

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 24, 2009

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, MARCH 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. Carol McLemore gave the Invocation and Councilman Decker 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. Absent were Mayor Pro Tem William King and Councilman Charles Suderman. Also present were City Administrator Julie Johnston, Director of Public Works Kellis George, Finance Director Mary Young, Fire Marshal Norman Hicks, Library Director Vicki McCallister, and Administrative Services Coordinator Kathryn Taylor.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

Council commented on the following topics:

- Welcome to everyone present and thanks for coming.
- Trash Bash to clean Dickinson Bayou on Saturday, March 28.
- Italian Festival at Historic Railroad Center on Sunday, March 29.
- 7th Annual Wine and Roses Dickinson Historical Society Fundraiser on Friday, April 24 at Amegy Bank.
- Scout Abraham Kluksdahl is now accepting donations for his project to construct a Veteran's Memorial at the Gazebo.
- Dickinson ISD Students who won awards in Art at the Houston Livestock Show.
- Health & Safety Fair at Sam Vitanza Stadium on Saturday, April 4.
- Keep Dickinson Beautiful Fundraiser scheduled for May 8.

ITEM 3.) PUBLIC COMMENTS:

Patrick Restivo, 9806 Sage Aspen, Houston, appeared before City Council to protest what he claimed as retaliation from City Employees. Mr. Restivo stated that he had received a certified letter informing him of some 20 violations at his mobile home community after he had appeared at the last

Council Meeting and complained about rude treatment from employees. Mr. Restivo stated that he had been in business for many years and had never received any notice of violations in the past.

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 Regular Council Meeting of March 10, 2009

Councilman Wilson made a motion to approve the consent agenda. Councilman Neves seconded the motion.

VOTE:

4 AYES (Dunbaugh, Wilson, Neves and Decker)

0 NAYS

MOTION PASSED.

OLD BUSINESS

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

- A. Schedule for Move to New Facilities and Dedication Ceremony
- B. Outstanding Items for Which City is Responsible on Project
- C. Project Items for Which City and Water Control and Improvement District No. 1 Anticipate Sharing Costs
- D. Landscaping for Project through Grant Awarded to Keep Dickinson Beautiful by Texas Department of Transportation
- E. Progress on Obtaining Quote for Signage
- F. Donation Policy Adopted by Resolution Number 533-2000 and Applicability to Donations to City Hall/Library Project

City Administrator Julie Johnston and Fire Marshal Norman Hicks updated City Council on several items concerning the City Hall/Library Project. The City Administrator noted that the project was still on time and construction should be completed by late May or early June. She noted that the move to the new facility has been tentatively scheduled for the second weekend in June for City Hall and the following week for the Library. She also noted that the dedication and open house has been tentatively scheduled for Tuesday, June 30.

Discussion followed concerning the project items for which the City and WCID#1 anticipate sharing costs, the outstanding items for which the City is responsible on the project, the progress on obtaining a quote for signage. It was the consensus of Council that WCID#1 would pay for their signage.

The City Administrator also reviewed the discussions and schedule for the landscaping that will be done by Texas Department of Transportation through a grant awarded to Dickinson Beautiful.

City Council also reviewed the current donations policy in light of items that may be donated to the new City Hall/Library Complex. Council directed staff to bring back an updated policy that increased the amount of donations that may be accepted without Council approval to \$500.00 and to include wording for a donation recognition policy.

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

Director of Public Works Kellis George gave a brief report on the project. He noted that the project has been held up because Comcast has not moved their lines to the new utility poles.

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

Director of Public Works Kellis George gave a brief report on the progress on the project. He explained to Council that the mail delivery problem will be addressed by placing temporary mailboxes on Hughes Road.

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

Councilman Louis Decker gave a report on the most recent meeting of the Dickinson Bayou Watershed Steering Committee Meeting.

ITEM 9.) 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 (Second of three readings)

Mayor Masters read the ordinance by caption only. Councilman Wilson made a motion to adopt Ordinance Number 664-2009 on second and final reading, suspending the third reading. Councilman Decker seconded the motion.

VOTE:

4 AYES (Wilson, Dunbaugh, Neves and Decker)

0 NAYS

MOTION PASSED.

NEW BUSINESS

ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Andrea Cooper, Texas PRIDE Crisis Counseling Program – Presentation regarding a FEMA grant being implemented by Gulf Coast Center to provide crisis counseling for those affected by Hurricane Ike.

Andrea Cooper of Texas PRIDE Crisis Counseling Program made a brief presentation to City Council on the crisis counseling that is available for those affected by Hurricane Ike.

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Request from Patty Cowart, Judy Lyles and Fred Lyles for Repairs on Rice Road.

Patty Cowart, 8015 Rice Road, Texas City, appeared before City Council and presented a petition from the citizens on Rice Road asking that Dickinson's portion of Rice Road be repaired. She also presented pictures of the damage to the roadway. After some discussion, Council took no action in this matter.

