



City of Dickinson, TX

Regular Council Meeting Minutes

Tuesday, January 10, 2023

7:00 PM

4403 Highway 3
Dickinson, TX 77539

Sean Skipworth, Mayor
Johnnie Simpson, Jr., Mayor Pro Tem
Jenna Simsen
Walter Wilson

Jessie Brantley
Louis Decker
Fred L. Linton
Theo Melancon, City Manager

The Dickinson City Council met in a duly called and announced the Regular Meeting on **Tuesday, January 10, 2023, at 7:01 p.m.** 4403 Highway 3, Dickinson, Texas 77539 for the purpose of considering the following numbered items.

1. CALL TO ORDER AND CERTIFICATION OF A QUORUM

Mayor Sean Skipworth called the meeting to order at 7:02 p.m. City Secretary, Ana Urps called roll and certified a quorum. Those present were: Mayor Sean Skipworth, Pro Tem Johnnie Simpson, Jenna P. Simsen, Walter Wilson, Jessie Brantley, Louis Decker, and Fred L. Linton. Also present was City Attorney, Justin Pruitt and City Manager Theo Melancon.

2. INVOCATION

Councilmember Simpson gave the invocation.

3. PLEDGE OF ALLEGIANCE

Councilwoman Simsen led the pledge of allegiance to the United States and Texas flag.

4. PROCLAMATIONS AND AWARDS

5. ANNOUNCEMENTS AND PRESENTATIONS

Announcements concerning items of community interest. No action will be taken or discussed. Councilmember comments regarding items of community interest in accordance with Texas Government Code section 551.0415.

5A. Council Comments

Councilmember Fred Linton welcomed everyone. He briefed on events that he attended – including the Building Standards Meeting on 12/22/22 in which he spoke with the owners of

Creekside Apartments. For NYE, he performed Auld Lang Syne with Detective Oliver at City Hall. Mentioned that he was working on the RFP with IT Director Rene Valdez. He met with City Manager Theo Melancon about a parks plan, attended the Dickinson Chamber of Commerce Farmer's Market, gave stats about Bayou Animal Services – adoptions up 50%, return to owners up 20%, live release rate up 13%; 95% survivability. Donations and volunteers are always welcome. He reminded everyone about the Dickinson Music Enrichment Center – free lessons, supplies, instruments. Contacted Union Pacific Railroad regarding the 517 Crossing. Festival of Lights removal and storage is underway, attending the GCMCA meeting, and the retreat on 16th; COVID is still out there so remain vigilant. The 2022 E3ZTF Comet will be visible between 1/14-2/16. Reminded everyone why he chose to run for Council – to give back and make educated rational decisions with no drama.

Councilmember Louis Decker welcomed everyone. He mentioned that the Festival of Lights tear down had begun and noted the rain totals for the area, which caused flooding in various portions of town.

Councilmember Brantley welcomed everyone. He wished everyone a Happy New Year. He plans to recognize staff and volunteers in meetings for all that they do to live the SHINE principles. He recognized Shonna Bellow, Herman Meyers, Jaree Hefner, Collin Coker and Hank Dugie for their work on Creekside.

Council Member Wilson welcomed everyone.

Councilwoman Jenna Simsen welcomed everyone. Over the weekend, she visited BAS to donate supplies and got information on volunteering. DISD is taking applications for bus drivers. January 9 was National Law Enforcement Appreciation Day. The 2023 Wine & Roses event benefiting the Dickinson Historical Society will be April 21 at the Dickinson Railroad Museum. Gave a special thank you to DVFD, Marjorie and Keith Morgan for coming out to her home for an oven fire.

Council Member Simpson welcomed everyone. Attended various Building Standards Meetings, HGAC Meeting. Has been participating in the IT RFP and will attend the planning retreat on January 16. Thanked staff for work done on Creekside in collaboration with M.I. Lewis Social Service Center.

Mayor Skipworth welcomed everyone. He reminded everyone to abide by school bus laws and be conscientious of children out and about. Thanked Building Standards Committee and Staff for work done on Creekside. Pointed out that the Legislative Session began today and urged residents to stay updated. Thanked the Interim Police Chief and officers for their work in the community.

