

## G. Presentation

- **Representative of Texas Department of Transportation**

Ryan Simper from Texas Department of Transportation spoke.

1.

- **Interstate 10 Expansion**

Starting at FM 3538 to Brazos River. That project is very far along in process of cleaning up. Finishing up a final punch list in the next month or two months. The second one is at FM 3538 and extends out to the Colorado County Line at the San Bernard River. The project is going well and all 3 lines both ways are opened up. It is a little further behind. Getting the project ready for final inspection, Still have to turn the signal on at FM 3538 and I-10 overpass, and some large guide signals to install.

- **TxDOT becoming more proactive than reactive and seeing more funds availability when projects are identified**

- **TxDot is being more proactive**

Still have their 4-year plan in process – based on maintenance and preservation needs, like our pavements. Increase focus on safety and safety funding.

- **TxDOT's 4-year Funding Plan**

Rehab on State Highway 36 basically between FM 2187 and Main St. for some maintenance and upgrading.

- **Front Street punch list items**

Contractor has done the work and is basically complete. Add riprap and a lot of stone and concrete.

2.

- **Requested Traffic Light or Four-Way Stop at the intersection of FM 3538 and FM 3013 (this would require Rice Field Road to be widened to line up in front of FM 3538)**

Hot topic intersection in my area.

Kimbra has submitted a request – TXDOT working on getting a study

Planning to install a four-way stop

Reduced the speed through that area from 70 to 60 mph

Improve safety in the area with a four-way stop while waiting on a signal

Stop sign on FM 3538

Install flashing beacons on both sides of FM 3013 add visibility there and make sure everybody sees that stop sign and stops.

High priority for TxDot

- **TxDOT typically installs safety lighting at intersections, exit ramps and entrance ramps on the interstates. TxDot does that for safety purposes.**

Continuous lighting is something initiated by the city and funded and maintained by the city in just about every case.

TxDOT does have illumination at that intersection already.

- **TxDot is aware of a proposed development on FM 3013 and approved their driveway permit.**

FM 3013 is the fastest-growing corridor in the District. Top of TxDOT's priority list in terms of safety projects.

TxDOT's long-term plan for FM 3013 is a five-lane section. So that would be two lanes in each direction with a continuous left turn lane. Not funded yet but is part of TxDOT's safety project. It would be from State Highway 36 out west just west of FM 3538 intersection where TxDOT is seeing most of that development.

Fastest growing area.

- Turning lane off of State Highway 36 (Meyer St.) at FM 1094 (Columbus Rd.) There is a left turn lane, but there is not a dedicated left turn arrow and that is because of the type of signal - it needs to be upgraded. It does not have detection to make a left turn lane efficient and add a dedicated left turn lane where you have protective movements. Needs a signal that detects movement and TxDOT has let that project. It's part of a nine-signal project that we're doing throughout the district. Right now that is on the contractor's schedule but hold him to the contractor's schedule.  
But for right now it's scheduled for late summer to work in that area and upgrade that signal and will provide a protected left turn at Highway 36 at FM 1094.
- Traffic light at FM 2187 and State Highway 36.  
It was turned in as part of TxDOT's HSIP Program (Highway Safety Improvement Program). Turned it in as a systemic project, which means we just identified as a priority area. Did not get the funding but TxDOT is still moving forward with the project.
- Traffic Study and Improvements at Tony's Restaurant at Loop 350 and State Highway 36.  
Needs additional right of way.  
Reworking of the driveway access from Tony's and then on to the McDonald's and Sonic on the east side of intersection. That is something TxDOT would definitely if we would move forward with the project, TxDOT would want the city's help and assistance and may be getting permission or that buy-in from the adjacent Property Owners. That is something TxDOT is willing to discuss further and try to move that project on.
- Designated turn lane or possible designated turn lane on State Highway 36 at Main Street.  
Same as FM 1094 and State Highway 36  
Would need to upgrade the signal.  
Does not have funding at this time.  
TxDot District is looking to upgrade all of its signals.  
TxDot has upgraded the signals at State Highway 36 and FM 3013, State Highway 36 and Schmidt Road.
- Frequency of repairs to streetlights - quarterly luminary inspections.  
TxDOT does quarterly inspections and get them on the list.  
Working with contractor to get the lights along State Highway working.
- Request TxDOT to look into drainage at Rexville Road on-ramp.  
Drain to the southeast corner.  
Contractor has gone in and cleaned out specifically the culvert that drains along that ramp.  
Sod area today.  
Some off-site drainage improvement would be needed.
- Gebhardt Road Park and Ride Drainage.  
It is part of the cleanup process.

