

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 23, 2010

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, MARCH 23, 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. Carol McLemore gave the Invocation and Mary Dunbaugh led the Pledge of Allegiance. City Secretary Carol McLemore called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters and Council Members Mary Dunbaugh, Walter Wilson, Kerry Neves, and Louis Decker. Mayor Pro Tem William King and Councilman Charles Suderman were absent. Also present were City Attorney, Loren Smith, City Administrator Julie Johnston, Police Chief Ron Morales, Director of Public Works Kellis George, Fire Marshal Norman Hicks, Building Official Kevin Byal and Finance Director Mary Young.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

A. Fair Housing Proclamation 2010

Mayor Masters read a proclamation which declared March as "Fair Housing Month" in Dickinson.

Council commented on the following topics:

- Welcome to everyone and thanks for coming
- Trash Bash scheduled for Saturday, March 27
- Importance of filling out and returning Census Forms
- The "Go Boldly" effort to keep funding for NASA
- Hanging of present and former Mayor, Council Member and City Administrator pictures in City Council Chambers
- Recent Career Day at K. E. Little Elementary
- Historical Society Program on Saturdays for 3rd and 4th Grade Students
- DHS Fundraiser "Wine and Roses" to be held April 23 at Amegy Bank
- Abraham Kluksdahl's Eagle Scout project at Gazebo nearing completion
- Steve Termini Concert at College of the Mainland

ITEM 3.) PUBLIC COMMENTS:

George Deats, 2499 Oleander, asked City Council to relocate the bench he had donated in his brother's name back to the original spot where he had placed it in front of City Hall.

Jerry Armstrong, 2901 46th Street, informed Council that there was still no agreement in place concerning the properties at 2922 45th Street and 4419 St. Goar. He noted the issue was scheduled for court in Galveston on March 31.

Larry Gregory, 3814 Hanson, and Allan Knape, 3810 Hansen, informed Council of the drainage issues they were having as a result of the remodel of the Chevron service station at FM 517 and FM 646.

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 March 9, 2010
- B. Approval of Minutes of Regular Council Meeting of March 9, 2010
- C. Resolution Number 1110-2010 - **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 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.**

Councilman Neves made a motion to approve the Consent Agenda. Councilman Wilson seconded the motion.

VOTE:

4 AYES (Dunbaugh, Wilson, Neves and Decker)

0 NAYS

MOTION PASSED.

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 noted that Mesa would be back on Thursday to re-balance the system.

- B. Update on Landscaping Through TxDOT Grant and Award of Quote on Installation of Irrigation System and Drains.
City Administrator Julie Johnston reviewed the quotes received with City Council and recommended that the Council approve award of quote to Encino Landscape Inc. in the amount of \$16,500.00. Councilwoman Dunbaugh made a motion to approve award of quote to Encino Landscape in an amount not to exceed \$16,500.00. Councilman Wilson made the second.

VOTE:

4 AYES (Dunbaugh, Wilson, Neves and Decker)

0 NAYS

MOTION PASSED.

- C. Update on Status of Survey and Replat of Property.
The City Administrator noted that the plat has been received and it looks like there is no encroachment issue. She noted that several items are being clarified prior to the re-plat being filed.

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

- A. Tanglebriar Street Construction
- B. Parking Lot Construction
- C. Island Drive Culvert Repair
- D. Lovers Lane Reconstruction Project

Director of Public Works Kellis George gave City Council an update on the various public works projects, noting that Tanglebriar Circle, the parking lot at City Hall and the Island Drive culvert repair had all been completed. City Administrator Julie Johnston noted that she had a meeting with the homeowners on Lover's Lane scheduled for next Wednesday to discuss obtaining the right-of-way necessary to reconstruct the street.

ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update on Disaster Relief Grant Projects

The City Administrator advised that all of the Round 1 projects are in design phase. Additionally, she had been advised that other cities in the area have

received their Round 1 funding and that the City should be receiving its funding in the near future.

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update on Dickinson Bayou Watershed Committee Meeting.

Councilman Decker gave an update on the most recent meeting of the Dickinson Bayou Watershed Committee.

