

1 The City Council of the City of Seabrook met in regular session on Tuesday, August 15, 2023 at
2 6:00 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.

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5 **THOSE PRESENT WERE:**

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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	COUNCIL PLACE NO. 6
14	GAYLE COOK	CITY MANAGER
15	SEAN LANDIS	DEPUTY CITY MANAGER
16	DAVID OLSON	CITY ATTORNEY
17	MARIA LAWLER	ACTING 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.

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22 **1. PUBLIC COMMENTS AND ANNOUNCEMENTS**

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24 Greg Businelle, stated that he's been a resident of Seabrook for twelve years or so, has
25 raised his kids here, and was president of Seabrook HOA and was on the Carothers Community
26 Board. He loves the City of Seabrook and finds himself the treasurer of a tiny HOA called Natches
27 Landing on Nasa Rd 1, many of the residents there are on fixed income and money is tight. They
28 have been looking for ways to save money and came across some monthly expense for waste
29 management that routinely approaches \$1,300.00 a month for two trashcans. He then blindly
30 sought some new bids and received three quotes for less than \$500.00 a month. That's a saving's
31 of \$800.00 a month for their HOA, \$9,600.00 a year over a 5 year term and all the HOA and
32 businesses, that's a million dollars. He has found out that Waste Management has what looks to
33 be a monopoly on trash pick-up in Seabrook since January of 2018. He encouraged Council to
34 make sure bids in the bid process are in line with current market prices not 2 and 3 times more,
35 and direct staff to go out and find more bids and don't vote on contracts that are hitting the most
36 vulnerable people in this City in their pocket books. Mr. Businelle hopes that City Council will
37 fix the Waste Management problem that we have in Seabrook because it stinks.

38
39 Paul Robinson introduced himself and stated that he produces the Texas Outlaw Challenge
40 Boating Event, a City sponsored event here in Seabrook with the HOT tax program. He
41 acknowledged that the HOT tax program is going to be a challenge this year. It's going to be
42 juggle of how to spend those dollars efficiently but with the percentages down it's a whole new
43 ball game. He has started the Outlaw Challenge planning already, looking at invoices getting ready
44 to renew tourism and advertising activity and the money is going to run out very quickly. He
45 understands the program and it's his responsibility to come to Council with a possible option. It

46 was obvious to him when he was looking outwards a few months, that the issue could be a little
47 less hard to manage if there was an amendment to the policy going back a few years to when
48 Council gave awards out at the 100% level and did not retain 25% until a month after the event
49 was over. It doesn't cost any more to do that, and thinks the City has more established events and
50 that the risk would be very little. He encouraged Council to look maybe into amending that for
51 this coming year, 2024, due to what they are facing. Having those funds available on the proper
52 invoicing and not withholding the 25% would alleviate some of the challenge they are facing this
53 year. He stated, we are all in this together, the City does provide great funding for the Texas
54 Outlaw Challenge event. He can't speak for the other events but he knows on his behalf he sees
55 ahead and that would be a great help, if possible.

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57 **1.1** Mayor, City Council and/or members of the City staff may make announcements about
58 City/Community events. City Council

59
60 Councilmember Hefner announced upcoming events, including

- 61 • **Seabrook Police Chief Community Meet & Greet** – Wednesday, August 23, 2023 –
- 62 *Public Works Training Room – 6:00pm – 7:30pm*
- 63 • **Labor Day** – Monday, September 4, 2023 – *City Offices Closed*
- 64 • **Kids' Fish** – Saturday, September 9, 2023 -*Bayside Park- 8:00am- 10:00am*
- 65 • **Toughest 10K**– Sunday, September 17, 2023- *special event permit pending – [Course](https://www.onetough10k.org)*
- 66 [Map-The Toughest 10K Kemah \(onetough10k.org\)](https://www.onetough10k.org)
- 67
- 68

69 **2. SPECIFIC PUBLIC HEARING**

70
71 **2.1** Conduct a public hearing on a request to amend the Code of Ordinances of the City of
72 Seabrook, Texas, by revising Chapter 38, "Flood", Article II, "Flood Damage Prevention", to
73 provide for the creation of new general provisions, definitions, permitting and variance procedures,
74 and flood damage reduction regulations; allowing for compliance with the National Flood
75 Insurance Program regulations. *Nick Kondejewski, Building Official and Floodplain*
76 *Administrator*

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78
79 Nick Kondejewski, Building Official and Floodplain Administrator, presented the
80 information for the Public Hearing.

