

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 27, 2010**

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, APRIL 27, 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 7:11p.m. Joel Hawkins of Holy Trinity Episcopal Church gave the Invocation and Catfish of Bay Area V Twins 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, Finance Director Mary Young, Public Works Director Kellis George, Fire Marshal Norman Hicks, Library Director Vicki McCallister, and Police Captain Steve Krone.

**ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:**

A. Proclamation – Motorcycle Safety Awareness Month

Mayor Masters read the proclamation and proclaimed May as Motorcycle Safety Awareness Month in Dickinson. She presented the proclamation to members of the Bay Area V Twins Motorcycle Club.

B. Proclamation – Strawberry Festival Day

Mayor Masters read the proclamation and proclaimed May 1 as Strawberry Festival Day in Dickinson. She presented the proclamation to members of the Holy Trinity Episcopal Church.

Council commented on the following topics:

- Welcome to everyone present and thanks for coming.
- Success of the 8<sup>th</sup> Annual Wine and Roses Fundraiser for Dickinson Historical Society and thanks to those who assisted.
- Dickinson Historical Society Field Day at the Historic Railroad Depot for third and fourth graders
- Success of Greater New Hope Baptist Church Golf Tournament and thanks to those who participated.

- Judge Yarbrough's scheduled meeting at Barbour's Chapel to meet with Pastors in the area to give information on assistance that will be available for citizens whose homes still need repair.
- Wishes of success for Strawberry Festival
- Early Voting for May 8, 2010 Election
- Share the Roads signs posted by Bay Area V Twins
- Keep Dickinson Beautiful looking for volunteers for Red, White and Bayou Crawfish and Texas Music Festival

**ITEM 3.) PUBLIC COMMENTS:**

There were no citizens who requested to speak.

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

The following items were considered routine by the City Council and enacted by one motion. There was not a separate discussion on these items.

- A. Approval of Minutes of Special Council Workshop of April 13, 2010.
- B. Approval of Minutes of Regular Council Meeting of April 13, 2010.
- C. Approval of Resolution Number 1120-2010 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN EXECUTING COMMERCIAL SALES AGREEMENTS FOR THE INSTALLATION OF AN ACCESS CONTROL SYSTEM WITH ADT SECURITY SERVICES, INC. ("ADT") FOR THE POLICE STATION; PROVIDING FOR INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.**

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

**VOTE:**

6 AYES (Suderman, Dunbaugh, Wilson, 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 an update on the HVAC issues. He said that he is working on scheduling the units for operation to keep from running all the units 24 hours a day. City Administrator Julie Johnston noted that it appears that the solution to the condensation problem as proposed by Hall Barnum Luchessi has resulted in

additional electricity being used; therefore, she has asked the City Attorney to write a formal notice to both Hall Barnum Lucchesi and Durotech that the solution is not acceptable and requires further work.

- B. Update on Landscaping Through TxDOT Grant and Installation of Irrigation System and Drains.

Norman Hicks gave a brief update and outlined the work still to be completed.

- C. Award of Quote for Installation of Manual Emergency Transfer Switch for Electrical Service Entrance at Dickinson City Hall.

Norman Hicks reviewed the two quotes received. After some discussion, Councilwoman Dunbaugh made a motion to award the quote to Stan's Electric in an amount not to exceed \$12,000.00. Mayor Pro Tem King seconded the motion

**VOTE:**

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

1 NAY (Neves)

**MOTION APPROVED**

- D. Award of Quote on Installation of a Texas Accessibility Standard (TAS) Approved Door Operating System for the Main Entrance at Dickinson City Hall.

Norman Hicks reviewed the two quotes received to install a TAS approved door operating system for the main entrance at City Hall. He explained how the operating system would be installed. He advised Council that there would be an additional charge of \$300 - \$400 for adding additional power drops to each door. After some discussion, Councilwoman Dunbaugh made a motion to award the quote to Stanley Access Technologies in an amount not to exceed \$3,650. Mayor Pro Tem King seconded the motion.

