

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 10, 2009

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, MARCH 10, 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 7:03 p.m. Mayor Pro Tem King gave the Invocation and Girl Scout Troop 323 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, Director of Public Works Kellis George, Fire Marshal Norman Hicks, Finance Director Mary Young, Building Official Kevin Byal, Captain Steve Krone and Development Coordinator Angela Forbes.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

Mayor Masters read a proclamation recognizing the 97th Anniversary of Girl Scouts and proclaiming the week of April 8, 2009 as "Girl Scout Week" in the City of Dickinson.

Council commented on the following topics:

- Welcome to everyone present and thanks for coming.
- DCPAAA Fundraiser to purchase first aid kits for patrol cars
- Knights of Columbus Fish Fry on Fridays during Lent
- Dedication of new McAdams Junior High Campus
- Keep Dickinson Beautiful Fact-finding Meeting to research ways to clean the tributaries scheduled for Thursday, March 12
- Annual Bayou Trash Bash scheduled for March 28
- Shrine of True Cross 100th Anniversary Celebration
- Welcome to new Building Official Kevin Byal
- New Dickinson Historical Posters recognizing Early Businesses and Families on sale at Depot
- Wilder Awards for DHS Posters
- 7th Annual Wine and Roses DHS Fundraiser scheduled for April 24

- Italian Festival scheduled for March 29 at the Depot
- March 2 DHS Membership Event at the Depot
- Congratulations DHS for Wilder Awards
- Congratulations to Girl Scouts
- Condolences to family of Bertha White
- DISD Spring Break next week
- Dedication of Greater New Hope Baptist Church Family Life Center scheduled for May 24

ITEM 3.) PUBLIC COMMENTS:

Patrick Restivo, 9806 Sage Aspen, Houston, told Council that he had recently renewed his mobile home park permit and that he received very rude treatment at the front counter in City Hall. Mr. Restivo stated that it was not the first time that he had received rude treatment at City Hall.

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 Meeting of February 24, 2009.
- B. Approval of Minutes of Regular Council Meeting of February 24, 3009
- C. Approval of Resolution Number 1020-2009 - **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 A CMI-425 MIXER AND AN OPERATOR FOR THE PERIOD FROM MARCH 2009 THROUGH SEPTEMBER 30, 2009; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE CITY ADMINISTRATOR; AND PROVIDING AN EFFECTIVE DATE.**

Councilman Wilson made a motion to approve the Consent Agenda. Mayor Pro Tem King seconded the motion.

VOTE:

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

MOTION PASSED.

OLD BUSINESS

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

A. Phone System

1. Approval of Purchase of Phone Hardware and Installation for new City Hall and Library Complex and Police Station from Avaya through AT&T Business Communications Services in the amount of \$84,016.33 through the State of Texas Department of Information Resources (DIR) Procurement Program.
2. Approval of Purchase of Power Over Ethernet (POE) Switches Required for Phone Hardware and Installation for new City Hall and Library Complex and Police Station from PC & Cable in the amount of \$5,487.00.

B. Approval of Purchase of Audio/Visual Equipment for new City Hall and Library Complex from Audio/Visual Technologies Group in the amount of \$76,386.29 Pending Determination of Appropriate Procurement Method.

C. Grounding of Buildings

Fire Marshal Norman Hicks reviewed the quotes received on the phone system and audio/visual equipment for the new City Hall/Library Project. City Administrator Julie Johnston also discussed the procurement methods available for purchasing the audio/visual equipment. Discussion followed. Mr. Hicks also discussed the letter provided by Hall Barnum Luchessi concerning the measures taken to ground the two buildings.

Councilwoman Dunbaugh made a motion to approve the purchase of the phone hardware and installation from AT&T Business Communications and POE switches from PC Cable for the new City Hall/Library Complex and Police Station as provided in Items A1 and A2. Mayor Pro Tem King seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

Mayor Pro Tem King made a motion to approve the purchase of Audio/Visual Equipment from Audio/Visual Technologies Group for the new City Hall/Library Complex as provided in Item B. Councilwoman Dunbaugh seconded the motion.

VOTE:

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

1 NAY (Decker)

MOTION PASSED.

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

Director of Public Works Kellis George provided a brief update on the project.

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

Director of Public Works Kellis George provided a brief update on the project.

- ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Postponement of Adoption of Ordinance Authorizing the Issuance of City of Dickinson, Texas, Certificates of Obligation, Series 2009, until March 24, 2009.

