

1 The City Council of the City of Seabrook met in regular session on Tuesday, April 4, 2023 at 6:00
2 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:

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|----|-----------------------------|-----------------------------------|
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| 7 | THOM KOLUPSKI | MAYOR |
| 8 | JACKIE RASCO | COUNCIL PLACE NO. 1 |
| 9 | ROB HEFNER | COUNCIL PLACE NO. 2 |
| 10 | TOM TOLLETT | COUNCIL PLACE NO. 3 |
| 11 | MICHAEL GIANGROSSO | COUNCIL PLACE NO. 4 |
| 12 | BUDDY HAMMANN | MAYOR PRO TEM/COUNCIL PLACE NO. 5 |
| 13 | JOE MACHOL – arrived 7:55pm | COUNCIL PLACE NO. 6 |
| 14 | GAYLE COOK | CITY MANAGER |
| 15 | SEAN LANDIS | DEPUTY CITY MANAGER |
| 16 | LOREN B. SMITH | INTERIM CITY ATTORNEY |
| 17 | ROBIN LENIO | CITY SECRETARY |
| 18 | | |

19 Mayor Kolupski called the meeting to order at 6:00 p.m. and led the audience in the Pledges of
20 Allegiance.

21
22 **1. PRESENTATIONS**

23
24 **1.1** Presentation of the Saltwater Derby Post Event Report. *Dr. Melissa Everett*

25
26 The Saltwater Derby Post Event Report will be presented at the April 18, 2023 City Council
27 meeting.

28
29 **1.2** Presentation of a Proclamation to recognize April 23-29, 2023 as National Library Week and
30 receive a report and update on Evelyn Meador Library Activities. *Thom Kolupski, Mayor and*
31 *Milagros Andrada-Tanega, Library Branch Manager*

32
33 Mayor Kolupski read and presented a proclamation to the Evelyn Meador Library to
34 recognize April 23-29, 2023 as National Library Week.

35 Library Branch Manager, Milagros Andrada-Tanega updated Council on recent library
36 activities, including that 10,428 patrons used the library in 2022; 84,255 books were checked out;
37 629 programs were offered; and computers were used in the library 66,852 times. Some, but not
38 all, of the activities and services offered were free seeds for gardens, garden tool checkout, sewing
39 machines available for use, book clubs, blood drives, vaccination clinics, interpreter services, and
40 small business workshops. The Evelyn Meador Library will turn 35 on June 26, 2023, and the
41 library is planning a donor wall dedication. To hear Ms. Tanega’s full report, please listen to the
42 audio of the April 4, 2023 meeting on the City’s website at www.seabrooktx.gov/agendacenter.

43
44

45 **1.3** Presentation of a Proclamation to recognize April 9-15, 2023 as National Public Safety
46 Telecommunicator Week. *Thom Kolupski, Mayor*

47
48 Mayor Kolupski read and presented a proclamation to a member of the City of Seabrook
49 Dispatch team to recognize April 9-15, 2023 as National Public Safety Telecommunicator Week.

50
51 **1.4** Presentation of a Proclamation to recognize April 9-15, 2023 as National Animal Control
52 Officer Appreciation Week. *Thom Kolupski, Mayor*

53
54 Mayor Kolupski read and presented a proclamation to Lead Animal Control Officer,
55 Dwayne Vanselous and Animal Control Officer, Chris Herbert, to recognize April 9-15, 2023 as
56 National Animal Control Officer Appreciation Week. Ms. Vanselous thanked his team for their
57 hard work and explained that it truly is a team effort.

58
59 **1.5** Presentation of a Proclamation to recognize April 16-22, 2023 as National Volunteer
60 Week. *Thom Kolupski, Mayor*

61
62 Mayor Kolupski read and presented a proclamation to City volunteers Ronica Hall
63 (Citizens Emergency Response Team), Debra Harper (Open Space & Trails Committee), Jesse
64 Jones (Open Space & Trails Committee), and Terry Moore (Board of Adjustment) to recognize
65 April 16-22, 2023 as National Volunteer Week

66
67 **2. PUBLIC COMMENTS AND ANNOUNCEMENTS**

68
69 Scott Felsenthal (2917 Shoreline Ct) and Chad Sims (2345 Orleans Lane), spoke in favor
70 of adding utility vehicles to the golf cart ordinance. Terry Moore, 2709 N. Meyer, spoke in
71 opposition of adding utility vehicles to the golf cart ordinance.

