The City Council of the City of Seabrook met in regular session on Tuesday, December 17, 2013 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
GAYLE COOK	CITY MANAGER
SEAN LANDIS	ASSISTANT CITY MANAGER
STEVEN L. WEATHERED	CITY ATTORNEY
MICHELE L. GLASER	CITY SECRETARY

Mayor Royal called the meeting to order at 7:02 p.m. and led the audience in the United States and Texas Pledges of Allegiance.

1.0 PRESENTATIONS

1.1 Recognition of the Winners of the Old Seabrook Holiday Decorating Contest. (Dearman)

Director of Information, LeaAnn Dearman announced that Gulf Coast Limestone won first place and Buddy Bites won second place.

1.2 Presentation by Bay Access and the Harvest Moon Regatta thanking the City Council for its contribution of Hotel Tax Funds for sailing events and programs.

Organizers presented a framed poster to the city in thanks for its contribution.

2.0 PUBLIC COMMENTS AND ANNOUNCEMENTS – None

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

Councilor Giangrosso announced upcoming events.

3.0 CONSENT AGENDA

3.1 Removed by the Consent Agenda by Councilor Holbrook.

3.2 Approve the November 2013 Building Report. (Landis)

3.3 Approve the November 2014 Public Safety Report. (Holomon)

3.4 Approve the minutes of the November 19, 2013 special joint meeting. (Glaser)

3.5 Approve the minutes of the December 3, 2013 regular council meeting. (Glaser)

3.6 Consider/approve the Scope of Work for the Water and Sewer Rate Study with Atkins North America, Inc. in an amount not to exceed $25,000. This is a budgeted item. (Cook)

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To approve the Consent Agenda with the exception of Item 3.1

MOTION CARRIED BY UNANIMOUS CONSENT.

END OF CONSENT AGENDA

3.1 Approve a special events permit request and a waiver of permit fee from the Assistance League of the Bay area to hold a 5K race using the trails and the Meador Park Pavilion on February 1, 2014 from 7:00 a.m. until 12:00 p.m. Permission is contingent upon receipt of correct proof of insurance. (Applicant)

Motion was made by Councilor Holbrook and seconded by Councilor Johnson

To approve the special events permit provided that any amplified sound will be directed away from residences.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.0 NEW BUSINESS

4.1 Consider first reading of proposed Ordinance No. 2013-26, "Amend Types of Utility Charges and Establish Such Charges by Resolution." (Padgett/Lab)

AN ORDINANCE AMENDING ORDINANCE NO. 2007-19 AND CHAPTER 95, DIVISION 2 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS UPDATING AND REVISING PROVISIONS RELATED TO UTILITY METERS, DAMAGE TO CITY EQUIPMENT, DEPOSITS, LIENS, AND ENFORCEMENT, REMOVING CERTAIN CURRENT CHARGES FOR UTILITY USE FROM THE CODE, PROVIDING THAT ALL SUCH FUTURE UTILITY CHARGES SHALL BE ESTABLISHED BY RESOLUTION; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2,000 FOR ANY VIOLATION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Assistant Director of Public Works Kevin Padgett stated that some new fees, such as meter re-read, audit and meter tampering fees will be added by resolution so that Seabrook's fees are in line with neighboring cities. The new fees will be effective in January and will be advertised on the city web site.

Motion was made by Councilor Holbrook and seconded by Councilor Davis

To approve first reading of Ordinance No. 2013-26 with the reading of the caption serving as the reading of the ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

4.2 Consider approval of first reading of proposed Ordinance No. 2013-23, "The Commons at Seabrook Planned Unit Development." The required public hearing for this item was held during the special joint Council/P&Z Commission meeting at 6:00 p.m. on this date. (Applicant/P&Z)

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, APPENDIX A, "COMPREHENSIVE ZONING", ARTICLE 2, "ADMINISTRATION", SECTION 2.05, "OFFICIAL ZONING MAP", BY REZONING APPROXIMENTALLY 22.61 ACRES FROM A TRACT OF LAND OUT OF THE RUGGLES SUBDIVSION, A SUBDIVISION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 5, PAGE 30 OF THE MAP RECORDS OF HARRIS COUNTY, TEXAS, AND BEING SITUATED IN THE RITSON MORRIS SURVEY, ABSTRACT NUMBER 52, HARRIS COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A," FROM "C-3" HEAVY COMMERCIAL DISTRICT TO PLANNED UNIT DEVELOPMENT "PUD," TO BE IDENTIFIED AS "THE COMMONS AT SEABROOK" (CONSISTING OF 14.734 ACRES FOR A 416 UNIT APARTMENT COMPLEX, 6.58 ACRES FOR RETAIL DEVELOPMENT, AND 1.295 ACRES FOR A STREET); PROVIDING FOR AN AMENDMENT OF THE CITY'S OFFICIAL ZONING MAP; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR A PENALTY IN AN AMOUNT NOT TO EXCEED $2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; AND PROVIDING FOR SEVERABILITY.

Planning and Zoning Commission Chairman, Michael Potts stated that the Commission unanimously approved the final PUD plan with the condition that staff reconcile the table of contents with the actual PUD document. (See Attachment A.)

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To approve first reading of Ordinance No. 2013-26 with the reading of the caption serving as the reading of the ordinance with the following conditions/amendments:

1) That staff reconcile the table of contents with the actual PUD document as recommended by the Planning and Zoning Commission;

2) That the applicant hydro mulch on commercial Parcels A, B and C.

3) That the children's splash pad be made an optional, rather than a required, amenity for the apartments.

Council members discussed whether to allow substitution of finishes in the apartments provided that the substitutions made were equal to or greater than the requirement listed in the PUD. However, Mr. Matthew Hales, Western Rim Development stated that he did not ~~need~~ require this clause, but will accept the addition.

After discussion, a fourth item was added:

4) To allow equal or greater quality substitution of finishes.

MOTION CARRIED BY UNANIMOUS CONSENT.

Mr. Landis stated that he will work with the applicant to add these conditions in the document before final reading.

5.0 ROUTINE BUSINESS

5.1 Consider approval of the Action Items Checklist which is attached and made a part of this agenda. (Council)

Motion was made by Councilor Holbrook and seconded by Councilor Giangrosso

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT.

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

Items on upcoming agendas are:

1) Consider regulations regarding hunting within the city. (Johnson – 1/7/14.)

2) Consider recommendations from the Public Safety Task Force concerning expenditures from the Public Safety Fund for 2014. (Davis – 1/21/14.)

Upon motion, Mayor Royal adjourned the meeting at 7:42 p.m.

Approved this 21st day of January 2014.

Glenn R. Royal

Glenn R. Royal, Mayor

Michele L Glaser

Michele L. Glaser, TRMC
City Secretary

THE CITY OF SEABROOK TEXAS