

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

July 12, 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, July 12, 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 7:02 p.m. Council Member Suderman gave the invocation, and Council Member Henderson led the Pledge of Allegiance. City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters and Council Members Charles Suderman, Bruce Henderson, Walter Wilson, and Louis Decker. Mayor Pro-Tem Wally Deats and Council Member William H. King III were absent. Also present were City Administrator Julie Robinson, Administrative Services Manager Stephanie Russell, Director of Community Development Zachary Meadows, Director of Public Works Paul Booth, Fire Marshal Lee Darrow and Police Chief Ron Morales.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

Council Comments:

- Welcome and thank you to all attending.
- Our thoughts are with the Dallas community at it deals with the effects from the recent shooting of multiple police officers.
- Thank you to the Dickinson Police Department, our Fire Marshal, and all of our first responders. We are proud to see and hear the many commendations about our emergency responders, and encourage citizens to thank first responders for their jobs well done.
- A special thank you to Chief Morales, who is one of the only Police Chiefs to attend the statewide meetings of Citizen Police Academy alumni groups.
- It is only about fourteen days until football season begins.

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.

None.

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 June 28, 2016.
- B. Approval of the Minutes of the Regular Council Meeting of June 28, 2016.
- C. Award Of Competitive Sealed Bid #1606-06 For Street Materials To Martin Asphalt Company For Liquid Asphalt CRS 2 And Liquid Asphalt SS1; To Vulcan Materials Company For A. Limestone Base, Grade 1; A. Limestone Base, Grade 2; And Cement Stabilized, Limestone 7% Mix And Cement Stabilized Limestone 7% Mix; Limeco, Inc. For Lime Slurry; And Century Asphalt, Ltd. For Hot-Mix, Cold Lay Asphaltic Material (Class A, Type D); Hot-Mix Asphaltic Concrete Material (Class A Type D); Crushed Concrete Base, Grade 1; Crushed Concrete Base, Grade 2; And Black Base Material.
- 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 BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND CENTURY ASPHALT, LTD. FOR STREET MATERIALS (HOT-MIX, COLD LAY ASPHALTIC MATERIAL (CLASS A, TYPE D); HOT-MIX ASPHALTIC CONCRETE MATERIAL (CLASS A TYPE D); CRUSHED CONCRETE BASE, GRADE 1; CRUSHED CONCRETE BASE, GRADE 2; AND BLACK BASE MATERIAL); 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 THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY OF DICKINSON, TEXAS AND LIMECO, INC. FOR STREET MATERIALS (LIME SLURRY); 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.

- F. 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 MARTIN ASPHALT COMPANY FOR STREET MATERIALS (LIQUID ASPHALT CRS 2 AND LIQUID ASPHALT SS1); 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.

- 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 VULCAN MATERIALS COMPANY, LLC FOR STREET MATERIALS (A. LIMESTONE BASE, GRADE 1; A. LIMESTONE BASE, GRADE 2; AND CEMENT STABILIZED, LIMESTONE 7% MIX); 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 Henderson made a motion to approve the Consent Agenda. Council Member Decker seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

4 AYES (Suderman, Henderson, Wilson and Decker)

0 NAYS

MOTION PASSED

OLD BUSINESS

ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update of Public Works Projects.

- A. 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].

- B. Bayou Chantilly Outfall Repair Project.

- C. 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.) 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-16-0372 ALLOWING THE APPLICANT TO USE THE PROPERTY FOR A RESTAURANT THAT SERVES ALCOHOL; SUCH PROPERTY BEING LEGALLY DESCRIBED AS ± 2.001 ACRES IN DICKINSON CROSSING (2006) ABSTRACT 19, LOT A, 2.001 ACRES, MORE COMMONLY KNOWN AS 614 FM 517 WEST, GENERALLY LOCATED SOUTH OF FM 517 AND WEST OF EVERGREEN IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS, PRESENTLY ZONED NEIGHBORHOOD COMMERCIAL (“NC”); 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 Henderson seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

4 AYES (Suderman, Henderson, Wilson and Decker)

0 NAYS

MOTION PASSED

- ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 2, LAND USE, 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. (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 Henderson seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

