

Julie Masters, Mayor
Charles Suderman
Bruce Henderson
Walter Wilson

MINUTES
City of Dickinson
CITY COUNCIL
REGULAR MEETING

Wally Deats, Mayor Pro Tem
Louis Decker
William H. King III
Julie M. Robinson, City
Administrator

March 22, 2016

NOTICE is hereby given of a **REGULAR MEETING** of the City Council for the City of Dickinson, County of Galveston, State of Texas, to be held on **TUESDAY, March 22, 2016, at 7:00 p.m.** at: 4403 Highway 3, Dickinson, Texas 77539 for the purpose of considering the following numbered items. The City Council of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM:

Invocation and Pledge of Allegiance.

Mayor Masters called the meeting to order at 7:04 p.m. Pastor Sowell from Mount Olive Baptist Church gave the invocation, and Council Members led the Pledge of Allegiance. Interim City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro-Tem Wally Deats, and Council Members Charles Suderman, Louis Decker, Walter Wilson, Bruce Henderson, and William H. King, III. Also present were City Administrator Julie Robinson, Administrative Services Manager Stephanie Russell, Director of Community Development Zach Meadows, and Director of Public Works Kellis George.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

- Welcome to everyone present.
- The Optimist Club will hold an Easter egg hunt at the Dickinson ISD Administration Building on Saturday, March 26, 2016, for children ages 2-13.
- Some Council Members and City Staff attended a presentation at Dickinson ISD this morning about the District's growth. Also discussed was the introduction of a pilot STEM program, which includes 100 5th grade students at Barber Middle School and is one of 130 in the nation, and 22 in Texas to receive Honor Roll status.
- Texas Municipal League's spring meeting will be held in Sugar Land.
- The Dickinson Citizens Police Academy Alumni Association will host its annual banquet at the Knights of Columbus hall on April 2, 2016 at 6:30 p.m. Those wishing to attend should RSVP to Officer Tony Valdez. Anyone interested in attending the DCPAAA courses are encouraged to enroll.
- Thank you to everyone for their support of Officer "EJ" Juarez.

- Council Member Decker attended the first joint meeting of the Galveston County and Harris County Mayors and Councils last Thursday in Webster, and storm surge was discussed.
- Council Member Decker attended the Dickinson Bayou Watershed Partnership on Monday, and the discussion centered on the “Ike Dike” and Clean Harbor’s TCEQ permit application. Everyone is encouraged to attend the flood control meetings. The next one is on Thursday, March 31 from 6-8 p.m. at Galveston County Commissioners Court in Galveston.
- Red, White & Bayou Crawfish and Texas Music Festival is scheduled for Saturday, May 21, 2016. We are looking forward to a good turnout.
- Trash Bash is Saturday, April 2, 2016, at the boat ramp on Highway 3. Registration begins at 8:30am. All volunteers are welcomed.
- Starting at 9 p.m. tonight, and through mid-April, all northbound traffic on IH 45 will be routed to feeders every night.
- Hope that everyone had a good Spring Break.
- The City of Dickinson is partnering with the City of League City to host a County-wide Household Hazardous Waste event. The date is still to be set.
- Council Member Suderman attended Ms. Marie Gay’s funeral, who was a valued member of the Dickinson community.
- The Dickinson Little League Parade is scheduled for Saturday, April 2, at 9 a.m. The parade will take place on Highway 3.
- The Knights of Columbus have served over 2,600 people at their fish fries. There will not be one this week because of Good Friday, but the monthly fish fries will resume on April 1, from 5:00-7:30 p.m.
- Thank you to Public Works Director Kellis George for assisting Council Member King last week.

ITEM 3.) PUBLIC COMMENTS: At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, The City Council may not deliberate. **Comments from the public should be limited to a maximum of three (3) minutes per individual speaker.**

Nick and Denish Patel – 3710 Gulf Freeway, Dickinson – Would like Council to carefully consider the types of hotels that are allowed in Dickinson to protect the quality of life in the city.

Vince Hoechter – 1009 Pin Oak Dr., Dickinson, Texas – The pavement on Pin Oak Drive has deteriorated, and the deep drainage ditch by his home presents a potential hazard.

