

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

SEPTEMBER 23, 2008

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **TUESDAY, SEPTEMBER 23, 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 7:16 p.m. Mayor Pro Tem King gave the Invocation and Councilman Neves 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, Police Chief Ron Morales, Director of Public Works Kellis George, Finance Director Usha Mathew, Library Director Vicki McCallister, Court Administrator Irma Rivera, Director of Community Development John McDonald, Fire Marshal Norman Hicks, Building Inspector Mike Ingalsbe, Administrative Services Coordinators Vernon Thompson and Kathryn Taylor, EMS Supervisor Brent Hahn, Captain Steve Krone and Detective Tim Cromie.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

Council commented on the following topics:

- Welcome to everyone present and thanks for coming.
- Hurricane Ike and thanks to God for sparing members of the Community.
- Festival of Lights
- Sympathy to those who lost homes and possessions in the hurricane
- Thanks to Staff and the Emergency Management Team for their work during Hurricane Ike
- Electricity or lack of it
- Thanks to citizens who had already begun clean-up
- Appreciation for volunteers who helped during and after the storm
- School starting again on Wednesday
- Thanks for the community's patience and assistance

Neal Walker, Vice President of Transmission and Distribution for Texas New Mexico Power Company spoke on the efforts to get electricity to all customers. He explained the process to restore power and said that they hoped to have everyone connected within three weeks.

ITEM 3.) PUBLIC COMMENTS:

Tom Latham, 4529 29th Street, offered words of praise for the good service on several items related to the storm and pointed out areas where improvement was needed.

Mary Stringer, 4605 30th Street, spoke against a tax increase, asked that permit fees be waived for storm-related damage, and also commented on the paving of Sunset.

Linda Murrie, 5007 Briar Brook, expressed a need for increased communication to the citizens during the aftermath of a hurricane.

Ken Hufstetler, 5010 Oak Court, expressed appreciation for the work that Texas New Mexico Power Company and City crews are doing. He also stated that the Mayor needs to be more visible in the community during the aftermath of a hurricane.

Annette Rowan, 3901 Wagon Road, questioned the leadership displayed during the storm and expressed displeasure with the fact that electricity has not been restored.

Chris Tucker, 2304 Hughes Road, expressed the need for continued communication and reimbursement from FEMA for storm-related expenses by the City.

Chief Ron Morales gave an update on the Emergency Management activities and recovery efforts.

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 September 9, 2008.
- B. Approval of Minutes of Regular Council Meeting of September 9, 2008.
- C. Approval of Minutes of Emergency Council Meeting of September 17, 2008.

- D. Resolution Number 996-2008 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, PROVIDING FOR THE REAPPOINTMENT OF ELLIS ORTEGO AS MUNICIPAL COURT PROSECUTOR; ESTABLISHING THE TERMS AND CONDITIONS FOR THE PROVISION OF MUNICIPAL COURT PROSECUTOR SERVICES; PROVIDING FOR INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.**
- E. Resolution Number 997-2008 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE RENEWAL OF THE EMPLOYEE ASSISTANCE PROGRAM AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS, AND BAXTER ASSISTANCE SERVICES, INC.; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; PROVIDING FOR INCORPORATION OF PREMISES; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Pro Tem King made a motion to approve the Consent Agenda. Councilman Decker 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. 4R2/RFP No. 4RI – Add Additional Parking to the North and East of City Hall

City Administrator Julie Johnston noted that the Dickinson Economic Development Corporation had voted at their last meeting to pay for the additional parking lots. Councilwoman Dunbaugh made a motion to approve PCC No. 4R2/RFP No. 4RI to add additional parking to the North and East of City Hall. Mayor Pro Tem King seconded the motion.

VOTE:

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

MOTION PASSED.

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2008 - **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE DICKINSON ECONOMIC DEVELOPMENT CORPORATION FOR FISCAL YEAR 2008-2009; MAKING**

APPROPRIATIONS FOR THE CITY FOR SUCH FISCAL YEAR AS REFLECTED IN SAID BUDGET; PROVIDING FOR THE INCORPORATION OF PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.