4 AYES (Suderman, Henderson, Wilson and Decker)

0 NAYS

MOTION PASSED

- ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 – AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING SUBSECTION (a), PERMITTED USES, OF SECTION 18-55, GENERAL COMMERCIAL “GC” DISTRICT, OF ARTICLE IV, ZONING DISTRICTS, OF CHAPTER 18, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON, TEXAS, TO DELETE SUBSECTION (21), HOTELS, MOTELS, ROOMING AND BOARDING HOUSES, AND OTHER LODGING PLACES, AND TO RENUMBER THE REMAINING SUBSECTIONS ACCORDINGLY; 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 “HOTELS, MOTELS, ROOMING AND BOARDING HOUSES, AND OTHER LODGING PLACES” IN GENERAL COMMERCIAL (GC) ZONING DISTRICT AS ONE OF THE USES THAT MUST OBTAIN A SPECIFIC USE PERMIT; 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 Decker made a motion to approve the ordinance in two readings, and Council Member Suderman seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

4 AYES (Suderman, Henderson, Wilson and Decker)

0 NAYS

MOTION PASSED

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 – AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF DICKINSON, TEXAS, TO EMBRACE AND INCLUDE ALL OF THE TERRITORY WITHIN CERTAIN LIMITS AND BOUNDARIES AND ANNEXING TO THE CITY OF DICKINSON, TEXAS, ALL OF THE TERRITORY WITHIN SUCH BOUNDARIES; APPROVING A SERVICE PLAN FOR ALL OF THE AREA WITHIN SUCH TERRITORY; MAKING FINDINGS; AND CONTAINING OTHER PROVISIONS

RELATED TO THE SUBJECT; AND PROVIDING 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 Decker seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

4 AYES (Suderman, Henderson, Wilson and Decker)

0 NAYS

MOTION PASSED

NEW BUSINESS

ITEM 10.) DISCUSSION AND DIRECTION CONCERNING: Proposed Purchase Of A KC Cruiser Robot And Supporting Equipment By Dickinson Citizens Police Academy Alumni Association To Be Donated To Dickinson Police Department And Requested Reimbursement To Dickinson Citizens Police Academy Alumni Association Of \$1,000.00 For Such Robot From The Child Safety Fund.

Council Members Suderman and Decker recused themselves from the discussion. After discussion, it was the direction of Council to proceed with the project.

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Request from Republic Services for Extension of Deadline to Submit Rate Increase Request for 2017.

City Administrator Julie Robinson presented Republic Services' request to Council and addressed the questions of Council. Council Member Henderson made a motion to deny Republic Services' request for an Extension of Deadline to Submit Rate Increase Request for 2017, and Council Member Decker seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

4 AYES (Suderman, Henderson, Wilson and Decker)

0 NAYS

MOTION PASSED

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Recommendations For Use Of Unassigned General Fund, Fund Balance From FY 2014-2015.

Administrative Services Manager Stephanie Russell presented the recommendations for use of Unassigned General Fund, Fund Balance from FY 2014-2015 to Council. Council discussed the recommendation to purchase a marquee for the Central Fire Station, with some Council Members proposing that the funds could be better utilized for other projects.

Council Member Wilson made a motion to spend the Unassigned Fund Balance as outlined in the agenda item, and Council Member Suderman seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

2 AYES (Suderman and Wilson)

2 NAYS (Henderson and Decker)

There being an equal number of ayes and nays, Mayor Masters cast a tiebreaking vote:

1 AYE (Masters)

MOTION PASSED

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2016 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, CONFIRMING THE NEW APPOINTMENT OF A MEMBER TO THE GALVESTON COUNTY UNITED BOARD OF HEALTH; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING AND EFFECTIVE DATE.

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

VOTE:

2 AYES (Wilson and Decker)

2 NAYS (Suderman and Henderson)

There being an equal number of ayes and nays, Mayor Masters cast a tiebreaking vote:

1 AYE (Masters)

MOTION PASSED

ITEM 14.) 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.

Master Masters stated Executive Session was no longer needed; consequently, Council did not meet in Executive Session.

ITEM 15.) RECONVENE

Not applicable.

ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

Not applicable.

ITEM 17.) ADJOURN

Council Member Wilson made a motion to adjourn the meeting at 7:47 p.m., and Council Member Henderson seconded the motion.

VOTE:

4 AYES (Wilson, Henderson, Decker and King)

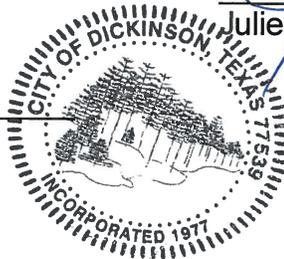
0 NAYS

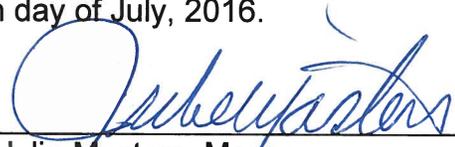
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 26th day of July, 2016.

ATTEST:


Alun W. Thomas, City Secretary




Julie Masters, Mayor