

1 The City Council of the City of Seabrook met in regular session on Tuesday, July 24, 2018 at
2 7:00 p.m. in Seabrook City Hall, 1700 First Street, Seabrook, Texas to discuss, consider and if
3 appropriate, take action on the items listed below.

4
5 **THOSE PRESENT WERE:**

6 THOM KOLUPSKI	MAYOR
7 ED KLEIN	COUNCIL PLACE NO. 1
8 LAURA DAVIS	COUNCIL PLACE NO. 2
9 JEFF LARSON	COUNCIL PLACE NO. 3
10 NATALIE PICH	MAYOR PRO TEM &
11	COUNCIL PLACE NO. 4
12 BUDDY HAMMANN	COUNCIL PLACE NO. 5
13 JOE MACHOL	COUNCIL PLACE NO. 6
14 GAYLE COOK	CITY MANAGER
15 SEAN LANDIS	DEPUTY CITY MANAGER
16 STEVE WEATHERED	CITY ATTORNEY
17 STEPHANIE MARTINEZ	EXEC. ADMIN. ASSISTANT

18
19 Mayor Kolupski called the meeting to order at 7:00 p.m.

20
21 **1. PUBLIC COMMENTS AND ANNOUNCEMENTS**

22
23 Greg Votaw, 2524 Sawyer Dr., has been a tattoo artist for over 20 years and attempted to open a
24 tattoo shop in the City but made an error and was shut down when he did not get a certificate of
25 occupancy. His main concern is zoning. The shop is located in the wrong zone, and he is
26 requesting that his shop be rezoned to a C-2. He had a shop in Galveston for 10 years but closed
27 down after Harvey. If the tattoo shop is rezoned, he does not want to place signs out in the front
28 of the shop because he does not want walk-ins. He has a large clientele, which he accepts by
29 appointment only. He does not tattoo on minors, faces, or anything offensive. He keeps his
30 tattooing very professional.

31
32 **1.1** Mayor, City Council and/or members of the city staff may make announcements about
33 city/community events. (Council)

34
35 Council Member Davis announced the following upcoming events:

- 36 • August 4, 2018 – Outriggers 5K Fun Run
- 37 • August 20, 2018 – CCISD First Day of School
- 38 • September 20, 2018 – Toughest 10K
- 39 • October 21, 2018 – Bike Around the Bay

40
41 **2. PRESENTATIONS**

42
43 **2.1** Presentation on updates regarding the 2018 Celebration Seabrook event. (Petersen)

44
45 Mayor Kolupski postponed this item as it is listed under the Action Items Checklist.

47 **3. *CONSENT AGENDA***

48
49 **3.1** Approve minutes of the July 5, 2018 special City Council meeting. (Hicks)

50
51 **3.2** Approve minutes of the July 10, 2018 regular City Council meeting. (Hicks)

52
53 **3.3** Approve minutes of the July 13, 2018 special City Council meeting. (Hicks)

54
55 Motion was made by Mayor Pro Tem Picha and Seconded by Council Member Machol

56
57 To approve the Consent Agenda as presented

58
59 MOTION CARRIED BY UNANIMOUS CONSENT

60
61
62 **4. *NEW BUSINESS***

63
64 **4.1** Consider and take all appropriate action on proposed Resolution 2018-24, "Relating to
65 Platting and Development by PG Legacies, Incorporated of real property described as a 2.0514-
66 acre tract in the Ritson Morris Survey, Abstract 52, Harris County, Texas". (Cook)

67
68 Gayle Cook, City Manager, stated this resolution is tied with an earnest money contract
69 that was previously approved by Council that is currently in a feasibility state. This resolution
70 outlines and secures the utility relocations, a temporary drive, and a permanent drive on this
71 property.

72
73 City Attorney, Steve Weathered, stated that a correction of a typo is needed on page 3,
74 section 1 of the resolution. It should read, "The facts and matters set forth in the preamble of this
75 Resolution are hereby adopted as fact and found to be true and correct."

76
77 Motion was made by Council Member Hammann and Seconded by Council Member Machol

78
79 To approve Resolution 2018-24, "Relating to Platting and Development by PG Legacies,
80 Incorporated of real property described as a 2.0514-acre tract in the Ritson Morris Survey,
81 Abstract 52, Harris County, Texas", as amended by the City Attorney.

