

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

June 9, 2020

The Dickinson City Council met in a duly called and announced **REGULAR MEETING** on **Tuesday, June 9, 2020, at 7:00 p.m.** The meeting was held in the City Council Chambers located at 4403 Highway 3, Dickinson, Galveston County, Texas, and was held for the purpose of considering the following items:

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

Mayor Pro Tem Suderman called the meeting to order at 7:02 p.m. City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Pro-Tem Charles Suderman, and Council Members Sean Skipworth, Walter Wilson, Wally Deats, Louis Decker, and William H. King, III. Mayor Julie Masters was absent. Also present were City Attorney David Olson, City Administrator Chris Heard, Library Director Julianne Lane, Assistant Library Director Kathy Soehl, and Assistant to the Community Services Director Andrew Crawford.

ITEM 2.) INVOCATION

Council Member King gave the invocation.

ITEM 3.) PLEDGE OF ALLEGIANCE

Council Member Decker led the Pledge of Allegiance.

ITEM 4.) PROCLAMATIONS

None.

ITEM 5.) ANNOUNCEMENTS AND PRESENTATIONS:

A. Council Comments.

- Welcome to everyone attending the meeting. It is nice to have finally returned to conducting in-person meetings.
- Thank you to Dickinson Police Department, Galveston County Sheriff's Office, Houston SPCA, and Bayou Animal Services' Shelter Manager Sarah Haywood for recently saving 34 dogs from a dog-fighting ring. Criminal charges have been filed.
- Two citizens recently cleaned up under Interstate 45 at FM 517, and their efforts are greatly appreciated.
- Council Member Skipworth spoke of the death of George Floyd in Minnesota. He discussed the historical significance of the event and

the social issues surrounding his death. Council Member King expressed his condolences to Mr. Floyd's family and to the families of the hundreds of other African American men and women who have lost their lives at the hands of law enforcement. Council Member King gave a brief history of the struggle for equality in America and said that enough is enough but that defunding police departments was not the answer.

- Council Member King invited everyone to attend a dialogue between senior Galveston County area law enforcement officials and the community, scheduled for 7:00p.m. tomorrow at Sam Vitanza Stadium.
- Council Member Decker said that he is not sure that the City can afford to keep and maintain Hughes Road. He said that the street serves two schools, and he would like an item to be added to the next Council agenda to discuss what will be done to improve Hughes Road.
- Congratulations to the graduating class of 2020.
- Over 950 gallons of free milk were distributed last week by Borden, and the amount of milk distributed each week is increasing.
- 325 families received food assistance at Mount Carmel Missionary Baptist Church this week.
- The intersection of FM 517 and Interstate 45 looks much more presentable following its mowing.
- Thank you to City staff for cleaning the ditches at Rodeo Bend and Timber Drive.
- Galveston County Health District reports that confirmed cases of Coronavirus (COVID-19) is increasing. Everyone is encouraged to take proper precautions.
- Interested people are encouraged to apply to "ride along" with police officers in Dickinson to gain perspective into the challenges facing law enforcement.
- Council Member Suderman said that Oak Park Street, Church Street, and Video Street were scheduled to be reconstructed using concrete in 2001, but that Council chose at the time to defer the projects. With the upcoming school year, many school buses will again use these streets that someone – be it the City, Dickinson Economic Development Corporation, or Dickinson Management District No. 1 – needs to fix. Council Member Suderman said that City Administrator Chris Heard needs to fix the streets or put an item on the next agenda so that Council can discuss it.

B. Fiscal Year 2018-2019 Audited Comprehensive Annual Financial Report and Federal Single Audit Report Prepared by Belt Harris Pechacek, LLLP, Certified Public Accountants.

Daniel Hebert from Belt, Harris Pechacek, LLLP presented the draft audit to Council. He stated that the City of Dickinson has received a clean, unmodified opinion on the City's financial position, meaning that the firm has the highest confidence that the City's records were materially correct and in compliance with generally accepted accounting practices.

Mr. Hebert addressed questions from Council regarding Federal Emergency Management Agency funds, and the firm's Management Letter that listed "significant deficiencies" that were found during the audit. Mr. Hebert stated that many of those deficiencies were also present in the preceding fiscal year's audit, and that the City not having a Finance Director presents the City with a big challenge given the resources that are needed to properly handle its finances. In response to a question from Council about the status of the vacant Finance Director position, City Administrator Chris Heard said that he is in the process of interviewing candidates.

Mr. Hebert also discussed a required payment to Texas Department of Transportation that was not made as required during Fiscal Year 2018-2019, but that was subsequently paid. Council Member Wilson expressed his profound concern with the City not paying such an obligation in a timely manner. Council Member Deats asked that the Council hold a workshop meeting or add an item to an upcoming agenda to discuss the audit's findings. Mr. Heard said that he would include an item on the June 23, 2020 agenda for that purpose, along with the presentation of the final audit. Mr. Hebert said that although the audit presented today is a draft that could change, no changes are expected.

ITEM 6.) REPORTS:

- A. Update on Activities of the Dickinson Bayou Watershed Partnership (Council Member Decker).

Due to technical issues, Council Member Decker was unable to attend the most recent meeting of Dickinson Bayou Watershed Partnership.

City Administrator Chris Heard introduced Joe Myers, Vice President of Huitt-Zollars, the City's contract hydrological engineers. Mr. Myers gave a brief presentation of a proposed Community Development Block Grant Mitigation project to Council. The proposal is for a surge gate (or series of surge gates) on Dickinson Bayou, a diversionary canal on Dickinson Economic Development Corporation's property on Hughes Road, and a diversionary channel along the Hughes Road right-of-way. Mr. Heard said that the grant project proposal would be presented to City Council this summer and that, since the project would require the rebuilding of Hughes Road, it would allow the city to widen Hughes Road to accommodate the growth that is expected immediately next to Hughes Road in Texas City. The project, he said, would take twelve years to complete.