Melvin Ware – 1010 Pin Oak Dr., Dickinson, Texas – Would like Oak Drive and Gill Road to be repaired.

Jenny Oakley – 1030 Shady Oak Ln., Dickinson, Texas – Submitted a petition in 2012 for the repair of Gill Road and was told that it would be repaired in 2014-2015, but it has still to be properly repaired. Also, the house at 1025 Shady Oak Lane has been vacant since 2008 and has fallen into disrepair and become a health hazard.

Kimberley N. Yancy – Director of Ministries, New Vision Baptist Church, 2311 24th St., Dickinson, Texas – Pin Oak Drive, Rodeo Bend, and Gill Road need to be repaired. New Vision Baptist Church has severe drainage issues that have not been corrected since Ms. Yancy started asking for repairs in 2013. In 2014, Ms. Yancy had asked for a streetlight on 24th Street at Highway 3, but one has not been installed. 24th Street should be widened and patched to accommodate its traffic volume.

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

The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Council member requests, in which event, the item will be removed from the consent agenda and discussed after the consent agenda.

- A. Approval of the Minutes of the Workshop Council Meeting of March 8, 2016
- B. Approval of the Minutes of the Regular Council Meeting of March 8, 2016
- C. Resolution Number XXX-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN ACCESS AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND CONNECT TRANSIT FOR THE PURPOSE OF SECURING ACCESS FOR CONNECT TRANSIT VEHICLES AND INSTALLATION OF BUS STOP SIGNS ON CITY PROPERTY; 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 XXX-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT FOR COLLECTION SERVICES BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP; 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.**

- E. Resolution Number XXX-2016 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING SUBMISSION OF A GRANT APPLICATION FOR THE PURCHASE OF BODY WORN CAMERAS FOR THE POLICE DEPARTMENT TO THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS; AGREEING TO PROVIDE MATCHING FUNDS FOR THE PROJECT; AUTHORIZING THE MAYOR TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE GRANT PROGRAM; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING FOR AN EFFECTIVE DATE.
- F. Resolution Number XXX-2016 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AND ADOPTING AN AMENDED INVESTMENT POLICY FOR THE CITY OF DICKINSON AND A LIST OF QUALIFIED BROKERS THAT ARE AUTHORIZED TO ENGAGE IN INVESTMENT TRANSACTIONS WITH THE CITY; PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.
- G. Resolution Number XXX-2016 - 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 AND DATA TRANSFER SOLUTIONS, LLC AS CONSULTANT FOR PAVEMENT ASSESSMENT SERVICES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- H. Resolution Number XXX-2016 - 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 AND ARANDA BROTHERS CONSTRUCTION CO. AS CONTRACTOR FOR CITY OF DICKINSON STREET REHABILITATION 2016 FOR 35TH STREET (KANSAS AVE. TO CALIFORNIA AVE.), NEBRASKA STREET (46TH STREET TO WWTP), AND JOHNSON STREET (DEAD END NORTH OF LOBENSTEIN LN TO DEAD END SOUTH OF LOBENSTEIN LN); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.
- I. Resolution Number XXX-2016 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING

CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND ARANDA BROTHERS CONSTRUCTION CO. AS CONTRACTOR FOR CITY OF DICKINSON STREET REHABILITATION 2016 FOR 35TH STREET (KANSAS AVE. TO CALIFORNIA AVE.), NEBRASKA STREET (46TH STREET TO WWTP), AND JOHNSON STREET (DEAD END NORTH OF LOBENSTEIN LN TO DEAD END SOUTH OF LOBENSTEIN LN); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH CHANGE ORDER; AND PROVIDING AN EFFECTIVE DATE.