82
83 MOTION CARRIED BY UNANIMOUS CONSENT

84
85 **4.2** Consider and take all appropriate action on first reading of proposed Ordinance 2018-19,
86 "Amending the City of Seabrook Code of Ordinances to Revise 'Appendix B,' 'Master Fee
87 Schedule' to provide for Annual Fee Review and authorize the City Manager to make interim
88 adjustments of such fees." (Cook)

89
90 Motion was made by Council Member Davis and Seconded by Council Member Machol

91

To approve Ordinance 2018-19, "Amending the City of Seabrook Code of Ordinances to Revise 'Appendix B,' 'Master Fee Schedule' to provide for Annual Fee Review and authorize the City Manager to make interim adjustments of such fees".

MOTION CARRIED BY UNANIMOUS CONSENT

4.3 Consider and take all appropriate action on first reading of proposed Ordinance 2018-18, Revise Section 90-5, Multi-Way Stop Signs at Todville Road and East Meyer". (Wright)

Lt. Bryan Brand of the Seabrook Police Department informed Council that the traffic has cleared up and there has been no incidents. It took residents a few days to adjust to the new signs. He has not heard of any additional complaints and the Facebook comments have slowed down.

Motion was made by Council Member Picha and Seconded by Council Member Davis

To approve Ordinance 2018-18, "Revise Section 90-5, multi-way stop signs at Todville Road and East Meyer".

MOTION CARRIED BY UNANIMOUS CONSENT

4.4 Consider and take all appropriate action on approval of an agreement between the City of Seabrook and the Seabrook Economic Development Corporation for funding of the Old Seabrook District Parking Lot in an amount not to exceed \$205, 806.00. (Chavez)

EDC Director, Paul Chavez, stated this project has been reviewed and was approved unanimously by the Economic Development Corporation Board and is now before Council for approval.

Mr. Chavez will get a running total to Council because this parking lot is a part of the total funding project for Old Seabrook from EDC.

Motion was made by Council Member Machol and Seconded by Council Member Klein

To approve an agreement between the City of Seabrook and Economic Development Corporation for funding of the Old Seabrook District Parking Lot in an amount not to exceed \$205,806.00.

MOTION CARRIED BY UNANIMOUS CONSENT

4.5 Consider and take all appropriate action on a Staffing Services Agreement between the City of Seabrook and the Seabrook Economic Development Corporation for fiscal year 2018-2019 for utilization of City employees to perform services for and on behalf of the EDC, in an amount not to exceed \$234, 420.14. (Chavez)

Paul Chavez, EDC Director, stated this annual agreement between EDC and the City is for administrative services for all economic development activities. This service funds his salary, his assistant's salary, a portion of finance and marketing, and a new GIS Development position, which will be able to provide a GIS system of all available properties for sale or lease around the City. However, after speaking with the Public Works Director, it was discovered that the Public Works Department has someone on staff who is very knowledgeable in GIS Development; therefore, there is no need to contract the GIS service position. If the GIS services were contracted out, the cost would be anywhere from \$20,000.00 to \$45,000.00, so having this position in house is saving time, money, and helps to better market the community outside of Seabrook. This new position would increase the budget around \$6,000.00 over last year's budget.

Motion was made by Council Member Picha and Seconded by Council Member Machol

To approve the staffing services agreement between the City of Seabrook and the Seabrook Economic Development Corporation for fiscal year 2018-2019 for utilization of City employees to perform services for and on behalf of the EDC, in an amount not to exceed \$234, 420.14.

MOTION CARRIED BY UNANIMOUS CONSENT

5. DISCUSSION ITEM

5.1 Discussion and possible action on a report by City Staff on Chapter 55, Article II, "Noise" of the City of Seabrook Code of Ordinances. (Hammann / Cook)

Police Chief Sean Wright and Lt. Bryan Brand went out at three in the morning when concrete was being poured to perform decibel readings. The reading locations were chosen from the 6 complaints received since construction has started. The instruments used to capture the reading were calibrated up to the quality standard called for in the noise ordinance. The following conclusions occurred from 5-minute readings:

- 2400 Repsdorph at the Teakwood Apartments near the office: a minimum of 38 decibels and a maximum of 50 decibels
- Pebble Brook Condominiums near the 2 Building: a minimum of 32 decibels and a maximum of 50 decibels
- 2400 Repsdorph at the Teakwood Apartments near the 400 Building: a minimum of 48 decibels and a maximum of 51 decibels
- Pebble Brook Condominiums near the 5 Building: a minimum of 32 decibels and a maximum of 52 decibels
- Cul-de-sac of Sawyer Street: minimum of 43 decibels and a maximum of 48 decibels – believes trees were a buffer to the noise
- Residents backyard on Sawyer Street: a minimum of 58 decibels and a maximum of 60 decibels – which was about 3 decibels short of violating the nighttime decibel noise level

Recommendation from the Police Department is to leave the Ordinance as is.

