

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

AUGUST 26, 2008

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, AUGUST 26, 2008**. 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 7:11 p.m. Councilman King 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, Mayor Pro Tem William King and Council Members Charles Suderman, Mary Dunbaugh, Walter Wilson, Kerry Neves, and Louis Decker. Also present were City Administrator Julie Johnston, City Attorney, Loren Smith, Police Chief Ron Morales, Detective Tim Cromie, Detective John Lopez, Finance Director Usha Mathew, Administrative Services Coordinator Vernon Thompson, Administrative Services Coordinator Kathryn Taylor, Fire Marshal Norman Hicks, Community Development Director, John McDonald, Community Development Coordinator Angela Forbes, Code Compliance Officer Cynthia Smith, Court Administrator Irma Rivera, Director of Public Works Kellis George, Library Director Vicki McCallister and Building Inspector Mike Ingalsbe.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

Mayor Masters read a proclamation proclaiming September as "Library Card Sign-up Month" in Dickinson and presented the proclamation to Library Director Vicki McCallister. Mayor Masters also congratulated the Library for receiving the Lone Star Library Grant.

Council commented on the following topics:

- Welcome to everyone present and thanks for coming.
- Work on Festival of Lights has started and an invitation to others to join in the work on Saturdays at Hill and Banks.
- Dickinson Beautiful Annual Retreat
- Welcome back to Mary Dunbaugh from her trip to Africa.
- Reminder that school has started and to slow down in school zones.
- Opening of new John and Shamarion Barber Middle School.
- Dickinson High School Football and Band Season starting.

- Hurricane Gustav.
- Dickinson Bayou Watershed Meeting attended by Councilman Decker
- Dickinson EDC Budget Meeting.
- TML Taxation and Revenue Policy Committee Meeting attended by Mayor Pro Tem King.
- TML Region 14 Meeting attended by Mayor Masters and Mayor Pro Tem King.

ITEM 3.) PUBLIC COMMENTS:

Ed White, 1325 Plantation Drive, expressed complaints about streets and drainage. He also informed City Council of a burned out house and trash on Plantation.

Chris Tucker, 2304 Hughes Road, commented on the budget and the City Hall Project.

Peggy Clockman, 1301 Plantation Drive, commented on the streets, drainage and the burned house on Plantation Drive.

Bobby Chapman, 1108 Plantation, commented on the quality of employees, elevations, the burned house on Plantation and a day care on Plantation that the residents did not want.

John Overton, 1116 Plantation, commented on the streets and drainage.

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 August 5, 2008.

B. Approval of Minutes of Regular Council Meeting of August 12, 2008.

Councilman Wilson made a motion to approve the Consent Agenda. Mayor Pro Tem King seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: City Hall/Library Project.

- A. PCC No. 10/ASI No.3 – Revise West Drive Entrance off Highway 3

- B. PCC No. 11R1/RFP No. 2 – Revisions to Council Chambers Millwork & Solid Surface
- C. PCC No. 4R2/RFP No. 4RI – Add Additional Parking to the North and East of City Hall

The City Administrator gave a brief update on the progress of the construction. Bill Hall and Susan Dieterich of Hall Barnum Luchessi discussed the proposed change orders with City Council. Chris Tucker of 2304 Hughes Road, asked questions and commented on the change orders. After some discussion, Council took no action in this matter, but requested that Public Works Director Kellis George obtain estimates for the additional parking required and that they be provided with separate prices for the solid surface in Council Chambers and in the work areas.

ITEM 6.) PUBLIC HEARING – Concerning Closure and Conveyance of Melvin Utley Drive between Baker and Owens Streets.

Mayor Masters opened the Public Hearing at 8:08 p.m. No one spoke for or against the closing of Melvin Utley Drive. Mayor Masters closed the Public Hearing at 8:09 p.m.

ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 647-2008 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, FINDING AND DETERMINING THAT THE PUBLIC CONVENIENCE AND NECESSITY NO LONGER REQUIRE THE CONTINUED EXISTENCE OF MELVIN UTLEY ROAD LYING EAST OF THE PUBLIC ROAD KNOWN AS BAKER DRIVE AND WEST OF THE PUBLIC ROAD KNOWN AS OWENS DRIVE LOCATED IN THE F. P. SURVEY, ABSTRACT NO. 60, GALVESTON COUNTY, TEXAS, AS DESCRIBED IN A DEED FROM DICKINSON INDEPENDENT SCHOOL DISTRICT TO THE CITY OF DICKINSON, TEXAS RECORDED AT FILM CODE NO. 006-77-0466 OF THE OFFICIAL PUBLIC RECORDS OF GALVESTON COUNTY, TEXAS; VACATING, ABANDONING, AND CLOSING SAID PORTION OF MELVIN UTLEY ROAD; AUTHORIZING THE MAYOR AND CITY SECRETARY TO EXECUTE AND ATTEST, RESPECTIVELY, A QUIT CLAIM DEED IN CONSIDERATION FOR THE PAYMENT TO THE CITY OF FAIR MARKET VALUE THEREFOR; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT** (First of three readings).

Mayor Masters read the ordinance by caption only. Councilman Suderman made a motion to approve Ordinance Number 647-2008 on first reading. Councilman Decker seconded the motion.