81
82 Having no speakers come forward, Mayor Kolupski closed the Public Hearing.

83
84 **2.2** Conduct a public hearing on a request to amend the Seabrook Code of Ordinances by revising
85 Chapter 18, "Buildings and Building Regulations" and Chapter 34, "Fire Prevention and
86 Protection" to provide for registration for all contractors, to adopt updated versions of various
87 building and trade codes; to enumerate City amendments to such codes; to renumber sections and
88 subsections as necessary and to provide for other related miscellaneous amendments. *Nick*
89 *Kondejewski, Building Official and Floodplain Administrator*

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91 Nick Kondejewski, Building Official and Floodplain Administrator, presented the
92 information for the Public Hearing.

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

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96 **3. BID AWARDS**

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98 **3.1** Consider and take all appropriate action on a Bid Award and execution of a contract between
99 the City of Seabrook and Faith Utilities, LLC. for CIP W29, Project 2023-10, for the replacement
100 of approximately 1,130 feet of aging six inch water main line, services, and fire hydrants along
101 Shady Lake Drive, in an amount not to exceed \$91,980.00. *Kevin Padgett, Director of Public*
102 *Works*

103

104 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Tollett to*
105 *approve a Bid Award and execution of a contract between the City of Seabrook and Faith Utilities,*
106 *LLC, for CIP W29, Shady Lake Drive, in an amount not to exceed \$91,980.00.*

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108 **MOTION CARRIED BY UNANIMOUS CONSENT**

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110 **3.2** Consider and take all appropriate action on a Bid Award and execution of a contract between
111 the City of Seabrook and Alcott, Inc. dba TCH for CSB 2023-20-337, for Taylor Lake Water Line
112 Crossing at Red Bluff, in an amount not to exceed \$2,523,206.00. *Kevin Padgett, Director of*
113 *Public Works*

114

115 *Motions was made by Mayor Pro Tem Hammann and seconded by Councilmember Machol to*
116 *approve a Bid Award and execution of a contract between the City of Seabrook and Alcott, Inc.,*
117 *dba TCH for CSB 2023-20-337, Taylor Lake Water Line Crossing at Red Bluff, in an amount not*
118 *to exceed \$2,523,206.00*

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120 **MOTION WAS CARRIED BY UNANIMOUS CONSENT**

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122 **4. CONSENT AGENDA**

123

124 **4.1** Approve on second reading of Ordinance 2023-16, "Establishing Definition of "(CBD)
125 Cannabidiol Sales" and Permitted Districts of Use. *Sean Landis, Deputy City Manager*

126

127 AN ORDINANCE AMENDING THE CODE OF THE CITY OF SEABROOK, APPENDIX "A",
128 "COMPREHENSIVE ZONING", ARTICLE 1, "IN GENERAL" SECTION 1.10
129 "DEFINITIONS", BY CREATING A DEFINITION FOR "(CBD) CANNABIDIOL
130 SALES"; AMENDING THE CODE OF THE CITY OF SEABROOK APPENDIX "A",
131 "COMPREHENSIVE ZONING", ARTICLE 3, "ESTABLISHMENT OF ZONING DISTRICTS
132 AND ASSOCIATED REGULATIONS", SECTION 3.15 "COMPREHENSIVE LAND USE
133 REGULATION MATRIX", BY ADDING "(CBD) CANNABIDIOL SALES" TO TABLE 3-A
134 "USES PERMITTED BY RIGHT AND CONDITIONAL USES", AS A "USE BY RIGHT"
135 WITHIN THE (C-2), (C-3), AND (LI) ZONING DISTRICTS; PROVIDING FOR A PENALTY

136 IN AN AMOUNT NOT TO EXCEED \$2000.00 PER OFFENSE FOR VIOLATION OF ANY
137 PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES
138 OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND
139 PROVIDING FOR SEVERABILITY

140
141 **4.2** Approve on second reading of Ordinance 2023-18, "Amendment and Update to Personnel
142 Policies for Employee Assistance Program and Holidays" *Yesenia Garza, Director of Human*
143 *Resources*

144
145 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEABROOK UPDATING
146 AND AMENDING CITY OF SEABROOK PERSONNEL POLICIES, CHAPTER 5,
147 "COMPENSATION AND BENEFITS" BY ADDING SECTION 29, "EMPLOYEE
148 ASSISTANCE PROGRAM" POLICY AND SECTION 10, "HOLIDAYS" BY REPLACING
149 THAT SECTION WITH AN UPDATED "HOLIDAYS" POLICY