183
184 Lt. Brand is unaware of how strict the nearby cities enforce their noise ordinance. The
185 nearby cities define the hours for days and nights differently and have various decibel level
186 ranges.

187
188 After reaching out to the contractor about the pour times, the contractor does not believe
189 they are in violation of the noise ordinance and is proceeding with work. The contractor is being
190 aggressive with the pours, due to construction timeline and temperature. If it is too hot outside
191 while pouring the concrete, it can cause failures. There remains about 2-4 weeks of pouring then
192 the normal day time hours should resume.

193
194 City Council held no discussion and had no questions.

195
196 **5.2** Discussion and possible action on membership with the Clear Lake Area Chamber of
197 Commerce. (Kolupski)

198
199 Mayor Thom Kolupski stated that the Chamber of Commerce has approached the City to
200 join the Chamber as an Economic Development Partner for \$10,000.00, and the Chamber offers
201 another level for \$5,000.00 that might be a better fit for the City. The Chamber is dedicated to
202 promoting and enhancing local area businesses, and does collaborate with other organizations,
203 such as BAHEP and BAHCVB. This is an unbudgeted item and would be considered for the
204 upcoming budget. The City is currently not a member of the Chamber for political reasons in
205 prior years.

206
207 Partnering with the Chamber adds extra value and push in promotion for the City many
208 functions are performed in-house. For example, grand openings will also be promoted by the
209 Chamber and inquiring about sponsorships for Celebration Seabrook would be helpful.

210
211 Because membership in the Chamber promotes economic development, the funds to join
212 could come from EDC's budget, but then it would be the Seabrook Economic Development
213 Corporation joining the Chamber not the City of Seabrook. Input from EDC should be
214 considered due to identical efforts between them.

215
216 It was suggested by members of Council that receiving a copy of the Chambers budget
217 would be helpful to see how the Chamber is spending membership funds

218
219 Motion was made by Council Member Hamman and Seconded by Council Member Machol

220
221 To table this issue until such time SEDC has had a chance to review the benefits of Chamber
222 membership and report back to Council.

223
224 MOTION CARRIED BY A 6-1 VOTE, WITH MAYOR KOLUPSKI VOTING NAY

225
226 **6. ROUTINE BUSINESS**

228 **6.1** Review the Clear Lake Emergency Medical Corps (CLEMC) monthly report for June
229 2018.
230

231 Mayor Kolupski stated that there are issues with the CLEMC report. First, the contract
232 with CLEMC is based on call volume. On the June report, there are 13 cancelled calls which
233 make up a good percentage of the total number of calls. There is a consistent amount of
234 cancelled calls throughout the last year. Other cities are probably being billed for cancelled calls
235 as well but if they are barely rolling out of the driveway then these cancelled calls need to be
236 reconsidered. Second, CLEMC has an average of 7 minutes and 26 seconds response time for the
237 month of June. The Seabrook Volunteer Fire Department's average response time for the month
238 of June is 5 minutes and 41 seconds. If CLEMC and SVFD are responding from the same
239 location, why is there almost a 2-minute response difference? These incidents are being
240 considered when negotiating the CLEMC contract.
241

242 Since there are two major corridors running through the City of Seabrook, the call
243 volume percentage may be inflated due to multiple people calling-in when someone may not
244 actually need assistance after an accident. This would increase the number of cancelled calls for
245 Seabrook over the surrounding cities. The cancelled calls percentage in the surrounding cities
246 should be reviewed.
247

248 Council Member Davis stated that the contract with CLEMC says that there will be a
249 maximum response time and although the average response time is under that number there are
250 many calls that are well over the maximum response time. For instance, an 11.08 minute
251 response time, 10.5 minute response time, 11.38 minute response time, and a 13.1 minute
252 response time for an overdose. The response time really needs to be considered when negotiating
253 the contract with CLEMC.
254

255 City Manager, Gayle Cook, stated CLEMC did approve their budget at their last meeting.
256 Due to some concerns, it was voted and approved by the CLEMC Board to leave the total
257 amount per entity the same.
258

259 No action was taken on this item.
260

261 **6.2** Review the Seabrook Volunteer Fire Department (SVFD) monthly report for June 2018.
262

263 No action was taken on this item.
264

265 **6.3** Review the Seabrook Police Department monthly report for June 2018.
266

