



City of Dickinson, TX

Regular Council Meeting Minutes

Tuesday, February 14, 2023

5:30 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, February 14, 2023 at 5:30 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

Mayor Skipworth led the pledge of allegiance to the United States and Texas flag.

4. PROCLAMATIONS AND AWARDS

None.

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

Council Member Fred Linton welcomed everyone. He briefed on events that he attended since the last Council Meeting. He stated he was glad that he attended GCMCA and the Strategic Planning Retreat. He stated that it was good to have Council Members and employees come together to discuss future goals for the city. He also spoke with City Manager, Theo Melancon and Bayou Animal Services

Director, Ed Boks regarding assisting the Pasadena Animal Shelter after being hit by a tornado. Mentioned we were able to rescue some animals and donate some supplies. He also attended the Chamber of Commerce Luncheon on January 26, 2023. He attended the grand opening of Al Garza Martial Arts and the Proclamation ceremony. Thanked Mayor Skipworth and City Secretary, Ana Urps for assisting with the creation of the Proclamation. He also attended the Chamber of Commerce Market on the Bayou and performed on Saxophone.

Council Member Decker welcomed everyone.

Council Member Brantley welcomed everyone. He congratulated Charles Marcus with the Dickinson Music Enrichment Center, he stated that he is very impressed with everything that he has done for the Youth with this program. He recognized Council Woman Simsen for all of her volunteering and giving back to the community especially with the DISD Heron Project. He also recognized Alexis Santiago for doing a fantastic job handling issues of concerns from citizens. He mentioned The Little League is starting back up and they still have a few spots left for anyone still interested.

Council Member Walter Wilson welcomed everyone. He thanked those that filed for office for City Council.

Council Woman Simsen thanked everyone. She stated that she had the privilege of visiting the Dickinson Police Department and was able to meet everyone that was in the building that day. She mentioned that Dickinson Independent School District (DISD) will be calling for a Bond election to accommodate for growth. She met with Dickinson Youth Action Council members. She stated they are a group of nine (9) very bright students from Dickinson High School. She mentioned that there will be a fundraising event for Bayou Animal Services that will be taking place in April.

Council Member Simpson thanked and welcomed everyone attending. He extended condolences to the family of Sharon Gilmore. He briefed on events that he attended including HGAC.

Mayor Skipworth thanked and welcomed everyone. He thanked and recognized Angelica Hanley with MI Lewis. He also mentioned that the dog kennels at the Bayou Animal Shelter are being replaced. He mentioned that there is no fee to adopt/foster a dog this month.

There was no pet of the month.

5B. City Manager Update

- **Angelica Hanley – M.I. Lewis Update**
- **Infrastructure**
- **Project Statuses**
- **Community and Economic Development Status**
- **Community Events**
- **Grant Updates**

City Manager, Theo Melancon introduced Council Member Simpson to give an update on Creekside Apartments. Council Member Simpson briefed everyone on the 111 Residents assisted with Case Management Resources and received a check for \$1,000 and discussed on the overage that will be given back to the city.

City Manager also thanked M.I. Lewis for working with the city to make this transition easier for those residents. He also updated on city Projects and City business. He mentioned that we are on the final stages of the Gum Bayou Drainage Project. He briefed on the 49 million projects on the diversionary

canal and other drainage improvements around the city. He stated that we received multiple funding which includes a second MOD and HMGP for the Texas Department of Emergency Project. Gave an update on ARPA funding for 44th, 45th, Illinois and Caroline Street. He also mentioned we are moving forward and working on the Master Parks Plan. Staff is putting together the data and analytics that we would need for our city.

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
Collin Coker	607 Bayou Crest Dr.	Recognized Jaree Heffner

No action taken.