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151 **4.3** Approve the City auction items list, pursuant to State law and City policies, to dispose of
152 assets that have reached the end of their life or have a planned termination of service with the
153 City. *Michael Gibbs, Director of Finance*

154
155 **4.4** Approve the appointment of Deputy City Secretary, Maria Lawler, as Acting City
156 Secretary, effective immediately, until such time as a City Secretary is appointed. *Gayle Cook,*
157 *City Manager*

158
159 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Hefner to*
160 *approve the Consent Agenda, as presented.*

161
162 **MOTION CARRIED BY UNANIMOUS CONSENT**

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165 **5. NEW BUSINESS**

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167 **5.1** Consider and take all appropriate action on first reading of Ordinance 2023-22, "Revising
168 Code of Ordinances to add required microchipping for Equine, Ferrets, Dogs and Cats". *Bryan*
169 *Brand, Interim Chief of Police and Dwayne Vanselous, Animal Control Supervisor*

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171 AN ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES OF THE
172 CITY OF SEABROOK, TEXAS, ENTITLED "ANIMALS," ARTICLE III, "DOGS AND
173 CATS", DIVISION 2, "LICENSE," BY AMENDING SECTION 10-91 TO REQUIRE
174 MICROCHIPPING AND BY DELETING AND RESERVING SECTIONS 10-92 THROUGH
175 10-95; PROVIDING FOR A PENALTY IN AN AMOUNT OF NOT MORE THAN TWO
176 THOUSAND DOLLARS (\$2,000.00) FOR VIOLATION OF ANY PROVISIONS HEREOF
177 BY INCLUSION INTO THE CODE; REPEALING ALL ORDINANCES OR PARTS OF

178 ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR
179 SEVERABILITY; AND PROVIDING FOR NOTICE.

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181 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Giangrosso to*
182 *approve on first reading Ordinance 2023-22, "Revising Code of Ordinances to add required*
183 *microchipping for Equine, Ferrets, Dogs and Cats".*

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185 **MOTION CARRIED BY UNANIMOUS CONSENT**

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187 **5.2** Consider and take all appropriate action on first reading of Ordinance 2023-21, "Flood
188 Damage Prevention". *Nick Kondejewski, Building Official and Floodplain Administrator*

189
190 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
191 SEABROOK, TEXAS BY REVISING CHAPTER 38, "FLOOD", ARTICLE II, "FLOOD
192 DAMAGE PREVENTION", TO PROVIDE FOR THE CREATION OF NEW GENERAL
193 PROVISIONS, DEFINITIONS, PERMITTING AND VARIANCE PROCEDURES, AND
194 FLOOD DAMAGE REDUCTION REGULATIONS; ALLOWING FOR COMPLIANCE WITH
195 THE NATIONAL FLOOD INSURANCE PROGRAM REGULATIONS. THIS ORDINANCE
196 PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$500.00 FOR
197 VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE;
198 REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN
199 CONFLICT HEREWITH; AND PROVIDES FOR SEVERABILITY.

200
201 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Hefner to*
202 *approve on first reading Ordinance 2023-21, "Flood Damage Prevention".*

203
204 **MOTION CARRIED BY UNANIMOUS CONSENT**

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206 **5.3** Consider and take all appropriate action on first reading of Ordinance 2023-20,
207 "Amendment to Chapter 18, "Building and Building Regulations" and Chapter 34, "Fire
208 Prevention and Protection" update and amendments to various building and fire codes". *Nick*
209 *Kondejewski, Building Official and Floodplain Administrator*

210
211 AN ORDINANCE AMENDING THE SEABROOK CITY CODE BY REVISING CHAPTER
212 18 "BUILDINGS AND BUILDING REGULATIONS" AND CHAPTER 34, FIRE
213 "PREVENTION AND PROTECTION", TO PROVIDE FOR REGISTRATION OF ALL
214 CONTRACTORS, TO ADOPT UPDATED VERSIONS OF VARIOUS BUILDING, FIRE
215 AND TRADE CODES; TO ENUMERATE CITY AMENDMENTS TO SUCH CODES; TO
216 RENUMBER SECTIONS AND SUBSECTIONS AS NECESSARY AND TO PROVIDE
217 FOR OTHER RELATED MISCELLANEOUS AMENDMENTS. THIS ORDINANCE
218 PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR
219 VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE;

