

Julie Masters, Mayor
Charles Suderman, Mayor Pro Tem
Sean Skipworth
Walter Wilson

MINUTES
City of Dickinson
CITY COUNCIL
REGULAR MEETING

Wally Deats
Louis Decker
William H. King III
Chris Heard, City Administrator

May 26, 2020

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **Tuesday, May 26, 2020, at 7:00 p.m.** In accordance with order of the Office of the Governor issued March 16, 2020, the City Council of the City of Dickinson, Texas conducted the meeting by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). The meeting was held for the purpose of considering the following items:

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM

Mayor Masters called the meeting to order at 7:06 p.m. City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro-Tem Charles Suderman, and Council Members Sean Skipworth, Walter Wilson, Wally Deats, Louis Decker, and William H. King, III. Also present were City Attorney David Olson, City Administrator Chris Heard, Community Services Director Kola Olayiwola, and Assistant to the City Administrator Kerilyn Bascle.

ITEM 2.) INVOCATION

Council Member King gave the invocation.

ITEM 3.) PLEDGE OF ALLEGIANCE

Council Member Suderman led the Pledge of Allegiance.

ITEM 4.) PROCLAMATIONS

A. Dickinson High School Class of 2020.

Mayor Masters read aloud a proclamation for the Class of 2020. Council discussed a suggestion that the City provide each graduating senior a copy of the Proclamation, but it was decided instead to present the Proclamation to Dickinson Independent School District.

ITEM 5.) ANNOUNCEMENTS AND PRESENTATIONS:

A. Council Comments

- Welcome to everyone attending the meeting.
- Animals are back at the animal shelter. About half of them will soon be transported to Seattle for adoption.

- Local businesses have expressed their appreciation for Dickinson Economic Development Corporation's business grant program.
- Congratulations to the Class of 2020 on the graduation of its students, who have had to endure a pandemic that has affected their ability to fully enjoy their graduation.
- Oleander Drive is in poor condition and needs to be improved.
- Council Member Deats asked for the status of the City's audit. City Administrator Chris Heard said that the timing of the report is out of the City's control and that he has not received an update.
- There are approximately thirty Republic Services trash cans at Zieglers that need to be removed. Mr. Heard said that the City has approximately 2,200 such trash cans and that the extra thirty will be added to the list for removal.
- There have been traffic cones on the sidewalks on FM 517 near Paul Hopkins Park for months. Mr. Heard said that the sidewalk has failed and that Texas Department of Transportation (TxDOT) needs to fix it. Mayor Masters said that she has tried without success to contact TxDOT about the issue and that she has directed Mr. Heard to work with TxDOT to fix it.
- Council Member Deats would like to see the return of Public Works reports to the Council agendas.
- There are large dead trees in the retention pond on FM 646 just Northeast of Dickinson Bayou. Hurricane season is near, so TxDOT should remove them soon.
- Council Member Deats asked for an update on the budget process and whether it had started. Mr. Heard said that former Finance Director Kristen Woolley had prepared a budget calendar and that an Interim Finance Director would start work on June 1. Mr. Heard said that he would figure out how to proceed and would present a calendar to Council at the next regular meeting.
- The City-owned lot just East of City Hall's parking lot needs regular mowing.
- Mayor Masters will check to see if any progress has been made on the proposed remodeling of the boat ramp through a grant.
- Council Members Deats, Decker, and Suderman had requested in writing on May 21 that an item be added to this meeting's agenda to remove Chris Heard from Dickinson Economic Development Corporation's Board of Directors. Council Member Deats questioned why the item was not included. Mayor Masters said that she did not allow it. Council Member Suderman said that he had later changed his mind anyway. Council Member Deats lamented that having to write such a letter was even necessary.
- Condolences to the Preston family on the loss of their 20-year old son.
- On May 22, 300 gallons of free milk was distributed by Borden. The free milk will be available every Friday through August. Families can each receive up to 4 gallons.