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 January 10, 2023.
- 7.B** Consideration and possible action on approving the minutes of the City Council Special Workshop Meeting of January 16, 2023.
- 7.C** Presentation of Annual Racial Profiling Report as It Relates to Senate Bill 1074 (Racial Profiling) For Calendar Year 2022 As Required by Article 2.134 Of the Texas Code of Criminal Procedure.
- 7.D** **ORDINANCE XXX-2023 - CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING THE CITY OF DICKINSON, TEXAS, ADOPTED BUDGET FOR FISCAL YEAR 2021 – 2022 BY FUNDING ACCOUNTS IN BUDGET DUE TO YEAR END ACTUAL RESULTS; CERTAIN FINDINGS AND PROVIDING OTHER MATTERS RELATED TO THE SUBJECT; PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.**
- 7.E** **ORDINANCE XXX-2023 - CONSIDERATION AND POSSIBLE ACTION TO APPROVE 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. (SECOND AND FINAL READING).

7.F **ORDINANCE XXX-2023** - CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, ORDERING A JOINT GENERAL MUNICIPAL ELECTION TO BE HELD ON SATURDAY, MAY 6, 2023 FOR THE PURPOSE OF ELECTING A MAYOR AND THREE CITY COUNCIL MEMBERS (POSITIONS 1, 3, AND 5) FOR THE CITY OF DICKINSON; CALLING A JOINT SPECIAL ELECTION TO REAUTHORIZE THE LOCAL SALES AND USE TAX IN THE CITY OF DICKINSON AT A RATE OF ONE-FOURTH OF ONE PERCENT (0.25%) TO CONTINUE PROVIDING REVENUE FOR MAINTENANCE AND REPAIR OF MUNICIPAL STREETS; AUTHORIZING THE MAYOR, OR DESIGNEE, TO ENTER INTO A JOINT ELECTION AGREEMENT WITH GALVESTON COUNTY TO CONDUCT THE GENERAL MUNICIPAL ELECTION AND SPECIAL ELECTION ON BEHALF OF THE CITY OF DICKINSON; DESIGNATING THE PLACES AND MANNER OF HOLDING THE ELECTION; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE; PROVIDING FOR A RUNOFF ELECTION IF REQUIRED; PROVIDING A SAVINGS CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AND, PROVIDING AN EFFECTIVE DATE.

7.G **ORDINANCE XXX-2023** - CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, PROVIDING FOR THE EXCHANGE OF CERTAIN REAL PROPERTY INTERESTS WITH THE DICKINSON INDEPENDENT SCHOOL DISTRICT FOR THE PUBLIC PURPOSE OF DRAINAGE IMPROVEMENTS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY; AND, PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE. (SECOND AND FINAL READING)

7.H **ORDINANCE XXX-2023** - CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING CHAPTER 4 “ANIMALS”, OF THE CITY OF DICKINSON CODE OF ORDINANCES (THE “CODE”), BY ADDING A NEW SECTION 4-36 OF THE CODE TO PROVIDE REGULATIONS AND PROCEDURES RELATED TO THE TETHERING OF 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. (FIRST READING).

- 7.I **RESOLUTION XXX-2022** - CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE AWARD OF A CONTRACT FOR CITYWIDE IT SERVICES, FIBER LOOP/BROADBAND SERVICE, AND IT OPERATIONS.
- 7.J **RESOLUTION XXX-2023** - CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE A CONSTRUCTION CONTRACT WITH WALLER COUNTY CONSTRUCTION, LLC FOR CERTAIN PUBLIC IMPROVEMENTS OR FACILITIES.
- 7.K **RESOLUTION XXX-2023** - CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING SUBMISSION OF A GRANT APPLICATION FOR THE CRIME VICTIM ASSISTANCE PROGRAM TO THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS; AGREEING TO PROVIDE MATCHING FUNDS FOR THE PROJECT; AUTHORIZING THE MAYOR TO ACT AS THE CITY'S AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE PROGRAM; PROVIDING FOR INCORPORATION OF PREAMBLE; AND PROVIDING FOR AN EFFECTIVE DATE.
- 7.L **RESOLUTION XXX-2023** - CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING AN EXPENDITURE OF FUNDS BY THE DICKINSON ECONOMIC DEVELOPMENT CORPORATION TO ENGAGE THE PROFESSIONAL SERVICES OF NAVI RETAIL.

