



**MINUTES
SEALY CITY COUNCIL
W.E. HILL COMMUNITY CENTER
1000 MAIN STREET
SEALY, TX 77474
TUESDAY, MAY 16, 2023
6:00 P.M.**

The City Council of the City of Sealy, Texas, conducted the meeting scheduled for May 16, 2023, at 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
Yvonne Johnson
Edward Zapalac
Adam Burttschell

Mayor
Councilmember, Place 1, Mayor Pro Tem
Councilmember, Place 2
Councilmember, Place 4, Entered meeting at 6:09 p.m.
Councilmember, Place 5
Councilmember, Place 6

Absent:

Bradley Miller

Councilmember, Place 3

A quorum was declared present.

Staff Attending:

Kimbra Hill, City Manager
Sandra Vrabec, City Secretary
Tim Kirwin, City Attorney
Krystal Sodolak, Finance Director
Scott Riske, Police Captain
Chrissy McGee, Community Development Director
Michelle Winney, Admin Assist for Parks
Stephen Bozich, Director of Parks, Streets, Drainage, and Building Services
Fawn Mackey, Court Administrator
Josh Brothers, City Planner
Katherine Ellis, Deputy Executive Director for EDC

D. Discussion and possible action to approve the agenda

A motion was made by Councilman Zapalac to move Business #1 to after H - Presentation(s) and move #10 after #4.

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

AYE: Bilski, Lerma, Miller, Zapalac, Burttschell
NOES: None

The motion carried.

E. Proclamation(s) and Special Recognition(s)

F. Public Comments and Petitions(s)

John Paul Mayer spoke about variances.
Lucky Lane spoke about the All for One Festival he plans to hold

G. Consent Agenda

- **April 18, 2023 Regular Meeting minutes**
- **May 9, 2023 Special Meeting minutes**

A motion was made by Councilwoman Johnson to approve April 18, 2023, and May 9, 2023 minutes.

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

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

The motion carried.

H. Presentation(s)

- **Blackboard Notification System (Reverse 911)**
- **Gordon Memorial Library Update**
- **Titus Carwash**
- **Sealy Convention and Visitors Bureau 1st Quarter of 2023 HOT Funds Report**

I. Workshop

Ordinance Creation/Amendment

Proposed Ordinance for Consideration:

- 1) **Short-Term Rentals**
- 2) **Offsite Detention (Chapter 27)**
- 3) **Detention Fencing (Chapter 27)**
- 4) **Neighborhood Land Plan (Chapter 28)**
- 5) **Solicitors, Panhandlers, and Peddlers (Chapter 74)**
- 6) **Parkland Dedication (Chapter 87)**
- 7) **Dedication of Infrastructure (Chapter 87)**

No action was taken.

J. Business

1. Discussion by Texas Rebuild regarding alternative funding options for city needs.

This item was moved after H. Presentation(s)

No action was taken.

2. Discussion and possible action regarding the Standard donation agreement for the Pickleball project at Chapman B&PW Park.

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

AYE: Bilski, Lerma, Noack, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

3. Discussion and possible action regarding amending the No Engine Braking Ordinance. (Second of two readings)

City Manager said pending a response from TxDOT.

A motion was made by Councilman Zapalac to table item #3.
Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

4. Discussion and possible action regarding Event Notification for the All For One Festival to be held on July 1, 2023.

A motion was made by Councilman Noack to allow staff to work with the applicant to iron out additional details and potentially approve the event.
Councilwoman Johnson seconded the motion. Mayor Bilski read Event Notification for the All For One Festival to be held on July 1, 2023 and called for the vote.

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

The motion carried.

10. 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 Fees
- g) Hardship Policy Fees
- h) Wrecker Fees
- i) Impact Fee Table
- j) Civil Review Fees
- k) Fire Suppression Rate
- l) Sewer Explicit Rate
- m) Banner Hanging Fee
(Second of two readings)

A motion was made by Councilman Zapalac to approve amendments to the Master Fee Schedule including listing time change to the Non-Profit Rate at B&PW Pavilion, and adding Fire Suppression Rate, Sewer Explicit Rate, and Banner Hanging Fee. This is the second of two readings.

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

AYES: Bilski, Lerma, Noack, 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 SIKA in an amount not to exceed \$77,964.88.
(Second of two readings)**

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

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

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

NOES: None

The motion carried.