- On Saturday, June 6, Mt. Carmel Missionary Baptist Church will distribute free food to those in need.
- Workforce Solutions, Houston-Galveston Area Council, and City of Dickinson will host three different virtual hiring workshops; one each on May 27, 28, and 29, to assist the job-seeking efforts of former offenders, veterans and their spouses, and teenagers, respectively.
- We are still dealing with the spread of coronavirus (COVID-19), and everyone is encouraged to take proper precautions.
- The intersection of FM 517 and Interstate 45 is again in need of mowing. There is also still debris and trash left behind by a homeless man that needs to be removed.
- The improvements to the ditches on Sunset Drive have greatly improved stormwater flow.
- The next Knights of Columbus fish fry will be held on June 5, 5:30-7:00 p.m., and will be drive-through only.
- Council Member Suderman said that in 2004-2006, Dickinson Economic Development Corporation (DEDC) improved several streets in Dickinson, and discussions had taken place about DEDC replacing the four streets near the Dickinson ISD bus barn. He would like a discussion of this to be added to the next meeting agenda.

ITEM 6.) REPORTS:

- A. Update on Activities of the Houston-Galveston Area Council (Council Member King).

Council Member King provided Council with an update on the activities of Houston-Galveston Area Council in its May 19, 2020 meetings.

- B. Update on Activities of the Dickinson Economic Development Corporation (Dickinson Economic Development Corporation Chief Executive Officer Scott Jones).

Dickinson Economic Development Corporation Chief Executive Officer Scott Jones provided Council with an update on the Corporation's activities.

- C. April Revenue & Expense Reports.

This item was not discussed, but the reports were included in the Council Packet.

ITEM 7.) 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.

Gregory Castellanos, 2322 Pecan Drive, Dickinson, Texas – Mr. Castellano had asked for an agenda item to discuss his desire to build a carport on his property. He had built the carport before being informed by the City that it did not comply with City Codes, so he had to take it down. Mr. Castellanos has lived at the house for over thirty years, which had to be rebuilt after Hurricane Harvey. Without the carport, he said, the house no longer feels like his home. The street is a working-class neighborhood, several of his neighbors have carports, and Mr. Castellanos has a list of signatures from his neighbors in support of his project. Mayor Masters said that staff will speak to Mr. Castellanos after the meeting.

Ann Gana, 2927 46th Street, Dickinson, Texas – Mrs. Gana said that the City has a contract to buy Jerry Armstrong's property, which is next door to her own. She asked for an update on the progress of the purchase, noting that there is new trash and debris on the lot that needs to be removed. Mayor Masters thanked Mrs. Gana and said that the City is moving forward on the purchase.

ITEM 8.) 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 May 12, 2020.
- B. Resolution Number 1838-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR THE BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM TO THE U. S. DEPARTMENT OF JUSTICE, OFFICE OF JUSTICE PROGRAMS; AND PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

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

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1839-2020 – A RESOLUTION OF THE CITY COUNCIL OF THE

CITY OF DICKINSON, TEXAS, APPROVING AND AUTHORIZING A BUDGET AMENDMENT AND INCREASE IN PROJECT FUNDS FOR THE DICKINSON ECONOMIC DEVELOPMENT CORPORATION'S EMERGENCY BUSINESS RECOVERY AND EXPANSION GRANT PROGRAM FOR THE RECOVERY AND EXPANSION OF DICKINSON BUSINESSES THAT HAVE SUFFERED DUE TO THE STATE OF EMERGENCY CAUSED BY THE COVID-19 PANDEMIC; PROVIDING FOR THE INCORPORATION OF THE PREAMBLE; MAKING CERTAIN FINDINGS AND CONTAINING CERTAIN PROVISIONS RELATING TO THE SUBJECT. (Second of Two Readings)

Council Member Deats made a motion to approve the Resolution on its second reading, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Resolution Number 1840-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, ACCEPTING A QUOTE FROM CROWDER GULF FOR THE DESNAGGING OF BORDEN'S GULLY, BENSON BAYOU, MAGNOLIA BAYOU, AND THE TRIBUTARY TO GUM BAYOU; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE QUOTE BY THE CITY ADMINISTRATOR; AND PROVIDING AN EFFECTIVE DATE.**

Council Member King made a motion to approve the Resolution, and Council Member Suderman seconded the motion. Council Member Wilson questioned what the impact of the "pass-through" of dumping fees. City Administrator Chris Heard explained that the contract is the same as the previous contract for desnagging the bayous, and that the total expenditures on the project would not exceed \$100,000.

