

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

APRIL 13, 2010

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, APRIL 14, 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 Peggy Wright 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 Finance, Mary Young, Director of Public Works Kellis George, Police Captain Arnold Moreno, Fire Marshal Norman Hicks and Development Coordinator Angela Forbes.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

A. National Crime Victims' Rights Week

Mayor Masters read and presented a proclamation for National Crime Victims Rights Week to members of the Committee for Victims Rights.

B. Child Abuse Prevention and Awareness Month

Mayor Masters read the proclamation proclaiming April as "Child Abuse Prevention and Awareness" month and accepted the proclamation on behalf of Galveston County Children's Services Board.

Council commented on the following topics:

- Welcome to everyone and thanks for coming
- Public Transit meeting held April 13 and upcoming workshop to discuss issues
- Congratulations to Beau Moreno who was named Fire Fighter of the Year by the Houston 100 Club
- Thanks to Officer E. J. Suarez for his help in the warrant round up.
- Little League Parade held Saturday, April 10

- DCPAA hosting of Region 1 Meeting to plan for upcoming convention in Galveston
- Success of Dickinson Beautiful Trash Bash held March 27
- Commendations to Eugene Kranz for his award on his work on the Apollo Program
- Eighth Annual "Night of Wine and Roses" fundraiser by Dickinson Historical Society scheduled for Friday, April 23
- TML Region 14 meeting held in March in Houston
- Upcoming Golf Tournament for Greater New Hope Baptist Church

ITEM 3.) PUBLIC COMMENTS:

David and Ed Hogan, 3310 Lobit Drive, spoke to City Council regarding the trash and debris that is being dumped on their property by the residents in Pine Forest Apartments.

Joan Malmrose, 2716 Frostwood, invited everyone to attend the 80th Strawberry Festival at Holy Trinity Episcopal Church on May 1.

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 23, 2010
- B. Approval of Minutes of Regular Council Meeting of March 23, 2010
- C. Approval of Resolution Number 1113-2010 – **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 (CITY) AND DICKINSON INDEPENDENT SCHOOL DISTRICT (DISD), FOR A JOINT ELECTION FOR THE MAY 8, 2010 GENERAL ELECTION; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**
- D. Resolution Number 1114-2010 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BETWEEN THE CITY OF DICKINSON, TEXAS (CITY), AND GALVESTON COUNTY, TEXAS (COUNTY), AUTHORIZING GALVESTON COUNTY TO CONDUCT THE CITY OF DICKINSON MAY 8, 2010 CITY COUNCIL ELECTION PURSUANT TO TEXAS ELECTION CODE CHAPTER 31, SUBCHAPTER D; PROVIDING FOR THE INCORPORATION OF**

PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.

- E. Approval of Resolution Number 1115-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE AERIAL SPRAYING FOR THE ABATEMENT OF MOSQUITOES OVER AND WITHIN THE CITY OF DICKINSON BY THE GALVESTON COUNTY MOSQUITO CONTROL DISTRICT AND PROVISIONS RELATED THERETO; AND PROVIDING AN EFFECTIVE DATE.**

- F. Approval of Resolution Number 1116-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN INTERAGENCY AGREEMENT WITH GALVESTON COUNTY, TEXAS PROVIDING FOR THE FILING OF A JOINT APPLICATION FOR GRANT FUNDING WITH THE AUTOMOBILE THEFT PREVENTION AUTHORITY OF THE STATE OF TEXAS FOR THE GALVESTON COUNTY AUTO CRIMES TASK FORCE; AGREEING TO PROVIDE MATCHING FUNDS AS SET FORTH IN THE AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

Councilman Wilson made a motion to approve the Consent Agenda.
Councilman Decker 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 including the following items:

- A. Update on HVAC Issues.
Fire Marshal Norman Hicks gave a brief update on the HVAC issues, noting that problems should be taken care of.

- B. Update on Landscaping Through TxDOT Grant and Installation of Irrigation System and Drains.
City Administrator Julie Johnston noted that the irrigation system, landscaping and drains were currently being installed. She reviewed the proposed bedding plants that had been recommended by the contractor and recommended that the Council approve using gold and lavender lantana and knockout roses. Ms. Johnston noted that the

total for both would \$4,250.00. After some discussion, Councilman Wilson made a motion to approve \$4,250.00 for bedding plants. Councilman Suderman seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

- C. Update on Status of Survey and Replat of Property.
The City Administrator noted that the survey was completed, except for resolving right-of way issues with TxDOT. Since it will take some time to work out these issues, the re-plat will be sent to the Planning and Zoning Commission for approval and changes could be made after the issues were resolved with TxDOT. She also noted that all other encroachment issues had been resolved.
- D. Award of Quote for Installation of Manual Emergency Transfer Switch for Electrical Service Entrance at Dickinson City Hall.
- E. Award of Quote on Installation of a Texas Accessibility Standard (TAS) Approved Door Operating System for the Main Entrance at Dickinson City Hall.
Fire Marshal Norman Hicks noted that he had not received all the quotes and these matters would be on the next Council agenda for approval.

