

Julie Masters, Mayor
Charles Suderman
Mary Dunbaugh
Walter Wilson

MINUTES
City of Dickinson
CITY COUNCIL
REGULAR MEETING

Kerry Neves
Louis Decker
William H. King III, Mayor Pro Tem
Julie M. Johnston, City
Administrator

JANUARY 27, 2009

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, JANUARY 27, 2009**. 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 7:20 p.m. Mayor Pro Tem 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 William King and Council Members Charles Suderman, Mary Dunbaugh, Walter Wilson, Kerry Neves, and Louis Decker. Also present were City Attorney, Loren Smith, City Administrator Julie Johnston, Police Chief Ron Morales, Public Works Director Kellis George, Assistant to the Public Works Director Ana Garcia, Fire Marshal Norman Hicks, Administrative Services Coordinator Kathryn Taylor, Development Coordinator Angela Forbes, and Development Coordinator Samson Babalola.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

Council commented on the following topics:

- Welcome to everyone present and thanks for coming.
- Martin Luther King Day Celebration
- Inauguration of President Barack Obama and Mayor Pro Tem King's travel to Washington, D. C. for the event.
- Need for tree removal from Dickinson Bayou and tributaries as a result of Hurricane Ike
- DISD Seniors trying out for University of Texas Band
- Federal Disaster Recovery Money that will be available through H-GAC
- Galveston County Fifty Club and possible formation of Dickinson Fifty Club
- Completion of Festival of Lights.
- Knights of Columbus Exemplification Ceremony held recently.

ITEM 3.) PUBLIC COMMENTS:

There were no comments from the public.

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

The following items were considered routine by the City Council and were enacted by one motion. There was not a separate discussion on these items.

- A. Approval of Minutes of Special Council Workshop of January 13, 2009.
- B. Approval of Minutes of Regular Council Meeting of January 13, 2009.
- C. Resolution Number 1013-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS AUTHORIZING SIGNATORS ON STATE OF TEXAS DOCUMENTS FOR REQUESTING FUNDS FOR THE 2008 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CONTRACT NO. 728111); PROVIDING FOR INCORPORATION OF PREMISES AND PROVIDING AN EFFECTIVE DATE.**
- D. Resolution Number 1014-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE OFFICE OF RURAL COMMUNITY AFFAIRS FOR THE COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE COMMUNITY DEVELOPMENT PROGRAM; PROVIDING FOR INCORPORATION OF PREMISES; AND PROVIDING FOR AN EFFECTIVE DATE.**
- E. Resolution Number 1015-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF DICKINSON AND THE CITY OF GALVESTON, TEXAS AUTHORIZING THE MUTUAL ASSISTANCE OF EACH ENTITY'S RESPECTIVE PEACE OFFICERS AS SET FORTH IN SAID AGREEMENT, ALLOWING FOR REIMBURSEMENT FOR COSTS ASSOCIATED WITH SAID ASSISTANCE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**
- F. Resolution Number 1016-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING**

SUBMISSION OF A GRANT APPLICATION FOR THE CRIME VICTIM ASSISTANCE PROGRAM TO THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS; AGREEING TO PROVIDE MATCHING FUNDS FOR THE PROJECT; AUTHORIZING THE MAYOR TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE PROGRAM; PROVIDING FOR INCORPORATION OF PREMISES; AND PROVIDING FOR AN EFFECTIVE DATE.

G. Resolution Number 1017-2009 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A LEGISLATIVE AGENDA FOR THE 2009 LEGISLATIVE SESSION; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.

H. Resolution Number 1018-2009 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING COMMERCIAL SALES AGREEMENTS FOR THE INSTALLATION AND MONITORING OF SECURITY, ACCESS, AND CAMERA SYSTEMS WITH ADT SECURITY SERVICES, INC. (“ADT”) FOR THE NEW CITY HALL AND LIBRARY COMPLEX; PROVIDING FOR INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.

Councilwoman Dunbaugh made a motion to approve the Consent Agenda. Mayor Pro Tem King seconded the motion.

VOTE:

6 AYES (Suderman, Dunbaugh Wilson, Neves, Decker and King)
0 NAYS

MOTION PASSED.

OLD BUSINESS

ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: City Hall/Library Project.
A. Phone System

Norman Hicks, Fire Marshal, provided a brief update on the construction progress and noted that all of the information needed for the phone system was not available. Council took no action in this matter.

ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Oleander Bridge Project.