Council briefly discussed how frequently the City should perform desnagging of the bayous. Mr. Heard said that his plan was to play it by ear, but perhaps perform the work every two years. Mr. Heard added that he will be on the boats the entire time that the project is being completed so that he could be assured that the work met the City's expectations.

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

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

ITEM 11.) CONDUCT A PUBLIC HEARING CONCERNING: SUP-20-0125, A Request for a Specific Use Permit, for a “Boat Service Establishment” Located at 5205 E FM 517 Unit E, Dickinson, Texas 77539, Currently Zoned General Commercial “GC”.

Mayor Masters opened the public hearing at 8:14 p.m.

A. Staff Presentation

Director of Community Services Kola Olayiwola presented the item to Council. Mr. Olayiwola noted that the applicant had been denied this request twice before. This time, he said, he meets all of the requirements. The Planning and Zoning Commission recommended approval of the request for a Specific Use Permit.

B. Applicant’s Statement

Arthur DiNicholantonio, 1611 Lake Arbor, El Lago, Texas – Mr. DiNicholantonio addressed Council and presented his plans for a small boat repair business. He said that he has tried to start this business for the past three or four years. The yard is now being mown on a regular basis, and the old boats have been removed from the property.

C. Those in Favor

Armando Moreno, 3909 Texas Avenue, Dickinson, Texas – Mr. Moreno spoke in support of the request, and in support of Dickinson encouraging small businesses such as Mr. DiNicholantonio’s.

D. Those Opposed

None.

E. Applicant Rebuttal

None.

F. Adjourn Public Hearing

Mayor Masters adjourned the public hearing at 8:20 p.m.

ITEM 12.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2020 (Zoning Case SUP-20-0125) – 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-20-0125 ALLOWING THE APPLICANT TO USE THE

PROPERTY FOR A BOAT SERVICE ESTABLISHMENT; SUCH PROPERTY BEING LEGALLY DESCRIBED AS ± 3.74 ACRES, ABSTRACT 78 R HALL SURVEY LOTS 7 & 8 ALL OF LOTS 9 & 10 TUDOR ADDN EXCEPT STRIP OFF S END FM 517, MORE COMMONLY KNOWN AS 5205 E. FM 517, 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. (First of Three Readings)

City Attorney David Olson recommended two changes to the Ordinance: to require that all painting, spraying, or fiberglass work must be done in the paint booth; and the removal from “Exhibit A” of the history of the boat repair business.

Council Member Skipworth made a motion to approve the first reading of the Ordinance as amended, and Council Member Suderman seconded the motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

5 AYES (Suderman, Skipworth, Deats, Decker, King)

1 NAY (Wilson)

MOTION PASSED

ITEM 13.) CONDUCT A PUBLIC HEARING CONCERNING: SUP-20-0130, A Request for a Specific Use Permit, for a “Bed and Breakfast” Located at 3822 Water Street, Dickinson, Texas 77539, Currently Zoned Conventional Residential “CR”.

Mayor Masters opened the public hearing at 8:26 p.m.

A. Staff Presentation

Director of Community Services Kola Olayiwola presented the item to Council, noting that the application meets the City’s requirements. The Planning and Zoning Commission recommended approval of the request for a Specific Use Permit.

B. Applicant’s Statement

Jeff Nuss addressed Council and said that he has lived in the neighborhood for over fifty years, and that opening a bed and breakfast would be the realization of a longtime dream. He and his wife Tanya will

have a nice clientele and will be at home when the guests are on the property.