- 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.

Reggie Taylor, 2305 28th Street, Dickinson, Texas – Mr. Taylor said that he has spoken to Council on several occasions regarding poor drainage in the Moore's Addition subdivision, but noticed that work is being conducted near the subdivision, such as on Timber Drive, but not in the subdivision. He then complained about the poor visibility at some intersections in Moore's Addition. Mr. Taylor also spoke of the need to involve regular people in the discussion about race and systemic racism in society and law enforcement. Mayor Pro Tem Suderman recommended that Mr. Taylor participate in the Citizens' Police Academy program, which is designed to educate and improve the relationship between citizens and police.

Sue Emmite, 3508 Hill Avenue, Dickinson, Texas – Ms. Emmite is concerned about the poor condition of Salvato Street. She said that her family was one of the families that donated the land for the construction of the street, and that it needs to be repaired.

Kathy Holder, 4415 East 29th Street, Dickinson, Texas – Since Interim Director of Public Works Ron Sullivan left the City, no work is being done in the Nicholstone subdivision; ditches do not drain and are filled with mud. City Administrator Chris Heard explained to Ms. Holder that projects are under design, will be bid in the summer, and work will be completed in the fall. Ms. Holder also discussed the large number of advertising signs for a new gas station in the area.

Ken Henderson, 4207 Gum Drive, Dickinson, Texas – Concerned that the City's flood mitigation plans are too focused on rain events, Mr. Henderson discussed the importance of considering wind-blown storm surge when creating hydrological models for Dickinson Bayou. He also expressed his support for the police and noted the importance of speaking with police to build stronger communities.

John Dougan, 1009 Royal Oak Drive, Dickinson, Texas – Mr. Dougan asked if the City had a Finance Director or an Interim Finance Director yet. City Administrator Chris Heard informed him that it did not. When asked by Mr. Dougan why the City has not been filling vacant positions, Mr. Heard replied that the City needed to wait for qualified applicants to apply for the job.

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 26, 2020.

- B. Resolution Number 1842-2020 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR THE TSLAC FY2020 ILL LENDING REIMBURSEMENT PROGRAM TO THE TEXAS STATE LIBRARY AND ARCHIVES COMMISSION; AND PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.
- C. Resolution Number 1843-2020 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE SUBMISSION OF A GRANT APPLICATION FOR TSLAC CARES ACT GRANT; AND PROVIDING FOR INCORPORATION OF PREAMBLE AND AN EFFECTIVE DATE.

Council Member King made a motion to approve the Consent Agenda, and Council Member Deats seconded the motion. There being no discussion, Mayor Pro Tem Suderman called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 955-2020 (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. (Second of Three Readings)

Council Member King made a motion to approve the Ordinance in two readings, and Council Member Deats seconded the motion. Council Member Wilson said that he opposes the Ordinance because it relies on the Applicant always having access to a shared paint booth. The Applicant, Mr. DiNicholantonio, said that he owns both facilities and that he has a contract

in place to use the paint booth whenever he needs it. There being no further discussion, Mayor Pro Tem Suderman called for the vote.

VOTE:

4 AYES (Suderman, Skipworth, Deats, King)

2 NAYS (Wilson, Decker)

MOTION PASSED

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number 956-2020 (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.** (Second of Three Readings)

Council Member Deats made a motion to approve the Ordinance in two readings, and Council Member King seconded the motion. There being no discussion, Mayor Pro Tem Suderman called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

- ITEM 11.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2020 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, DELETING ARTICLE V, FLOOD HAZARD AREAS, OF CHAPTER 14, PLANNING AND DEVELOPMENT, OF THE CODE OF ORDINANCES AND ADOPTING A NEW ARTICLE V, FLOOD DAMAGE PREVENTION AND PROTECTION, OF CHAPTER 14, PLANNING AND DEVELOPMENT OF THE CODE OF ORDINANCES; PROVIDING FOR THE INCORPORATION OF PREAMBLE; 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 Wilson made a motion to approve the first reading of the Ordinance, and Council Member Decker seconded the motion. Council Member Deats noted that a typographical error on page 18, bullet point 8, needed to be corrected. There being no further discussion, Mayor Pro Tem Suderman called for the vote.

VOTE:

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

0 NAYS

MOTION PASSED

ITEM 12.) BRIEFING, DISCUSSION AND DIRECTION CONCERNING: Proposed Calendar and Process for Creating the FY2021 Budget.

City Administrator Chris Heard said that this Item was for Council's information only, and that no action was necessary. Council briefly discussed the budget process, and a recent email from someone asking that the City defund the police department. Mr. Heard assured Council that even in the absence of a Finance Director, he will lead the budget process.

ITEM 13.) 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 Pro Tem Suderman recessed the regular meeting at 8:55 p.m.

ITEM 14.) RECONVENE

Mayor Pro Tem Suderman reconvened the regular meeting at 9:57 p.m.

ITEM 15.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

None.

ITEM 16.) ADJOURN

Council Member Deats made a motion to adjourn the meeting at 9:58 p.m., and Council Member Wilson seconded the motion. There being no discussion, Mayor Pro Tem Suderman called for the vote.

VOTE:

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

0 NAYS

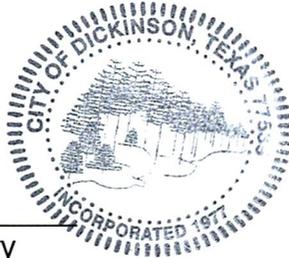
MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 23rd day of June, 2020.

ATTEST:



Alun W. Thomas, City Secretary





Julie Masters, Mayor