

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

June 14, 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, June 14, 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 7:03 p.m. Pastor Jarrod Dawsey with Bethel Evangelistic Church gave the invocation. Mayor Masters called for a moment of silence in honor of the victims of the mass shooting that occurred on June 12 in Orlando, Florida. Council Member Walter Wilson led the Pledge of Allegiance. 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, Bruce Henderson, Louis Decker, Walter Wilson, and William H. King, III. Also present were City Administrator Julie Robinson, City Attorney David Olson, Administrative Services Manager Stephanie Russell, Director of Community Development Zachary Meadows, Director of Public Works Paul Booth, and Chief Ron Morales.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

A. Presentation Of Certificate Of Re-Accreditation Of Dickinson Police Department By Texas Police Chiefs Association

Texas City Police Chief Robert Burby presented Chief Morales and representatives of the Dickinson Police Department with a Certificate of Re-Accreditation from the Texas Police Chiefs Association. Chief Burby noted that the Dickinson Police Department was one of only 129 agencies in the State to be recognized, and one of one 53 in the State to receive re-recognition.

Council Comments:

- Welcome, and thanks to all attending.
- Congratulations to the Dickinson Police Department on its re-accreditation.

- Thank you to all involved in the recent fundraiser for Officer “EJ” Juarez. There was good food, an auction, and a great atmosphere.
- The next Knights of Columbus fish fry is on July 1, 2016, from 5:00 p.m. through 7:30 p.m., at the Knights of Columbus Hall on 27th Street near FM 1266.
- Festival of Lights will open a day early this year, on November 25, 2016 for the cancer patients from Texas Children’s Hospital. Volunteers are needed for the event. The following day, November 26, 2016, Festival of Lights will open to the public.
- School is out for the summer, so children will be outside playing. Everyone is encouraged to be extra careful.
- Happy 241st birthday to the United States Army.
- Condolences to the Bess family for their loss of Arnold Bess, who was 91 years old. Mr. Bess’ memorial will be on Friday, with his funeral on Saturday.
- Condolences to the Doty family on their loss of Eldred Doty.
- Condolences to Pastor Lorraine Brown whose father recently passed away.
- Today is Flag Day, a day to be proud of our country.
- Council Members Deats and Henderson are unable to make the upcoming transportation meeting on the 22nd, and would like a Council Member to volunteer to attend on their behalf.
- Condolences to the family, especially his wife and two year old child, of the Pearland police officer who was recently fatally injured while on duty.
- Our thoughts are with the victims of the Orlando, Florida massacre, where at least 50 were killed and at least 50 more were injured.
- On June 24, 2016, the Gunslinger Run Pool Party will bring a large number of boats to the Dickinson Bayou.
- Congratulations to Vicki Mims and Dickinson Independent School District for graduating 400+ students this year, including one student who has spent over 30 years working toward graduation.
- Council Member King encouraged Dickinson Police Department to apply for a TML award for their outstanding performance.

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.**

Susan Wilcox, 3611 California Avenue, Dickinson, Texas: Congratulations to Dickinson Police Department. Ms. Wilcox had questions about the annual drainage fee letter and had received several calls about the donations to Dickinson EMS and Dickinson Volunteer Fire Department. Ms. Wilcox believes that the manner in which the contributions were presented was

misleading, and noted that some residents cannot afford to spare \$24.00. Ms. Wilcox thanked the Council Members for serving.

Ahime Trejo, 4312 St. Goar, Dickinson, Texas: Ms. Trejo is an entrepreneur looking to open a sandwich shop in Dickinson. The City's sign regulations mean that her sign would be smaller than she would like, and she would like to speak with the City about a possible exception to those regulations.

