The City Council of the City of Seabrook met in regular session on Tuesday, May 6, 2014 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 – Ex. Abs.	COUNCIL PLACE NO. 1
MIKE GIANGROSSO	COUNCIL PLACE NO. 2
GARY JOHNSON	COUNCIL PLACE NO. 3
DON HOLBROOK – Ex. Abs.	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 7:00 p.m. Cub Scout Troop # 95 led the audience in the United States and Texas Pledges of Allegiance.

Mayor Royal took Items 2.1, 2.2 and 2.3 out of order.

2.0 PRESENTATIONS

2.1 Certificates of Appreciation presented to parks volunteers. (Council)

Mayor Royal presented the certificates to the volunteers.

Helen Burton, Chair of the Open Space and Trails Committee thanked Dow Chemical for giving Seabrook $8000 for trees and an irrigation system for the trees.

2.2 Administer the Oath of Office to Chief of Police Sean Wright.

Judge Webbon administered the Oath of Office to Chief Wright and recently retired Chief Nona Holomon pinned the new police chief's badge on Chief Wright.

1.0 INTERVIEW CANDIDATES FOR VARIOUS BOARDS & COMMISSIONS

1.1 Interview candidates for openings on various boards and commissions. (Council)

Council interviewed William Cody Wilson.

3.0 PUBLIC COMMENTS AND ANNOUNCEMENTS

Jenny Arunyon, Todville Road and a member of the Memorial Committee asked the city to provide public works and police department staff to assist in the Memorial Day Celebration. She also asked to be placed on an agenda in June to discuss this matter.

Joe Machol, Repsdorph thanked Council for working with him on this event and invited Council to participate in the event.

Terry Sones, Baywood, said that Carothers continues to be a noise nuisance. She also stated that the major problem in controlling the noise is the failure of the city to enforce the user contract provisions that prohibit noise outside or inside if the doors are open.

Ernie, Joshua and Hannah Davis thanked Mayor Pro Tem Davis for her service as a councilmember, teacher and mother.

At this point Mayor Royal handed the gavel to Mayor Pro Tem Davis and asked her to conduct the remainder of the meeting.

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

Councilor Giangrosso reminded everyone of the Memorial Day celebration.

4.0 CONSENT AGENDA

4.1 Consider appointment/reappointment of Municipal Court Judge and alternate judges for terms to end June 7, 2017. Carolyn Webbon currently serves as Municipal Court Judge and Diane Clark, Dick Gregg, III and David Salinsky currently serve as alternate judges.

4.2 Consider appointment/reappointment of citizen EDC members for two-year terms to expire in May 2016. Current members are Gary Bell, Terry Chapman, Ernie Davis, Paul Dunphey and Bob Poston. (Royal)

4.3 Removed from the Consent Agenda by Councilor Kolupski.

4.4 Approve the minutes of the regular city council meeting on April 15, 2014. (Glaser)

4.5 Approve an excused absence for Robert Llorente for the April 15 and May 6, 2014 regular city council meetings. (Glaser)

Motion was made by Councilor Giangrosso and seconded by 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 Consider support of a state constitutional amendment on the November 2014 ballot to provide that a portion of existing oil and gas severance taxes be dedicated to the State Highway Fund. (Royal)

Motion was made by Mayor Royal and seconded by Councilor Kolupski

To approve Agenda Item 4.3.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.0 NEW BUSINESS

5.1 Consider additional funding in an amount not to exceed $66,000 for the Seascape I street paving and waterline improvements. (Cook)

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5.2 Award bid for Seascape I street paving and water line improvements to low bidder Metro City Construction, L.P. for the sum of $587,030.80. (Chairez)

At the suggestion of Mr. Weathered, Items 5.1 and 5.2 were considered together.

Mrs. Cook asked for funding in the amount of $66,000 from reserves as the low bid had exceeded the estimated cost. She stated that most of the overage was due to the increasing cost of concrete and paving.

City Engineer, Brad Matlock stated that this is a common problem as the price of construction materials, especially cement, has increased rapidly. He stated that beginning estimates include a 20-25 percent override. The final estimate includes a 10 percent contingency. Mayor Royal, Councilor Johnson and Councilor Kolupski all expressed concern about the under estimation of recent project costs and asked that this problem be remedied.

Councilor Johnson noted that the low bidder's estimate of traffic control costs was much lower than other bidders and asked Mr. Matlock if he felt the price quoted for traffic control was sufficient. Mr. Matlock stated that the cost of traffic control compares favorably with Phases 1 and 2, the on-site inspector assists and the public has cooperated, as they are familiar with the project.

Mr. Matlock and Public Works Director Arthur Chairez stated that the low bidder's references were good and that the contractor had done previous work for the City of El Lago and for Harris County on the Red Bluff Road project. The project will start as soon as the school year ends. Substantial completion is expected after 60 days with final completion after 90 days.

Councilor Kolupski stated that the bids need to carry a higher contingency or use a General Project Manager to prevent the city from overloads on these projects. Mr. Matlock stated to obtain estimates, he compares to other like projects within the firm and he also contacts large and small contractors.