Mayor Masters moved this item up on the agenda with the consensus of City Council and read the ordinance by caption only. Mayor Masters asked for a motion to reject the budget and give direction to the EDC to revise the budget. Discussion followed. Councilwoman Dunbaugh made a motion to reject the FY2008-2009 EDC Budget and to set a joint meeting with the Dickinson Economic Development Corporation for discussion of their budget. Mayor Pro Tem King seconded the motion. Discussion followed.

VOTE:

4 AYES (Dunbaugh, Neves, King, and Masters)

3 NAYS (Suderman, Wilson and Decker)

MOTION PASSED.

ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 998-2008 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, PERTAINING TO THE DICKINSON MANAGEMENT DISTRICT NO. 1, APPOINTING THE INITIAL FIVE VOTING MEMBERS OF THE BOARD OF DIRECTORS, AND AUTHORIZING THE BOARD TO BEGIN COLLECTING A ONE-HALF CENT SALES TAX AT ITS EARLIEST OPPORTUNITY WITH SUCH SALES TAX BEING AUTHORIZED UNTIL DECEMBER 31, 2011 UNLESS EXTENDED BY ACTION OF THE CITY COUNCIL; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. After some discussion of possible members, Mayor Pro Tem King made a motion to approve Resolution Number 998-2008, appointing Dr. C. Wayne Browne, Bill Jakeway, Dr. Perry Fulcher, Dian Groh, and Jerry Ziegler to the Dickinson Management District Number 1. Councilwoman Dunbaugh seconded the motion.

VOTE:

4 AYES (Dunbaugh, Wilson, King and Masters)

3 NAYS (Suderman, Neves and Decker)

MOTION PASSED.

ITEM 7.) PUBLIC HEARING ON BUDGET AND TAX RATE: Convene a Public Hearing Regarding the Proposed Fiscal Year 2008-2009 Budget and Tax Rate.

Mayor Masters opened the Public Hearing at 9:02 p.m.

- A. Presentation of Proposed Budget and Tax Rate.
City Administrator Julie Johnston gave a brief presentation on the proposed budget and tax rate.
- B. Those In Favor.
No one spoke in favor of the budget or tax rate.
- C. Those Against.
The following spoke in opposition to a tax rate increase:
Ken Hufstetler, 4010 Oak Court
Chris Tucker, 2403 Hughes Road
- D. Adjourn Public Hearing.
Mayor Masters adjourned the Public Hearing at 9:08 p.m.

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 648-2008 - **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF DICKINSON, TEXAS, FOR FISCAL YEAR 2008-2009; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH FISCAL YEAR AS REFLECTED IN SAID BUDGET; PROVIDING FOR THE INCORPORATION OF PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the ordinance by caption only. Tim Cromie, President of the Dickinson Police Officers' Association, spoke concerning the possible reduction in benefits for dependent insurance coverage. He noted that DPOA would not be in favor of any reductions in the City's contributions to dependent coverage. After some discussion, Councilwoman Dunbaugh made a motion to approve Ordinance Number 648-2008 adopting the budget as presented. Mayor Pro Tem King seconded the motion. Discussion followed.

VOTE:

- 2 AYES (Dunbaugh and King)
- 4 NAYS (Suderman, Wilson, Neves and Decker)

MOTION FAILED

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Designation of Representative and Alternate to the Houston-Galveston Area Council 2009 General Assembly.

Mayor Masters moved this item up on the agenda with the consensus of City Council. Councilman Suderman made a motion to designate Councilman Kerry Neves as the representative and Mayor Pro Tem King as

the Alternate to the Houston-Galveston Area Council 2009 General Assembly. Councilman Decker seconded the motion.

VOTE:

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

MOTION PASSED.

At 9:20 p.m. Councilman Suderman made a motion to recess the meeting and reconvene it at 1:00 p.m. on Wednesday, September 24. Councilwoman Dunbaugh seconded the motion.

VOTE:

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

MOTION PASSED.

Mayor Masters reconvened the meeting at 1:05 p.m. on Wednesday, September 24, 2008. City Secretary Carol McLemore called roll. Present were: Mayor Julie Masters, Mayor Pro Tem William King and Council Members Charles Suderman, Mary Dunbaugh, Walter Wilson, Kerry Neves and Louis Decker.

ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 648-2008 - **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE CITY OF DICKINSON, TEXAS, FOR FISCAL YEAR 2008-2009; MAKING APPROPRIATIONS FOR THE CITY FOR SUCH FISCAL YEAR AS REFLECTED IN SAID BUDGET; PROVIDING FOR THE INCORPORATION OF PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the ordinance by caption only. Councilwoman Dunbaugh made a motion to approve Ordinance Number 648-2008. Mayor Pro Tem King seconded the motion. The City Administrator presented additional options for reducing the expenditures in the FY 2008-2009 Budget:

(1) Scenario 1 included a reduced transfer from the Dickinson Economic Development Corporation based on the reduced budget approved by DEDC on September 22, 2008, elimination of the \$167,000 transfer from the General Fund to the Capital Improvement Fund, retained a 3% cost of living adjustment for all employees unaffected by collective bargaining, and changing one light equipment operator from the Public Works Department from full time to contract.

(2) Scenario 2 included a reduced transfer from the Dickinson Economic Development Corporation based on the reduced budget approved by DEDC on September 22, 2008, elimination of the \$167,000 transfer from the General Fund to the Capital Improvement Fund, reduced the cost of living adjustment for all employees unaffected by collective bargaining from 3% to 2%, and changing one light equipment operator from the Public Works Department from full time to contract.

Councilman Decker requested that a third scenario be prepared that included the elimination of the positions of Director of Community Development and EMS Supervisor. Thus, Scenario 3 included a reduced transfer from the Dickinson Economic Development Corporation based on the reduced budget approved by DEDC on September 22, 2008, elimination of the \$167,000 transfer from the General Fund to the Capital Improvement Fund, retained a 3% cost of living adjustment for all employees unaffected by collective bargaining, and the elimination of the Director of Community Development and EMS Supervisor positions.

The Council also directed that the part-time Municipal Court Clerk and Finance Intern positions be eliminated from the budget. Mayor Masters recessed the meeting at 1:46 p.m. to allow staff to prepare the various scenarios.

Mayor Masters reconvened the meeting at 2:15 p.m. After some discussion, Councilwoman Dunbaugh amended her motion to include Scenario 2 in the FY 2008-2009 Budget. The second agreed to the amendment.

VOTE:

4 AYES (Suderman, Dunbaugh, King and Masters)
3 NAYS (Wilson, Neves and Decker)

MOTION PASSED.

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number 649-2008 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, APPROVING THE 2008 AD VALOREM TAX (DEBT) RATE AND LEVY OF \$0.107142 PER HUNDRED DOLLARS OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY AND APPROVING THE 2008 AD VALOREM TAX (MAINTENANCE AND OPERATION) RATE AND LEVY OF \$0.301458 PER HUNDRED DOLLARS OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY; PROVIDING FOR THE ASSESSMENT, LEVY AND COLLECTION OF AD VALOREM TAXES OF THE CITY OF DICKINSON, TEXAS, FOR THE YEAR 2008 AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED; PROVIDING THE DATE ON WHICH SUCH TAXES SHALL BE DUE AND PAYABLE; PROVIDING FOR PENALTY AND INTEREST**

**ON ALL TAXES NOT TIMELY PAID; AUTHORIZING EXEMPTIONS;
AND PROVIDING A REPEALER CLAUSE AND AN EFFECTIVE DATE.**

Mayor Masters read the ordinance by caption only. Councilwoman Dunbaugh made a motion to approve Ordinance Number 649-2008. Mayor Pro Tem King seconded the motion.

VOTE:

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

1 NAY (Decker)

MOTION PASSED.

ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ratification of Increased Property Tax Revenues Reflected in the FY 2008-2009 Budget Adopted Pursuant to Ordinance Number 648-2008.

Councilwoman Dunbaugh made a motion to ratify the increased property tax revenues reflected in the FY 2008-2009 Budget adopted pursuant to Ordinance Number 648-2008. Mayor Pro Tem King seconded the motion.

VOTE:

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

1 NAY (Decker)

MOTION PASSED.

ITEM 13.) ADJOURN

Mayor Pro Tem King made a motion to adjourn the meeting at 2:43 p.m. on Wednesday, September 24, 2008. Councilman Suderman seconded the motion.

VOTE:

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

0 NAYS

MOTION PASSED.

Approved and adopted this the 14th day of October, 2008.

Julie Masters, Mayor

ATTEST:

Carol L. McLemore, City Secretary