

The City Council of the City of Seabrook met in regular session on Tuesday, June 15, 2021 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:

THOM KOLUPSKI	MAYOR
ED KLEIN	COUNCIL PLACE NO. 1
ROB HEFNER	COUNCIL PLACE NO. 2
JEFF LARSON	COUNCIL PLACE NO. 3
MICHAEL GIANGROSSO	COUNCIL PLACE NO. 4
BUDDY HAMMANN	MAYOR PRO TEM
JOE MACHOL	COUNCIL PLACE NO. 5
GAYLE COOK	COUNCIL PLACE NO. 6
SEAN LANDIS	CITY MANAGER
STEVE WEATHERED	DEPUTY CITY MANAGER
ROBIN LENIO	CITY ATTORNEY
	CITY SECRETARY

Mayor Kolupski called the meeting to order at 7:00 p.m. and led the audience in the United States and Texas Pledges of Allegiance.

1. PUBLIC COMMENTS AND ANNOUNCEMENTS

Yan Lacroy, owner of food truck at the corner of 1st Street and Cook Avenue, stated that the food truck runs on a generator because it cannot be hooked up to the meter. He asked if the City Council would take a look at the food truck ordinance and consider making an amendment to allow using the meter's electricity, which would save him about \$1,000 per month.

Ron Klinger, 2034 Willow Wisp Drive, explained that he is the former mayor of the City of Dickinson and now lives in Seabrook. His neighbor across the street, at 2033 Willow Wisp, has several issues that have resulted in the police being called out several times for welfare checks. There are unpleasant people coming over to that address. The water has been shut off for months until the resident's father had it turned back on recently. There have been assaults at that address, some involving weapons. It is believed that the resident has an addiction issue. No one is helping this man and it needs to be reported to the City.

Paul Robinson, 4600 Country Club Drive, Dickinson, reminded the City Council that the Texas Outlaw Challenge event will be June 24-27 and he has invitations for members of the City Council. There will be a casino night at Marine Max on Saturday. Mr. Robinson has had some challenges this year with a threat of closure by TXDOT, which was worked out and the closure has been delayed. The County scheduled the channel to be closed during the event, but Mr. Robinson collaborated with the County to keep it open until after the event. Now, the Special Event permit process with the City is still not completed, and the event takes place in less than two weeks. Ms. Petersen has been very supportive, and Mr. Robinson hopes to have the special event permitting process completed soon. The proof of liability insurance was given to Ms. Petersen

46 this evening. Mr. Robinson thanked City Council for their support of the Texas Outlaw Challenge
47 and stated that there are about 130-140 boats registered for the event this year.
48

49 Robert Lamy, 1830 Lakeside Drive, explained that he is back at a City Council meeting to
50 follow up on the noise complaints from two weeks ago. There has been no improvement, other
51 than when the weather was not cooperating for an outside event. The music is cranking until
52 10:00pm on Saturdays and Sundays. It seems like the Barge could care less about the community.
53 The neighborhood does not expect the business to be shut down; however, it is not a good situation.
54 After the last City Council discussion, it was expected that the speakers would be moved to try to
55 mitigate some of the noise, but nothing has changed.
56

57 Deborah Palumbo, 2037 Willow Wisp Drive, stated that she lives next door to the
58 gentleman that was reported earlier this evening by Mr. Klinger at 2033 Willow Wisp. Ms.
59 Palumbo has pictures showing that everything at that property has been destroyed. The grass needs
60 to be mowed. The inside of the windows are covered with flies. There is feces everywhere. Ms.
61 Palumbo has had to install a seven (7) foot privacy fence to keep this neighbor out of their yard
62 and so that the mess cannot be seen. Rats and mice come onto Ms. Palumbo's enclosed patio from
63 next door. Selling a house in the neighborhood would be impossible because of the condition of
64 2033 Willow Wisp. Something needs to be done about the situation.
65