VOTE:

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

MOTION PASSED.

- ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 992-2008 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A MANAGEMENT SERVICES CONTRACT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND PUBLIC MANAGEMENT, INC.; PROVIDING FOR INCORPORATION OF PREMISES; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH CONTRACT; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Councilman Wilson made a motion to approve Resolution Number 992-2008. Councilwoman Dunbaugh seconded the motion. After some discussion, Councilman Wilson amended his motion to approve the resolution contingent upon receiving a letter from WCID #1 accepting responsibility for the match provision of the grant. Councilwoman Dunbaugh agreed to the amended motion.

VOTE:

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

0 NAYS

MOTION PASSED.

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Consider proposing a tax rate of \$0.424574 per \$100 valuation for the fiscal year beginning October 1, 2008, and ending September 30, 2009; scheduling the public hearings on tax rate increase for September 9, 2008 at 7:00 p.m. and September 15, 2008 at 6:00 p.m.; scheduling the September 23, 2008 public hearing on the budget and tax rate; scheduling the September 23, 2008 adoption of the FY 2008-2009 budget and tax rate, with the special meeting on September 15, 2008 to be held at 6:00 pm and all other meetings to be held at 7:00 pm, at City Hall, located at 1621 FM 517 East.

Mayor Masters explained the need to propose a tax rate and recognized Chris Tucker, 2304 Hughes Road who commented on the tax rate and budget. Councilwoman Dunbaugh made a motion to propose a tax rate of \$0.424575 per \$100 valuation for the fiscal year beginning October 1, 2008 and ending September 30, 2009; to schedule the public hearings on the tax rate increase for September 9, 2008, at 7:00 p.m. and September 15, 2008, at 6:00 p.m.; to schedule the public hearing on the budget and tax rate for September 23, 2008, at 7:00 p.m. and to schedule the adoption of the FY 2008-2009 budget and tax rate on September 23, 2008. Mayor Pro Tem King seconded the motion.

VOTE:

2 AYES (Dunbaugh and King)

4 NAYS (Suderman, Wilson, Neves and Decker)

MOTION FAILED.

Councilman Suderman made a motion to table this item. Councilman Decker seconded the motion.

VOTE:

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

2 NAYS (Dunbaugh and King)

MOTION PASSED.

ITEM 10.) BRIEFING AND DISCUSSION CONCERNING: Code Compliance Activities.

Community Development Director John McDonald gave a presentation on the Code Compliance process. Council took no action in this matter.

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Designation of Public Information Officer.

Council reviewed a recommendation from staff that Council appoint a Public Information Officer to satisfy the training requirements under the Open Records Act. Councilman Neves made a motion to appoint City Secretary Carol McLemore as the Public Information Officer for the City of Dickinson. Councilwoman Dunbaugh seconded the motion.

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 551.087- Discuss or deliberate regarding commercial or financial information that the Dickinson City Council has received from a business prospect that the Dickinson City Council seeks to have locate, stay or expand in or near the City and which the Dickinson City Council is conducting economic development negotiations.

B. Section 551.074 – Discuss or deliberate regarding the evaluation of the City Administrator.

Mayor Masters recessed the meeting into Executive Session at 8:45 p.m.

ITEM 13.) RECONVENE

Mayor Masters reconvened the meeting at 10:29 p.m. and noted that Council took no action.

Councilman Neves made a motion to recess the Regular Council Meeting at 10:29 p.m. and take up the Special Workshop Meeting. Councilman Decker seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

Mayor Masters reconvened the Regular Council Meeting at 12:00 a.m. Councilman Neves made a motion to reconsider Item 9 and take it off the table. Councilman Suderman seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Consider proposing a tax rate of \$0.424574 per \$100 valuation for the fiscal year beginning October 1, 2008, and ending September 30, 2009; scheduling the public hearings on tax rate increase for September 9, 2008 at 7:00 p.m. and September 15, 2008 at 6:00 p.m.; scheduling the September 23, 2008 public hearing on the budget and tax rate; scheduling the September 23, 2008 adoption of the FY 2008-2009 budget and tax rate, with the special meeting on September 15, 2008 to be held at 6:00 pm and all other meetings to be held at 7:00 pm, at City Hall, located at 1621 FM 517 East.

Councilwoman Dunbaugh made a motion to propose a tax rate of \$0.424575 per \$100 valuation for the fiscal year beginning October 1, 2008 and ending September 30, 2009; to schedule the public hearings on the tax rate increase for September 9, 2008, at 7:00 p.m. and September 15, 2008, at 6:00 p.m.; to schedule the public hearing on the budget and tax rate for September 23, 2008 at 7:00 p.m. and to schedule the adoption of the FY 2008-2009 budget and tax rate on September 23, 2008. Mayor Pro Tem King seconded the motion.

VOTE:

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

1 NAY (Decker)
MOTION PASSED.

ITEM 14.) ADJOURN

Councilman Wilson made a motion to adjourn the meeting at 12:03 a.m.
Mayor Pro Tem King seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

Approved and adopted this the 9th day September, 2008.

Julie Masters, Mayor

ATTEST:

Carol L. McLemore
City Secretary