Councilwoman Dunbaugh made a motion to postpone the adoption of an ordinance authorizing the issuance of City of Dickinson, Texas Certificates of Obligation, Series 2009, until the March 24 City Council meeting. Mayor Pro Tem King seconded the motion.

VOTE:

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

MOTION PASSED.

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1021-2009 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE PRELIMINARY OFFICIAL STATEMENT AND AUTHORIZING DISTRIBUTION THEREOF RELATED TO THE CITY OF DICKINSON, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2009, AND THE CITY OF DICKINSON, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009; APPOINTING AN UNDERWRITER FOR SUCH OBLIGATIONS; APPOINTING A PAYING AGENT/REGISTRAR FOR SUCH OBLIGATIONS; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilwoman Dunbaugh made a motion to approve Resolution Number 1021-2009. Mayor Pro Tem King seconded the motion. Phillip Martin with First Southwest discussed the preliminary official statement and answered questions from Council.

VOTE:

4 AYES (Suderman, Dunbaugh, Wilson and King)

2 NAYS (Neves and Decker)

MOTION PASSED.

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1022-2009 - **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 DICKINSON AND DICKINSON MANAGEMENT DISTRICT NO. 1 FOR THE PROVISION OF SERVICES BY THE CITY OF DICKINSON TO DICKINSON MANAGEMENT DISTRICT NO. 1 FOR FISCAL YEAR 2008-2009; 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 1022-2009. Councilman Suderman seconded the motion. Councilman Wilson inquired about the additional \$6,000 in fees to be paid by the Management District to the City for financial services. The City Administrator responded that the Management District had requested to pay additional fees to the City for the monthly services that will be provided by the City's Finance Department for reports and accounts payable/accounts receivable. Discussion followed.

VOTE:

4 AYES (Suderman, Dunbaugh, King and Masters)

3 NAYS (Wilson, Neves and Decker)

MOTION PASSED.

NEW BUSINESS

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 664-2009 - **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, ALTERING THE PRIMA FACIE SPEED LIMITS ESTABLISHED FOR VEHICLES UNDER THE PROVISIONS OF SECTION 545.356 OF THE TEXAS TRANSPORTATION CODE, UPON THE BASIS OF A TRAFFIC INVESTIGATION, ON CERTAIN STREETS AND HIGHWAYS OR PARTS THEREOF WITHIN THE CORPORATE LIMITS OF THE CITY OF DICKINSON, AS SET OUT IN THIS ORDINANCE, TO WIT: ESTABLISHING A SCHOOL ZONE ON HUGHES ROAD FROM A POINT 540 FEET WEST OF STATE HIGHWAY 3 TO 220 FEET EAST OF CIMMARON COUNTRY TRAILER PARK TO REDUCE THE SPEED LIMIT TO TWENTY (20) MILES PER HOUR WHEN THE TRAFFIC CONTROL DEVICE INSTALLED AT THAT LOCATION IS FLASHING; AUTHORIZING THE INSTALLATION OF SIGNAGE IN ACCORDANCE WITH THIS ORDINANCE; PROVIDING FOR THE**

INCORPORATION OF PREAMBLE; PROVIDING A PENALTY NOT TO EXCEED \$200.00 FOR THE VIOLATION OF THIS ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE (First of three readings).

Mayor Masters read the ordinance by caption only. Councilman Suderman made a motion to approve Ordinance Number 664-2009 on first reading. Councilman Decker seconded the motion. Discussion followed.

VOTE:

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

0 NAYS

MOTION PASSED.

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Authorize Staff to request permission for the City of Dickinson to participate in Galveston County's Voluntary Buyout and Elevation Program.

Councilman Wilson made a motion to grant permission to staff to participate in Galveston County's Voluntary Buyout and Elevation Program. Councilwoman Dunbaugh seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

ITEM 13.) 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.

B. Section 551.074 – Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the City Administrator.

Mayor Masters recessed the meeting into Executive Session at 8:19 p.m.

ITEM 14.) RECONVENE

Mayor Masters reconvened the meeting at 11:07 p.m.

ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters described in Agenda Item #13B above.

Council took no action in this matter.

ITEM 16.) ADJOURN

Mayor Pro Tem King made a motion to adjourn the meeting at 11:07 p.m.
Councilwoman Dunbaugh seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

PASSED, APPROVED AND ADOPTED this the 24th day of March, 2009.

Julie Masters, Mayor

ATTEST:

Carol L. McLemore
City Secretary