

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

MARCH 9, 2010

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, MARCH 9, 2010**. The meeting was held in the City Council Chambers located at 4403 Highway 3, 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. Mayor Pro Tem King gave the Invocation and Councilman Wilson 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, Building Official Kevin Byal and Finance Director Mary Young.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

Council commented on the following topics:

- Welcome to everyone present and thanks for coming.
- Recent Dickinson EDC Meeting and request from EDC to have a list of the street work to be done with Hurricane Ike Grant Funds.
- Importance of filling out census form and returning it.
- Dickinson Beautiful Annual Trash Bash to be held on March 27 at Highway 3 Boat Ramp
- Used Book Sale at Dickinson Public Library on Saturday
- Banquet at Moody Gardens for 100 Year Anniversary of Gulf Coast Council of Boy Scouts
- VFW Barbeque Cook-off last Saturday
- NAACP Black History Program held at Dunbar Middle School.
- Planning Meeting held at M. I. Lewis
- Dickinson native Eugene Hill defending the Texas Heavyweight Championship Title on March 18 at the Doyle Convention Center

ITEM 3.) PUBLIC COMMENTS:

Mark Townsend, 2703 Yorktown, appeared before City Council and stated that he spoke for himself personally. He stated that as a member of the Dickinson Economic Development Corporation, he was concerned because he could not get a budget amendment approved by DEDC on the Council agenda without the signatures of three Councilmen. He said he feels the DEDC gets no support from the City Administrator or City Council. He said that there needs to be more cooperation.

Joseph Gray, Vice President of Power Field Services, appeared before Council to inform them that his company would like to support the Historic Railroad Depot and Museum by maintaining the grounds of the Depot at no charge.

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

Councilman Suderman requested that item C be removed from the Consent Agenda for discussion.

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

- A. Approval of Minutes of Special Council Workshop of February 23, 2010
- B. Approval of Minutes of Regular Council Meeting of February 23, 2010
- D. Rejecting Portions of All Bids Related to Demolition of 2605 24th Street, Dickinson, Texas, and Awarding Remaining Portions of Competitive Sealed Bid #1001-01 for Demolition and Clearing for 3608 Oak Drive and 4806 E. 30th Street, Dickinson, Texas to AAR Incorporated In An Amount Not to Exceed \$9,550.00.
- E. Resolution Number 1109-2010 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND AAR INCORPORATED, AS CONTRACTOR FOR DEMOLITION AND CLEARING SERVICES FOR 3608 OAK DRIVE AND 4806 E. 30th STREET, DICKINSON, TEXAS; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.**
- F. Resolution Number 1107-2010 – **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 GALVESTON COUNTY, 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.

Mayor Pro Tem King made a motion to approve Items A, B, D, E, and F on the Consent Agenda. Councilman Wilson seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

- C. Resolution Number 1106-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, DECLARING AN URGENT NEED FOR THE USE OF TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT HURRICANE IKE 2008 SUPPLEMENTAL DISASTER RECOVERY FUNDS AS ADMINISTERED BY THE TEXAS DEPARTMENT OF RURAL AFFAIRS; PROVIDING FOR THE INCORPORATION OF PREMISES; 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 2008 SUPPLEMENTAL DISASTER RECOVERY FUND PROGRAM; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. The City Administrator noted that the urgent need list attached to the resolution had been changed and she distributed a new list to be attached to the resolution. She noted that the wording had also been made broader to include the replacement of water and sewer lines should it be necessary during the reconstruction of a street or drainage facilities. She also said that the costs included were estimates and would probably change. Councilman Wilson made a motion to approve Resolution Number 1106-2010 with the updated urgent need list. Councilwoman Dunbaugh seconded the motion.

VOTE:

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

0 NAYS

MOTION CARRIED.

OLD BUSINESS

- ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** City Hall/Library Project including the following items:

- A. Update on HVAC Issues.

Fire Marshal Norman Hicks gave a brief update on the HVAC issues.

- B. Update on Landscaping Through TxDOT Grant and Request for Quote on Installation of Irrigation System and Drains.

City Administrator Julie Johnston advised Council that the specifications for quotes on the City's portion of the landscaping had been sent out and the quotes are due Friday, and one other company has asked to provide a quote. She said that they would bring the quotes back to Council for their consideration.

- C. Update on Status of Survey and Replat of Property.