- J. Resolution Number XXX-2016 - 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 AND MAR-CON SERVICES, LLC. AS CONTRACTOR FOR CITY OF DICKINSON STREET REHABILITATION 2016 FOR GILL ROAD (RODEO BEND DRIVE TO BESS ROAD), HOLLYWOOD STREET (TIMBER DRIVE TO S.H. 3), MARINER WAY (COMMODORE DRIVE TO BAYOU DRIVE), AND PINE OAK CIRCLE (PINE OAK DRIVE TO DEAD END OF PINE OAK CIRCLE); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**
- K. Resolution Number XXX-2016 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING CHANGE ORDER NUMBER 1 TO THE AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND MAR-CON SERVICES, LLC. AS CONTRACTOR FOR CITY OF DICKINSON STREET REHABILITATION 2016 FOR GILL ROAD (RODEO BEND DRIVE TO BESS ROAD), HOLLYWOOD STREET (TIMBER DRIVE TO S.H. 3), MARINER WAY (COMMODORE DRIVE TO BAYOU DRIVE), AND PINE OAK CIRCLE (PINE OAK DRIVE TO DEAD END OF PINE OAK CIRCLE); PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE SUCH CHANGE ORDER; AND PROVIDING AN EFFECTIVE DATE.**
- L. Resolution Number XXX-2016 - 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 AND RAC INDUSTRIES, LLC. AS CONTRACTOR FOR BAYOU CHANTILLY OUTFALL REPAIR; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL**

**DOCUMENTS NECESSARY TO EFFECTUATE SUCH AGREEMENT;
AND PROVIDING AN EFFECTIVE DATE.**

Council Member Deats requested that Item 4C be pulled down for discussion. Council Member King made a motion to approve Items 4A, 4B, and items 4D through 4L. Council Member Henderson seconded the motion.

VOTE:

6 AYES (Suderman, Wilson, Henderson, Deats, Decker and King)

0 NAYS

MOTION PASSED

- C. Resolution Number XXX-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN ACCESS AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND CONNECT TRANSIT FOR THE PURPOSE OF SECURING ACCESS FOR CONNECT TRANSIT VEHICLES AND INSTALLATION OF BUS STOP SIGNS ON CITY PROPERTY; 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.**

Council Member Deats said that he is not opposed to having a bus stop on City property, but he would prefer that the stop be north of the library, not in the esplanade in front of the library as proposed by this resolution.

Council Member Wilson made a motion to approve the resolution as written, and Council Member Suderman seconded the motion.

VOTE:

3 AYES (Suderman, Wilson, King and Masters)

3 NAYS (Henderson, Deats and Decker)

There being an equal number of "aye" and "nay" votes, Mayor Masters cast a tiebreaking "aye" vote in support of the resolution.

MOTION PASSED

OLD BUSINESS

- ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Activities of Houston-Galveston Area Council.

Council Member King provided an update of the activities of the Houston-Galveston Area Council meeting of March 15, 2016.

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

- A. Fiscal Year 2014-2015 Street Maintenance Sales Tax Projects [48th Street (East of Highway 3), Leonetti Lane]
- B. Eastside Drainage Project [Disaster Recovery CDBG Round 2.2: Briar Glen Subdivision Drainage]

Public Works Director Kellis George presented Council with an update on the status of the current Public Works projects and addressed the questions of Council.

ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING AND APPROVING THE DICKINSON ECONOMIC DEVELOPMENT CORPORATION’S PROJECT TO EXPEND FUNDS FOR THE DEVELOPMENT OF A RETAIL TRADE CENTER; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.** (Second of Two Readings)

Mayor Masters read the resolution by caption only. Council Member Suderman made a motion to approve the resolution in two readings, and Council Member Decker seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:
6 AYES (Suderman, Wilson, Henderson, Deats, Decker and King)
0 NAYS
MOTION PASSED

NEW BUSINESS

ITEM 8.) CONDUCT A PUBLIC HEARING CONCERNING: Proposed Chapter 6, Transportation, Of The New Comprehensive Plan Of The City of Dickinson.

Mayor Masters opened the Public Hearing at 7:46 p.m.

- A. Overview of Proposed 6, Transportation

Director of Community Development Zach Meadows provided Council with an overview of the changes that had been made to the chapter at the direction of Council.

B. Those In Favor

None.

C. Those Opposed

None.

D. Rebuttal

None.

E. Adjourn Public Hearing

Mayor Masters adjourned the Public Hearing at 7:47 p.m.

