

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

**MAY 26, 2009**

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, MAY 26, 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. Charles Suderman gave the Invocation and Louis 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 Charles Suderman, Mary Dunbaugh, Walter Wilson, and Louis Decker. Mayor Pro Tem William King and Councilman Kerry Neves 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 Services Coordinator Angela Forbes.

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

Mayor Masters read a proclamation proclaiming June as "Hurricane Preparedness Month" in the City of Dickinson

Mayor Masters read a proclamation proclaiming June 7 – 13 as "Management Week in America" in the City of Dickinson."

Council commented on the following topics:

- Welcome to everyone present and thanks for coming
- Trees leaning at Central Fire Station
- Keep Dickinson Beautiful tree planting to be held at 8:30 a.m. on Saturday, May 30, at Paul Hopkins Park
- Planning for VFW 4<sup>th</sup> of July Picnic
- July Event at VFW featuring Pee Wee Bowen
- Thanks to everyone who participated in the Keep Dickinson Beautiful Fundraiser held May 21
- Abraham Kluksdahl's Eagle Scout Project and the fundraising efforts featured on ABC Channel 13

**ITEM 3.) PUBLIC COMMENTS:**

Marilyn Decker, 5520 Tanglebriar, expressed appreciation to Kellis George and the Street Department for the good job done on the street reconstruction done on Tanglebriar. She noted that they are almost completed and asked that Council not consider doing any other street projects until such time as Tanglebriar Circle and Tanglebriar Lane are completed.

**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 Meeting of May 12, 2009
- B. Approval of Minutes of Regular Council Meeting of May 12, 2009
- C. Approval of Minutes of Special Joint Meeting with Galveston County Water Control and Improvement District #1 of May 18, 2009.
- D. Approval of Resolution Number 1038-2009 – **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, TEXAS, FOR THE PURPOSE OF APPLYING FOR THE JOINT ALLOCATION OF THE RECOVERY ACT OF THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN THE AMOUNT OF \$26,480.00; 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. Councilwoman Dunbaugh seconded the motion.

**VOTE:**

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

**MOTION PASSED**

**OLD BUSINESS**

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

- A. List of Outstanding Items for Which City is Responsible on Project Updated as of May 21, 2009.  
City Administrator Julie Johnston and Fire Marshal Norman Hicks updated the Council on the list of outstanding items for which the city is responsible, including the additional costs for electrical outlets for the

audio visual equipment. The City Administrator noted that the final cost for monitors at each Council place would be \$1,644 instead of the \$1,200 quoted earlier. After some discussion, Councilwoman Dunbaugh made a motion to approve the purchase of ten monitors for the Council table at a cost of \$1,644.00. Councilman Suderman seconded the motion.

**VOTE:**

4 AYES (Suderman, Dunbaugh, Wilson and Decker)

0 NAYS

**MOTION PASSED.**

- B. Review of Signage Quotes and Approval of Purchase of Signage in an amount not to exceed \$20,000.00.

Council reviewed the proposals for signage from AGP, Inc., Creative Sign and Display and Gillaspia Signs. After some discussion, Councilman Wilson made a motion to approve the purchase of signs from AGP, Inc. with separate dedication plaques for the City Hall, Library and WCID#1. Councilman Suderman seconded the motion.

**VOTE:**

4 AYES (Suderman, Dunbaugh, Wilson and Decker)

0 NAYS

**MOTION PASSED.**

- C. Approval of Purchase of Two AEDs from BoundTree Medical in an amount not to exceed \$2,700.00.

Fire Marshal Norman Hicks reviewed the proposal from BoundTree Medical for two AED's, one for City Hall and one for the Library at a cost of \$2,684.72. Councilman Suderman made a motion to approve the proposal. Councilman Decker made the second.

**VOTE:**

4 AYES (Suderman, Dunbaugh, Wilson and Decker)

0 NAYS

**MOTION PASSED.**

- D. Issue Concerning Door Hardware and Security System.

Fire Marshal Norman Hicks noted that the doors and hardware were designed to meet the wind load requirements, but adding the security system to the doors would void the wind load guarantee. He said this issue was being reviewed for possible solutions and would be brought back to Council to be discussed with the architects at a later date.

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

- A. Oleander Bridge Project  
Public Works Director Kellis George noted that the demolition had begun on the current bridge and he expected that the construction of the new bridge would begin shortly thereafter.
- B. Tanglebriar Street Construction Project  
Mr. George said that the last pour on Tanglebriar was completed last Friday and that the curbs were scheduled to be poured next Monday. He noted that after the curbs were completed the Street crews would begin sloping the yards and cleanup.
- C. Sunset Drive Street Construction Project  
Mr. George noted that the award of bid for this project was on the agenda tonight. He said that the project should begin in late June because there were several drainage projects that needed to be completed prior to beginning the construction on Sunset.

**ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Dickinson Bayou Watershed Steering Committee.

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

**ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Contract Negotiations with Dickinson Independent School District for School Officers.

Chief Morales said that he had mailed a letter to Dr. Williams informing DISD that the City would not provide police officers at the schools unless the school paid for three officers. He said that he has not heard anything back from Dr. Williams.

**ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 668-2009 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON BY THE ADDITION OF A NEW ARTICLE VI TO BE ENTITLED "LIBRARY ADVISORY BOARD"; ENABLING AND CREATING A LIBRARY ADVISORY BOARD AND PRESCRIBING THE DUTIES, RESPONSIBILITIES, AND POLICIES OF THE BOARD; PROVIDING A CUMULATIVE REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE** (Second of three readings.)

Mayor Masters read the ordinance by caption only. Councilwoman Dunbaugh made a motion to adopt Ordinance Number 668-2009 on second reading, suspending the third reading. Councilman Suderman seconded the motion.

