

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

May 10, 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, May 10, 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 7:11 p.m. Council Member King 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, and William H. King, III. Council Member Bruce Henderson was absent. Also present were City Administrator Julie Robinson, City Attorney David Olson, Administrative Services Manager Stephanie Russell, Director of Community Development Zach Meadows, Director of Public Works Paul Booth, and Chief Ron Morales.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

- Welcome and thanks to all for coming.
- Council Member Suderman attended the Dickinson Economic Development Corporation meeting yesterday in his capacity as a member of the Dickinson Festival of Lights Society.
- The Knights of Columbus will host its monthly fish fry on June 3, the first Friday of the month, from 5:00 p.m. through 7:30 p.m. at the Knights of Columbus Hall on 27th Street near FM 1266.
- Council Member King congratulated Shamarion Barber and Jeffrey Spriggins on their election to the Galveston County WCID #1 Board of Directors on Saturday.
- Council Member King attended the Dickinson Management District #1 meeting on May 3. It was a successful meeting wherein the Annual Financial Report was presented. The Report contains good information. Holiday decorations were also discussed.
- Council Member King attended the NASA Innovation Awards in Houston and gave the invocation. The event contained great information about space exploration.

- Council Member King attended the annual Strawberry Festival at the Holy Trinity Episcopal Church last Saturday. It was a great event with an enormous crowd, juicy barbecue and delicious strawberry shortcake.
- Council Member King attended a public hearing this morning at the University of Houston concerning Texas Lieutenant Governor Dan Patrick's proposition to impose municipal revenue caps. Thank you to City Administrator Julie Robinson for her willingness to e-mail a statement of the City of Dickinson's opposition to the proposition.
- Council Member King attended a discussion about child abuse and malnutrition at Faith Lutheran Church.
- Condolences to the family of Dwight Rogers, one of the owners of Rogers Malt Shoppe, who recently passed away.
- Bob Handy invited each of the Council Members to a Ramadan Celebration in June.
- Condolences to the family of Lily Hays, who was originally a Menotti, and who passed away at the age of 93.
- Congratulations to Jim and Phyllis Manning who just celebrated 54 years of marriage.

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.**

Kimberley N. Yancy from the NAACP Bay Area Dickinson Unit, New Vision Baptist Church, and the Delta Sigma Theta Sorority – Ms. Yancy encouraged Council to vote for Terry Dennis-Williams for the open City Secretary position. Ms. Dennis-Williams is a professional with a Master's Degree in Public Administration, ten years of experience as a Municipal Court Clerk, and strong communication skills. As an African-American woman, she would add diversity to City staff in an underrepresented demographic. Ms. Yancy encourages Council to vote for someone who looks like Dickinson.

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 April 26, 2016.

B. Approval of the Minutes of the Regular Council Meeting of April 26, 2016.

Council Member Wilson made a motion to approve the Consent Agenda. Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

Mayor Masters asked that Item 11, the presentation and acceptance of the Fiscal Year 2014-2015 audit, be considered at this time.

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:
Presentation and Acceptance of Fiscal Year 2014-2015 Audited Comprehensive Annual Financial Report and Federal Single Audit Report Prepared By Belt, Harris Pechacek, LLLP, Certified Public Accountants.

Administrative Services Manager Stephanie Russell introduced Stephanie Harris with Belt, Harris, Pechacek, LLP, Certified Public Accounts. Ms. Harris presented Council with an overview of the Fiscal Year 2014-2015 financial report as provided in the Council packet and stated that the City of Dickinson received a clean, unmodified opinion on the City's financial position. The City of Dickinson also received a clean, unmodified opinion on the City's Federal Single Audit. Ms. Harris then addressed the questions of Council and provided further clarification with regard to the report.

After discussion, Council Member Deats made a motion to recommend to Dickinson Economic Development Corporation that it move its accounting functions into STW, keep maintaining a separate bank account, immediately secure a collateral agreement with the bank, seek bids for banking services, and possibly move to the City's banking services agreement. Council Member Decker seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

Council Member Wilson made a motion to accept the Fiscal Year 2014-2015 Audited Comprehensive Annual Financial Report and Federal Single Audit Report as presented by Belt, Harris Pechacek, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Wilson, Deats, Decker and King)
0 NAYS
MOTION PASSED

OLD BUSINESS

ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update on Activities of the Galveston County Transit District Board

Council Member Deats presented Council with an update on the activities of the Galveston County Transit District Board at the April 27, 2016 meeting. The Board elected new officers, including Dee Ann Haney as Chair to replace Tim Paulissen, Mark Johnstone as Vice Chair, and Bobby Hocking as Secretary/Treasurer. Also discussed was the status of the Dickinson City Hall Complex bus shelter procurement package, wherein Council Member Deats advised that the selected shelter is not compliant with windstorm rating standards and will be modified.

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), 33rd Street (East), 28th Street (West of Highway 3), Leonetti Lane, Oleander (Palm to Bridge), and Greenbriar Street]
- B. Fiscal Year 2015-2016 Street Maintenance Sales Tax Projects [35th Street (East of Kansas Avenue), Nebraska Street, Hollywood Street, Gill Road, Johnson Street, Mariner's Way, Pine Oak Circle]
- C. Bayou Chantilly Outfall Repair Project

Public Works Director Paul Booth presented Council with an update on the status and timetable of the current Public Works Projects. Mr. Booth and Administrative Services Manager Stephanie Russell addressed the questions of Council.