Motion was made by Mayor Royal and seconded by Councilor Giangrosso

To approve additional funding from Reserves in an amount not to exceed $66,000 for Bid Project No. 2014-03 and to award Bid Project No. 2014-03 to low bidder Metro City Construction, L.P. for the sum of $587,030.80 as recommended by staff.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.3 Consider possible solutions to complaints of noise at Carothers Gardens during events. (Royal)

Mrs. Cook stated that she met with the police, public works and the city event coordinator after the most recent event causing noise. As a result of that meeting, the public works department has installed new hinges on all outside doors to make them close automatically. In addition, off-duty officers will now stay through the clean up until everyone has left the facility and grounds. She stated that these two solutions will start immediately, including those users who have already reserved the facility.

Mrs. Cook also recommended that the city require the use of deejay vendors from a city approved list. These vendors would have been made aware of the city's policies. In addition, Mrs. Cook recommended that the city require that a private event coordinator be on site during the function and cleanup to help insure city rules are met. If approved, Mrs. Cook stated that these two items would be in effect for all reservations made after approval.

Councilor Giangrosso stated that at his hotels, the staff always meets with all vendors in advance.

Councilor Johnson stated that although the automatic door closers are a help, renters can override by propping the doors open. He suggested that the police security make sure that the doors remain closed.

Motion was made by Mayor Royal and seconded by Councilor Kolupski

To accept staff's recommendations for noise control.

Motion was made by Councilor Giangrosso and seconded by Councilor Kolupski

To amend the motion to direct staff to send a letter to all users, currently under contract for a future event, reminding them of the city's requirements for use of the facility.

MOTION TO AMEND CARRIED BY UNANIMOUS CONSENT.

THE ORIGINAL MOTION AS AMENDED CARRIED BY UNANIMOUS CONSENT.

5.4 Consider first reading of proposed Ordinance No. 2014-11, "Civil Service Classification System Continuation with Changes to Positions" as approved by the Civil Service Commission on April 28, 2014. (Cook)

AN ORDINANCE CONTINUING A CIVIL SERVICE CLASSIFICATION SYSTEM CONSISTING OF CLASSES, POSITIONS, PAY GRADES AND COMPENSATION LEVELS IN THE CLASSIFIED SERVICE OF THE SEABROOK POLICE DEPARTMENT; ESTABLISHING GROSS MONTHLY BASE SALARY RATES FOR EACH CLASSIFICATION; ESTABLISHING CERTAIN BENEFITS FOR CLASSIFIED MEMBERS; PROVIDING FOR A REPEAL WITH LIMITED EXTENSION; PROVIDING A SEVERABILITY CLAUSE, AN EFFECTIVE DATE, CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT AND REPLACING PREVIOUSLY ADOPTED ORDINANCE NO. 2013-21

Motion was made by Mayor Royal and seconded by Councilor Giangrosso

To approve first reading of proposed Ordinance No. 2014-11 with the reading of the caption serving as the reading of the ordinance.

MOTION CARRIED BY UNANIMOUS CONSENT.

5.5 Consider appointments to the Ethics Review Commission and the Open Space and Trails Committee. (Glaser)

Motion was made by Mayor Royal and seconded by Councilor Kolupski

To appoint the following persons: William Cody Wilson as regular member of the Ethics Review Commission for an unexpired term ending October 2015; Ashley Cook as an alternate member of the Ethics Review Commission for an unexpired term ending October 2015; and David Popken as a Member of the Open Space and Trails Commission with an unexpired term ending June 2015.

MOTION CARRIED BY UNANIMOUS CONSENT.

6.0 ROUTINE BUSINESS

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

At the request of members, updates were given on the following items.

Item 5. "Deleting Existing Point Overlay Sign Regulations Tabled by the P&Z Commission". Mr. Landis reported that the Commission will consider rezoning "the Point" so that it is separate from the current MMU zoning district. Discussion of sign regulations will take place during this review.

Item 19. "Surf Oaks Dedication." Mrs. Cook reported that document preparation is not complete, but should be ready within the next week.

Item 28. "Left Turns on SH 146." Mrs. Cook stated that she had spoken to the traffic engineer who is awaiting information from TxDOT.

Motion was made by Councilor Kolupski and seconded by Councilor Johnson

To approve the Action Items Checklist.

MOTION CARRIED BY UNANIMOUS CONSENT.

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

Councilor Johnson asked that discussion on overflow parking on the Point be placed on the next agenda. Mrs. Glaser stated that she would place discussion of a new council group photo on the next agenda. Councilmembers agreed to attend a special meeting on June 3 at 6:00 p.m. for an informational session conducted by Bond Counsel.

7.0 EXECUTIVE SESSION

At 8:28 p.m. Mayor Pro Tem Davis announced that the City Council will now hold a closed executive meeting pursuant to the provisions of the Open Meetings Act, Charter 551, Government Code, and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section 551.074, Personnel Matters.

Section 551.

7.1 Conduct an Executive Session to deliberate the evaluation and duties of the City Manager. (Royal)

8.0 OPEN MEETING

At 8:54 p.m. Mayor Pro Tem Davis reconvened the meeting in open session and stated that no action had been taken in Executive Session. No action was taken in open session.

Upon motion, Mayor Pro Tem adjourned the meeting at 8:54 p.m.

Approved this 13th day of May 2014.

Glenn R. Royal, Mayor

Michele L. Glaser, TRMC
City Secretary