- 6. 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.
(Second of two readings)**

A motion was made by Councilman Zapalac to approve. This is the second of two readings. Councilwoman Johnson seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

- 7. Discussion and possible action to approve a Performance Agreement and expenditure of Sealy EDC funds for the C & C Sign Project in an amount not to exceed \$1,500 with the business owner of C&C Golden Insurance Agency.**

A motion was made by Councilman Burttschell to approve the amount not to exceed \$1,500. Councilman Zapalac seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

- 8. Discussion and possible action regarding Titus Carwash Variance requests:**
- a) Property setback**
 - b) Pole Sign**
 - c) Signage on the side of the building**

A motion was made by Councilman Noack to deny the Property Setback variance request. Councilman Burttschell seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

A motion was made by Councilman Noack to deny the Pole Sign variance request. Mayor Bilski seconded the vote. Mayor Bilski called for the vote.

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

The motion carried.

A motion was made by Councilwoman Lerma to deny the Signage on the side of the building variance request.

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

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

The motion carried.

9. Discussion and possible action regarding amending Ordinance - Chapter 28 regarding Townhomes, Multifamily Developments, and Patio Homes. (Second of two readings)

A motion was made by Councilwoman Lerma to approve the amended Ordinance Chapter 28 regarding Townhomes, Multifamily Developments, and Patio Homes. This is the second of two readings.

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

AYES: Biski, Lerma, Noack, Johnson, Zapalac, Burttschell
NOES: None

The motion carried.

11. Discussion and possible action regarding amending Ordinance – Chapter 58 Hardship procedures. (Second of two readings)

A motion was made by Councilman Zapalac to approve amending Ordinance Chapter 58 Hardship procedures. This is the second of two readings.

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

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

The motion carried.

12. Discussion and possible action regarding purchasing a locator for Boring Machine in an amount not to exceed \$20,000.

A motion was made by Councilwoman Johnson to approve the purchase of a new locator not to exceed \$20,000.

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

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

The motion carried.

13. Discussion and possible action regarding appointing a Hotel Occupancy Tax Fund committee.

A motion was made by Councilman Noack to approve the HOT Funds Committee. The committee is Mayor Carolyn Bilski, City Manager Kimbra Hill, Councilman Zapalac, Finance Director Krystal Sodolak, Michelle Winney, and Katherine Ellis. Councilwoman Lerma seconded the motion. Mayor Bilski called for the vote.

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

The motion carried.

14. Discussion and possible action regarding Hotel Occupancy Tax Fund Policy revision.

A motion was made by Councilman Zapalac to approve the Hotel Occupancy Tax Fund Policy revision as discussed and include the attachment page that was on our table on facts and misconceptions, and amend his motion to say strike the final sentence on the redline copy of item two on page three.

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

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

The motion carried.

15. Discussion and possible action regarding change order #1 for a decrease in the cost of the ARPA Lift Station Improvements.

A motion was made by Councilman Zapalac to authorize change order #1 for a decrease in the cost of the ARPA Lift Station Improvements.

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

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

The motion carried.

A. 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 Development**
- **Bullinger Creek Development**

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 Development
- Bullinger Creek Development

No discussion took place on Bullinger Creek Development.

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, Johnson, Zapalac, Burttschell
NOES: None

The motion carried. The City Council recessed into Executive Session at 9:28 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 11:34 p.m.

No action was taken.

B. Future agenda items, comments, and announcements.

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

Mayor: We need a little more detail on our Workshop items that we had with the need that the city has and if you'll continue to work on that for our June 6th agenda so that we at least find out where we sit. Some of those things probably are more health and safety priority.

Councilwoman Lerma: Would like to Thank Police Department on Kid Fish.

Councilman Noack: Nothing at this time.

Councilman Miller: Absent.

Councilwoman Johnson: None.

Councilman Zapalac: None.

Councilman Burttschell

Suggestions are creative and potentially help out our internet connectivity throughout the city. Continue working on developing some sort of alternate route.

K. 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, Johnson, Zapalac, Burttschell
NOES: None

The motion carried. Meeting adjourned at 11:36 p.m.

PASSED AND APPROVED this 6th day of June 2023.



Carolyn Bilski

Carolyn Bilski, Mayor

ATTEST:

Sandra Vrablec

Sandra Vrablec, City Secretary