

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

**January 26, 2016**  
**Corrected**

**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, January 26, 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. Pastor Lorraine Brown with Faith United Methodist Church gave the invocation, and Council Member Henderson led the Pledge of Allegiance. City Secretary Carolyn Anderson 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, Walter Wilson, Bruce Henderson, and Louis Decker. Council Member William H. King was absent. Also present were City Administrator Julie Robinson, Director of Community Development Zach Meadows, Public Works Director Kellis George, Management Assistant Alun Thomas, and Chief Ron Morales.

**ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:**

- Welcome to everyone present
- Prayers for Council Member King for a quick recovery
- February 5<sup>th</sup> - Knights of Columbus Fish Fry 5:00 pm – 7:30 pm, first of seven in a row
- Festival of Lights volunteers needed Saturday and Sunday

**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 January 12, 2016

B. Approval of the Minutes of the Regular Council Meeting of January 12, 2016

C. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:**  
Resolution Number 1498-2016 – **A RESOLUTION OF THE CITY OF DICKINSON, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION ON MAY 7, 2016 FOR THE PURPOSE OF ELECTING THREE (3) COUNCIL MEMBERS FOR POSITIONS 2, 4 & 6; PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION; PROVIDING FOR THE INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

D. **CONSIDERATION AND POSSIBLE ACTION CONCERNING:**  
Resolution Number 1499-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BETWEEN THE CITY OF DICKINSON, TEXAS (CITY), AND GALVESTON COUNTY, TEXAS (CONTRACTING OFFICER), AUTHORIZING GALVESTON COUNTY TO CONDUCT THE CITY OF DICKINSON'S MAY 7, 2016 GENERAL ELECTION PURSUANT TO TEXAS ELECTION CODE CHAPTER 31.093; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

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

**VOTE:**

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

0 NAYS

**MOTION PASSED**

**OLD BUSINESS**

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

- A. Eastside Drainage Project (Disaster Recovery CDBG Round 2.2: 26th Street, 29th Street, Briar Glen Subdivision Drainage)
- B. Bayou Chantilly Drainage Project (Disaster Recovery CDBG Round 2.2: Bayou Chantilly Subdivision - Live Oak Drive from Old Bayou Drive to Camp Allen Road; Meadowlark Street from Old Bayou Drive to Camp Allen Road; Old Castle Lane from Old Bayou Drive to Camp Allen Road; Green Willow Lane from Old Bayou Drive to Camp Allen Road; Blue Water Lane from Old Bayou Drive to Camp Allen Road)
- C. Fiscal Year 2014-2015 Street Maintenance Sales Tax Projects [48<sup>th</sup> Street (East of Highway 3), Leonetti, Oleander, 33<sup>rd</sup> Street (East), 28<sup>th</sup> Street (East) and Greenbriar Street]
- D. Fiscal Year 2015-2016 Street Maintenance Sales Tax Projects [35<sup>th</sup> Street (East of Kansas), Nebraska Street, Hollywood Street, Gill Road, Johnson Street, Mariner's Way, and Pine Oak Circle]
- E. Bayou Chantilly Outfall Repair Project

Public Works Director Kellis George and City Administrator Julie Robinson presented Council with an update on the status of the current Public Works Projects and provided the status of the work currently out for bid. Mr. George then addressed the questions of Council.

**ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Activities of Houston-Galveston Area Council January 19, 2016.

Council Member King was not in attendance to provide an update on the activities of the Houston-Galveston Area Council meeting of January 19, 2016.

**ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update on Activities of Dickinson Bayou Watershed Steering Committee Meeting of January 25, 2016

Council Member Decker provided Council with an update of the Bayou Watershed Steering Committee Meeting held on January 25, 2016, and provided Council with copies of updated maps reflecting the current boundaries of the drainage districts and city limits within the Dickinson Bayou watershed.

**ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Update Regarding Public Meeting Held on January 25, 2016 Concerning TPDES Permit for Industrial Wastewater Amendment by Clean Harbors San Leon, Inc.

Council Members Decker and Deats attended the Public Meeting held on January 25, 2016 concerning the TPDES Permit for Industrial Wastewater Amendment by Clean Harbors San Leon, Inc. Council Members Decker and Deats provided Council with an overview of what occurred during the public meeting and some of the main comments made by attendees and advised Council that no one spoke in favor of the proposed permit. A discussion followed regarding submission of formal opposition to the permit to the Texas Commission on Environmental Quality; however, since the public comment period ended on January 25, 2016, there was no direction to staff to file formal comments. Council Members Deats and Decker asked that Council and staff stay apprised of the status of the permit.

**ITEM 9.) DISCUSSION AND DIRECTION CONCERNING:** Options for Bus Shelter Location For City Hall Complex Gator Run Bus Stop.

City Administrator Julie Robinson provided an overview of the concerns about the original bus stop location south of Dickinson Public Library that had been expressed by Council during the October 26, 2015 meeting. Mrs. Robinson advised the Council that she had a conference call with Barry Goodman and other representatives of The Goodman Corporation concerning Council's expressed concerns. Consequently, the proposed bus shelter has been reduced in size from 20 x 10 feet to 10 x 10 feet, and there is no need to eliminate any parking spaces as was originally proposed.

Further, the following locations were identified and evaluated to address the Council's concern that the bus shelter would block the view of the statues erected by Dickinson Historical Society:

1. The area to the left of the front entrance to the Library;
2. The grass median/esplanade between the parking lot and the drive that runs in front of the Library; and
3. The grassy area to the north of the Library and adjacent to the drive that comes in off of St. Goar.

