

Julie Masters, Mayor  
Mark Townsend  
Kerry Neves  
Mary Dunbaugh, Mayor Pro Tem

# MINUTES

City of Dickinson  
**CITY COUNCIL  
MEETING**

Charles Suderman  
Louis Decker  
William H. King III  
Julie M. Johnston, City  
Administrator

**JANUARY 8, 2008**

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, JANUARY 8, 2008**. The meeting was held in the City Council Chambers located at 1621 FM 517 East, Dickinson, Galveston County, Texas, and was held for the purpose of considering the following items:

**ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM**

Invocation and Pledge of Allegiance

Mayor Julie Masters called the meeting to order at 7:02 p.m. Councilman William King gave the Invocation and David Paulissen led the Pledge of Allegiance. City Secretary Carol McLemore called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro Tem Mary Dunbaugh and Council Members Charles Suderman, Mark Townsend, Kerry Neves, Louis Decker and William King. Also present were City Attorney, Loren Smith, City Administrator, Julie Johnston, Police Chief, Ron Morales, Finance Director, Usha Mathew, Community Development Coordinator, Angela Forbes, Director of Fire Services/Fire Marshal, Norman Hicks, Building Inspector, Mike Ingalsbe and Director of Library, Vicki McAllister.

**ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:**

Council commented on the following topics:

1. Condolences to the Gill Family and the Stapp Family.
2. Proclamation recently issued to Connie Culler upon her retirement from the Post Office.
3. Welcome to everyone present.
4. Thanks to City Administrator and Staff for their services during 2007.
5. North Galveston County Chamber of Commerce Banquet.
6. Employee Door Decoration Contest held during December.
7. Rotary Christmas Parade.
8. Presidential Caucuses.
9. 2007 Festival of Lights being a great success and using the event as a FEMA Mass Gathering Exercise.
10. Happy New Year to all.

**ITEM 3.) PUBLIC COMMENTS:**

Jeanette Gregory of 1722 Oleander Drive, asked City Council's assistance in getting the replacement of the Oleander Bridge back on TxDOT's schedule. She reported that the project has been on the schedule at least four times and has been removed each time. She stated that the City needs to get behind the issue.

J. T. Floyd, 2709 Belmont, told City Council that since the day has changed for the pick-up of green waste and recycling, the program needs to be re-established. He said that clear plastic bags are hard to find and that there needs to be more resources for the bags. He also asked that Council consider an ordinance to prohibit placing trash at the curb more than 24 hours prior to pick-up. He also asked that attention be given to dumpsters in mobile home parks and apartment complexes that are overflowing and need more pick-ups.

Karen Post, 4527 29<sup>th</sup> Street East, asked for more enforcement of fireworks. She reported that listened to fire crackers going off until 2:00 a.m. on New Year's Eve. She asked that the City look at ways to confiscate the fireworks.

Mary Stringer, 30<sup>th</sup> Street, reported that the recent clean-up of the Nicholstone Subdivision was very successful and she asked that roll-offs be placed in their neighborhood monthly. She also reported that there was no heavy trash pick-up the week of Christmas or New Year's and that she had a problem getting limbs picked up even though they were bundled.

Bridget Long, 4432 Scenic Drive, reported that the bridge leading to Tropical Gardens was also failing and if it failed, there would be no way to get in or out. She stated that the City needs to start putting money back into streets, bridges and a youth center.

**ITEM 4.) CONSENT AGENDA: CONSIDERATION POSSIBLE ACTION:**

- A. Approval of Minutes of December 11, 2007 Special Council Workshop Meeting.
- B. Approval of Minutes of December 11, 2007 Regular Council Meeting.
- C. Resolution Number 958-2009 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL COOPERATION AGREEMENT BY AND BETWEEN THE CITY OF LEAGUE CITY AND THE CITY OF DICKINSON FOR THE USE OF AN ASPHALT PAVER FOR THE PERIOD FROM JANUARY 8, 2008, THROUGH SEPTEMBER 30, 2008; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE CITY ADMINISTRATOR; AND PROVIDING AN EFFECTIVE DATE.**

D. Approval of a minor Re-plat for Bayou Park, Section 3, located at the south end of Pabst Road requested by Mike Speights representing Devland, Inc.

Councilman Neves made a motion to approve the Consent Agenda. Councilman King seconded the motion.

**VOTE:**

6 AYES (Suderman, Dunbaugh, Townsend, Neves, Decker & King)

0 NAYS

**MOTION PASSED.**

**OLD BUSINESS**

**ITEM 5.) BRIEFING, CONSIDERATION AND POSSIBLE ACTION REGARDING:**  
Report from Bill Hall of Hall, Barnum and Luchessi regarding proposed design modifications for new City Hall and Library complex.