66 Teresa Hogrefe, 2002 Oceanview Drive, explained that Seabrook used to be a wonderful
67 place to live, but now the property at 2033 Willow Wisp, with glass in the front yard and on the
68 street and trash and syringes in the yard, has caused neighbors to be afraid and our property values
69 to go down. The police have been called. No one seems to care. Neighbors pay taxes and are
70 good citizens. The house in question is directly across from Judge Pirtle's house. Something needs
71 to be done.
72

73 **7. CLOSED EXECUTIVE SESSION – by Consensus the City Council agreed to move item**
74 **7.1 up in the agenda.**
75

76 **7.1 Section 551.071**

77 Conduct a closed executive session to consult with and receive advice from attorney regarding
78 building and safety codes, nuisances and enforcement as provided under Texas Government Code
79 Section 551.071. *Steven L. Weathered, City Attorney*
80

81 At 7:18 p.m., Mayor Kolupski announced that the City Council will now hold a closed
82 executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government
83 Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in
84 Sections 551.071, Consultation with City Attorney.
85

86 At 8:02 p.m., Mayor Kolupski reconvened the meeting in open session and stated that
87 item 7.1 had been discussed, but that no action had been taken in executive session.
88
89
90

91 **2. CONSENT AGENDA**

92
93 **2.1** Approve the revision to the Joint Participation Agreement between the City of Seabrook and
94 Harris County for drainage facilities project in Baybrook and Seascape Subdivisions as part of the
95 2018 Harris County and Harris County Flood Control District Bond Program. *Gayle Cook, City*
96 *Manager and Brian Craig, City Engineer and Assistant Director of Public Works*

97
98 **2.2** Approve on second reading Ordinance 2021-10, "Changing the Normal Start Time for
99 Regular Meetings of the City Council to 6:00p.m." *Joe Machol, Council Position 6*

100
101 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, CHAPTER 2,
102 "ADMINISTRATION", ARTICLE II, "CITY COUNCIL", DIVISION 2, "MEETINGS",
103 SECTION 2-46, "MEETINGS", BY AMENDING SUBSECTION (a), "REGULAR MEETINGS"
104 TO PROVIDE FOR REGULAR MEETING DATES OF THE CITY COUNCIL, WITH
105 COMMENCEMENT TO ORDINARILY BEGIN AT 6:00 P.M.; REPEALING ALL
106 ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT
107 HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE
108 DATE

109
110 **2.3** Approve the minutes of the June 1, 2021 regular City Council meeting. *Alun Thomas, Deputy*
111 *City Secretary*

112
113 *Motion was made by Councilmember Klein and seconded by Councilmember Hammann*

114
115 *To approve the Consent Agenda, as presented.*

116
117 *MOTION CARRIED BY UNANIMOUS CONSENT*

118
119 **3. NEW BUSINESS**

120
121 **3.1** Consider and take all appropriate action on appointments to the Bay Area Houston
122 Convention and Visitors Bureau Board of Directors. *LeaAnn Petersen, Director of Community*
123 *& Visitor Relations*

124
125 LeaAnn Petersen, Director of Community & Visitor Relations, explained that the Bay Area
126 Houston Convention and Visitors Bureau (BAHCVB) Bylaws allows for member cities to appoint
127 one staff person and one tourism representative to serve on the Board of Directors with each city's
128 mayor serving as a non-voting, ex-officio member. Ms. Petersen recommended that
129 Councilmember Mike Giangrosso be appointed to the staff position because of his knowledge and
130 expertise in the hotel industry and that Julie Harman Howell be appointed as the tourism
131 representative, whose resume is attached to the agenda for review.

Motion was made by Councilmember Klein and seconded by Councilmember Machol

To appoint Mike Giangrosso and Julie Harman Howell to the BAHCVB Board of Directors for the City of Seabrook.

