

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

MARCH 11, 2008

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, MARCH 11, 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 7:05p.m. Shamarion Barber gave the Invocation and Chief Ron 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 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, Director of Public Works Kellis George, Fire Marshal Norman Hicks, Library Director Vicki McCallister, Community Development Coordinator Angela Forbes, Building Inspector Mike Ingalsbe, Code Enforcement Officer Cynthia Smith, and Accounting Assistant Kathryn Taylor.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

Mayor Masters recognized and presented Certificates of Recognition to members of the Dickinson High School Academic Decathlon Team and Sponsors for competing in the State Finals.

Council commented on the following topics:

- Welcome to everyone present and thanks for coming.
- Congratulations to the Academic Decathlon Team.
- Congratulations to the Police Department for completing the NIMS work.
- Congratulations to Greg Trantham for obtaining Master Peace Officer Certification.
- Congratulations to the Finance Department on receiving the Distinguished Budget Presentation award from Government Finance Officers Association.
- Congratulations to the Lady Gators Basketball team for playing in State Finals.

- Thanks to employees for their work.
- Dickinson Health Fair held March 8 at Sam Vitanza Stadium.
- Recent report on Gum Bayou from TCEQ.
- Thanks to City Administrator for contact with TxDOT regarding load limits on Oleander Bridge.
- Demolition of old City Hall and Library.
- Project Graduation Golf Tournament and need for sponsors and players.
- Election held at Central Fire Station and the problems associated with it.
- Trash Bash scheduled for March 29.

ITEM 3.) PUBLIC COMMENTS:

Robert Bolen, 614 Renaldo spoke about the commercial property located in the 600 block of FM 517 West adjacent to his property and the problems with the detention pond and trash.

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

- A. Approval of Minutes of Council Workshop of February 26, 2008
- B. Approval of Minutes of Regular Council Meeting of February 26, 2008

Councilman Neves made a motion to approve the consent agenda. Councilman King seconded the motion and it was approved by unanimous vote.

VOTE:

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

MOTION PASSED.

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 971-2008 - 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 EMERGENCY COMMUNICATION DISTRICT AUTHORIZING THE INSTALLATION OF EQUIPMENT RELATED TO A WIRELESS NETWORK TO SERVE AS A BACKUP FOR THE EXISTING 9-1-1 NETWORK; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.

This item was moved up on the agenda at the request of the Mayor. Mayor Masters read the resolution by caption only. Chief Ron Morales explained the need for the agreement with Galveston County Emergency Communication District. Councilman Decker made a motion to approve Resolution Number 971-2007. Councilman King seconded the motion.

VOTE:

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

MOTION PASSED.

OLD BUSINESS

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

The City Administrator updated City Council on the progress that had been made in reducing the costs of the buildings. Bill Hall, of Hall, Barnum and Luchessi, gave a presentation on the changes to the buildings and the options they had used to bring the cost down. Usha Mathew made a presentation on financing alternatives to fund the additional costs. Chris Tucker, a resident of Hughes Road, made several comments about concerns he had regarding the additional costs. Following some discussion, Mayor Pro Tem Dunbaugh made a motion to authorize Staff to seek Requests for Proposals for a Construction Manager at Risk based on option number 2. Councilman King seconded the motion.

VOTE:

5 AYES (Suderman, Dunbaugh, Neves, King and Decker)
1 NAY (Townsend)

MOTION PASSED.

NEW BUSINESS

ITEM 6.) PUBLIC HEARING: Regarding Request to Grant A Specific Use Permit (SUP) So As To Allow The Additional Use Of The Sale Of Mixed Beverages On ±1.569 Acres Out Of The Perry & Austin Survey Upper League, Abstract No. 19, More Commonly Known As 660 Fm 517 West (Los Ramirez Mexican Restaurant), And Generally Located On The South Side Of Fm 517 West, Between Evergreen Drive And Hansen Drive, In The City Of Dickinson, Galveston County, Texas.

Mayor Masters opened the Public Hearing at 8:17 p.m.

A. Applicant's Statement

Masthaleca Ramirez, owner of Los Ramirez Restaurant, explained the request to City Council. She stated that expanding her liquor license from beer and wine to mixed beverage would increase sales.

B. Those In Favor

No one spoke in favor of granting the SUP.

C. Those Opposed

Mr. Robert Bolen, 614 Renaldo, reminded the City Council that the Planning and Zoning Commission had approved, on a split vote, the beer and wine SUP and that when the request was made previously, the owner stated that they would only want a beer and wine license and would not come back for a mixed beverage license.

D. Applicant's Rebuttal

Ms. Ramirez noted that the applicant for the beer and wine SUP was the owner of the shopping center and not the owner of Los Ramirez. She said that they had never said they would not want a mixed beverage license.

Angela Forbes informed the City Council that the Planning and Zoning Commission had reviewed the request and recommended that the SUP be granted. She stated that the Planning Commission vote to recommend was unanimous except that Greg Smith abstained because he lives behind the facility.

E. Adjournment

Mayor Master adjourned the Public Hearing at 8:22 p.m.

ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 630-2008 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NUMBER 420-2001, AS HERETOFORE AMENDED, TO GRANT A SPECIFIC USE PERMIT (SUP) SO AS TO ALLOW THE ADDITIONAL USE OF THE SALE OF MIXED BEVERAGES ON ±1.569 ACRES OUT OF THE PERRY & AUSTIN SURVEY UPPER LEAGUE, ABSTRACT NO. 19, MORE COMMONLY KNOWN AS 660 FM 517 WEST (LOS RAMIREZ MEXICAN RESTAURANT), AND GENERALLY LOCATED ON THE SOUTH SIDE OF FM 517 WEST, BETWEEN EVERGREEN DRIVE AND HANSEN DRIVE, IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS; 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 (First of three readings).

Mayor Masters read the ordinance by caption only. Councilman Suderman made a motion to approve Ordinance Number 930-2008 on first reading. Mayor Pro Tem Dunbaugh seconded the motion.

VOTE:

4 AYES (Suderman, Dunbaugh, Townsend and Neves)

2 NAYS (Decker and King)

MOTION PASSED.

ITEM 9.) BRIEFING/DISCUSSION CONCERNING: Amendments to Itinerant Vendor's Ordinance.

Julie Johnston, City Administrator, and Cynthia Smith, Code Compliance Officer, discussed the proposed changes to the ordinance. After much discussion on how to exempt vendors at special events, length of the permit, and other potential ways to address issues related to itinerant vendors, the Council directed staff to continue to work on the revisions to the regulations to address the length of the permit and exemptions for vendors at special events and to bring further revisions back to Council for consideration at a later meeting.

ITEM 10.) ADJOURN

Approved and adopted this the day of , 2008.

Julie Masters, Mayor

ATTEST:

Carol L. McLemore
City Secretary