Bill Hall gave a presentation on the progress in developing design modifications for the project that will result in a reduction in costs to bring it within budget. City Administrator Julie Johnston advised that one of the areas for potential cost savings for this project is the prevailing wage rate scale adopted by the City. Following the bid opening in October of 2007, the City was advised that the Davis-Bacon wage rates that had been recommended for approval, and finally approved, by the Council in mid-2007 were significantly higher than current wage rates in Galveston County. Therefore, City staff is looking for another wage/rate study to use instead of the Davis-Bacon scale. Ms. Johnston also noted the items on which the City and Water District had agreed to participate in cost-sharing. She said that Dickinson Beautiful would be using some of their grant money for the site work and landscaping. Ms. Johnston advised that a revised Project Cost Budget would be brought to the Council at the next meeting that incorporates a variety of cost savings in areas of the original Project Cost Budget. She further advised the Council that her recommendation would be to proceed with an RFP for a Construction Manager at Risk and that she and City Attorney Loren Smith are already working on the RFP. She, City staff, and Water District staff are continuing to do everything possible to bring the cost of the building within budget.

Brenda Boyce, 30<sup>th</sup> and Colorado, had questions about the costs.

Chris Tucker, Hughes Road, asked questions about the costs and terms and conditions of the bond.

**NEW BUSINESS**

**ITEM 6.) CONSIDERATION AND POSSIBLE ACTION REGARDING:** Request by Susie Jones, 3113 Colony Drive, to appear before City Council to discuss fireworks for Project Graduation.

Councilman Townsend made a motion to table this matter until the next City Council Meeting. Councilman Suderman seconded the motion.

**VOTE:**

6 AYES (Suderman, Dunbaugh, Townsend, Neves, Decker & King)

0 NAYS

**MOTION PASSED.**

**ITEM 7.) CONSIDERATION AND POSSIBLE ACTION REGARDING:** Ordinance Number XXX-2008 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING SECTION 4-3, DEFINITIONS, OF ARTICLE I, IN GENERAL, OF CHAPTER 4, ANIMALS, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON BY THE ADDITION OF A DEFINITION OF "RESTRAINT"; AMENDING DIVISION 1, GENERALLY, OF ARTICLE II, DOGS AND CATS OF CHAPTER 4, ANIMALS, BY THE ADDITION OF A NEW SECTION 4-35, PROHIBITION AGAINST THE RESTRAINT OF DOGS AND MANDATING THAT DOG ENCLOSURES PROVIDE 150 SQUARE FEET OF SPACE; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR REPEALER CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE AND AN EFFECTIVE DATE**(First of three readings).

Mayor Masters read the ordinance by caption only. City Council discussed the ordinance. After some discussion, City Council took no action but asked that this matter be considered in a future workshop.

**ITEM 8.) CONSIDERATION AND POSSIBLE ACTION REGARDING:** Resolution Number 959-2008 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A JOINT USE AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND DICKINSON VOLUNTEER FIRE DEPARTMENT FOR DICKINSON CENTRAL FIRE STATION; AUTHORIZING ITS EXECUTION BY THE MAYOR; PROVIDING FOR INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the Resolution by caption only. Mayor Pro Tem Dunbaugh made a motion to approve Resolution Number 959-2008. Councilman King seconded the motion. After some discussion, Mayor Pro Tem Dunbaugh amended the motion to add the wording "as may be in accordance with policies governing the use of City facilities adopted by the City Council" to the first sentence in Section 4(f). Councilman King agreed to the amendment.

**VOTE:**

5 AYES (Suderman, Dunbaugh, Neves, Decker and King)

1 NAY (Townsend)

**MOTION PASSED.**

**ITEM 9.) EXECUTIVE SESSION** - The City Council held a closed executive meeting pursuant to the provision of Chapter 551, Government Code, Vernon's Texas Codes annotated, in accordance with the authority contained in:

A. Section 551.071 – Consultation with Attorney regarding potential or contemplated litigation.

Mayor Masters recessed the meeting into Executive Session at 8:45 p.m.

**ITEM 10.) RECONVENE**

Mayor Masters reconvened the Regular Meeting at 8:50 p.m.

**ITEM 11.) ADJOURN**

Councilman Townsend made a motion to adjourn the meeting at 8:51 p.m. Councilman Suderman made the second.

**VOTE:**

6 AYES (Suderman, Dunbaugh, Townsend, Neves, Decker & King)

0 NAYS

**MOTION PASSED**

Approved and adopted this the 22<sup>nd</sup> day of January, 2008.

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Julie Masters, Mayor

**ATTEST:**

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Carol L. McLemore  
City Secretary