72
73 Several persons spoke about the No Parking Zone on Baywood Drive, including: Terri
74 Sones (529 Baywood Drive); Richard Rogers (414 Baywood Drive); Charles King (526 Baywood
75 Drive); Anna Minder (727 Baywood Drive); Tim Leppard (701 Baywood Drive); Edye Baldwin
76 (705 Baywood Drive); and Mike Murphy (606 Baywood Drive). The comments were about safety,
77 being good neighbors, removing the no parking signs, and asking the City's help to find a solution.
78 Baywood Drive residents are willing to work together on a solution that is legal and acceptable,
79 given the conditions and circumstances.

80
81 Several persons spoke about the denial of the Conditional Use Permit for a Music Venue
82 for Barge 295. Persons who spoke favorably about Barge 295 and small business and believe the
83 CUP should have been granted included Patrick Robinson (Manager of Barge 295); Barbara Marks
84 (Webster); Jamie (Webster); and JP Briers (Taylor Lake Village). Persons who stated appreciation
85 for the denial of the CUP were Joanna Baleson (2128 Willow Dell) and Dawn Davis (2013
86 Oceanview Drive.)

87
88

89 Erica Salvagio, owner, explained that Straight Up Nutrition, 2016 Bayport Blvd in Miramar
90 Shopping Center, is a healthy energy tea and shake club that strives to help people meet their
91 nutrition goals and live a healthy lifestyle. They serve boost drinks with probiotics, a best defense
92 for a person’s immune system and gut health, and beauty teas with energy and biotin and collagen
93 for hair, skin, and nails. There are over 70 delicious flavors of energy teas, and the specialty teas
94 are \$9 with 17 g protein, less than 1 g sugar, vitamins A-E, biotin, collagen, and 115 mg natural
95 caffeine. Other teas are \$8 with 195 mg natural caffeine, less than 1g sugar, and vitamins A-E.
96 Customers will receive energy, mental focus, and hunger control with these delicious tasting teas.
97 Meal replacement shakes and iced coffees are \$9.50 with 24 g protein, low carb and low sugar.
98 For kids, Straight Up Nutrition has hydration drinks with 320 g electrolytes and Vitamin B12. The
99 Grand Opening was January 2, 2023, and owners and staff have enjoyed getting to know the
100 community. Straight Up Nutrition offers sponsorships, spirit days, a loyalty program, and daily
101 discounts on drinks. \$1 off for Municipal Monday, Teacher Tuesdays, and First Responder
102 Fridays, and always a discount for veterans, military and senior citizens. Call ahead orders and
103 delivery are available for the Seabrook community. April 12 will be Tea with a Cop from 9:00am
104 – 11:00am. As mothers, the owners pride themselves on family, love, and building relationships.
105 As business owners, they try to continue that tradition while serving nutritious and best tasting
106 drinks with friendly customer service. Straight Up Nutrition is on all social media platforms.
107 Hours of operation are Mon-Fri 6:00am-6:00pm, Saturdays 9:00am-2:00pm, and closed on
108 Sundays.

109
110 **2.1** Mayor, City Council and/or members of the City staff may make announcements about
111 City/Community events. *City Council*

112
113 Councilmember Hefner announced several upcoming events, including
114
115 **City Offices Closed for Good Friday** – Friday, April 7, 2023
116 **Volunteer Appreciation Event** – April 19 – 6:30pm – 8:30pm – Community House
117 **Keels & Wheels** – May 5-6 – Lakewood Yacht Club

118
119 **3. SPECIFIC PUBLIC HEARING**

120
121 **3.1** Conduct a public hearing to consider and take all appropriate action relating to an amendment
122 to the Seabrook City Code, Appendix A, "Comprehensive Zoning", Article 3, "Establishment of
123 Zoning Districts and Associated Regulations", Section 3.15 "Comprehensive Land Use Regulation
124 Matrix" by changing "Gasoline" Service Station/Convenience Store" from a "Use by Right" to a
125 "Conditional Use" within the following zoning districts: "Medium Commercial District" (C-3),
126 "The Seabrook Town Center Commercial Development Overlay District" (STCOD), and "Light
127 Industrial District" (LI). *Sean Landis, Deputy City Manager*

128
129 Mayor Kolupski opened the Public Hearing.