NEW BUSINESS

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Request by Ed White, 1325 Plantation Drive, to discuss street, drainage ditches and vacant lot across the street from his house

Ed White, 1325 Plantation Drive, and Bobby Chapman, 1108 Plantation Drive, informed Council of the street and drainage problems on Plantation. They asked that larger culverts be installed to move the water from Deats Road and asked that consideration be given for reconstructing their street.

ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Presentation by Ben Hernandez on Weatherization Program.

Ben Hernandez passed out information on the weatherization program available from the Federal Government through the Texas Department of Housing and Community Affairs. He noted that the program is free to those whose incomes qualify and asked Council's assistance in getting the word out about the program.

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Presentation and Approval Of FY 2009 Audited Comprehensive Annual Financial Report By Null Lairson, PC, Certified Public Accountants, And City Council's Acceptance Of Audited FY 2009 Comprehensive Annual Financial Report.

Helen Duvall of Null Lairson, P.C. gave a brief power point presentation pointing out the highlights of the completed 2009 Audited Comprehensive Annual Financial Report. Following some discussion, Council asked that Note 14 on Page 49 be modified to reflect more accurately the amount of drainage funds spent in 2009. Councilwoman Dunbaugh made a motion to approve the FY 2009 Audited Comprehensive Annual Financial Report as modified. Councilman Neves seconded the motion.

VOTE:

4 AYES (Dunbaugh, Wilson, Neves, and Decker)\
0 NAYS

MOTION PASSED.

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1111-2010 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A 2.7% INCREASE IN THE SOLID WASTE COLLECTION FEES FOR WASTE MANAGEMENT EFFECTIVE APRIL 1, 2010; AMENDING THE EXCLUSIVE COMMERCIAL, INDUSTRIAL, AND RESIDENTIAL SOLID WASTE, GREEN WASTE AND RECYCLING CONTRACT AWARDED TO WASTE MANAGEMENT BY THE APPROVAL OF NEW EXHIBITS “A” AND “B”; REAFFIRMING THE CITY’S TRANSACTION FEE; AND PROVIDING AN EFFECTIVE DATE.**

Councilman Neves read the resolution by caption only. Councilman Neves made a motion to approve Resolution Number 1111-2010. Councilwoman Dunbaugh seconded the motion.

VOTE:

4 AYES (Dunbaugh, Wilson, Neves, and Decker)\

0 NAYS

MOTION PASSED.

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1112-2010 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AMENDING RESOLUTION NO. 764-2004 AND THE MASTER FEE SCHEDULE OF THE CITY WITH REGARD TO SOLID WASTE COLLECTION FEES; AND PROVIDING AN EFFECTIVE DATE.**

Councilman Neves read the resolution by caption only. Councilwoman Dunbaugh made a motion to approve Resolution Number 1112-2010. Councilman Decker seconded the motion.

VOTE:

4 AYES (Dunbaugh, Wilson, Neves, and Decker)\

0 NAYS

MOTION PASSED.

ITEM 14.) EXECUTIVE SESSION: The City Council will now hold 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 551.074 – Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the City Administrator.

Councilman Decker made a motion to table Item A. Councilman Wilson seconded the motion.

VOTE:

4 AYES (Dunbaugh, Wilson, Neves, and Decker)\

0 NAYS

MOTION PASSED.

B. 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.

Mayor Masters recessed the meeting into Executive Session at 7:57 p.m.

ITEM 15.) RECONVENE

Mayor Masters reconvened the meeting at 8:12 p.m.

ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

City Council took no action on the items discussed in Executive Session.

ITEM 17.) 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. Council took no action in this matter.

ITEM 18.) ADJOURN

Councilman Wilson made a motion to adjourn the meeting at 8:15 p.m. Councilman Decker seconded the motion.

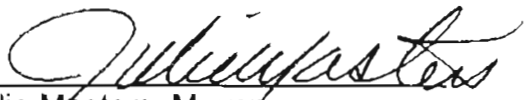
VOTE:

4 AYES (Dunbaugh, Wilson, Neves, and Decker)

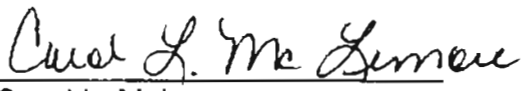
0 NAYS

MOTION PASSED.

PASSED, APPROVED AND ADOPTED this the 13th day of April, 2010.


Julie Masters, Mayor

ATTEST:


Carol L. McLemore
City Secretary

