



MEETING MINUTES
September 5, 2023
Regular Seabrook City
Council Meeting

Mayor Thom Kolupski called the Seabrook Council Meeting to order at 6:00 p.m. in the Seabrook Public Works Training Facility. Present were City Councilmembers Jackie Rasco, Rob Hefner, Tom Tollett, Buddy Hammann, Mike Giangrosso and Joe Machol. Mayor Thom Kolupski declared a quorum and pledges were conducted.

1. Public Comments and Announcements

The following citizens gave public comments:

NAME	ADDRESS	TOPIC
Jesse Jones		Bid for Carothers Coastal Gardens project

1.1 Mayor, City Council and/or City Staff Announcements

Council reviewed an event memo which included Kids Fish, Toughest 10k, and Celebration Seabrook events.

2. Bid Awards

2.1 Consider and take all appropriate action on a Bid Award and execution of a contract between the City of Seabrook and D. Wagner Construction Co. Inc, for construction of the Carothers Grading and Drainage Project; an aspect of CIP P20 in an amount not to exceed \$243,440.25.

Motion: To Approve
 Made By: Councilmember Hammann
 Seconded By: Councilmember Tollett
 Vote: **Motion carried** unanimously by all present

3. Consent Agenda

3.1 Approve on second reading of Ordinance 2023-21, "Flood Damage Prevention"

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



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CONFLICT HEREWITH; AND PROVIDES FOR SEVERABILITY.

Motion: To Approve the Consent Agenda
Made By: Councilmember Hammann
Seconded By: Councilmember Giangrosso
Vote: **Motion carried** unanimously by all present.

4. New Business

4.1 Consider and take all appropriate action on first reading of Ordinance 2023-23, "Reising Code of Ordinances to Delete Curfew Hours for Minors".

AN ORDINANCE AMENDING CHAPTER 44 OF THE CODE OF ORDINANCES OF THE CITY OF SEABROOK, TEXAS, ENTITLED "LAW ENFORCEMENT AND OFFENSES," ARTICLE III, "OFFENSES," DIVISION 2, "MINORS," BY DELETING SECTION 44-95 ENTITLED "CURFEW HOURS FOR MINORS" AND RESERVING SUCH SECTION FOR FUTURE AMENDMENT TO THE CODE OF ORDINANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR OPEN MEETINGS COMPLIANCE.

Motion: To Approve
Made By: Councilmember Hammann
Seconded By: Councilmember Hefner
Vote: **Motion carried** unanimously by all present

4.2 Consider and take all appropriate action on an Interlocal Agreement between the City of Seabrook and Clear Creek Independent School District (CCISD) for the School Crossing Guard Program and authorize the City Manager to execute agreement.

Motion: To Approve
Made By: Councilmember Hammann
Seconded By: Councilmember Rasco
Vote: **Motion carried** unanimously by all present

4.3 Consider and take all appropriate action on a contract between the City of Seabrook and Cobb Fendley & Associates, Inc. for professional engineering services for CIP W9 Red Oak Acres Subdivision Water Line project, in an amount not to exceed \$189,208.00.

Motion: To Approve
Made By: Councilmember Hammann
Seconded By: Councilmember Giangrosso
Vote: **Motion carried** unanimously by all present



- 4.4 Receive an update of the A/V Council Chambers Upgrade progress and consider and take all appropriate action on an internal policy for the AV Project Pilot Program.

Motion: To Approve policy
Made By: Councilmember Rasco
Seconded By: Councilmember Hefner
Vote: **Motion carried** unanimously by all present

5. Old Business

- 5.1 Consider and take all appropriate action on second reading of Ordinance 2023-20, "Amendment to Chapter 18, "Building and Building Regulations" and Chapter 34, "Fire Prevention and Protection" update and amendments to various building and fire codes".

AN ORDINANCE AMENDING THE SEABROOK CITY CODE BY REVISING CHAPTER 18 "BUILDINGS AND BUILDING REGULATIONS" AND CHAPTER 34, FIRE "PREVENTION AND PROTECTION", TO PROVIDE FOR REGISTRATION OF ALL CONTRACTORS, TO ADOPT UPDATED VERSIONS OF VARIOUS BUILDING, FIRE AND TRADE CODES; TO ENUMERATE CITY AMENDMENTS TO SUCH CODES; TO RENUMBER SECTIONS AND SUBSECTIONS AS NECESSARY AND TO PROVIDE FOR OTHER RELATED MISCELLANEOUS AMENDMENTS. THIS ORDINANCE PROVIDES FOR A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000.00 FOR VIOLATION OF ANY PROVISION HEREOF BY INCLUSION INTO THE CODE; REPEALS ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDES FOR SEVERABILITY.

Motion: To Approve
Made By: Councilmember Hammann
Seconded By: Councilmember Hefner
Vote: **Motion carried** unanimously by all present

- 5.2 Consider and take all appropriate action on second reading of Ordinance 2023-22, "Revising Code of Ordinances to add required microchipping for Equine, Ferrets, Dogs and Cats".

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



INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR NOTICE

Motion: To Approve
Made By: Councilmember Machol
Seconded By: Councilmember Rasco
Vote: **Motion carried** unanimously by all present

6 Routine Business

6.1 **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 projects.**

Gayle Cook gave the update and discussed the following:

- SH 146 update – Overpass opening delayed by TxDOT and the contractor.
- Legislative update from TML on bills that were passed.

6.2 **Establish future meeting dates and agenda items**

Item was not considered so Executive Session could begin.

7 Closed Executive Session

The Council held a closed executive meeting pursuant to the provisions of Chapter 551 of the Texas Government Code, in accordance with authority contained in:

7.1 **Section 551.074**

Conduct a Closed Executive Session for deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee - City Secretary

7.2 **Section 551.071**

Conduct a Closed Executive Session to consult with the City Attorney regarding City of Pasadena Water Contract.

7.3 **Section 551.087**

Conduct a Closed Executive Session to discuss potential financial incentive(s) and financial information received from a business prospect that the City seeks to have locate, stay, or expand for which the City is conducting economic development negotiations.

7.4 **Section 551.071**

Conduct a Closed Executive Session to consult with City Attorney to discuss legal issues only associated with the City Code, rules, procedures, statutes and related regulations governing general elections.



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Mayor Kolupski adjourned the regular meeting into closed session at 7:15 pm.

8 Open Session

Mayor Kolupski reconvened the regular meeting into open session at 7:34 pm.

8.1 Consider and take all appropriate action on approving a Chapter 380 Grant Agreement with Seabrook Plaza One, LP finding that such agreement and grant constitutes a program to make grants and loans of public money pursuant to Section 380.001 of the Texas Local Government Code to promote economic development and to stimulate business and commercial activity within the City, authorizing the City Manager to execute the agreement and providing an effective date.

Motion: To Approve
Made By: Councilmember Hammann
Seconded By: Councilmember Tollett
Vote: **Motion carried** unanimously by all present.

Council went back into Executive Session to continue consideration of the Executive Session items at 7:35 p.m. There was no record of final adjournment time.

APPROVED: _____ **DATE:** _____
Thom Kolupski, Mayor

ATTEST: _____
Rachel Lewis City Secretary