5B. City Manager Update

- Customer Service Recognition - Dewanna Pleasant and David Lopez
- Library Director, Julianne Lane Presentation
- Infrastructure
- Project Statuses

- Community and Economic Development Status
- Community Events
- Grant Updates

City Manager, Theo Melancon recognized staff – DeWanna Pleasant, David Lopez and Gina Vega. Library Director Julianne Lane gave a presentation on the Library. Mr. Melancon updated City Council on infrastructure, project statuses, Community and Economic Development, and grant updates.

No action taken.

6. PUBLIC COMMENTS

Members of the public are invited to give comments at this time, lasting not longer than 3 minutes. Comments may be general in nature or may address a specific agenda item, and should be directed at the entire Council, not individual members of Council or staff. Any speaker making personal attacks or using vulgar or profane language shall forfeit his/her remaining time and shall be seated. In compliance with the Texas Open Meetings Act, The City Council may not deliberate.

Name	Address	Reason for Comment
Michelle Vorsberg	4306 Country Club Dr.	Driveway/Drainage Issue

7. CONSENT AGENDA

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 Councilmember requests, in which event, the item will be removed from the consent agenda and discussed after the consent agenda.

- 7.A Consideration and possible action on approving the minutes of the City Council Regular Meeting of December 13, 2022.

MOTION PASSED.

- 7.B Consideration and possible action on approving the minutes of the City Council Special Meeting of December 21, 2022.

MOTION PASSED.

- 7.C **CONSIDERATION AND POSSIBLE ACTION CONCERNING:**

RESOLUTION XXX-2023- APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, DIRECTING THE CITY MANAGER TO EXECUTE A CONTRACT FOR ELECTION SERVICES WITH GALVESTON COUNTY REGARDING THE MAY 2023 MUNICIPAL ELECTION.

MOTION PASSED.

7.D CONSIDERATION AND POSSIBLE ACTION CONCERNING:

RESOLUTION XXX-2023 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NUMBER 2 TO CONTRACT R314839.02 FOR OAK PARK STREET DRAINAGE IMPROVEMENTS.

MOTION PASSED.

7.E CONSIDERATION AND POSSIBLE ACTION CONCERNING:

RESOLUTION XXX-2023 - APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE CITY MANAGER TO ALLOCATE FUNDING FOR THE CITY'S PARTICIPATION IN THE SOCIAL SECURITY BENEFITS PROGRAM.

Item 7E was pulled and discussed outside of Consent Agenda.

1st Motion: Councilmember Brantley made a motion to approve.

2nd Motion: Councilmember Simpson seconded the motion.

Councilmember Wilson discussed the price of Social Security; concerned because the numbers are very significant. City Manager Theo Melancon discussed the need for offering this benefit to potential and current employees and answered Councilmember Brantley's questions regarding Social Security Benefits. Councilmember Brantley and Councilmember Simpson spoke in favor of participating in the Social Security program. There being no further discussion, Mayor Skipworth called for a vote.

Vote:

7 Ayes (Simsen, Brantley Linton, Skipworth, Simpson, Wilson, Decker)

0 Nays

MOTION PASSED.

7.F CONSIDERATION AND POSSIBLE ACTION CONCERNING:

ORDINANCE XXX-2023 - APPROVING AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AMENDING SECTION 4-51 "RABIES VACCINATION REQUIRED", OF ARTICLE II "DOGS AND CATS", OF CHAPTER 4 "ANIMALS", OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON REGARDING RABIES VACCINATION REQUIREMENTS FOR CATS AND DOGS; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH;

PROVIDING A PENALTY; AND, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

MOTION PASSED.

7.G Consideration and possible action to approve a Performance Agreement between the Dickinson Economic Development Corporation and Park View - NFP LLC.

MOTION PASSED.

Councilmember Wilson requested to pull item 7E.

1st Motion: Councilmember Brantley made a motion to approve the Consent Agenda with the exception of Item 7E.

2nd Motion: Councilmember Simpson seconded the motion.

MOTION PASSED.

Vote:

7 Ayes (Simsen, Brantley Linton, Skipworth, Simpson, Wilson, Decker)

0 Nays

Mayor Skipworth rearranged the order of presentation of several items; items were called in the following order: Item 9C, Item 9A, Item 8C, Item 8A, Item 8B, Item 9B.

8. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

8.A Conduct a public hearing concerning a request for a subdivision variance from the minimum 200 feet or maximum 1,200 feet block length requirements of Appendix A "Subdivisions", Section 8 "Standards and Specifications", Subsection H "Blocks" of the Code of Ordinances of the City – with such variance allowing a maximum 2622.23 foot block length on certain portions of the property; for approximately ± 47.23 acres, located at **302 Avenue J**, and legally described as Abstract 1 M Austin Survey South Part of Lots 2, 3, 4 & Closed ROW (2-0) McGregor Subdivision.

Public Hearing opened at 9:11 p.m.

- Staff Presentation – Theo Melancon on behalf of Yvonne Briscoe
- Applicant Presentation – James with High Tide Land Surveying
- Public Comments - None
- Applicant Rebuttal – None
- Adjourn Public Hearing

Mayor Skipworth closed the Public Hearing at 9:19 p.m.

8.B **RESOLUTION XXX-2023 - APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING A REQUEST OF MR. STEPHEN BLASKEY ON BEHALF OF KAEDA INTERNATIONAL, LLC (THE “OWNER”), FOR A VARIANCE FROM SECTION 8(H) “BLOCKS” OF APPENDIX A “SUBDIVISIONS” OF THE CITY OF DICKINSON CODE OF ORDINANCES (THE “CODE”), TO ALLOW THE OWNER TO FILE PLATS AND PLANS REFLECTING A BLOCK LENGTH EXCEEDING THE LIMITS REQUIRED UNDER THE CODE FOR APPROXIMATELY 47.23 ACRES OF LAND GENERALLY LOCATED AT 302 AVENUE J, DICKINSON, TEXAS. (First reading)**

1st Motion: Councilmember Simpson made a motion to approve with recommendations.

2nd Motion: Councilmember Linton seconded the motion.

Vote:

7 Ayes (Simsen, Brantley Linton, Skipworth, Simpson, Wilson, Decker)

0 Nays

MOTION PASSED.

8.C Conduct a public hearing concerning a request for a Specific Use Permit for Vacation Rental use in Conventional Residential ("CR") zoning district, for approx. ± 1.16 acres, located at 5122 Casa Grande Street , and legally described as ABST 208 W K WILSON SUR LOTS 13,14 & E PT OF LOT 12 CASA GRANDE SUB.

Public Hearing opened at 8:20 p.m.

- Staff/ Applicant Presentation – Theo Melancon on behalf of Yvonne Briscoe
- Public Comments

Name	Address
Lindsey Suarez	5113 Casa Grande
Lonnie Cox	5002 Casa Grande
Bill Schick	2926 Mellows Ln.
Gaylynn Naiser	292 Mellows Ln.
Kathy Palmer	5022 Casa Grande
David Palmer	5022 Casa Grande
Clark P. Wright	5000 Park Ave.
Stephani Brown	5014 Casa Grande
Elizabeth Lessert	5033 Casa Grande
Richard Cook	5112 Park Ave.

- Staff/ Applicant Rebuttal – Chad Griffin (co-owner of the home)
- Adjourn Public Hearing

Mayor Skipworth closed the Public Hearing at 8:52 p.m.

8.D **ORDINANCE XXX-2023** - AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING CHAPTER 18 “ZONING” OF THE CITY OF DICKINSON CODE OF ORDINANCES; GRANTING CRYSTAL CRUISE INVESTMENTS, L.L.C., A SPECIFIC USE PERMIT (THE “PERMIT”) TO ALLOW THE OPERATION OF A VACATION RENTAL ON A 1.16 ACRE TRACT OF LAND LOCATED AT 5122 CASA GRANDE STREET, DICKINSON, TEXAS, 77539, IN A “CONVENTIONAL RESIDENTIAL (CR) ZONING DISTRICT”; PROVIDING REQUIREMENTS AND CONDITIONS FOR THE PERMIT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND, PROVIDING AN EFFECTIVE DATE.

1st Motion: Councilmember Wilson made a motion to deny.

2nd Motion: Councilmember Decker seconded the motion.

Following discussion and deliberations from multiple members of Council, Mayor Skipworth called for the vote.

Vote:

7 Ayes (Simsen, Brantley Linton, Skipworth, Simpson, Wilson, Decker)

0 Nays

MOTION PASSED.