**VOTE:**

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

0 NAYS

**MOTION APPROVED**

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

- A. Drainage Project at 5210 Winding Brook

Public Works Director Kellis George explained the work to be done and the costs involved. Mayor Pro Tem King made a motion to approve the funding for the project. Councilman Decker seconded the motion. Discussion followed concerning the probability of setting a precedent by removing and

replacing a private fence. After some discussion, it was the consensus of City Council that a survey be obtained prior to doing any work to identify the location of the drainage easement and then the location of the existing fence erected by the property owner. After the survey has been performed, Council requested that Mr. George bring this item back for further discussion and direction prior to proceeding with the work. Mayor Pro Tem King withdrew his motion and the Councilman Decker agreed to withdraw his second. Mayor Pro Tem King made a motion to table this matter. Councilman Decker seconded the motion.

**VOTE:**

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

0 NAYS

**MOTION PASSED.**

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

Councilman Neves gave an update on the meeting conducted by Texas Department of Housing and Community Affairs, the Texas Department of Rural Affairs, and Houston-Galveston Area Council concerning Phase II of the CDBG Hurricane Ike funding. City Administrator Julie Johnston provided a brief update on the status of the Round 1 projects.

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

Councilman Decker gave a brief update on the recent meeting of the Dickinson Bayou Watershed Committee.

**ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Red, White and Bayou Crawfish and Texas Music Festival

City Administrator Julie Johnston updated City Council with regard to the ongoing preparation for the Red, White and Bayou Crawfish and Texas Music Festival.

**ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Recommendation from Library Advisory Board Concerning Donations and Recognition Policy for Dickinson Public Library.

George Pulliam, Chairman of the Library Advisory Board explained the policy that had been developed and recommended by the Board for naming rights for donations. After some discussion, Councilman Wilson made a motion to approve the recommended policy. Councilwoman Dunbaugh seconded the motion. The City Administrator noted that the policy would be

incorporated into the City's existing Donations Policy and brought back to Council for approval to amend that policy.

**VOTE:**

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

0 NAYS

**MOTION PASSED.**

**NEW BUSINESS**

**ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 696-2010 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING AN AMENDED BUDGET FOR THE CITY OF DICKINSON, TEXAS FOR FISCAL YEAR 2009-2010; MAKING CERTAIN FINDINGS AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE** (First and final reading).

Mayor Masters read the ordinance by caption only. Councilman Suderman made a motion to approve Ordinance Number 696-2010. Councilwoman Dunbaugh seconded the motion. Finance Director Mary Young answered questions from City Council regarding the proposed amendments.

**VOTE:**

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

0 NAYS

**MOTION PASSED.**

**ITEM 12.) 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 551.071 – 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. Deborah Anne Duncan v. Tracy Brent Keele and the City of Dickinson, Texas; Cause No. 09-41267, United States Court of Appeals on Appeal from the United States District Court for the Southern District of Texas, Cause No. 3:08-CV-157.

2. Sharon Ramsey, Individually and as Next Friend of Rachel Ramsey, a Minor v. League City, The City of Dickinson and Galveston County; Cause No. 09-00247, United States District Court for the Southern District of Texas, Galveston Division.

3. Status of litigation related to code enforcement issues on properties located at 2922 45<sup>th</sup> Street and 4419 St. Goar.

Mayor Masters recessed the meeting into Executive Session at 8:36 p.m.

**ITEM 13.) RECONVENE**

Mayor Masters reconvened the meeting at 8:49 p.m.

**ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Matters Discussed in Executive Session.

Council took no action on the matters discussed in Executive Session.

**ITEM 15.) ADJOURN**

Councilman King made a motion to adjourn the meeting at 8:50 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 11<sup>th</sup> day of May, 2010.

  
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Julie Masters  
Mayor

**ATTEST:**

  
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Carol L. McLemore  
City Secretary

