



**MINUTES**  
**SEALY CITY COUNCIL**  
**W.E. HILL COMMUNITY CENTER**  
**1000 MAIN STREET**  
**SEALY, TX 77474**  
**TUESDAY, APRIL 18, 2023**  
**6:00 P.M.**

The City Council of the City of Sealy, Texas, conducted the meeting scheduled for April 18, 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 read the Proclamation National Day of Prayer and the Eagle Scouts 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 6:06 p.m.  
Councilmember, Place 4  
Councilmember, Place 5  
Councilmember, Place 6

Absent:

None

A quorum was declared present.

Staff Attending:

Kimbra Hill, City Manager  
Sandra Vrabec, City Secretary  
Tim Kirwin, City Attorney  
Krystal Sodalak, Finance Director  
Jay Reeves, Police Chief  
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  
Katherine Ellis, Deputy Executive Director for EDC

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

None

**E. Public Hearing:** a Public Hearing will be held regarding extending a development moratorium imposed on property development affecting 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 6:03 p.m.

Mayor Bilski closed the Public Hearing at 6:04 p.m.

**F. Proclamation**

- **National Day of Prayers May 4, 2023**
- **National Volunteer Week April 16 – 22, 2023**
- **Eagle Scouts:** Tanner Ellis – not present  
Colby Eschenburg  
Nikolas Young  
Ian Waters

**G. 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.)

- **April 4, 2023 Regular Meeting minutes**

A motion was made by Councilwoman Lerma to approve the April 4, 2023, Regular Meeting Minutes.

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 an Ordinance to extend the Development Moratorium.  
(First of two readings)**

A motion was made by Councilwoman Johnson to extend the Development Moratorium. This is the first of two readings.

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

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

NOES: None

The motion carried.

**2. Discussion and possible action regarding amending the No Engine Braking Ordinance. (First of two readings)**

A motion was made by Councilman Zapalac to approve the No Engine Braking Ordinance with changes. This is the first 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.

**3. Discussion and possible action to approve the Hackbarth project with Performance Agreement(s) and expenditure of funds for a Sealy EDC Historic District and Business Improvement Grant in an amount not to exceed \$9,000 with Tireless Enterprises, LLC and/or K&K Brothers, LLC.**

A motion was made by Councilwoman Lerma to approve Tireless Enterprises, LLC Performance Agreement in the amount of \$6,000. This is the first of two readings.  
Councilman Burttschell seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

A motion was made by Councilwoman Lerma to approve K&K Brothers, LLC Performance Agreements in the amount of \$3,000. This is the first of two readings.  
Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

**4. Discussion and possible action to approve a Resolution for expenditure by Sealy EDC to reimburse the City of Sealy for 380 agreement payments to SIKa in an amount not to exceed \$77,964.88. (First of two readings)**

A motion was made by Councilwoman Lerma to approve a Resolution for expenditure to Sealy EDC to reimburse the City of Sealy for 380 agreement payments to SIKa in an amount not to exceed \$77,964.88. This is the first of two readings.  
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 to approve a Resolution for expenditure by Sealy EDC to reimburse the City of Sealy for 380 agreement payments to Prasek's in an amount not to exceed \$19,169.97.  
(First of two readings)**

A motion was made by Councilwoman Lerma to approve the Resolution. This is the first of two readings.

Councilman Burttschell 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 Capital Improvement Advisory Committee Comment 2023-02.**

A motion was made by Councilman Zapalac to accept the Capital Improvement Advisory Committee Comments 2023-02.

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 Contract approval for Judicial Services for Judge Lora Lenzsch to a three (3) year term.**

A motion was made by Councilwoman Johnson to extend the contract for the next three years to coincide with the next Mayoral Election.

Councilman Zapalac 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 amending Ordinance – Chapter 28 regarding Townhomes, Multifamily Development, and Patio Homes.  
(First of two readings)**

A motion was made by Councilman Zapalac to approve amending the Ordinance Chapter 28 regarding Townhomes, Multifamily Development, and Patio Homes. This is the first 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.