**VOTE:**

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

**MOTION PASSED.**

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1039-2009 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A LEASE AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND NORTH GALVESTON COUNTY CHAMBER OF COMMERCE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH LEASE AGREEMENT; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Suderman made a motion to approve Resolution Number 1039-2009. Councilwoman Dunbaugh seconded the motion. John Oliver, President of the North Galveston County Chamber of Commerce informed Council that the NGCCC Board had approved the agreement and he encouraged Council to vote for it.

**VOTE:**

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

**MOTION PASSED.**

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1040-2009 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, REPEALING RESOLUTION NUMBER 533-2000; ADOPTING A NEW POLICY REGARDING ACCEPTANCE OF DONATIONS TO THE CITY OF DICKINSON; PROVIDING A REPEALER CLAUSE AND AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilwoman Dunbaugh made a motion to approve Resolution Number 1040-2009. Councilman Wilson seconded the motion.

**VOTE:**

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

**MOTION PASSED.**

**NEW BUSINESS**

**ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Request by Cathy Wilcoxin representing citizens on Avenue J for street repair

Cathy Wilcoxin of 105 Avenue J appeared before Council and presented a packet of pictures and petitions asking that Avenue J be reconstructed. She noted that Dennis Rygaard had asked County Judge Yarbrough to fund the project and Judge Yarbrough said that the County would loan the City the money for the repairs. She also said that Commissioner Bryan Lamb had agreed to provide assistance with equipment and crews. After some discussion with Ms. Wilcoxin, Mayor Masters thanked Ms. Wilcoxin for her presentation and informed her that the request would be considered. Mayor Masters told Mrs. Wilcoxin that she was working with Bryan Lamb and the Dickinson EDC to try to get the street paved.

**ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1041-2009 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AMENDMENT NO. 1 TO PUBLIC IMPROVEMENT DISTRICT DEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF DICKINSON, TEXAS AND BAYOU LAKES SECTIONS 1 AND 2, LP FOR CITY OF DICKINSON PUBLIC IMPROVEMENT DISTRICT NO. 1 (BAYOU LAKES); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilwoman Dunbaugh made a motion to approve Resolution Number 1041-2009. Councilman Decker seconded the motion.

**VOTE:**

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

**MOTION PASSED.**

**ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1042-2009 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AMENDMENT NO. 1 TO PUBLIC IMPROVEMENT DISTRICT DEVELOPMENT AGREEMENT BY AND BETWEEN CITY OF DICKINSON, TEXAS AND DICKINSON PARTNERS, LTD. FOR CITY OF DICKINSON PUBLIC IMPROVEMENT DISTRICT NO. 2 (BAYOU LAKES); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilwoman Dunbaugh made a motion to approve Resolution Number 1042-2009. Councilman Decker seconded the motion.

**VOTE:**

4 AYES (Suderman, Dunbaugh, Wilson and Decker)

0 NAYS

**MOTION PASSED.**

**ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Award of Competitive Sealed Bid #0904-01 for Sunset Drive Street Construction Project to Drewker Construction In An Amount Not to Exceed \$247,861.25.

Council reviewed the following bids received:

<b>Company Name</b>	<b>Bid: Unit Price (Sq.Yd.)</b>	<b>Bid: Total Amount</b>
Harris Construction Company, LTD.	\$29.89	\$302,885.23
Metro City Construction, L.P.	\$41.55	\$421,039.86
TJ&T Enterprises, Inc.	\$27.00	\$273,599.91
R. Hassel & Company, Inc.	\$36.48	\$369,663.87
Lucas Construction Co., Inc.	\$25.00	\$253,333.25
Drewker Construction	\$24.46	\$247,861.25

Councilman Suderman made a motion to award the bid to the low bidder, Drewker Construction in an amount not to exceed \$247.861.25. Councilwoman Dunbaugh seconded the motion.

**VOTE:**

4 AYES (Suderman, Dunbaugh, Wilson and Decker)

0 NAYS

**MOTION PASSED.**

**ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Re-appointment of Dian Groh and Jerry Ziegler to the Dickinson Management District #1

Councilman Wilson made a motion to reappoint Dian Groh and Jerry Ziegler to the Dickinson Management District #1. Councilwoman Dunbaugh seconded the motion.

**VOTE:**

4 AYES (Suderman, Dunbaugh, Wilson and Decker)

0 NAYS

**MOTION PASSED.**

**ITEM 17.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Code Compliance Issues Resulting from Hurricane Ike.

City Administrator Julie Johnston and Building Official Kevin Byal discussed the code compliance issues the City is having resulting from Hurricane Ike. They said that many citizens are having trouble settling claims with insurance companies or getting funding from FEMA. Ms. Johnston said that they are handling every complaint, but the citizens need to be patient and allow the property owners in violation some time to settle claims or receive funding from FEMA.

**ITEM 18.) 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 551.072 – Deliberation regarding Real Property – Discussion regarding the purchase, exchange, lease or value of real property.

Mayor Masters recessed the meeting into Executive Session at 8:08 p.m.

**ITEM 19.) RECONVENE**

Mayor Masters reconvened the meeting at 8:18 p.m.

**ITEM 20.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Matters discussed in Executive Session.

Council took no action in this matter.

**ITEM 21.) ADJOURN**

Councilman Suderman made a motion to adjourn the meeting at 8:19 p.m. Councilwoman Dunbaugh made the second.

**VOTE:**

4 AYES (Suderman, Dunbaugh, Wilson and Decker)

0 NAYS

**MOTION PASSED.**

**PASSED, APPROVED AND ADOPTED** this the 9<sup>th</sup> of June, 2009.

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Julie Masters, Mayor

**ATTEST:**

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Carol L. McLemore, City Secretary