1st Motion: Council Member Brantley made a motion to approve consent agenda except for Item 7.I.

2nd Motion: Council Member Simpson seconded the motion.

Vote:

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

0 Nays

There was a motion by Council Member Brantley to approve item 7.I from consent and seconded by Council Member Simpson. Motion passed unanimously. Council Member Linton had a question regarding the RFP for IT Services, a discussion followed.

Council Member Linton mentioned there was a spelling issue "City of Brookshire" needs to be changed to City of Dickinson. Council Member Brantley amended his motion to include City Attorney to make the needed spelling corrections.

MOTION PASSED.

8. PUBLIC HEARING AND ACTION ITEMS FROM PUBLIC HEARING

- 8.A Conduct a public hearing concerning a request for subdivision variance from Appendix A "Subdivision", Section 8 "Standards and Specifications", Subsection J "Lots", Subsection 3 "Frontage" requirement of the City of Dickinson Code of Ordinances - with such variance allowing a lot to front on a private street / recorded access easement for the required frontage on a public street, for a proposed subdivision for

approximately ± 1.93 acres, located at **1100 Tallow Drive**, and legally described as Abstract 19 Perry & Austin Survey Part of Lots 161 & 180 (0-4) Dickinson Addition D.

Public Hearing convened at 7:14 p.m.

- Staff Presentation – Yvonne Briscoe
- Applicant Presentation – 1100 Tallow Dr. (Owner)
- Public Comments - None
- Applicant Rebuttal - None
- Adjourn Public Hearing – 7:15 p.m.

8.B RESOLUTION XXX-2023 - Consideration and possible action concerning a subdivision variance from Appendix A “Subdivision”, Section 8 “Standards and Specifications”, Subsection J “Lots”, Subsection 3 “Frontage” requirement of the City of Dickinson Code of Ordinances - with such variance allowing a lot to front on a private street / recorded access easement for the required frontage on a public street, for a proposed subdivision for approximately ± 1.93 acres, located at **1100 Tallow Drive**, and legally described as Abstract 19 Perry & Austin Survey Part of Lots 161 & 180 (0-4) Dickinson Addition D.

Items 8.A and 8.B were moved to after Executive Session.

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

2nd Motion: Councilmember Simpson seconded the motion.

Vote:

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

0 Nays

MOTION PASSED.

9. ACTION ITEMS FOR CONSIDERATION

9.A RESOLUTION XXX-2023 - CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS (THE “CITY”), DIRECTING THE CITY MANAGER TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH CREEKSIDE 2019, LLC REGARDING THE REDEVELOPMENT INITIATIVES AT 406 DEATS ROAD.

1st Motion: Council Member Wilson made a motion to approve.

2nd Motion: Council Member Brantley seconded the motion.

Vote:

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

0 Nays

MOTION PASSED.

10. EXECUTIVE (CLOSED) SESSION(S)

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. Including consultation with attorney regarding Cause

No. 22-CV-1659 in the 405th District Court of Galveston County, Texas regarding: a) the mediation session scheduled for March 2, 2023, and b) authorization for filing amended counterclaims against Crystal Cruise Investments, LLC, Mr. Chad Griffin, and Mr. Harrison Yat for the unpermitted operation of a vacation rental at 5122 Casa Grande Street, Dickinson, Texas.

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

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

Adjourned into executive session at 6:06 p.m.

Re-convened from executive session at 7:09 p.m.

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

11.A **CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Discussions regarding the employment, appointment, removal, or evaluation of a public officer or employee, to wit: City Manager

11.B Discussion and possible action regarding Cause No. 22-CV-1659 in the 405th District Court of Galveston County, Texas regarding: a) the mediation session scheduled for March 2, 2023, and b) authorization for filing amended counterclaims against Crystal Cruise Investments, LLC, Mr. Chad Griffin, and Mr. Harrison Yat for the unpermitted operation of a vacation rental 5122 casa Grande Street, Dickinson, