

The City Council of the City of Seabrook met in regular session on Tuesday, October 2, 2012 at 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if appropriate, take action on the items listed below.

THOSE PRESENT WERE:

GLENN R. ROYAL	MAYOR
ROBERT LLORENTE	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	COUNCIL PLACE NO. 3
DON HOLBROOK.	COUNCIL PLACE NO. 4
THOM KOLUPSKI	COUNCIL PLACE NO. 5
LAURA DAVIS	MAYOR PRO TEM & COUNCIL PLACE NO. 6
KELLY TEMPLIN	CITY MANAGER
MEREDITH BRANT	ASSISTANT CITY SECRETARY
STEVEN L. WEATHERED	CITY ATTORNEY

Mayor Royal called the meeting to order at 7:00 p.m. and led the audience in the Pledge of Allegiance.

1.0 PRESENTATIONS

1.1 Proclamation for National Domestic Violence Awareness Month presented to Bay Area Turning Point. (Royal)

Mayor Royal presented the proclamation to Heather Kerbow.

1.2 Presentation of the new website for the City of Seabrook. (Dearman)

Marketing Manager LeaAnn Dearman gave a presentation demonstrating the use and navigation of the new website. She stated that the site will go live on Thursday morning. She stated that she is advocating the idea of shop, dine and stay in Seabrook on the website. She further explained key points of the website and added that all of the City's websites have been combined at great savings to the City.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

Terry Torrance, Kingfish Drive, commended the city for its good works, but asked that the city now do something about the invasive Moscovy ducks which have become such a huge problem in area neighborhoods.

Sally Antrobus, Surf Oaks, spoke as a resident, not a committee member. She stated that Carothers Gardens has been open 18 months and has had little use during the summer. She encouraged more summer usage and suggested a trail might be added for use when the property

is open and not otherwise in use. She asked that Council consider overall use of the property and the parking lot.

2.1 Mayor, City Council and/or members of the city staff may make announcements about city/community events. (Council)

Mayor Royal reminded everyone of JFest on October 14 and the Arts Festival on October 27.

3.0 SPECIFIC PUBLIC HEARING(S)

3.1 Public Hearing on the Proposed Tax Rate for 2012. This is the first of two public hearings on the proposed property tax rate of \$0.665232. The second public hearing will be held on October 9, 2012 at 7:00 p.m. at Seabrook City Hall. Council will vote on the proposed tax rate at a regularly scheduled City Council meeting on October 23, 2012 at 7:00 p.m.

There were no comments.

4.0 CONSENT AGENDA

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4.1 Approve minutes of September 11, 2012 Special City Council meeting. (Glaser)

4.2 Approve minutes of the September 18, 2012 regular City Council meeting. (Glaser)

4.3 Removed by Councilor Llorente

Motion was made by Councilor Holbrook and Councilor Johnson

To approve the Consent Agenda with the exception of Item 4.3.

MOTION CARRIED BY UNANIMOUS CONSENT

END OF CONSENT AGENDA

4.3 Authorize the write off of \$16,303.82 in bad utility debt to be effective September 30, 2012. (Lab)

Motion was made by Councilor Llorente and seconded by Councilor Kolupski

To discuss this item.

MOTION TO DISCUSS CARRIED BY UNANIMOUS CONSENT.

Mr. Llorente asked how it happens that the city has write-offs.

Finance Director Pam Lab explained that the debt is often due to residents leaving town with unpaid utility bills. The debt information is sent to a central clearinghouse that sometimes results in the outstanding bills being paid. This is a housekeeping item and does not affect the budget.

City Manager Kelly Templin added that Texas Revenue Recovery Association (TRRA) allows for some debt collection, but is not a collection agency per se.

Ms. Lab stated that based on the amount to be written off at this time, she can look into the possibility of engaging a collection agency. She added that this amount is for two years, 2008 and 2009. Next year it will just be for one year.

Motion was made by Councilor Llorente and seconded by Councilor Llorente

To authorize the write off \$16,303.82 in bad utility debt.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.0 NEW BUSINESS

5.1 Consider appointment of a Council representative to CLEMC for 2012/13 to replace Councilor Holbrook. (Holbrook)

Motion was made by Councilor Johnson and seconded by Councilor Davis

To appoint Gary Johnson to CLEMC.

It was pointed out that Councilor Johnson was already a representative to CLEMC.

Motion was made by Councilor Giangrosso and seconded by Councilor Holbrook

To rescind the previous motion and appoint Councilor Llorente to CLEMC.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.2 Consider changing the name of the "Open Space, Beautification and Preservation Committee" to the "Open Space and Trails Committee" as requested by the committee and if approved, direct staff to prepare an amending resolution for consideration on October 23. (OSC)

Motion was made by Councilor Kolupski and Councilor Giangrosso

To approve the name change as requested.

Councilor Holbrook stated that he would like to have a better understanding of the reason for changing the name.

134 In response to Councilor Holbrook, Sally Antrobus, a member of the Open Space, Beautification
135 and Preservation Committee, stated that it was an effort to simplify, given that the committee
136 name is long and cumbersome.

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138 Councilor Davis stated that the current name of the committee was consistent with the goals and
139 focus intended for the committee.

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141 Mayor Royal called for a vote on the motion.

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143 AYES: Royal, Giangrosso, Johnson, Kolupski, Llorente.

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145 NAYS: Davis, Holbrook.

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147 MOTION PASSES BY MAJORITY VOTE.

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149 **5.3 Consider an increase of the hotel tax rate. (Royal)**

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151 Motion was made by Councilor Davis and seconded by Councilor Holbrook

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153 To increase the hotel tax rate by one-half of one percent.

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155 Councilor Davis stated that the state allows up to one half of a percent that the state can take if
156 not allocated for the city's use.

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158 Mayor Royal stated that the comptroller had advised an increase from six and a half percent (6
159 ½%) to seven percent (7%) with the one-half of one percent being rebated to the hotels for
160 promotion and "putting heads in beds."

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162 Councilor Giangrosso stated that hoteliers would appreciate the refund which would hopefully,
163 be used for marketing and would be a good way to give back to businesses.

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165 Councilor Davis stated that she would like to see the funds used as a new event draw,
166 particularly for the off-season when hotels suffer.

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168 Mayor Royal suggested that the use of the funds be discussed with hoteliers at a later date.

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170 MOTION CARRIED BY UNANIMOUS CONSENT.

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172 **5.4 Consider possible changes to the Seabrook City Code, Chapter 10, and "Animals" with**
173 **specific regard to animals-at-large, feral and invasive species, such as Muscovy Ducks.**
174 **(Royal)**

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176 City Manager Kelly Templin stated that he has received many calls concerning the
177 destructiveness of the Moscovy ducks. Although current city code allows for removal of these
178 birds, it is not in keeping with federal law which allows the destruction of these birds provided

they are not native to the area. Mr. Templin pointed out that these ducks are protected and considered native in only three counties in south Texas. He suggested amending the current city code, Section 10-5(d), to exempt the protection of any invasive species. The Muscovy ducks are not migratory and are considered invasive.

Motion was made by Councilor Kolupski and seconded by Councilor Llorente

To amend ordinance that follows federal guidelines and allows for removal of the ducks.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.5 Consider current and future uses and disposition of the Carothers Gardens property. (Holbrook)

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To discuss this item.

Councilor Holbrook stated that he had looked at the rental history and use of the property since it has been open. Last year there were 21 paid events: to date this year there have been 15 paid events. The majority of the time the property is not in use and there have been very few weekday events. He suggested that the property be opened up for trails, bird viewing and give back to the citizens.

Councilor Kolupski stated that he agrees. When the property was purchased by the city, he was under the impression that it would be open for public use.

Councilor Giangrosso stated that he was in favor of opening up more for the public by putting in trails and making use more affordable.

Councilor Llorente agreed and suggested that the Open Space committee make recommendations.

Councilor Johnson stated that if open to the public seven days a week, there will be issues and additional security should be considered.

Councilor Davis stated that it may be difficult to find a way to open to the public due to conflicts with events.

Councilor Holbrook recommended that a committee composed of two staff members, two councilors and two Open Space committee members be formed to discuss use of the Carothers property.

Mr. Templin reminded everyone that there is a master plan for the Carothers property which provides for the long-range plans of the property.

Motion was made by Councilor Holbrook and seconded by Councilor Kolupski

To form a committee by appointing Thom Kolupski and Don Holbrook, two members of the Open Space Committee and, two members of staff to review uses of the Carothers property and bring back suggestions to Council in sixty days.

MOTION CARRIED BY UNANIMOUS CONSENT.

This item will be added to the Action Items Checklist.

At 9:07 p.m., Mayor Royal announced that the City Council would meet in Executive Session to further discuss Item 5.5 under Section 515.071, Consult with Attorney, of the Texas Local Government Code.

At 9:25 p.m., Mayor Royal reconvened the meeting in Open Session and announced that no further action had been taken on Item 5.5.

6.0 ROUTINE BUSINESS

6.1 Establish future meeting dates and agenda items. (Council)

Mayor Royal reminded everyone of the special meeting Tuesday, October 9. Agenda items will include:

- Update on Waterfront Drive - Executive Session regarding 551.072 Real Estate,
- Fire Department contract, and
- Tax increase public hearing.

The next regular City Council meeting will be Tuesday, October 23.

Upon motion, the meeting was adjourned at 9:28 p.m.

APPROVED THIS 23RD DAY OF OCTOBER, 2012.


Glenn R. Royal, Mayor


Meredith Brant, TRMC
Assistant City Secretary