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

- A. Lovers Lane Reconstruction Project
- B. Cherry Street Bridge Reconstruction Project
- C. Drainage Project at 5210 Winding Brook

City Administrator Julie Johnston updated Council on the meeting with the residents on Lovers Lane. She also reported that she had learned from TxDOT that monies had been funded for the reconstruction of the Cherry Street Bridge and construction plans are currently in design. TxDOT has indicated that this project would not be let for construction until September.

Public Works Director Kellis George informed Council about the drainage work that needs to be done at 5210 Winding Brook and the steps that need to be taken to correct the problem.

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

City Administrator Julie Johnston updated City Council on the progress of the grant projects. Councilman Neves gave a brief report on the second round of funding.

ITEM 8.) BRIEFING, DISCUSSION AND DIRECTION CONCERNING: Proposed Roof Repairs at Historic Railroad Depot and Museum.

Fire Marshal Norman Hicks presented several options for roofing materials for the roof at the Historic Railroad Depot and Museum. Council asked that bid specifications be prepared to include prices on the various materials considered by Council.

ITEM 9.) BRIEFING AND DISCUSSION CONCERNING: Update on Red, White & Bayou Crawfish and Texas Music Festival.

City Administrator Julie Johnston gave an update on the progress of the planning for the Red, White and Bayou Crawfish and Texas Music Festival. She reported on the meetings held with the citizens in the area regarding the traffic plan for the blocking of Highway 3 and FM 519.

NEW BUSINESS

ITEM 10.) BRIEFING AND DISCUSSION CONCERNING: Presentation by Bay Area Houston Economic Partnership – Update on Johnson Space Center/NASA Budget.

Bob Mitchell of Bay Area Houston Economic Partnership gave an update on the Johnson Space Center/NASA Budget. He reported that the Constellation Program which was to replace the Shuttle Program had been cancelled by President Obama. He explained the magnitude of the effect on the area and that a group had recently been to Washington, D. C. to try to save the funding for the space program. He said that they had targeted other state representatives concerning the security issues that would happen should the United States cease to be a leader in space travel. He also informed Council that, on his way to the meeting that evening, he had received a call from the news media that the Orion program had been saved. He asked for Council's support in continuing to make sure that funding for the program at NASA continued.

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Appointment of Judge of Early Voting Ballot Board and Authorization to Hire up to Three Clerks to Assist.

Council reviewed a recommendation from the City Secretary that Ernie Murrie be appointed Judge of the Early Ballot Voting Board and that he be allowed to appoint up to three clerks to assist him in certifying and counting

ballots. Councilman Wilson made a motion to approve the recommendation. Councilman Suderman seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

- ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Official Position Concerning Mariposa at Calder Road Development on the North Side of FM 517 and West of FM 646 in League City.

City Administrator Julie Johnston reviewed a letter that she was proposing to send concerning opposition to the proposed Mariposa at Calder Road Development. Councilman Neves made a motion to direct the City Administrator to send the letter opposing the development. Councilwoman Dunbaugh seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

- ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1117-2010 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND HDR ENGINEERING, INC.; PROVIDING FOR INCORPORATION OF PREMISES; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Suderman made a motion to approve Resolution Number 1117-2010. Councilwoman Dunbaugh made the second.

VOTE:

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

0 NAYS

MOTION PASSED.

- ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1118-2010 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AN AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND PATE ENGINEERS; PROVIDING FOR INCORPORATION OF PREMISES; AUTHORIZING EXECUTION OF**

THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.

Mayor Masters read the resolution by caption only. Councilman Suderman made a motion to approve Resolution Number 1118-2010. Councilwoman Dunbaugh seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

ITEM 15.) 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 551.074 – Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the City Administrator.

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 8:14 p.m.

ITEM 16.) RECONVENE

Mayor Masters reconvened the meeting at 9:06 p.m.

ITEM 17.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

Council took no action in this matter.

ITEM 18.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1119-2010 - **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 approve Resolution Number 1119-2010. Councilwoman Dunbaugh seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

ITEM 19.) ADJOURN

Mayor Pro Tem King made a motion to adjourn the meeting at 9:07 p.m. Councilman Decker seconded the motion

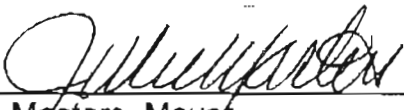
VOTE:

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

0 NAYS

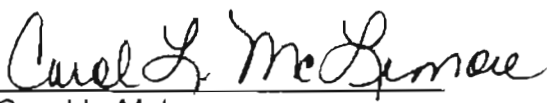
MOTION PASSED.

PASSED, APPROVED AND ADOPTED this the 27th day of April, 2010.



Julie Masters, Mayor

ATTEST:



Carol L. McLemore
City Secretary

