

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

**FEBRUARY 24, 2009**

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, FEBRUARY 24, 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 7:00 p.m. Councilman King gave the Invocation and Police Chief Morales 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, Fire Marshal Norman Hicks, Director of Public Works Kellis George, Finance Director Mary Young, Code Compliance Officer Cynthia Smith, Assistant to the Director of Public Works Ana Garcia and Administrative Services Coordinator Kathryn Taylor.

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

Council commented on the following topics:

- o Welcome to everyone present and thanks for coming
- o Opening of New McAdams Junior High and Grand Opening scheduled for March 10, at 6:00 p.m.
- o NAACP Black History Month Program held at Dunbar Middle School
- o Tree at Central Fire Station that needs attention
- o Keep Dickinson Beautiful Community Round Table held March 13 at Historic Railroad Depot
- o Breakfast with the Chief held February 19
- o Knights of Columbus Fish Fry to be held every Friday during Lent

**ITEM 3.) PUBLIC COMMENTS:**

There were no public comments.

**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 Meeting of February 10, 2009.
- B. Approval of Minutes of Special Council Workshop Meeting of February 10, 2009.
- C. Approval of Minutes of Regular Council Meeting of February 10, 2009.

Councilman Wilson made a motion to approve the Consent Agenda. Councilman Suderman 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. Drainage Issues and Solution at New Library Facility.

Fire Marshal Norman Hicks explained the drainage issues at the new Library facility and passed out information from Hall Barnum Luchessi explaining a proposal to divert the water runoff away from the building. Discussion followed. Councilman Wilson stated that he felt the solution was not adequate to ensure that water would not enter the building through the weep holes in the brick. Council took no action in this matter.

- B. Required Driveway Repair to Southeast Driveway Pursuant to Texas Department of Transportation Access Management Regulations.

Fire Marshal Norman Hicks reviewed the changes that were necessary to the driveway on Highway 3 in order to meet the Texas Department of Transportation Access Management Regulations. He noted that the corrections had been made and the cost to make the corrections was approximately \$1,100.00.

- C. Direction Concerning Donation Policy.

City Administrator Julie Johnston noted that several groups have asked about making donations to the new facility and asked for direction from City Council regarding a Donations Policy that would not only cover donations to the new City Hall/Facility, but other donations as well. After some discussion, Councilman Neves noted that a donations policy was done several years ago. The City Administrator told Council she would look for the existing policy and see if it needed to be updated.

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

Public Works Director Kellis George gave a brief update on the Oleander Bridge Project. He noted that the project was still on schedule.

**ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Tanglebriar Drive Construction Project.

Public Works Director Kellis George presented cost estimates of approximately \$98,000 associated with the re-building of Tanglebriar Circle and Tanglebriar Lane. He explained the work that had already been done on Tanglebriar Lane including the re-building of the base and overlaying the street. He presented copies of the original request and quotes for rebuilding Tanglebriar which included only Tanglebriar Drive and not Tanglebriar Lane or Tanglebriar Circle. He noted the drainage improvements that were planned and said that if the cul-de-sacs were not rebuilt, it would not affect or undermine the new pavement on Tanglebriar Drive. Discussion followed regarding the cost estimates. Mayor Masters recognized the following citizens who spoke on the project:

Brian Seidel, 5411 Tanglebriar  
Marilyn Decker, 5520 Tanglebriar

Councilman Decker noted that he had been advised by Counsel that since he lived on the street, he had a conflict of interest and could not vote.

After some discussion, it was the consensus of Council to proceed with rebuilding Tanglebriar Drive and look at Tanglebriar Circle and Lane at a future date when money was available.

**ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Approval of Revised Funding Request to be submitted by the City of Dickinson to Dickinson Management District No. 1.

City Administrator Julie Johnston presented the revised funding request to be submitted to Dickinson Management District Number 1. She outlined the changes to the request. Discussion followed regarding the changes.

Councilwoman Dunbaugh made a motion to approve the revised funding request. Mayor Pro Tem King seconded the motion.

**VOTE:**

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

2 NAYS (Neves and Decker)

**MOTION PASSED.**

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 663-2009 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING CHAPTER 14, NON-DISCIPLINARY SEPARATION, OF THE CITY OF DICKINSON PERSONNEL POLICY (2005) BY DELETING SECTION 4, RETIREMENT; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE** (Second of three readings).

Mayor Masters read the ordinance by caption only. Councilman Wilson made a motion to adopt Ordinance Number 663-2009 on second and final reading, suspending the third reading. Councilman Suderman seconded the motion.

**VOTE:**

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

0 NAYS

**MOTION PASSED.**

**NEW BUSINESS**

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Presentation of Annual Traffic Contact Reports for Dickinson Public Safety/Fire Marshal's Office and Dickinson Police Department as they relate to Senate Bill 1074 (Racial Profiling) for calendar year 2008 as required by Article 2.134 of the Texas Code of Criminal Procedure.

Fire Marshal Norman Hicks and Police Chief Ron Morales each gave brief summaries of the Annual Traffic Contact Reports for their respective departments. Councilwoman Dunbaugh made a motion to accept the reports. Councilman Wilson seconded the motion.

**VOTE**

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

0 NAYS

**MOTION PASSED.**

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ratification of Submission by City Staff of an Application for the Texas Commission on

Environmental Quality (TCEQ) Emissions Reduction Incentive Grants for Replacement of an On-Road Heavy Duty Vehicle.

Director of Public Works Kellis George and Assistant Ana Garcia outlined the grant application and noted they had applied for the grant in order to meet the deadline for submission. Mr. George explained the vehicle that would be replaced with the grant and said that there was a requirement for 20% match in the cost of the new equipment. Ms. Garcia noted that these funds could be paid over a three-year period which would reduce the impact on the budget. Following some discussion, Councilwoman Dunbaugh made a motion to ratify submission of the Application to the Texas Commission on Environmental Quality for an emissions reduction grant for the replacement of an on-road heavy duty vehicle. Mayor Pro Tem King seconded the motion.

**VOTE:**

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

0 NAYS

**MOTION PASSED.**

**ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Authorizing City Staff to Submit an Application for the Assistance to Firefighters Grant (AFG), Fire Prevention and Safety, for the purchase of a Fire Safety Demonstration Trailer.

Fire Marshal Norman Hicks presented information on the proposal to submit an application for an Assistance to Firefighters Grant for fire prevention and safety for the purchase of a fire safety demonstration trailer. He outlined reviewed with Council the specifications for the trailer and how it could be used. Mr. Hicks noted that the 10% required cash match could be taken out of the Municipal Court child safety fund. Mayor Pro Tem King made a motion to approve submitting an application for the grant. Councilman Wilson seconded the motion.

**VOTE:**

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

0 NAYS

**MOTION PASSED.**

**ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Approve Extension of Current Bank Depository and Collateral Agreement with Amegy Bank of Texas for One (1) Year.

Council reviewed a recommendation from staff to approve an extension of the current bank depository and collateral agreement with Amegy Bank of Texas for one (1) year. Councilwoman Dunbaugh made a motion to approve the extension. Councilman Wilson seconded the motion.

**VOTE**

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

0 NAYS

**MOTION PASSED.**

**ITEM 14.) ADJOURN**

Councilman Wilson made a motion to adjourn the meeting at 8:20 p.m.  
Councilman Suderman seconded the motion.

**VOTE:**

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

0 NAYS

**MOTION PASSED.**

**PASSED, APPROVED AND ADOPTED** this the 10<sup>th</sup> of March, 2009.

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Julie Masters, Mayor

**ATTEST:**

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Carol L. McLemore  
City Secretary