- Temporary "Stop" stripe in front of Burger King/Chevron to be removed. If it does need to be removed, it will fade out.
- TYPE III Barricade at the end of Acres Lane was removed and needed to be replaced with a permanent, reflective, and weather-resistant barricade. A permanent one has been installed, TxDOT did not install it.
- Drainage issues across from Walgreens at the Shell Station on Loop 350. There is ditch work that still needs to be done right along the frontage road, may be able to extend the ditch. Mayor Bilski requested that if someone does come out, to also look at State Highway 36 at 8<sup>th</sup> Street, excessive flooding in those areas. Can TxDOT's Consultant look at that area? Consultant is for I-10 Project, but will have maintenance supervisor look at area. Councilmember Noack if Ryan Simper could address I-10 East on other side of the Brazos River. Ryan stated that is the Houston District.
- Councilman Miller asked about signage for I-10

- **Brooks Watson and Co., PLLC - Audit**

Mike Brooks with Brooks Watson and Co., PLLC spoke

He went over the City of Sealy's Audit with an unmodified opinion and received the highest level of assurance.

A motion was made by Councilwoman Johnson to accept the 2022 audit. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

## H. Business

### 1. Discussion and possible action regarding authorizing the City Manager to send letter of request to Texas Department of Transportation (TxDOT) for consideration of road or traffic improvement and safety projects in the City of Sealy.

A motion was made by Councilwoman Lerma for the City Manager's recommendation that Council consider 2F as a priority and authorize her to send the letter.

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

Councilman Noack said so the public is aware it is referencing the area right in front of Tony's Restaurant at 36 and Loop 350.

Councilwoman Lerma amended her motion to include 2E which is traffic light at FM 2187 at Highway 36.

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

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

The motion carried.

**2. Discussion and possible action regarding Event Notification for Mud Bugs on Main to be held on May 6, 2023.**

A motion was made by Councilman Zapalac to approve the Event Notification for MudBugs on Main to be held on May 6, 2023.

Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote.

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

NOES: None

The motion carried.

**3. Discussion and possible action regarding Event Notification for Life Line Screening to be held at the Hill Community Center on August 5, 2023.**

Michelle Winney, Assistant Administrator for Parks spoke on this item. She said Life Line Screening is asking for two (2) variances. They are good with any day but Tuesday and are also, asking for a variance on the price.

A motion was made by Councilman Noack to reject based on the terms.

Councilman Zapalac seconded the vote. Mayor Bilski called for the vote.

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

NOES: None

The motion carried.

**4. Discussion and possible action regarding approval of Performance Agreement with Economic Development Corporation – Hackbarth Project.**

A motion was made by Councilwoman Lerma to table this item.

Councilman Zapalac seconded the motion. Mayor Bilski called for the vote.

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

NOES: None

The motion carried.

**5. Discussion and possible action regarding amending Ordinance – Variance Procedures for:**

**a) Chapter 14 – Landscape Requirements for Residential, Commercial, Institutional, and Industrial Development**

**b) Chapter 28 – Development Rules, Regulations and Standards**

**c) Chapter 29 – Downtown Preservation District**

**d) Chapter 80 – Signs**

**(Second of two readings)**

A motion was made by Councilman Zapalac to approve amending the Ordinance for variance procedures for Chapter 14, Chapter 28, Chapter 29, and Chapter 80. This is the second of two readings.

Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote.

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

The motion carried

**6. Discussion and possible action regarding Cost of Living (COL) increase.**

A motion was made by Mayor Bilski to approve a three percent (3%) cost of living increase effective May 1, 2023 with subsequent budget amendments as needed.  
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. Discussion and possible action regarding a Letter of Engagement and Retention Agreement for Assistant City Attorney Services with the Law Offices of Ryan Henry.**

Regarding a Letter of Engagement and Retention Agreement for Assistant City Attorney Services with Ryan Henry.

A motion was made by Councilman Zapalac to approve.  
Councilman Burttschell seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

**8. Discussion and possible action regarding City Council Governance Policy, Section 2-36 of the Code of Ordinances.**

Noack state 2-33 needs to be updated  
2-35 consent agenda  
2-36 (j) how items get put on agenda

No action was taken.

**I. 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.**

- Crescent Pointe Municipal Utility District
- Bullinger Creek Development Agreements





Councilman Zapalac. None

Councilman Burttschell None

### 11. Adjournment

A motion was made by Councilwoman Lerma to adjourn.  
Councilman Zapalac seconded the motion. Mayor Bilski called for the vote.

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

NOES: None

The motion carried. Meeting adjourned at 8:20 p.m.

**PASSED AND APPROVED** this 18<sup>th</sup> day of April 2023.



*Carolyn Bilski*

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Carolyn Bilski, Mayor

ATTEST:

*Sandra Vrabec*

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Sandra Vrabec, City Secretary