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 May 24, 2016.
- B. Approval of the Minutes of the Regular Council Meeting of May 24, 2016.
- C. Resolution Number XXX-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE EXECUTION OF A TRUSTEE'S DEED CONVEYING PART OF LOT EIGHT (8), BLOCK TWO HUNDRED FORTY-EIGHT (248), MOORE'S ADDITION TO DICKINSON, GALVESTON COUNTY, TEXAS, BEING DESCRIBED MORE PARTICULARLY IN THE INSTRUMENT RECORDED AT FILM CODE #010-53-1449 IN THE OFFICIAL DEED RECORDS OF GALVESTON COUNTY, TEXAS, AND THAT IS WITHIN THE CITY LIMITS OF THE CITY OF DICKINSON FROM GALVESTON COUNTY TO DIANNA LEE EDWARDS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

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:

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

0 NAYS

MOTION PASSED

OLD BUSINESS

- ITEM 5.) 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.
- D. Slope Mowing and Right of Way Mowing Schedule.

Public Works Director Paul Booth presented Council with an update on the status of the current Public Works Projects and addressed the questions of Council.

ITEM 6.) PUBLIC HEARING CONCERNING: To Give All Interested Persons The Right And Opportunity To Appear And Be Heard Upon Such Proposal By The City Of Dickinson To Annex Properties Located In The Vicinity Of Farm To Market Road 1266, West Of Richards Drive and North of Deats Road.

Mayor Masters opened the Public Hearing at 7:45 p.m.

- A. Presentation of Proposed Annexation.

Director of Community Development Zachary Meadows presented the proposed annexation area to Council and advised that this is the second public hearing concerning the proposed annexation.

- B. Those In Favor.

None.

- C. Those Against.

Ronny Gamez, 2809 Wyoming Avenue, Dickinson, Texas: Mr. Gamez would like to know the methodology used to select the area to be annexed, as he believes it to be unfair and unequal with regards to demographics.

John Watson, 3132 Richards Street, Dickinson, Texas: Mr. Watson is not really opposed to annexation, but he would like to know how the proposed annexation would benefit him.

Kenneth Dean, 2801 Wyoming Avenue, Dickinson, Texas: Mr. Dean is concerned that the corner of Deats Road and FM 1266 has

been skipped over for annexation and might become a mobile home park. He would like to know how the proposed annexation would benefit him and is also concerned that only high-income areas were selected for annexation. He would also like to know how annexation would affect the possibility of street and drainage repair along Wyoming Avenue.

D. Adjourn Public Hearing.

Mayor Masters adjourned the Public Hearing at 7:53 p.m.

ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2016 - AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, REPEALING ORDINANCE NUMBER 758-2013, CODIFIED AS ARTICLE VII, JUVENILE CURFEW, OF CHAPTER 12, OFFENSES – MISCELLANEOUS, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON; AMENDING CHAPTER 12, OFFENSES – MISCELLANEOUS, OF THE CODE OF ORDINANCES BY DELETING THE CURRENT ARTICLE VII, JUVENILE CURFEW, AND SUBSTITUTING THEREFOR A NEW ARTICLE VII, JUVENILE CURFEW, ESTABLISHING A CURFEW BETWEEN THE HOURS OF 12:00 MIDNIGHT AND 5:00 A.M. ON ANY DAY OF THE WEEK, FOR PERSONS UNDER 17 YEARS OF AGE; ESTABLISHING A DAYTIME CURFEW BETWEEN 7:00 A.M. AND 2:30 P.M. ON ANY SCHOOL DAY FOR PERSONS UNDER 17 YEARS OF AGE; CONTAINING DEFINITIONS; PROVIDING IT IS UNLAWFUL FOR ANY PERSON SUBJECT TO A CURFEW TO REMAIN IN ANY PUBLIC PLACE OR ON THE PREMISES OF ANY ESTABLISHMENT WITHIN THE CITY DURING CURFEW HOURS; PROVIDING IT IS UNLAWFUL FOR ANY PARENT OR GUARDIAN OF A PERSON SUBJECT TO A CURFEW TO KNOWINGLY PERMIT, OR BY INSUFFICIENT CONTROL ALLOW, SUCH PERSON TO REMAIN IN ANY PUBLIC PLACE OR ON THE PREMISES OF ANY ESTABLISHMENT WITHIN THE CITY DURING CURFEW HOURS; PROVIDING IT IS UNLAWFUL FOR ANY PERSON OWNING, OPERATING, OR IN THE EMPLOYMENT OF ANY ESTABLISHMENT IN THE CITY TO KNOWINGLY ALLOW A PERSON SUBJECT TO A CURFEW TO REMAIN ON THE PREMISES OF SUCH ESTABLISHMENT DURING CURFEW HOURS; PROVIDING DEFENSES TO PROSECUTION FOR VIOLATIONS; PROVIDING FOR A PENALTY FOR MINORS AND FOR PARENTS OF MINORS NOT TO EXCEED \$500 AND THAT EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE; MAKING CERTAIN FINDINGS; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS 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 King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 8.) BRIEFING AND DISCUSSION CONCERNING: Update on Drainage Fee Billing and Collections.