MOTION CARRIED BY UNANIMOUS CONSENT

3.2 Consider and take all appropriate action on the termination of the City of Seabrook COVID-19 Declaration of Disaster. *Thomas G. Kolupski, Mayor*

Motion was made by Councilmember Hammann and seconded by Councilmember Giangrosso

To terminate the City of Seabrook COVID-19 Declaration of Disaster.

MOTION CARRIED BY UNANIMOUS CONSENT

3.3 Consider and take all appropriate action on the renewal of the Employee Medical Insurance Plan with BlueCross BlueShield of Texas for the plan year beginning August 1, 2021. *Yesenia Garza, Director of Human Resources*

Yesenia Garza, Director of Human Resources, explained that the City hired a great consultant this year who was able to get such competitive rates that for the second year in a row the City will pay no additional costs for employee medical insurance coverage.

Motion was made by Councilmember Giangrosso and seconded by Councilmember Machol

To approve the renewal of the Employee Medical Insurance Plan with BlueCross BlueShield of Texas for the plan year beginning August 1, 2021.

MOTION CARRIED BY UNANIMOUS CONSENT

3.4 Consider and take all appropriate action on the renewal of the Employee Dental Plan with Aetna for the plan year beginning August 1, 2021. *Yesenia Garza, Director of Human Resources*

Ms. Garza informed Council that the Dental Plan rates have come in at no additional cost to the City.

Motion was made by Councilmember Klein and seconded by Councilmember Hammann

To approve the renewal of the Employee Dental Plan with Aetna for the plan year beginning August 1, 2021.

MOTION CARRIED BY UNANIMOUS CONSENT

180 **3.5** Consider and take all appropriate action on the renewal of the Employee Vision Plan with
181 Superior Vision for the plan year beginning August 1, 2021. *Yesenia Garza, Director of Human*
182 *Resources*

183
184 Ms. Garza, explained that the City would pay no additional costs for the Employee Vision
185 Plan.

186
187 *Motion was made by Councilmember Giangrosso and seconded by Councilmember Hammann*

188
189 *To approve the renewal of the Employee Vision Plan with Superior Vision for the plan year*
190 *beginning August 1, 2021.*

191
192 *MOTION CARRIED BY UNANIMOUS CONSENT*

193
194 **3.6** Consider and take all appropriate action on the renewal of Life Insurance, Accidental Death
195 & Dismemberment and Long Term Disability with Symetra for the plan year beginning August 1,
196 2021. *Yesenia Garza, Director of Human Resources*

197
198 Ms. Garza informed the City Council that the previous service provider, Lincoln Financial,
199 proposed an increase in the rates for Life Insurance, Accidental Death & Dismemberment, and
200 Long Term Disability coverages for City employees; therefore, the Human Resources Department
201 published a bid notice for these plans and Symetra proposed a lower rate, which is 5% lower than
202 last year's rate with Lincoln Financial.

203
204 *Motion was made by Councilmember Hammann and seconded by Councilmember Machol*

205
206 *To approve the renewal of Life Insurance, Accidental Death & Dismemberment and Long Term*
207 *Disability with Symetra for the plan year beginning August 1, 2021.*

208
209 *MOTION CARRIED BY UNANIMOUS CONSENT*

210
211 **3.7** Consider and take all appropriate action on the appointment of a Mayor Pro Tem for a one
212 year term for 2021/2022. *City Council*

213
214 *Motion was made by Councilmember Machol and seconded by Councilmember Giangrosso to*
215 *appoint Councilmember Buddy Hammann as Mayor Pro Tem for a one year term for 2021/2022.*

216
217 *Motion was made by Councilmember Larson to appoint Joe Machol as Mayor Pro Tem for a one*
218 *year term for 2021/2022. Motion died for lack of a second.*

219
220 *MOTION TO APPOINT BUDDY HAMMANN CARRIED BY UNANIMOUS CONSENT*

3.8 Consider and take all appropriate action on the selection/appointment of Council Members as members of / representatives / liaisons to various boards and organizations as outlined in the attached table. *City Council*