220 REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN
221 CONFLICT HEREWITH; AND PROVIDES FOR SEVERABILITY.

222
223 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Machol to*
224 *approve on first reading Ordinance 2023-20, "Amendment to Chapter 18, "Building and Building*
225 *Regulations" and Chapter 34, "Fire Prevention and Protection" update and amendments to*
226 *various building and fire codes". Council did request for update of Adopted Building Codes and*
227 *various revisions Chapters 18 & 34.*

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229 **MOTION CARRIED BY UNANIMOUS CONSENT**

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231 **5.4** Consider and take all appropriate action on Resolution 2023-13, "City Manager authority to
232 Supervise the City Secretary". *Gayle Cook, City Manager*

233
234 A RESOLUTION OF THE CITY OF SEABROOK, TEXAS, ASSIGNING THE CITY
235 MANAGER THE AUTHORITY TO SUPERVISE THE CITY SECRETARY.

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237 **COUNCIL TABELD THIS ITEM FOR A FUTURE MEETING**

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239 **5.5** Consider and take all appropriate action on acceptance of the relocation of the public 10"
240 gravity sewer main within the Edge property. *Brian Craig, City Engineer and Assistant Director*
241 *of Public Works*

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243 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Giangrosso to*
244 *approve on the relocation of the public 10" gravity sewer main within the Edge property.*

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246 **MOTION CARRIED BY UNANIMOUS CONSENT**

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248 **5.6** Consider and take all appropriate action on the approval of an Agreement between the City
249 of Seabrook and Randall Scott Architects to provide Conceptual Architectural Services for the
250 City of Seabrook's Proposed new Police and Municipal Court Complex for the November 7, 2023
251 Bond Election in an amount not to exceed \$85,000.00 and authorize the City Manager to execute
252 all associated documents. *Gayle Cook, City Manager*

253
254 *Motion was made by Mayor Pro Tem Hammann and seconded by Councilmember Hefner to*
255 *approve on an Agreement between the City of Seabrook and Randall Scott Architects to provide*
256 *Conceptual Architectural Services for the proposed new Police and Municipal Court Complex, in*
257 *an amount not to exceed \$85,000.00 and authorize the City Manager to execute all associated*
258 *documents.*

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260 **MOTION CARRIED BY MAJORITY, 6 TO 1, WITH COUNCILMEMBER MACHOL VOTING IN**
261 **OPPOSITION**

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263 **6. ROUTINE BUSINESS**

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6.1 Quarterly Strategic Plan Update. *Gayle Cook, City Manager*

Gayle Cook, City Manager, presented the Quarterly Strategic Plan update.

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

Ms. Cook presented the update and report to City Council.

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

The City Council will have a regular City Council meeting on Tuesday, September 5, at 6:00pm in Council Chamber.

Special budget workshop, pending tax rolls, will possibly be held on Wednesday, August 30, at 6:00pm., either at City Hall Council Chamber or at the Public Works Facility.

7. *CLOSED EXECUTIVE SESSION*

7.1 Section 551.074

Conduct a closed executive session to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, pertaining to: City Secretary. *Gayle Cook, City Manager*

7.2 Section 551.071

Conduct a closed executive session to consult with the City Attorney regarding City of Pasadena Water Contract. *Gayle Cook, City Manager*

At 7:40 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, and Sections 551.071, Consultation with Attorney.

8. *OPEN SESSION*

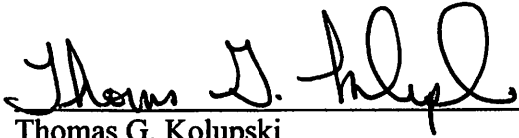
Council will reconvene in Open Session to allow for possible action on any of the agenda items listed above under "Closed Executive Session".

At 8:41 p.m., Mayor Kolupski reconvened the meeting in open session and stated that Items 7.1 and 7.2 had been discussed, but that no action had been taken in Executive Session.

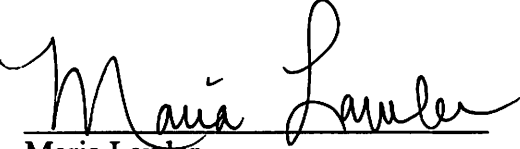
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309 Upon motion duly made and seconded, Mayor Kolupski adjourned the meeting at 8:41pm.

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311 Approved this 30th day of August, 2023.

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Thomas G. Kolupski
Mayor



Maria Lawler
Acting City Secretary