



**MINUTES
SPECIAL MEETING
SEALY ECONOMIC DEVELOPMENT CORPORATION
W.E. HILL COMMUNITY CENTER
1000 MAIN STREET SEALY, TX 77474
TUESDAY, MARCH 28, 2023
7:00 P.M.**

1. Call to Order

President Sterling Schiller called the meeting to order at 6:00 p.m.

2. Invocation and Pledge of Allegiance

Yvonne Johnson gave the invocation and led the Pledge of Allegiance.

3. Roll Call and Certification of a Quorum

Present:

Sterling Schiller
Russ Rainwater
Jennifer Sullivan
Larry Koy
Yvonne Johnson
Bradley Miller
Johnny Bonaccorso

Absent:

None

A quorum was declared present.

Staff attending:

Kimbra Hill, City Manager, City of Sealy
Tim Kirwin, Sealy EDC Attorney
Katherine Ellis, SEDC Deputy Executive Director / Secretary
Krystal Sodolak, Treasurer, Sealy EDC

4. Petitions or Requests from the Public

(Comments made under this agenda item are limited to five minutes per person; however, if a large quantity of individuals has registered to speak, the time may be reduced. In accordance with the Texas Open Meetings Act, the Board of Directors will not discuss or consider any item addressed during this agenda item. However, the President or Executive Director may make statements of fact, for example, identifying the procedure for reporting an issue or referring the speaker to the cognizant agency or individual.)

5. Discussion and possible action to approve the minutes for the following date:

**Sealy Economic Development Corporation
Meeting Minutes
March 28, 2023**

- **Tuesday, February 28, 2023**

Russ Rainwater made a motion to accept the minutes for the Tuesday, February 28, 2023 Meeting. Yvonne Johnson seconded the motion. President Schiller called for the vote:

AYES: Schiller, Rainwater, Miller, Koy, Johnson, Sullivan, Bonaccorso

NOES: None

The motion carried.

6. **Discussion regarding: the monthly Treasurer's Reports by Krystal Sodolak, Director of Finance and Sealy EDC Treasurer; the monthly Payables Report by Katherine Ellis, SEDC Deputy Executive Director and Board Secretary; and the monthly Fiscal Year 2022-2023 Budget Review Spreadsheet by Sterling Schiller, Board President:**
 - a. **Paid Invoice Report**
 - b. **Budget to Actual Report**
 - c. **Sales tax Report**
 - d. **Payables Report – SEDC Staff**
 - e. **Fiscal Year 2022-2023 Budget Review Spreadsheet – President Schiller**

Krystal Sodolak reviewed the above Treasurer's Reports with the Board. Katherine Ellis reviewed the changes to the Payables Report. President Schiller reviewed the Budget Review Spreadsheet with the Board of Directors.

7. **PUBLIC HEARING: The SEDC will receive comments for proposed expenditure of funds for a reimbursement to the City of Sealy for its obligations under 380 Economic Development agreement with the Sika Corporation, which promote new and expanded business development. The expenditure of funds will be in an amount not to exceed \$77,964.88.**

President Schiller opened the public hearing at 7:09 p.m.

Katherine Ellis expressed the difference between the FY'23 Sealy EDC projected and approved budget amount for both SIKA and Prasek's 380 obligations through the city, and the actual amount due. Last year's projected amounts fell behind the actual amounts by about \$6,074.00. Therefore, Sealy EDC staff request approval for the total expenditure of 97,134.85 to reimburse the City of Sealy for both the SIKA and Prasek's incentives.

President Schiller closed the public hearing at 7:10 p.m.

8. **PUBLIC HEARING: The SEDC will receive comments for proposed expenditure of funds for a reimbursement to the City of Sealy for its obligations under 380 Economic Development agreement with Prasek's Limited Partnership, LLC and Prasek Hillje Smokehouse, INC., which promote new and expanded business development. The expenditure of funds will be in an amount not to exceed \$19,169.97.**

President Schiller opened the public hearing at 7:11 p.m.

There were no public comments. Katherine Ellis commented on Sealy EDC reimbursing the City of Sealy for Prasek's Chapter 380 payments in the above public hearing item #8.

President Schiller closed the public hearing at 7:12 p.m.

9. **Discussion and possible action to approve the Hackbarth project with performance agreement(s) and the expenditure of funds for a Sealy EDC Historic District & Business Improvement Grant in an amount not to exceed \$9,000.00 with Tireless Enterprises, LLC and/or K&K Brothers, LLC.**

Katherine Ellis reviewed the details and legalities of the project with the Board. Bradley Miller made a motion to approve the Hackbarth project with a performance agreement for K & K Brothers, LLC. In an amount not to exceed \$3,000.00. Russ Rainwater seconded the motion. President Schiller called for the vote:

AYES: Schiller, Rainwater, Miller, Koy, Johnson, Sullivan, Bonaccorso
NOES: None

The motion carried.

Bradley Miller made a motion to approve the Hackbarth project with a performance agreement for Tireless Enterprises, LLC in an amount not to exceed \$6,000.00. Russ Rainwater seconded the motion. President Schiller called for the vote:

AYES: Schiller, Rainwater, Miller, Koy, Johnson, Sullivan, Bonaccorso
NOES: None

The motion carried.

10. **Discussion and possible action to remove Chandler Marks from TexPool and TexSTAR investment pools as a designated signatory.**

Bradley Miller made a motion to remove Chandler Marks from TexPool and TexStar investment pools as a designated signatory. Russ Rainwater seconded the motion. President Schiller called for the vote:

AYES: Schiller, Rainwater, Miller, Koy, Johnson, Sullivan, Bonaccorso
NOES: None

The motion carried.

11. **Discussion and possible action to approve the removal of Chandler Marks as Sealy EDC signatory.**

Yvonne Johnson made a motion to approve the removal of Chandler Marks as Sealy EDC signatory. Bradley Miller seconded the motion. President Schiller called for the vote:

AYES: Schiller, Rainwater, Miller, Koy, Johnson, Sullivan, Bonaccorso
NOES: None

The motion carried.

12. Discussion regarding the C&C Golden Insurance Agency application for incentives.

Katherine Ellis reviewed the two types of incentive programs provided by the Sealy EDC, to Sealy businesses. She explained that C&C Golden Insurance Agency recently submitted a business incentives application, and at this time, staff is looking for direction to move forward with the project. President Schiller spoke in support of the project. Russ Rainwater inquired about one of the terms of the performance agreement. He inquired about the term requiring a business to remain at its current location for (1) year. Mr. Kirwin responded that the common term in an agreement usually specifies a business to continue operations in its current location for (2) years.

13. Discussion and possible action to approve an expenditure to reimburse the City of Sealy for 380 agreement payments to SIKA in an amount not to exceed \$77,964.88.

Jennifer Sullivan made a motion to approve an expenditure to reimburse the City of Sealy for 380 agreement payments to SIKA in an amount not to exceed \$74,964.88. Yvonne Johnson seconded the motion. President Schiller called for the vote:

AYES: Schiller, Rainwater, Miller, Koy, Johnson, Sullivan, Bonaccorso
NOES: None

The motion carried.

14. Discussion and possible action to approve an expenditure to reimburse the City of Sealy for 380 agreement payments to Prasek's in an amount not to exceed \$19,169.97.

Jennifer Sullivan made a motion to approve an expenditure to reimburse the City of Sealy for 380 agreement payments to Prasek's in an amount not to exceed \$19,169.97. Bradley Miller seconded the motion. President Schiller called for the vote:

AYES: Schiller, Rainwater, Miller, Koy, Johnson, Sullivan, Bonaccorso
NOES: None

The motion carried.

- 15. EXECUTIVE SESSION: A closed meeting will be held concerning the following item(s):**
- a. Texas Government Code, Section 551.071 CONSULTATION WITH ATTORNEY; The SEDC will meet in closed session to seek the advice of its attorney on a matter in which the duty of the attorney to the body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter.**
 - Bellville Medical Center Performance Agreement
 - b. 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).**
 - Sealy Economic Development Corporation Executive Director
 - Main Street Manager

At 7:23 p.m., the Board convened into Executive Session to discuss the above item.

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

At 8:09 p.m. the Board reconvened into open session.

Russ Rainwater made a motion to recommend the posting of the position for the Sealy EDC Executive Director/Main Street Manager. Larry Koy seconded the motion. President Schiller called for the vote:

AYES: Schiller, Rainwater, Miller, Koy, Johnson, Sullivan, Bonaccorso

NOES: None

The motion carried.

17. Sealy EDC Board President's Report, entailing discussion of the following items:

- a. Chamber Banquet, Friday, May 19, 2023, Dessert Auction, Silent Auction items
- b. Spring Fest Event Saturday, April 8th
- c. Downtown Market every 3rd Saturday, next event is April 15th 9:00 a.m. – 2:00 p.m.
- d. Car Shows in Sealy end of April, Hippo Car Show April 29th and Sealy Main Street Classic Car Show April 30th.
- e. The American Express, Backing Small Business Grant – staff supplied several local businesses with information regarding the small business grant.
- f. Expiring Sealy EDC Board members may reapply.

President Schiller reported the above items to the Sealy EDC Board of Directors.

18. Request(s) for future agenda items and comment(s).

- Larry Koy requested an agenda item during the next EDC Meeting regarding the Alley project and the Medical Complex as listed on the Payables Report. He also requested that the Administrative Agreement and Amendment No. 1 to the Administrative Agreement be sent to the Sealy EDC Board of Directors.
- Bradley Miller requested information regarding the potential use of contractors for large community projects. He recommended the Board consider agenda items for: a shade structure and lighting at the Mark A. Chapman Park, a Scranton Phase III project, and solar lighting at Cryan Memorial Park. Bradley stated that the Sealy EDC should use it's funding for projects that improve areas in the City of Sealy. He also recommended the Sealy EDC move meetings to the current City Court location to allow for patron parking at the W.E. Hill Community Center.
- President Schiller recommended an agenda item for preliminary budget discussion.
- Russ Rainwater requested an agenda item to possibly allow the Austin County Rotary to donate funding toward the Pickleball Project.

19. Adjournment.

At 8:18 p.m., Yvonne Johnson made a motion that the Sealy Economic Development Corporation stand adjourned until the next scheduled meeting. Russ Rainwater seconded the motion. President Schiller called for the vote:

**Sealy Economic Development Corporation
Meeting Minutes
March 28, 2023**

AYES: Schiller, Rainwater, Miller, Koy, Johnson, Sullivan, Bonaccorso
NOES: None

The motion carried.

PASSED AND APPROVED this 25th day of April, 2023.



Sterling Schiller, President or Russ Rainwater, Vice-President

ATTEST:



Katherine Ellis, SEDC Secretary