

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

October 25, 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, October 25, 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. 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, Walter Wilson, Louis Decker and William H. King, III. Also present were City Administrator Julie Robinson, Management Assistant Bryan Milward, Chief Financial Officer Stephanie Russell, Director of Community Development Zachary Meadows, Director of Public Works Paul Booth, Fire Marshal Lee Darrow, Police Chief Ron Morales, Assistant Library Director Kathy Soehl, and Library Director Lindsay Henson. Council Member King gave the invocation, and Council Member Wilson led the Pledge of Allegiance.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

A. Introduction of Lindsay Henson, New Library Director

City Administrator Julie Robinson introduced Ms. Henson to Council, and Council welcomed her.

Council Comments:

- Welcome and thank you to all attending.
- Last Thursday was a retirement party for Officer Elias "EJ" Juarez, who is retiring from the City after 22 years. He was a model officer and is held in high regard by all who know him.
- The Knights of Columbus will host a Fish Fry on Friday, November 4, 2016 from 5:00 p.m. through 7:30 p.m. at their facility at 27th Street and FM 1266.
- The Festival of Lights is in need of volunteers to help set up and prepare for the event this year.

- Several Council Members have eaten at TJ Reed's Better Burgers & Shakes since it opened last week on FM 517 West, and recommend the restaurant to all.
- Registered voters are urged to participate in the November 8, 2016 General Election by casting their votes.
- Congratulations on her selection and welcome to the City's new Library Director, Lindsay Henson.
- Congratulations to Keep Dickinson Beautiful for a successful "Art in the Park" event last Saturday.
- November 12, 2016 at 9:00 a.m. is the Veterans Day parade, which starts at the intersection of Timber Drive and FM 517. Everyone is encouraged to attend the parade in support of our veterans.
- The Rotary Club of Dickinson will host its annual Christmas parade on December 8, 2016. This year's theme is "A Star-Spangled Christmas."
- "Avec Appetit" recently opened on Saint Goar Street, behind the Library, and is a good place to eat.
- Dickinson First United Methodist Church has a pumpkin patch at their church on FM 517 West and is selling pumpkins for anyone interested.
- The City of League City recently passed a masonry ordinance, a copy of which our City Administrator has. Council Member Deats would like other members of Council to consider adding discussion of a similar ordinance to a future City of Dickinson Council agenda.
- Condolences to Diana Glass, wife of Howard "Buddy" Glass Jr. who passed away last week.
- Prayers are needed for the quick recovery of the Webster police officer who was struck by a vehicle this morning while directing traffic on FM 517 by the new Lobit Elementary and Middle Schools. Motorists are asked to pay extra attention to their driving to help avoid such accidents.
- Congratulations to Police Chief Ron Morales, who today is celebrating 20 years as Chief of the Dickinson Police Department.
- The Dickinson High School Gators football team faces Clear Falls High School next week, and we hope that the team manages to reach the playoffs and the championship this season.

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.**

Scott Shrader, c/o 4500 FM 517 Rd E, Dickinson, Texas: On behalf of the members of the Dickinson Volunteer Fire Department, thank you to the

Council for approving an increase to the City's contributions to Dickinson Volunteer Fire Department firefighters' pensions.

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 Regular Council Meeting of October 11, 2016.

B. Resolution Number XXX-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, RATIFYING THE ACTIONS OF THE CITY ADMINISTRATOR IN SUBMITTING A NOTICE OF INTENT TO APPLY FOR THE SPECIAL DISTRICTS CALL FOR PLANNING STUDY PARTNERS 2017 PEDESTRIAN/BICYCLE (SPECIAL DISTRICTS) STUDIES GRANT PROGRAM SPONSORED BY HOUSTON-GALVESTON AREA COUNCIL; AND PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

Council Member Wilson made a motion to approve the Consent Agenda. 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

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 October 18, 2016.

ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2016 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING SUBSECTION (1), 20 MILE PER HOUR SCHOOL ZONES, OF SUBSECTION (f), SCHOOL ZONES, OF SECTION 10-3, TRAFFIC-CONTROL DEVICES, OF CHAPTER 10, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF ORDINANCES BY ADDING THERETO A SCHOOL ZONE ON WINDING BROOK DRIVE FROM ITS**

INTERSECTION WITH STATE FARM-TO-MARKET ROAD 517 TO A POINT ONE-HUNDRED NINE FEET (109') EAST OF WOOD SORREL DRIVE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING FOR A PENALTY NOT TO EXCEED \$200 AND THAT EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE; 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 approve the ordinance in two readings, and Council Member Decker 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 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS REVISING THE ORDINANCE NUMBER ASSIGNED TO THE ORDINANCE APPROVING AND ADOPTING THE CITY OF DICKINSON'S BUDGET FOR FISCAL YEAR 2001-2002 FROM ORDINANCE NUMBER 428-2001 TO ORDINANCE NUMBER 428-2001(A) TO CORRECT A CLERICAL ERROR IN ORDINANCE NUMBERING; PROVIDING FOR THE INCORPORATION OF A PREAMBLE; 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 King 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:

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

0 NAYS

MOTION PASSED

NEW BUSINESS

- ITEM 8.) CONDUCT A PUBLIC HEARING CONCERNING:** Zoning Case ZMC-16-0924, A Request To Amend The Official Zoning Map Of The City Of Dickinson On Approximately +/- 0.718 Acres, Legally Described As Abstract 19 Perry & Austin .718 Acres Reserve A Of Edgewood

Subdivision Adjacent & Northwest Of FM 1266, Generally Located North Of Edgewood Drive And West Of FM 1266, With The Addresses Being 2900, 2902, And 2904 Dickinson Avenue, In The City Of Dickinson, Galveston County, Texas, From Conventional Residential (CR) To Neighborhood Commercial (NC).