**9. Discussion and possible action regarding a policy for Municipal Naming of City Facilities and Donations Policy.**

A motion was made by Councilman Zapalac to approve the Municipal Naming of City Facilities and Donations Policy with a change to page 12 to remove Heritage Preservation Commission. Councilwoman Lerma 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 regarding amending Ordinance – Chapter 58 Hardship procedures.  
(First of two readings)**

A motion was made by Councilwoman Lerma to accept the amendment to the Ordinance Chapter 58 – Hardship Procedures. This is the first of two readings. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

**11. Discussion and possible action regarding accepting easements for the Highway 36 Utility Project.**

A motion was made by Councilwoman Lerma to accept the easements for the Highway 36 Utility Project. Councilman Miller 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 regarding accepting the General Warranty Deed for the Highway 36 Utility Projects.**

A motion was made by Councilwoman Lerma to accept the General Warranty Deed for the Highway 36 Utility Project. 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 regarding creating or amending Ordinances:**

- a) **Create Short-Term Rentals Ordinance**
- b) **Amend Wrecker Ordinance**
- c) **Amend Peddlers & Solicitors Ordinance**
- d) **Amend Chapter 27 regarding Fencing around Detention**

A motion was made by Councilwoman Johnson to approve.  
Councilwoman Lerma 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 regarding ADA Title II Transition Plan.**

No action was taken.

**15. Discussion and possible action regarding amending Master Fee Schedule Ordinance:**

- a) **Non-Profit Rate at B&PW Pavilion**
- b) **Variance Application Fee (Residential and Commercial)**
- c) **Drainage Discharge Rates**
- d) **Development Deposit Policy and \$75 Administrative Fee**
- e) **Secretary Fees and Public Information Request (PIR) Fee update**
- f) **Naming and Donation Policy Fee**
- g) **Hardship Policy Fee**
- h) **Wrecker Fees**
- i) **Impact Fee Table**
- j) **Civil Review Fees**  
(First of two readings)

A motion was made by Councilwoman Johnson to approve.  
Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote.

AYES: Bilski, Lerma, Noack, Miller, Johnson, 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 551.071, 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 (MUD)**

b) **Texas Government Code, Section 551.087, Deliberation regarding Economic Development Negotiations; Closed Meeting.** This chapter does not require a governmental body to conduct an open meeting: (1) to 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).

▪ **Crescent Pointe Municipal Utility District (MUD)**

c) **Texas Government Code, Section 551.072, Deliberation regarding real property; Closed Meeting.** A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

A motion was made by Councilwoman Lerma to recess into Executive Session. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote.

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

The motion carried. The City Council recessed into Executive Session at 7:07 p.m.

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

The City Council reconvened into open session at 8:01 p.m.

a & b) A motion was made by Councilman Miller for the City to work with the Crescent Pointe developer on an MOU to pursue a Municipal Management District and TIRZ. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

c) A motion was made by Councilman Zapalac to concur with EDC on Real Property purchase. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

**J. Future agenda items, comments, and announcements.**

**17. Discussion and possible action regarding future agenda item requests.**

Mayor Bilski	D R Horton visiting
Councilwoman Lerma	Thank staff and Josh
Councilman Noack	Women's restrooms at B&PW Chapman Park --no soap or towels
Councilman Miller	None
Councilwoman Johnson	Trash Trucks are leaking down street Highway 36 at 2 <sup>nd</sup> Street has ridges
Councilman Zapalac	None
Councilman Burttschell	None

**18. Adjournment**

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

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

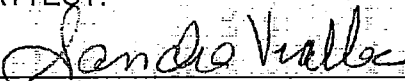
The motion carried. Meeting adjourned at 8:07 p.m.

**PASSED AND APPROVED** this 16<sup>th</sup> day of May 2023.



  
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Carolyn Bilski, Mayor

ATTEST:

  
\_\_\_\_\_  
Sandra Vrabec, City Secretary