The following appointments were made by consensus of all members of the City Council:

ORGANIZATION	PRIMARY	ALTERNATE
Bay Area Houston CVB	Mike Giangrosso	Thom Kolupski
Bay Area Houston Economic Partnership	Ed Klein	Joe Machol
Bay Area Houston Transportation Partnership	Ed Klein	Mike Giangrosso
Clear Lake Area Chamber	Ed Klein	Joe Machol
Economic Alliance Port Region	Thom Kolupski	Buddy Hammann
Galveston Bay Foundation	Joe Machol	Ed Klein
Houston-Galveston Area Council (HGAC)	Thom Kolupski	Mike Giangrosso
Seabrook EDC	Jeff Larson	N/A

4. OLD BUSINESS

4.1 Consider and take all appropriate action on the City's noise ordinance, noise complaints, and possible modifications to the Seabrook Code of Ordinances. *Gayle Cook, City Manager*

Gayle Cook, City Manager, stated that there has been no communication to the City from Barge 295 since the last City Council discussion on this topic, and the Police Department has logged no complaints from residents through June 10.

Mayor Kolupski explained that in the previous discussion with the noise study consultant, a consistent comment was that the decimal level in the City's ordinance of 85 is high. The recommendation is that staff bring an amended ordinance to Council with the maximum decimal level lowered to be in range with other cities in the area and with recommendations for changing the times in the ordinance. This amended ordinance should be brought back at the next City Council meeting. Staff needs to make recommendations on all noise levels, such as barking dogs, mowers, pouring of concrete, etc.

Comments and concerns from Councilmembers included:

- Time change should differentiate between weekday and weekend, for example 9pm Mon-Thurs and 10pm Fri-Sun
- Kemah shuts down concerts at 10:00pm
- It would be helpful to know the type of speakers used in Kemah and at Barge 295
- Just because residents are not showing up at the Council meetings does not mean that there aren't complaints
- Is there a general manager of the Boardwalk in Kemah that the Barge can speak with on Kemah's processes and requirements?
- Sound amplification provisions might be applicable for the amended ordinance

- Would sound amplification permit apply for any sound? If one guy plays guitar in his backyard or at a private club/facility, would that person need the permit? Where do you draw the line?

Ms. Cook stated that the amendments to the ordinance would focus on commercial grade noise levels and requirements and would include modifications to the time, the maximum decimal level, an addition of an amplification permit and a possible addition of special events permit requirements. ***City Council agreed to these modifications by consensus of all members.***

5. DISCUSSION

5.1 Discuss and take all appropriate action on Hotel Occupancy Tax Sponsorship application process and funding. *LeaAnn Petersen, Director of Community & Visitor Relations*

LeaAnn Petersen, Director of Community & Visitor Relations, explained that the Hotel Occupancy Tax (HOT) Sponsorship procedures were updated and approved by the City Council last summer. It is now time for the application process to begin for next fiscal year, and event holders have expressed concerns with the Sponsorship Agreement and the 75/25 Fund Distribution Procedure.

Ms. Petersen continued that the Sponsorship Agreement holds event holders and the City accountable and helps applicants to understand the sponsorship procedures and the HOT laws. One event holder has not signed an agreement and has asked that the subcontractors be removed from the indemnification clause. This same event holder does not want to be required to submit budget details which would reveal the vendors with whom he is doing business. In addition, many event holders have either not submitted final invoicing or have not provided proof for how the funds have been spent, which has resulted in none of the event holders being issued the final 25% of the allocated funding. The procedures are taxing on staff and event holders.

Councilmembers expressed that the idea was good, but the process needs to be made simpler without giving away monies for expenditures that are not specifically set out in the hotel occupancy tax statute. It is understandable that event holders do not want to reveal their vendors and the City needs to help the applicants to be able to get the final 25% of the funding.

Ms. Cook stated that staff now has a general direction from Council and will draft revisions to the procedures to bring back to City Council in July.