267 No action was taken on this item.
268

269 **6.4** Review the Seabrook Building Department monthly report for June 2018.
270

271 No action was taken on this item.
272

273 **6.5** Approve the Action Items Checklist which is attached and made a part of this Agenda,
274 including the addition of update on the Celebration Seabrook event.
275

276 **TXDOT** – Gayle Cook, City Manager, explained that there has been no construction date
277 change. There will be two contracts coming before Council in the next meeting that will need to
278 be approved to move things along in Austin. There has also been no movement of the coast
279 guard permit, which is still an outstanding issue to proceed in signing the contractor. A kick-off
280 meeting will be announced once all these items are in motion. Utility relocations are still being
281 projected for the end of the fiscal year. Laredo's and CVS will be the next buildings to be
282 demolished.
283

284 **PROJECTS** – Public Works Director, Kevin Padgett, stated the Brookwood Street
285 Project will break ground on the south side on July 25, 2018. Lake Pointe Forest Street Project
286 will pour concrete on July 25, 2018. The Todville Sewer Sanitary Project is taking advantage of
287 the dry weather and low tide. The project has moved down south of Hester. The Waste Water
288 Treatment Plant Clarifier Rehab Project Phase 2 has completed demolition. The center column
289 and the rotating rake arms have been added. This project is a week ahead of schedule. Hopefully
290 by mid-August, the clarifier will be back in service. Water Line Improvement Project at Red
291 Bluff and Logan Berry has been given a notice to proceed. This project should take no more than
292 30 days to complete. The EDC Funded Old Seabrook Parking Lot Project will have its
293 preconstruction meeting on July 26, 2018. There is still no word from TxDOT regarding the Red
294 Bluff Expansion Project time frame. Hopefully the residents who attended the Harris County
295 Bond Program Meeting can give the City good feedback.
296

297 **GRANT ADMINISTRATION** – FEMA is in the review process for the HMGP grant.
298 No any additional questions have been submitted to the City at this time, so staff should hear
299 something in the next few days. Two notifications were received this morning regarding FEMA
300 Projects reimbursement funds around \$20,000.00 that should be deposited into the City's account
301 shortly. Ms. Cook thanked the Public Works Director and Emergency Management Director for
302 having the patience and taking the time to meet with FEMA to help resolve any issues.
303

304 **CELEBRATION SEABROOK** – Communications Director, Leann Petersen, stated that
305 advertising for the 2018 Celebration Seabrook has begun and a new website for the event has
306 launched. The City is utilizing the same advertising firm as the Bay Area CVB because they do
307 such a wonderful job. A new production company will be handling this year's event, since Food
308 and Vine Time did not submit an application for production services. All the entertainment has
309 been booked, and all Texas Scene artists who draw large crowds. Dancing is welcomed at the
310 event. Recruitment for food trucks has started. Artist Shelbi Nicole will return to continue the
311 mural art on another ramp at the skate park. For the live art, the chalk painters have been asked
312 to come back and two Seabrook community pelicans will be painted. The goal is to have 30 art
313 vendors sign up to fill the pavilion. Many merchants from last year are returning and the
314 Communications Department has received multiple emails a day from possible merchants
315 wanting an application packet. We cannot thank all our sponsors of all levels enough. Some are
316 returning sponsors and some are new. There will be two media sponsors this year, the Bay Area
317 Observer and I45 Now. Tookie's Seafood will be offering an in-kind sponsorship by catering hot
318 meals to our artists throughout the day. Waste Management will be providing the trash

receptacles, port-o-lets, wash stations, and temporary trash cans for the event. There will be a processing fee for tickets bought by card, but if tickets are purchased at the gate with cash it is a flat rate of \$5.00. There will be an ATM available at the event. The kid zone will have a bounce house and many other cool features.

Motion was made by Council Member Davis and seconded by Mayor Pro Tem Picha

To approve the Action Items Checklist.

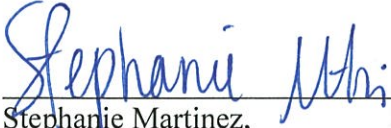
MOTION CARRIED BY UNANIMOUS CONSENT

6.6 Establish future meeting dates and agenda items, including discussion and possible action on October meetings change to accommodate National Night Out. (Council)

The next City Council meeting will be Tuesday, July 31, at 7:00pm

Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 8:12 p.m.

Approved this 4th day of September 2018.


Stephanie Martinez,
Executive Administrative Assistant




Thomas G. Kolupski
Mayor