9. ACTION ITEMS FOR CONSIDERATION

9.A **ORDINANCE XXX-2023** - Consideration and possible action concerning a request to amend the official zoning map from Conventional Residential (CR) zoning district to General Commercial (GC) zoning district for the approx. ± 18.51 acres, being 500 foot depth on the south side of FM 517 W for GCAD 161989 & 162057 between Cemetery Road to Shoreview Drive, legally described as ABST 19 PERRY & AUSTIN SUR TR 17 29.0919 ACRES *SBPCL: 001900170001000* and ABST 19 PERRY & AUSTIN SUR TR 27, ACRES 37.0429 *SBPCL: 001900270001000* AND 300 foot depth on the south side of FM 517 W for GCAD 429814 & 161994 between Cemetery Road to Shoreview Drive, legally described as BAYOU LAKES SEC 1 (2005) ABST 19, RES N (14-0), ACRES 0.214 and ABST 19 PAGE 16 PERRY &

AUSTIN SUR TR 19 28.470 ACRS *SBPCL: 01900190001000*. (SECOND AND FINAL READING).

1st Motion: Councilmember Brantley made a motion to table the item at the request of City Manager Theo Melancon.

2nd Motion: Councilmember Simpson seconded the motion to table the item.

Vote:

7 Ayes (Simsen, Brantley Linton, Skipworth, Simpson, Wilson, Decker)

0 Nays

MOTION PASSED.

Name	Address	Notes
John Wilson	1701 Coral Cliff Dr.	Against
William New	1748 N Meridian Greens Dr.	Against – Would amend.
Michael Ross	310 Woodstream	Developer

9.B ORDINANCE XXX-2023 - Consideration and possible action concerning a request for a Specific Use Permit for a Church in a General Commercial ("GC") zoning district, for approx. 0.86 acres, located at **3717 Highway 3**, and legally described as ABST 19 PERRY & AUSTIN SUR PT OF LOT 153 (0-2) DICKINSON ADDN D. (Second and Final Reading)

1st Motion: Councilmember Brantley made a motion to approve.

2nd Motion: Councilmember Linton seconded the motion.

Vote:

4 Ayes (Simsen, Brantley Linton, Skipworth)

2 Nays (Wilson, Decker)

1 Abstention (Simpson)

MOTION PASSED.

9.C CONSIDERATION AND POSSIBLE ACTION CONCERNING:

RESOLUTION XXX-2023- Approving a Resolution by the City Council of the City of Dickinson, Texas in support of the Abolition of the Office of County Treasurer in Galveston County.

1st Motion: Councilmember Brantley made a motion to approve.

2nd Motion: Councilmember Wilson seconded the motion.

Vote:

7 Ayes (Simsen, Brantley Linton, Skipworth, Simpson, Wilson, Decker)

0 Nays

MOTION PASSED.

County Treasurer Hank Dugie spoke regarding the Office of County Treasurer.

10. EXECUTIVE (CLOSED) SESSION(S)

Adjourned into executive session at 9:27 p.m.

10.A Consultation with Attorney (Section 551.071 Texas Government Code)

Discussion with Attorney regarding contemplated/pending litigation and regarding matters protected by the attorney/client privilege.

- Settlement offer from Texas Windstorm Insurance Association

10.B Texas Open Meetings Act, Section 551.074 Government Code - Personnel Matters

Consideration and possible action concerning the employment, appointment, removal, or evaluation of a public officer or employee, to wit: City Manager

Re-convened from executive session at 10:24 p.m.

11. ACTION ITEMS FROM EXECUTIVE (CLOSED) SESSION(S)

11.A Consideration and possible action concerning settlement offer from Windstorm Insurance Association discussed in executive session.

1st Motion: Councilmember Brantley made a motion to approve settlement offer from TWIA in the amount of \$880,000.

2nd Motion: Councilmember Wilson seconded the motion.

Vote:

7 Ayes (Simsen, Brantley Linton, Skipworth, Simpson, Wilson, Decker)

0 Nays

MOTION PASSED.

11B. Consideration and possible action concerning personnel matters discussed in executive session.

No Action.

12. ADJOURNMENT

1st Motion: Councilmember Wilson made a motion to adjourn.

2nd Motion: Councilmember Decker seconded the motion.

Vote:

7 Ayes (Simsen, Brantley, Linton, Skipworth, Simpson, Wilson, Decker)

0 Nays

MOTION PASSED.

Meeting adjourned at 10:25 p.m.



Sean Skipworth, Mayor

Attest:



Ana Urps, City Secretary