Mayor Masters addressed citizens' concerns regarding the presentation of the optional donations to Dickinson EMS and Dickinson Volunteer Fire Department on the annual drainage fee bills. Council Member Wilson reiterated to property owners that the drainage fee itself is a mandatory fee. Council directed that subsequent bills would make clear that donations to Dickinson EMS and Dickinson Volunteer Fire Department are optional, and Council Member King thanked City staff for their work in handling the incoming questions and payments.

NEW BUSINESS

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: An Application By Putnam Services For Tree Removal Permit # TREE 16-0518 To Remove One Significant Tree On The Property Located At 4137 Country Club Drive, Dickinson, Texas 77539.

Mayor Masters read the application by caption only. Council Member Henderson made a motion to approve the application, and Council Member Deats seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: An Application By Putnam Services For Tree Removal Permit # TREE 16-0519 To Remove One Significant Tree On The Property Located At 4197 Country Club Drive, Dickinson, Texas 77539.

Mayor Masters read the application by caption only. Council Member Henderson made a motion to approve the application, and Council Member

Deats seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

Mayor Masters recessed the regular meeting at 8:06 p.m.

ITEM 11.) 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 Matters to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee, to wit: the members of the Dickinson Economic Development Corporation.

ITEM 12.) RECONVENE

Mayor Masters reconvened the regular meeting at 8:54 p.m.

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A CONSENT TO ENCROACHMENT AGREEMENT BETWEEN THE CITY OF DICKINSON AND THOMAS T. PRESEAU, AGREEING TO THE CONTINUED ENCROACHMENT INTO THE UNNAMED FORTY FOOT (40') CITY RIGHT-OF-WAY KNOWN AS DAKOTA STREET, BY THREE AND ONE-HALF FEET (3.5'), OF THE IMPROVEMENTS LOCATED AT 4815 ILLINOIS STREET WITHIN THE CITY OF DICKINSON; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

Mayor Masters read the resolution by caption only. Council Member King made a motion to approve the resolution, and Council Member Henderson

seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:
Appointments/Reappointments to Boards and Commissions.

Council Member Henderson made a motion to appoint Darrell Carney, Mike Reinschmidt, and Martin Hodgins to the Dickinson Economic Development Corporation board, and Council Member Suderman seconded the motion. Council Member Deats stated that the existing Board has been performing a great job, and he asked Council Member Henderson to consider amending his motion. Council Member Henderson did not wish to amend his motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

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

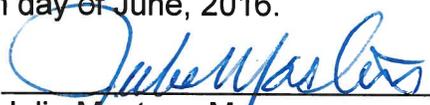
1 NAY (Deats)

MOTION PASSED

ITEM 15.) ADJOURN

Council Member King made a motion to adjourn the meeting at 8:57 p.m., and Council Member Henderson seconded the motion.

PASSED, APPROVED AND ADOPTED this the 28th day of June, 2016.



Julie Masters, Mayor

ATTEST:



Alun W. Thomas, City Secretary