C. Those in Favor

John Dougan, 1001 Royal Oaks Drive, Dickinson, Texas – Mr. Dougan said that the Nuss' are nice people and that they will bring quality to Dickinson.

D. Those Opposed

None.

E. Applicant Rebuttal

None.

F. Adjourn Public Hearing

Mayor Masters opened the public hearing at 8:29 p.m.

ITEM 14.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance Number XXX-2020 (Zoning Case SUP-20-0130) – **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-20-0130 ALLOWING THE APPLICANT TO USE THE PROPERTY FOR A BED AND BREAKFAST ESTABLISHMENT; SUCH PROPERTY BEING LEGALLY DESCRIBED AS ABSTRACT 19 PERRY & AUSTIN SURVEY PT OF LOTS 173 & 196 (1-2) DICKINSON ADDN D, ABST 19 PERRY & AUSTIN SUR PT OF LOTS 173 & 196 (7-3) DICKINSON ADDN D AKA TRACT G, ABST 19 PERRY & AUSTIN SUR PT OF LOT 173 (1-5) DICKINSON ADDN D AKA PT OF TRACT A, MORE COMMONLY KNOWN AS 3822 WATER STREET, IN THE CITY OF DICKINSON, GALVESTON COUNTY, TEXAS, PRESENTLY ZONED CONVENTIONAL RESIDENTIAL (“CR”); 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.** (First of Three Readings)

Council Member Suderman made a motion to approve the first reading of the Ordinance, and Council Member Skipworth seconded the motion. The applicants, Mr. and Mrs. Nuss., said that will always serve their guests breakfast. Council Member Deats urged Council to support the issuance of

the Specific Use Permit. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

- ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Resolution Number 1841-2020 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS SELECTING TEXAS FIRST BANK AS THE PRIMARY DEPOSITORY BANK FOR THE CITY OF DICKINSON, TEXAS AND AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE THE AGREEMENTS NECESSARY FOR PRIMARY DEPOSITORY BANK SERVICES; AND PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.**

Council Member Suderman made a motion to approve the Resolution, and Council Member Decker seconded the motion. Council Member Deats commended the consultants, Valley View Consulting, LLC, on an excellent analysis that included all pertinent information and that was easy to read. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

0 NAYS

MOTION PASSED

At this time, Mayor Masters moved to Item 17.

- ITEM 17.) 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 litigation and matters in which the duty of the City Attorney requires to be discussed in closed meeting.

Mayor Masters recessed the regular meeting at 8:35 p.m.

- ITEM 18.) RECONVENE**

Mayor Masters reconvened the regular meeting at 9:05 p.m.

At this time, Mayor Masters returned to Item 16.

ITEM 16.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: The Dickinson Economic Development Corporation and City of Dickinson Employee Benefits and Administrative Services Interlocal Agreement.

Mayor Masters said that the City and Dickinson Economic Development Corporation (DEDC) will hold a joint meeting in the first part of June to discuss DEDC's bylaws.

ITEM 19.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

None.

ITEM 20.) ADJOURN

Council Member Wilson made a motion to adjourn the meeting at 9:06 p.m., and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Skipworth, Wilson, Deats, Decker, King)

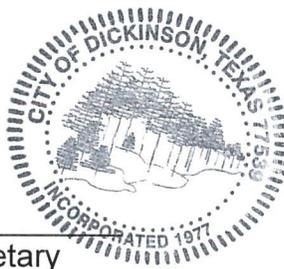
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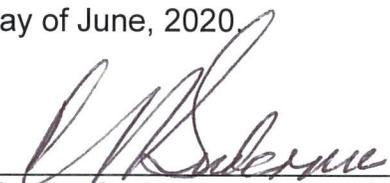
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 9th day of June, 2020.

ATTEST:


Alun W. Thomas, City Secretary




Charles Suderman, Mayor Pro Tem