6. ROUTINE BUSINESS

6.1 Update and report on various items that require no action, including SH 146 Expansion Project, City of Seabrook CIP Projects, City of Seabrook Strategic Plan, City of Seabrook Grant Administration, and 2021 State Legislative Session. *Gayle Cook, City Manager*

Ms. Cook presented Attachment A to update the City Council on various items that require no action.

6.2 Establish future meeting dates and agenda items. *City Council*

The City Council will hold a joint strategic planning workshop with the Economic Development Corporation and the Planning & Zoning Commission on Thursday, June 24, 2021 at 6:00pm.

On Friday, June 25, 2021, at 8:00am, the City Council and City Department Directors will meet in a workshop session to discuss Strategic Planning for FY21/22.

The next regular City Council meeting will be held on Tuesday, July 6, 2021, at 6:00pm at Seabrook City Hall, and budget workshop meetings will be held later in July on the 28th and 29th.

7. CLOSED EXECUTIVE SESSION

7.2 Section 551.074

Conduct a closed executive session to deliberate the evaluation and duties of the City Secretary. *Robin Lenio, City Secretary*

At 8:48 p.m., Mayor Kolupski announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Chapter 551 Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Sections 551.074, Personnel Matters.

8. OPEN SESSION

At 9:57 p.m., Mayor Kolupski reconvened the meeting in open session and stated that item 7.2 had been discussed, but that no action had been taken in executive session.

Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 9:57 p.m.

Approved this 6th day of July, 2021.