130
131 Having no speakers come forward, Mayor Kolupski closed the Public Hearing.

132
133

134 **4. CONSENT AGENDA**

135
136 **4.1** Approve the minutes of the March 21, 2023 Regular City Council Meeting. *Robin Lenio,*
137 *City Secretary*

138
139 **4.2** Approve the minutes of the March 28, 2023 Special City Council Meeting. *Robin Lenio,*
140 *City Secretary*

141
142 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Giangrosso to*
143 *approve the Consent Agenda, as presented.*

144
145 **MOTION CARRIED BY UNANIMOUS CONSENT**

146
147 **5. NEW BUSINESS**

148
149 **5.1** Consider and take all appropriate action on first reading of Ordinance 2023-07, "Add the Use
150 of "Gasoline Service Stations/Convenience Stores" to the Comprehensive Land Use Matrix as a
151 Conditional Use." *Sean Landis, Deputy City Manager*

152
153 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX
154 A, COMPREHENSIVE ZONING, ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS
155 AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE
156 REGULATION MATRIX," BY REQUIRING WITHIN THE "MEDIUM COMMERCIAL
157 DISTRICT" (C-2) , "HEAVY COMMERCIAL DISTRICT" (C-3), "THE SEABROOK TOWN
158 CENTER COMMERCIAL DEVELOPMENT OVERLAY DISTRICT" (STCOD), AND "LIGHT
159 INDUSTRIAL DISTRICT" (LI), A CONDITIONAL USE PERMIT FOR "GASOLINE
160 SERVICE STATIONS/CONVENIENCE STORES" USES; PROVIDING A PENALTY IN AN
161 AMOUNT NOT TO EXCEED \$2000 FOR VIOLATION OF ANY PROVISION HEREOF BY
162 INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF
163 ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR
164 SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

165
166 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Tollett to*
167 *approve Ordinance 2023-07, on first reading, "Add the Use of "Gasoline Service*
168 *Stations/Convenience Stores" to the Comprehensive Land Use Matrix as a Conditional Use."*

169
170 **MOTION CARRIED BY UNANIMOUS CONSENT**

171
172 **5.2** Consider and take all appropriate action on first reading of Ordinance 2023-09, "Removing
173 Baywood Drive No Parking Zone". *Rob Hefner, Council At Large Position 2*

174
175 AN ORDINANCE REMOVING THE NO PARKING ZONE ON BAYWOOD DRIVE;
176 AUTHORIZING THE REMOVAL OF SIGNS; AMENDING CHAPTER 90 OF THE CODE OF
177 ORDINANCES OF THE CITY OF SEABROOK, TEXAS, ENTITLED "TRAFFIC AND
178 VEHICLES," ARTICLE III, "STOPPING, STANDING, AND PARKING," DIVISION 1,

179 “GENERALLY,” SECTION 90-80, “SCHEDULE I: NO PARKING ZONES”; PROVIDING
180 FOR A PENALTY IN AN AMOUNT OF NOT MORE THAT TWO HUNDRED DOLLARS
181 (\$200.00) FOR VIOLATION OF ANY PROVISIONS HEREOF BY INCLUSION INTO THE
182 CODE; REPALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR
183 IN CONFLICT HEREWITH; PROIDING FOR SEVERABILITY; AND PROVIDING FOR
184 NOTICE.

185

186 *Motion was made by Councilmember Hefner and seconded by Councilmember Rasco to approve*
187 *first reading of Ordinance 2023-09 to remove the no parking zone on Baywood Drive between*
188 *Todville Road and the bridge.*

189

190 **MOTION CARRIED BY A 4-2 VOTE, WITH MAYOR KOLUPSKI AND COUNCILMEMBER**
191 **TOLLETT VOTING IN OPPOSITION**

192

193 **5.3** Consider and take all appropriate action on the contribution of an amount not to exceed
194 \$5,000.00 to Bay Area Coastal Protection Alliance (BACPA) toward a preliminary study for an
195 Arch Gate design into the Coastal Barrier Project. *Thom Kolupski, Mayor*