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 6, TRANSPORTATION, OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.** (First of Three Readings)

Mayor Masters read the ordinance by caption only. Council Member Wilson made a motion to approve the ordinance on first reading, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Wilson, Henderson, Deats, Decker and King)

0 NAYS

MOTION PASSED

ITEM 10.) CONDUCT A PUBLIC HEARING CONCERNING: Zoning Case ZMC-16-0205, A Request To Amend The Official Zoning Map Of The City Of Dickinson On Approximately +/- 0.551 Acres, Legally Described As Abstract 78 R Hall Survey Lots 1 Through 8 & Adjacent Alley, Block 209, Nicholstone 112-LC, Generally Located North of 28th Street and East Of FM 1266, With The Address Being 2709 Dickinson Avenue, In The City Of Dickinson, Galveston County, Texas, From Conventional Residential (CR) To General Commercial (GC).

Mayor Masters opened the Public Hearing at 7:48 p.m.

A. Staff Presentation of Zoning Case

Director of Community Development Zach Meadows presented the zoning case to the Council and advised that it is for Texas Beer Refinery's tap room. Texas Beer Refinery's opening of the tap room happened in conjunction with the City's annexation of the property. If approved, the property would be rezoned from the default zoning of Conventional Residential to General Commercial to allow the continuation of the company's operations.

B. Applicant's Statement

None.

C. Those In Favor

None.

D. Those Opposed

None.

E. Applicant's Rebuttal

None.

F. Adjourn Public Hearing

Mayor Masters adjourned the Public Hearing at 7:50 p.m.

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NUMBER 420-2001, AS HERETOFORE AMENDED, SO AS TO REZONE APPROXIMATELY +/- 0.551 ACRES, LEGALLY DESCRIBED AS ABSTRACT 78 R HALL SURVEY LOTS 1 THROUGH 8 & ADJACENT ALLEY, BLOCK 209 NICHOLSTONE 112-LC, GENERALLY LOCATED NORTH OF 28TH STREET AND EAST OF FM 1266 WITH THE ADDRESS BEING 2709 DICKINSON AVENUE, IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS, FROM CONVENTIONAL RESIDENTIAL (CR) TO GENERAL COMMERCIAL (GC); DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.** (First of Three Readings)

Mayor Masters read the ordinance by caption only, and Director of Community Development Zach Meadows addressed the questions of Council.

Council Member Henderson made a motion to approve the ordinance, and Council Member Suderman seconded the motion.

VOTE:

6 AYES (Suderman, Wilson, Henderson, Deats, Decker and King)

0 NAYS

MOTION PASSED

ITEM 12.) CONDUCT A PUBLIC HEARING CONCERNING: Zoning Case ZMC-16-0163, A Request To Amend The Official Zoning Map Of The City Of Dickinson On Approximately +/- 0.7855 Acres, Legally Described As Abstract 19 Perry & Austin Survey Part of Lot 24, Nichol's Addition Dickinson, Generally Located On The Corner of Deats Road and FM 1266, With The Address Being 4010 Deats Road, In The City Of Dickinson, Galveston County, Texas, From Conventional Residential (CR) To General Commercial (GC).

Mayor Masters opened the Public Hearing at 7:57 p.m.

A. Staff Presentation of Zoning Case

Director of Community Development Zach Meadows presented the zoning case to the Council and advised that the affected property was recently annexed by the City and consequently received default zoning of Conventional Residential. The property owner would like to sell the property and has requested to rezone the property to General Commercial.

B. Applicant's Statement

Mr. Glenn Finley, the property owner, advised the Council the he would like to sell the property and believes that rezoning the property to General Commercial will make the property more marketable.

C. Those In Favor

None.

D. Those Opposed

None.

E. Applicant's Rebuttal

None.

F. Adjourn Public Hearing

Mayor Masters adjourned the Public Hearing at 7:59 p.m.

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY, ORDINANCE NUMBER 420-2001, AS HERETOFORE AMENDED, SO AS TO REZONE APPROXIMATELY +/- 0.7855 ACRES, LEGALLY DESCRIBED AS ABSTRACT 19 PERRY & AUSTIN SURVEY PART OF LOT 24, NICHOLS ADDITION DICKINSON, GENERALLY LOCATED ON THE CORNER OF DEATS AND FM 1266 WITH THE ADDRESS BEING 4010 DEATS ROAD, IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS, FROM CONVENTIONAL RESIDENTIAL (CR) TO GENERAL COMMERCIAL (GC); DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.** (First of Three Readings)

Mayor Masters read the ordinance by caption only. Council directed the property owner to remove the fireworks stand that is currently on the property before the rezoning takes effect. There being no further discussion, Mayor Masters called for the vote.