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 665-2009 – **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 SECTIONS 545.356 AND 545.353 OF THE TEXAS TRANSPORTATION CODE, 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 CONSTRUCTION SPEED ZONE ON FM 646 FROM THE INTERSECTION OF THE NORTHERN EDGE OF SECOND STREET TO THE INTERSECTION OF THE NORTHERN EDGE OF FM 517 WEST, A DISTANCE OF 6,170 FEET TO REDUCE THE SPEED LIMIT TO 45 MILES PER HOUR; AUTHORIZING**

THE INSTALLATION OF SIGNAGE IN ACCORDANCE WITH THIS ORDINANCE; PROVIDING FOR THE ALTERATION OF THE PRIMA FACIE SPEED LIMIT OF SAID STREET TO INCREASE TO 55 MILES PER HOUR UPON COMPLETION OF CONSTRUCTION; PROVIDING A PENALTY NOT TO EXCEED \$200.00 FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE (First of three readings).

Mayor Masters read the ordinance by caption only. Councilwoman Dunbaugh made a motion to approve Ordinance Number 665-2009 on first reading. Councilman Wilson seconded the motion.

VOTE:

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

MOTION PASSED.

- ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 666-2009 – **AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF DICKINSON, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2009; AND CONTAINING OTHER MATTERS INCIDENT THERETO.**

Mayor Masters read the ordinance by caption only. Councilwoman Dunbaugh made a motion to approve Ordinance Number 666-2009 on first and final reading. Councilman Wilson seconded the motion.

VOTE:

3 AYES (Masters, Dunbaugh, Wilson)
2 NAYS (Neves and Decker)

MOTION PASSED.

- ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 667-2009 – **AN ORDINANCE AUTHORIZING AND ORDERING THE ISSUANCE OF CITY OF DICKINSON, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009; AUTHORIZING DEFEASANCE OF CERTAIN BONDS, THE EXECUTION AND DELIVERY OF AN ESCROW AGREEMENT, THE PURCHASE OF CERTAIN SECURITIES AND THE USE OF CERTAIN FUNDS RELATED TO THE BONDS TO BE REFUNDED; AND MAKING OTHER PROVISIONS REGARDING SUCH BONDS, INCLUDING USE OF THE PROCEEDS THEREOF, AND MATTERS INCIDENT THERETO.**

Mayor Masters read the ordinance by caption only. Councilwoman Dunbaugh made a motion to approve Ordinance Number 667-2009 on first and final reading. Councilman Wilson seconded the motion.

VOTE:

3 AYES (Masters, Dunbaugh and Wilson)

2 NAYS (Neves and Decker)

MOTION PASSED.

- ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1023-2009 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERLOCAL COOPERATIVE PURCHASING AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND THE CITY OF LEAGUE CITY, TEXAS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE CITY ADMINISTRATOR; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Decker made a motion to approve Resolution Number 1023-2009. Councilman Wilson seconded the motion.

VOTE:

4 AYES (Dunbaugh, Wilson, Neves and Decker)

0 NAYS

MOTION PASSED.

- ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Official Position Concerning Cypress Creek Development on FM 1266 in Galveston County.

Judy Herring, 4100 East 27th Street asked City Council to oppose the proposed low income housing project being planned at Deats Road and FM 1266. Ms. Herring cited several reasons for opposing the project and asked for Council's support. After some discussion, Councilman Neves made a motion to send a letter to State Representative Larry Taylor, the Texas Department of Community Affairs and anywhere else needed expressing Council's opposition to the project. Councilwoman Dunbaugh seconded the motion.

VOTE:

4 AYES (Dunbaugh, Wilson, Neves and Decker)

0 NAYS

MOTON PASSED.

- ITEM 17.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** City of Dickinson's Participation in Galveston County Voluntary Buyout and Elevation Program.

City Secretary Carol McLemore informed Council that when she requested permission from Galveston County to participate in their Voluntary Buyout and Elevation program, John Simsen with the County informed her that there were two additional properties that were interested in the buyout program. After some discussion, Council instructed Staff to see if it would be possible to participate in the elevation portion of the program without participating in the buyout portion. Councilman Neves made a motion to not participate in the Voluntary Buyout Program. Councilman Decker seconded the motion.

VOTE:

4 AYES (Wilson, Dunbaugh, Neves and Decker)

0 NAYS

MOTION PASSED.

ITEM 18.) ADJOURN

Councilman Wilson made a motion to adjourn the meeting at 8:40 p.m. Councilman Decker seconded the motion.

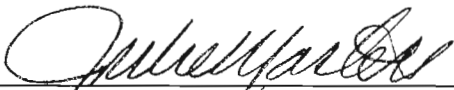
VOTE:

4 AYES (Wilson, Dunbaugh, Neves and Decker)

0 NAYS


MOTION PASSED.

PASSED, APPROVED AND ADOPTED this the 14th day of April, 2009.



Julie Masters, Mayor

ATTEST:



Carol L. McLemore
City Secretary