Kellis George, Director of Public Works, provided a brief update on the Oleander Bridge project. He noted that the utility poles had been relocated by Texas New Mexico Power Company and that Verizon was in the process of relocating its telephone lines and should be complete in about two weeks. Mr. Kellis informed Council that Center Point would begin relocation of its lines following Verizon's completion.

ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2009 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL AGREEMENT FOR CLEARING AND DE-SNAGGING DICKINSON BAYOU WITH THE DICKINSON BAYOU WATERSHED STEERING COMMITTEE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the ordinance by caption only. The City Secretary informed Council that the monies allotted in the bond election would only cover the County's cost of the project and that the cities would still have to pay their share. She also noted that only the cities of Friendswood and League City have approved the Interlocal and that League City did not approve the monies necessary for their part. After some discussion and request for more information, Councilman Neves made a motion to table this item. Councilman Suderman seconded the motion.

VOTE:

6 AYES (Suderman, Dunbaugh, Wilson, Neves, Decker and King)

0 NAYS

MOTION PASSED.

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 659-2008 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NUMBER 420-2001, AS HERETOFORE AMENDED, SO AS TO REZONE ±2.911 ACRES PART OF TRACT 156 IN ADDITION "D" TO THE TOWN OF DICKINSON, A SUBDIVISION IN GALVESTON COUNTY, TEXAS ACCORDING TO THE MAP THEREOF RECORDED IN VOLUME 155, PAGE 10 OF THE COUNTY CLERK'S RECORDS OF GALVESTON COUNTY (MORE COMMONLY KNOWN AS 2201 FM 517 EAST) FROM GENERAL COMMERCIAL (GC) TO GENERAL INDUSTRIAL (GI), SAID ACREAGE LOCATED ON THE NORTHWEST CORNER OF FM 517 EAST AND TIMBER DRIVE; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A**

SEVERABILITY CLAUSE AND AN EFFECTIVE DATE (Third of three readings).

Mayor Masters read the ordinance by caption only. Development Coordinator Angela Forbes noted that the property is scheduled to close on February 3 and that if the property does not close as anticipated, City staff will proceed with a zoning change to rezone the property back to General Commercial. Councilman Wilson made a motion to adopt Ordinance Number 659-2008 on third and final reading. Councilwoman Dunbaugh seconded the motion.

VOTE:

6 AYES (Suderman, Dunbaugh, Wilson, Neves, Decker and King)

0 NAYS

MOTION PASSED.

NEW BUSINESS

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1019-2009 – **RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION FOR THE ACQUISITION, CONSTRUCTION AND IMPROVEMENT OF CERTAIN PUBLIC WORKS; AUTHORIZING ENGAGEMENT OF PROFESSIONALS IN CONNECTION WITH THE ISSUANCE OF SUCH CERTIFICATES; AND AUTHORIZING CERTAIN OTHER MATTERS RELATING THERETO; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Suderman made a motion to approve Resolution Number 1019-2009. Councilwoman Dunbaugh seconded the motion.

VOTE:

4 AYES (Suderman, Dunbaugh, Wilson, Neves, and King)

2 NAYS (Neves and Decker)

MOTION PASSED.

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Discussion on Street Lights.

Director of Public Works Kellis George explained the process for reporting and follow-up for reports of street lights that are out. After some discussion, Council took no action in this matter.

- ITEM 11.) BRIEFING AND DISCUSSION:** Update on Negotiations with Dickinson Historical Society and Dickinson Economic Development Corporation.

The City Administrator briefly reviewed the meeting held between the Dickinson Historical Society, the Dickinson Economic Development Corporation and the City. After some discussion, Council took no action in this matter.

ITEM 12.) 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 551.072 – Deliberation regarding Real Property – Discussion regarding the purchase, exchange, lease or value of real property.

Mayor Masters recessed the meeting into Executive Session at 8:02 p.m.

ITEM 13.) RECONVENE

Mayor Masters reconvened the meeting at 8:22 p.m. and reported that no action was taken.

ITEM 14.) ADJOURN

Councilwoman Dunbaugh made a motion to adjourn the meeting at 8:23 p.m. Councilman Wilson seconded the motion.

VOTE:

6 AYES (Suderman, Dunbaugh, Wilson, Neves, Decker and King)

0 NAYS

MOTION PASSED.

PASSED, APPROVED AND ADOPTED this the 10th of February, 2009.

Julie Masters, Mayor

ATTEST:

Carol L. McLemore
City Secretary