Mayor Masters opened the Public Hearing at 7:21 p.m.

A. Staff Presentation of Zoning Case.

Director of Community Development Zachary Meadows presented the zoning case to Council, and advised Council that the rezoning aligns with the City's Future Land Use Map. Mr. Meadows added that granting the rezoning would allow the property owner to lease out the available space on the property.

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 7:23 p.m.

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2016 – (Zoning Case ZMC-16-0924) 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 +/- 0.718 ACRES, LEGALLY DESCRIBED AS ABSTRACT 19 PERRY & AUSTIN .718 ACRES RESERVE A OF EDGEWOOD SUBDIVISION ADJACENT & NORTHWEST OF FM 1266, GENERALLY LOCATED NORTH OF EDGEWOOD DRIVE AND WEST OF FM 1266, WITH THE ADDRESSES BEING 2900, 2902, AND 2904 DICKINSON AVENUE IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS, FROM

CONVENTIONAL RESIDENTIAL (CR) TO NEIGHBORHOOD COMMERCIAL (NC); 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 Member Wilson made a motion to approve the first reading of the ordinance, and Council Member Decker seconded the motion. Council discussed the length of time that the rezoning process takes to complete and the future possibility of proactively rezoning properties. There being no further discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Approval of Submission of Letter to Public Utility Commission of Texas and/or Texas Commission on Environmental Quality Supporting Approval of Proposed Fire Protection Plan and Contract Between Galveston County Water Control & Improvement District Number 1 and Dickinson Volunteer Fire Department.

City Administrator Julie Robinson provided Council with an overview of the item. Garland Copelin (3717 Kellner Road, Dickinson, Texas) and Chief Keith Morgan with Dickinson Volunteer Fire Department addressed the questions of Council regarding the proposed rate structure and oversight. Mr. Morgan informed Council that the rate would be based on the Dickinson Volunteer Fire Department's proposed annual budget, as approved by Galveston County Water Control & Improvement District Number 1.

Council Member Suderman made a motion to approve the submission of the letter, and Council Member Decker seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number XXX-2016 - **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE SUBMISSION OF AN APPLICATION FOR FUNDS TO SOUTHEAST TEXAS HOUSING**

FINANCE CORPORATION; AND PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.

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

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Round 1 Proposed Road Stabilization Projects.

City Administrator Julie Robinson provided Council with an overview of the projects and distributed updated information to Council that corrected the details concerning proposed improvements to Colorado Avenue.

Council Member Wilson made a motion to move forward with the Round 1 Proposed Road Stabilization Projects, and Council Member Henderson seconded the motion. Director of Public Works Paul Booth addressed the questions of Council. There being no further discussion, Mayor Masters called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Request from Festival of Lights to Temporarily Close the Northbound Lane on Maple Drive From 5:45 pm Until 10:00 pm Every Friday, Saturday and Sunday From November 26, 2016, Through December 11, 2016, and From 5:45 pm Until 10:00 pm Every Day From December 16, 2016, Through December 30, 2016.

Council Member Wilson made a motion to approve the request, 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 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Cancellation of November 8, 2016 Regular City Council Meeting and Scheduling of November 9, 2016 Special City Council Meeting Due to Election Day.

Council Member Deats made a motion to approve cancellation of the November 8, 2016 Regular City Council Meeting and the scheduling of a November 9, 2016 Special City Council Meeting due to Election Day, and Council Member Decker 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 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Cancellation of November 22, 2016 and December 27, 2016 Regular City Council Meetings Due to Holidays.

Council Member Wilson made a motion to approve cancellation of the November 22, 2016 and December 27, 2016 Regular City Council Meetings due to holidays, 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

Mayor Masters recessed the regular meeting at 7:44 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 7:59 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 8:00 p.m., and Council Member King seconded the motion.

VOTE:

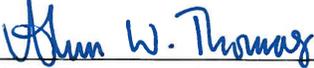
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)

0 NAYS

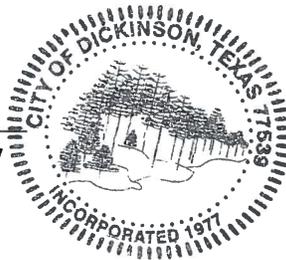
MOTION PASSED

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

ATTEST:



Alun W. Thomas, City Secretary





Wally Deats, Mayor Pro Tem