196

197 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Hefner to*
198 *approve a contribution of an amount not to exceed \$5,000.00 to Bay Area Coastal Protection*
199 *Alliance (BACPA) toward a preliminary study for an Arch Gate design into the Coastal Barrier*
200 *Project.*

201

202 **MOTION CARRIED BY A 5-1 VOTE WITH COUNCILMEMBER TOLLETT VOTING IN**
203 **OPPOSITION**

204

205 **5.4** Consider and take all appropriate action on designation of a Council representative to the
206 Citizens for Space Exploration visit to Washington D.C. May 22-24, 2023. This trip is not
207 budgeted and will be expensed out of the Councilmember's stipend for FY22-23. *Council*

208

209 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Hefner to deny*
210 *the designation of a Council representative to the Citizens for Space Exploration visit to*
211 *Washington D.C. May 22-24, 2023.*

212

213 **MOTION CARRIED BY UNANIMOUS CONSENT**

214

215 **6. DISCUSSION**

216

217 **6.1** Discuss, consider, and if appropriate, take action on amending Article VII "Regulation of
218 Golf Carts" of the Seabrook Municipal Code of Ordinances by adding new definitions, regulations,
219 and sections related to Off-Highway Vehicles and where such operation of such vehicles on certain
220 roadways or pathways could be authorized. *Jackie Rasco, Council At Large Position 1*

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222

223 *Motion was made by Councilmember Rasco and seconded by Councilmember Hefner to approve*
224 *amending Article VII "Regulation of Golf Carts" of the Seabrook Municipal Code of Ordinances*
225 *by adding new definitions, regulations, and sections related to Off-Highway Vehicles and where*
226 *such operation of such vehicles on certain roadways or pathways could be authorized.*

227
228 *Amendment was made by Mayor Pro Tem Hammann and seconded by Councilmember Rasco to*
229 *amend the original motion to add "for city-wide street use only and not on the trail leading to Ed*
230 *White Elementary School".*

231
232 **MOTION TO AMEND CARRIED BY UNANIMOUS CONSENT**

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234 **ORIGINAL MOTION, AS AMENDED, CARRIED BY UNANIMOUS CONSENT**

235
236 **7. ROUTINE BUSINESS**

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238 **7.1** City Manager update and report to City Council on various items that require no action,
239 including Recap for Seabrook Boards and Commissions, SH 146 Expansion Projects, Port of
240 Houston Rail Spur, Gulf Coast Protection District, City of Seabrook CIP Projects, Legislative
241 Update, and any City of Seabrook Grant Administration. *Gayle Cook, City Manager*

242
243 The City Manager update was postponed until the next City Council meeting on various
244 items that require no action.

245
246 **7.2** Establish future meeting dates and agenda items. *City Council*

247
248 The next regular City Council meeting will be held on April 18 in Council Chamber at
249 6:00pm.

250 **8. CLOSED EXECUTIVE SESSION**

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252 **8.1 Section 551.071**
253 Conduct a closed executive session to consult with attorney on legal matters subject to the attorney-
254 client privilege. *Olson & Olson LLP*

255
256 **8.2 Section 551.071**
257 Conduct a closed executive session to consult with attorney on legal issues associated with
258 CenterPoint Substation. *Lloyd Gosselink*

259
260 At 7:53 p.m. Mayor Kolupski announced that the City Council will now hold closed
261 executive meetings pursuant to the provisions of the Open Meetings Act, Chapter 551 Government
262 Code and Vernon's Texas Codes Annotated, in accordance with the authority contained in Section
263 551.071, Consultation with Attorney.

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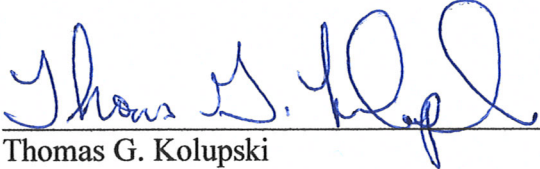
267 **8. OPEN SESSION**

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269 At 7:43 p.m. Mayor Kolupski reconvened the meeting in open session and stated that item
270 7.1 had been discussed, but that no action had been taken in executive session.


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272 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 7:43pm.

273
274 Approved this 2nd day of May, 2023.

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Thomas G. Kolupski
Mayor



Robin Lenio, TRMC
City Secretary