Robin Lenio

Robin Lenio, TRMC
City Secretary

Thomas G. Kolupski

Thomas G. Kolupski
Mayor



ATTACHMENT A

Time to Update

CITY COUNCIL UPDATE

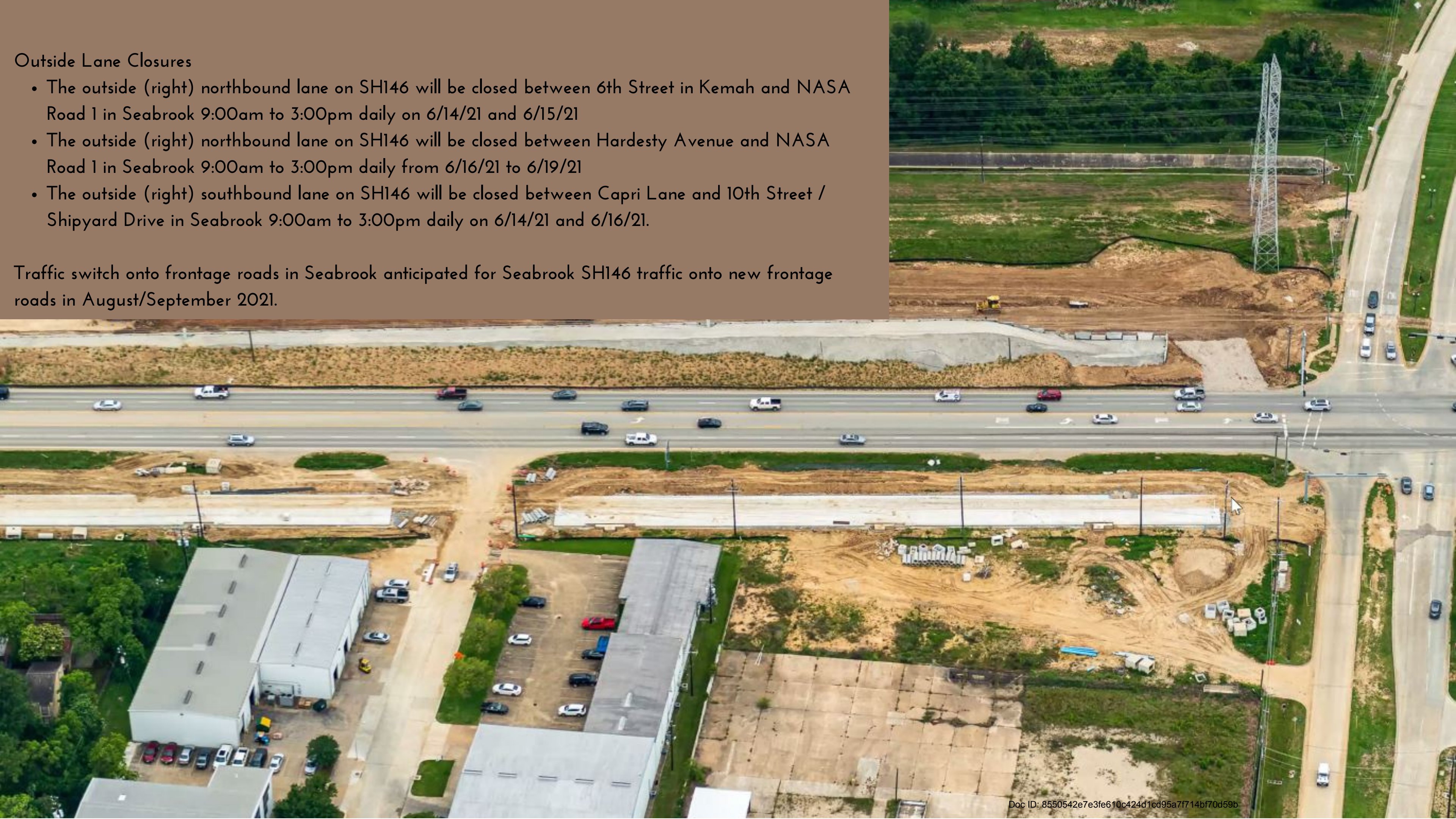
June 15, 2021



Outside Lane Closures

- The outside (right) northbound lane on SH146 will be closed between 6th Street in Kemah and NASA Road 1 in Seabrook 9:00am to 3:00pm daily on 6/14/21 and 6/15/21
- The outside (right) northbound lane on SH146 will be closed between Hardesty Avenue and NASA Road 1 in Seabrook 9:00am to 3:00pm daily from 6/16/21 to 6/19/21
- The outside (right) southbound lane on SH146 will be closed between Capri Lane and 10th Street / Shipyard Drive in Seabrook 9:00am to 3:00pm daily on 6/14/21 and 6/16/21.

Traffic switch onto frontage roads in Seabrook anticipated for Seabrook SH146 traffic onto new frontage roads in August/September 2021.





Capital Improvement Projects

PINE GULLY WASTEWATER
PLANT \$35,946,438

HMGP Grant - FEMA and TDEM have met on Seabrook's application and will issue an update in June 2021

SH 146 CITY UTILITY RELOCATES
\$3,694,358

Due to SH 1456 expansion city infrastructure was required to relocate out of state right of way

SMART METERS \$3,000,000
Certificates of Obligation were issued in 2020 to replace all the water meters with new technology and real time tracking to customers. Staff is working with consulting team on data integration and equipment orders.

SEASCAPE AND BAYBROOK
SUBDIVISION \$2,238,000
Two drainage improvement projects in partnership with a grant from Harris County. Staff has received plans and in review.

Grants Update

Texas Parks and Wildlife Grant (TPWG) 4,500 linear feet of decomposed granite and two bridge crossings over Pine Gully for a hike and bike trail. *Pending Summer Announcements from Texas Parks and Wildlife*

Livable Centers Program (HGAC) – *Next Stakeholder Meeting July 13, 2021*
Website www.oldseabrookdistrict.com

Harris County – Partnership Grants Hike and Bike Trail Approved on Meyer from SH 146 to N. Meyer *Pending Engineering Kick-Off*

Port of Houston – Community Grant Submitted for Seabrook Wildlife Trail Head Improvements *Pending awards of Full Application submittals*

Thank You

QUESTIONS