Council Member Deats made a motion to approve the ordinance, and Council Member King seconded the motion.

VOTE:

6 AYES (Suderman, Wilson, Henderson, Deats, Decker and King)

0 NAYS

MOTION PASSED

ITEM 14.) CONDUCT A PUBLIC HEARING CONCERNING: Amending Section 18-11 Definitions Of Terms And Phrases, Of Article II, Definitions, Of Chapter 18 Zoning, Of The Code Of Ordinances Of The City Of Dickinson, Texas, To Add A Definition For "Vacation Rental" and Revising Section 18-61, Development And Performance Standards, Of Article V, Specific Uses, Of Chapter 18, Zoning, Of The Code Of Ordinances, To Establish Minimum Regulations For Bed And Breakfast And Vacation Rental Lodging Facilities.

Mayor Masters opened the Public Hearing at 8:02 p.m.

A. Staff Presentation of Proposed Definition and Regulations

Director of Community Development Zach Meadows presented the proposed regulations to the Council. If approved, the regulations would establish a mechanism for property owners that desire to operate a Bed and Breakfast or Vacation Rental Lodging Facility to then request a Specific Use Permit for such a use. The City's zoning regulations do not currently provide any definitions or regulations for these types of uses.

B. Those In Favor

Jeff Nuss, a resident of Water Street, supported approval of the regulations. Mr. Nuss owns a building at the rear of his property on Water Street that he is considering operating as a Vacation Rental property and supports the City establishing standards and regulations for such uses.

C. Those Opposed

None.

D. Adjourn Public Hearing

Mayor Masters adjourned the Public Hearing at 8:05 p.m.

ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING SECTION 18-11, DEFINITIONS OF TERMS AND PHRASES, OF ARTICLE II, DEFINITIONS, OF CHAPTER 18, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON, TEXAS, TO ADD A DEFINITION FOR "VACATION RENTAL"; REPEALING SECTION 18-61, DEVELOPMENT AND PERFORMANCE STANDARDS, OF ARTICLE V, SPECIFIC USES, OF CHAPTER 18, ZONING, OF THE CODE OF ORDINANCES; ADOPTING A NEW SECTION 18-61, DEVELOPMENT AND PERFORMANCE STANDARDS, TO ESTABLISH MINIMUM REGULATIONS FOR BED AND BREAKFAST AND VACATION RENTAL LODGING; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.** (First Of Three Readings)

Mayor Masters read the ordinance by caption only, and Director of Community Development Zach Meadows addressed the questions of Council.

Council Member Suderman made a motion to approve the ordinance on first reading, and Council Member Deats seconded the motion.

VOTE:

5 AYES (Suderman, Henderson, Deats, Decker and King)

1 NAY (Wilson)

MOTION PASSED

Mayor Masters recessed the regular meeting at 8:20 p.m.

ITEM 16.) 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 551.071 – Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in closed meeting.

The City Attorney was not present for the meeting, so this item was not discussed.

B. Section 551.072 – Deliberation Regarding Real Property – Discussion Regarding the Purchase, Exchange, Lease or Value of Real Property.

C. Section 551.074 – Personnel Matter – Discussion to Deliberate the Appointment, Employment, Evaluation, Reassignment, Duties, Discipline or Dismissal of the City Administrator.

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

The City Attorney was not present for the meeting, so this item was not discussed.

ITEM 17.) RECONVENE

Mayor Masters reconvened the regular meeting at 9:56 p.m.

ITEM 18.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session

None.

ITEM 19.) ADJOURN

Council Member Wilson made a motion to adjourn the meeting at 9:56 p.m., and Council Member Deats seconded the motion.

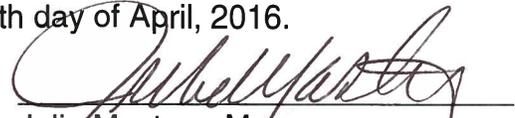
VOTE:

6 AYES (Suderman, Wilson, Henderson, Deats, Decker and King)

0 NAYS

MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 12th day of April, 2016.


Julie Masters, Mayor

ATTEST:


Alun W. Thomas, Interim City Secretary