Mrs. Robinson advised that, with the reduction in size of the proposed bus shelter the original location south of the Library would also be an option since the bus shelter could be set diagonally so that it was in the same diagonal line as the statues that have been erected. She advised that two of the locations are not really viable options - namely, the area to the left of the front entrance to the Library and the grassy area to the north of the Library and adjacent to the drive that comes in off of St. Goar.

Mrs. Robinson requested comments from the Council concerning the possible locations. A discussion followed regarding the current pick-up location of the Gator Run Bus and the issues with each possible location.

There being no further discussion, it was the direction of the majority of the Council to locate the proposed bus shelter in the grass median/esplanade between the parking lot and the drive that runs in front of the Library with the exception of Council Members Deats and Henderson preferring the location north of the library.

### NEW BUSINESS

**ITEM 10.) DISCUSSION AND DIRECTION CONCERNING:** Project Proposal For The Drainage Fee Collection Project.

City Administrator Julie Robinson advised Council that she and Management Assistant Alun Thomas had met with Mark Ciavaglia, Partner with Linebarger Goggan Blair & Sampson, LLP, to discuss the possibility of utilizing Linebarger for collection of delinquent drainage fee accounts. Mrs. Robinson then introduced Mr. Ciavaglia to present a project proposal for such services to the Council. He presented a proposed collection process and answered the questions of Council. Mr. Ciavaglia advised Council that Linebarger proposes to provide the collection services at no cost to the City.

Mr. Ciavaglia suggested that Linebarger's contract should be amended to include delinquent drainage fee collections, and it was the consensus of the Council that such an amendment would be acceptable. Council also requested that Mr. Ciavaglia review the City's municipal drainage utility regulations and present proposed revisions thereto, including the current exemption for unimproved property.

There was discussion concerning the status of staff's review of the billing addresses that were used for the 2015 bills to ensure that the property owner, and not a tenant, had received the bill. Mrs. Robinson advised Council that the City had obtained the property owner list from Galveston Central Appraisal District and staff has been scrubbing the list to distinguish between property owners and tenants. Staff has been able to sort the properties that were billed to the property owner and are now delinquent and the properties that were billed to the tenant and now will be billed to the property owner. The delinquent account list will be provided to Mr. Ciavaglia. The bills that were sent to a tenant will be sent to the property owner.

Mrs. Robinson confirmed that it was the consensus of Council to proceed with collection of delinquent drainage fee accounts for which the billing was sent to the property owner and payment has not been made. Mr. Ciavaglia stated that his firm will undertake due diligence to verify that all accounts have been billed correctly prior to beginning collection efforts.

**ITEM 11.) CONDUCT A PUBLIC HEARING CONCERNING:** Proposed Chapter 1, Introduction, Of The New Comprehensive Plan Of The City of Dickinson.

Mayor Masters opened the Public Hearing at 8:10 p.m.

A. Overview of Proposed 1, Introduction

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

B. Those In Favor

None.

C. Those Opposed

None.

D. Rebuttal

None.

E. Adjournment

Mayor Masters closed the Public Hearing at 8:12 p.m.

**ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 1, INTRODUCTION, OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE INCORPORATION OF PREMABLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.** (First of Three Readings)

Council Member Deats made a motion to approve the first reading of the ordinance, and Council Member Suderman seconded the motion. Council Member Henderson requested confirmation that Council would still have final approval of the completed document, and Mrs. Robinson provided such confirmation. There was discussion concerning providing the public with an additional opportunity to review and comment on the full Comprehensive Plan before final approval by the Council and various methods available providing the public with such an opportunity. There being no further discussion, Mayor Masters called for the vote.

**VOTE:**

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

0 NAYS

**MOTION PASSED**

**ITEM 13.) CONDUCT A PUBLIC HEARING CONCERNING:** Proposed Chapter 4, Housing, Of The New Comprehensive Plan Of The City of Dickinson.

Mayor Masters opened the Public Hearing at 8:21 p.m.

A. Overview of Proposed 4, Housing

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

B. Those In Favor

None

C. Those Opposed

None

D. Rebuttal

None

E. Adjournment

Mayor Masters closed the Public Hearing at 8:24 p.m.

**ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, ADOPTING CHAPTER 4, HOUSING, OF THE COMPREHENSIVE PLAN; PROVIDING FOR THE INCORPORATION OF PREMABLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE.** (First of Three Readings)

Council Member Deats made a motion to approve the first reading of the ordinance, and Council Member Suderman seconded the motion. Council Member Henderson referenced Council Member Deats' comment regarding the tone and readability of the document. Mrs. Robinson requested that Council Member Henderson provide staff with any specific suggestions and recommendations for changes that he may have. There being no further discussion, Mayor Masters called for the vote.

**VOTE:**

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

0 NAYS

**MOTION PASSED**

**ITEM 15.) DISCUSSION AND DIRECTION CONCERNING:** Appointment of Council Liaisons to City Boards and Commissions

Mayor Masters explained the agenda item. A discussion followed regarding the direct impact or input that Council Members would have on the City board or commission. City Attorney David Olson clarified that Council Members could serve in an ex-officio (non-voting) capacity. After discussion, Mayor Masters requested that City Administrator Julie Robinson e-mail the current City Board and Commission list and how often each board meets to all Council Members.

Mayor Masters recessed the regular meeting at 8:36 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.

**ITEM 17.) RECONVENE**

Mayor Masters reconvened the regular meeting at 8:45 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 8:45 p.m., and Council Member Henderson seconded the motion.

**VOTE:**

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

0 NAYS

**MOTION PASSED**

PASSED, APPROVED AND ADOPTED this the 9th day of February, 2016.

  
Julie Masters, Mayor

ATTEST:

  
Carolyn E. Anderson, City Secretary