ITEM 7.) 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, TO GRANT SPECIFIC USE PERMIT NUMBER SUP-16-0330 ALLOWING THE APPLICANT TO USE THE PROPERTY FOR A BAR; SUCH PROPERTY BEING LEGALLY DESCRIBED AS ± 0.551 ACRES IN ABSTRACT 78 R HALL SURVEY LOTS 1 THRU 8 AND ADJACENT ALLEY, BLOCK 209 NICHOLSTONE, MORE COMMONLY KNOWN AS**

2709 DICKINSON AVENUE, GENERALLY LOCATED NORTH OF EAST 28th STREET AND EAST OF DICKINSON AVENUE IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS, PRESENTLY ZONED GENERAL COMMERCIAL (“GC”); PROVIDING FOR THE INCORPORATION OF PREAMBLE; 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. (Second Of Three Readings)

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

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 8.) 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, TO GRANT SPECIFIC USE PERMIT NUMBER SUP-16-0301 ALLOWING THE APPLICANT TO USE THE PROPERTY FOR A TOBACCO ORIENTED USES; SUCH PROPERTY BEING LEGALLY DESCRIBED AS ± 5.568 ACRES IN ABSTRACT 19 PERRY & AUSTIN PT, LOT 131 & 137, NORTHEAST OF IH 45 ADDITION D, DICKINSON, CALLED TRACT 1, BEING OFF HIGHWAY 45 ADDITION D, DICKINSON GULF FREEWAY, AT HIGHWAY 517, DICKINSON PLAZA SHOPPING CENTER, MORE COMMONLY KNOWN AS 3407 GULF FREEWAY, GENERALLY LOCATED NORTH OF FM 517 AND EAST OF INTERSTATE 45 IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS, PRESENTLY ZONED GENERAL COMMERCIAL (“GC”); PROVIDING FOR THE INCORPORATION OF PREAMBLE; 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. (Second Of Three Readings)

Mayor Masters read the ordinance by caption only. Council Member Deats made a motion to correct the typographical error in Section 2 and to approve the ordinance in two readings, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, REVISING SECTION 18-58, USES REQUIRING SPECIFIC USE PERMIT, OF ARTICLE V, SPECIFIC USES, OF CHAPTER 18, ZONING, OF THE CODE OF ORDINANCES TO INCLUDE VACATION RENTALS IN CONVENTIONAL RESIDENTIAL (CR) AND RURAL RESIDENTIAL (RR) ZONING DISTRICTS AS ONE OF THE USES THAT MUST OBTAIN A SPECIFIC USE PERMIT; 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.** (Second Of Three Readings)

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

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING THE ADDENDUM (TRAFFIC CONTROL DEVICE INVENTORY – SCHEDULE III) TO SUBSECTION (g) OF SECTION 10-3, TRAFFIC-CONTROL DEVICES, OF CHAPTER 10, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF ORDINANCES BY ADDING THERETO THE DESIGNATION OF “NO PARKING, STOPPING OR STANDING” ZONES ON SECTIONS OF TANGLEBRIAR DRIVE WITHIN THE CITY OF DICKINSON; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A PENALTY CLAUSE, AND AN EFFECTIVE DATE.** (Second Of Three Readings)

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

VOTE:

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

0 NAYS

MOTION PASSED

NEW BUSINESS

ITEM 12.) PUBLIC HEARING: Proposed Chapter 5, Community Facilities and Services, Of The New Comprehensive Plan Of The City of Dickinson.

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

A. Overview of Proposed 5, Community Facilities and Services

Director of Community Development Zach Meadows provided Council an overview of the changes to the Community Facilities and Services Chapter as outlined in the agenda cover sheet.

B. Those In Favor

None.

C. Those Opposed

None.

D. Rebuttal

None.

E. Adjournment

Mayor Masters adjourned the Public Hearing at 8:06 p.m.

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 5, COMMUNITY FACILITIES AND SERVICES, 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 Suderman made a motion to approve the ordinance on first reading, and Council Member Decker seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 14.) BRIEFING AND DISCUSSION CONCERNING: Proposed Budget Calendar and Budget Process for Fiscal Year 2016-2017.

Administrative Services Manager Stephanie Russell presented the proposed Budget Calendar and Budget Process, noting that there is only one special workshop meeting planned for this budget season. Mrs. Russell advised Council that full attendance at the September 13, 2016 Council Meeting is imperative to the budget process this year due to legislative changes that occurred in 2015.

Mayor Masters recessed the regular meeting at 8:10 p.m.

ITEM 15.) 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.
- 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 and of the City Secretary.

Mayor Masters reconvened the regular meeting at 9:12 p.m.

Regarding Item 15C, Mayor Masters recommended that Council appoint Interim City Secretary Alun Thomas as City Secretary. Council Member Wilson made a motion to approve the Mayor's recommendation and appoint Mr. Thomas, and Council Member Suderman seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

4 AYES (Suderman, Wilson, Deats and Decker)

1 NAY (King)

MOTION PASSED

Mayor Masters recessed the regular meeting at 9:14 p.m.

ITEM 16.) RECONVENE

Mayor Masters reconvened the regular meeting at 9:57 p.m.

ITEM 17.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters discussed in Executive Session.

None.

ITEM 18.) ADJOURN

Council Member Suderman made a motion to adjourn the meeting at 9:57 p.m., and Council Member King seconded the motion.

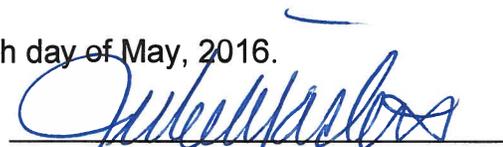
VOTE:

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

0 NAYS

MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 24th day of May, 2016.



Julie Masters, Mayor

ATTEST:



Alun W. Thomas, City Secretary