Building Official Kevin Byal advised Council that he has received the as-builts from Ellis Surveying but he has not had a chance to review the document yet.

ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Public Works Project Update

- A. Tanglebriar Circle Reconstruction
- B. Parking Lot Construction

Public Works Director Kellis George gave a brief update on the Tanglebriar Circle Reconstruction and Parking Lot Construction projects.

ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update on Status of Hurricane Ike CDBG Projects.

The City Administrator noted that she is continuing to meet with HDR/Claunch and Miller on the various projects approved for Phase 1 funding. She said that she has scheduled a workshop for the Council with HDR/Claunch and Miller on April 13 to discuss the preliminary findings from the study.

NEW BUSINESS

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of Eagle Scout Project at Dickinson Central Fire Station – Presentation by Andrew Worthen of Troop 696

Andrew Worthen of Boy Scout Troop 696 spoke to Council concerning a project that he wants to do in order to earn his Eagle Scout. He presented information about moving the barbeque pit from the Volunteer Fire Station on FM 517 to the Central Fire Station. He explained the preparation work that he would do and how the pit would be moved. He said he already had permission from President Liggio of the Dickinson Volunteer Fire Department to move the pit. In order to prevent any issues related to the ownership and/or future maintenance of the barbeque pit, Council asked Mr.

Worthen to install the pit in such a way that it can be moved and not attach it to the ground. After some discussion, Councilman Wilson made a motion to approve the project. Councilman Suderman seconded the motion.

VOTE:

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

0 NAYS

MOTION CARRIED.

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1108-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A REAL PROPERTY EARNEST MONEY PURCHASE CONTRACT BETWEEN SCOTT SHEARER AND THE CITY OF DICKINSON, TEXAS PROVIDING FOR THE PURCHASE OF PROPERTY LOCATED AT 4419 ST. GOAR, COMPRISING 0.3986 ACRES OF LAND KNOWN AS ABST 19 PERRY & AUSTIN SOUTHERLY PART OF LOTS 26-27-28-29 NICHOLINI ADDITION GALVESTON COUNTY, TEXAS WITHIN THE CITY LIMITS OF THE CITY OF DICKINSON; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Wilson made a motion to approve Resolution Number 1108-2010. Mayor Pro Tem King seconded the motion.

VOTE:

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

0 NAYS

MOTION CARRIED.

- ITEM 10.) EXECUTIVE SESSION:** The City Council had scheduled 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 or a matter in which the duty of the City Attorney requires to be discussed in closed meeting.

1. Status of negotiations with Dickinson Volunteer Fire Department.
2. Status of litigation related to code enforcement issues on properties located at 2922 45th Street and 4419 St. Goar.

The City Attorney reported that he had nothing to discuss with City Council on either issue. Mayor Masters announced that the Executive Session would not be held.

ITEM 11.) RECONVENE

Since the Executive Session was not held, there was no reconvening.

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, REPEALING RESOLUTION NUMBER 1098-2010; APPROVING THE TERMS AND CONDITIONS OF A FIRE PROTECTION SERVICES AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND DICKINSON VOLUNTEER FIRE DEPARTMENT FOR THE PURPOSE OF ESTABLISHING THE RIGHTS, DUTIES, AND RESPONSIBILITIES OF THE PARTIES IN PROVIDING FIRE PROTECTION SERVICES; AUTHORIZING ITS EXECUTION BY THE MAYOR; PROVIDING FOR INCORPORATION OF PREMISES; AND PROVIDING A REPEALER CLAUSE AND AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Wilson made a motion to table this matter. Councilman King seconded the motion.

VOTE:

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

0 NAYS

MOTION CARRIED.

ITEM 13.) ADJOURN

Councilman Wilson made a motion to adjourn the meeting at 7:28 p.m. Councilman Decker seconded the motion.

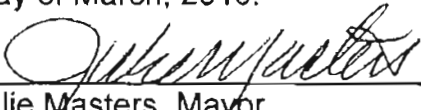
VOTE:

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

0 NAYS

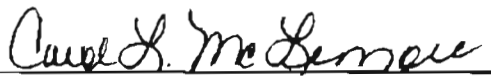
MOTION CARRIED.

PASSED, APPROVED AND ADOPTED this the 23rd day of March, 2010. -



Julie Masters, Mayor

ATTEST:



Carol L. McLemore, City Secretary

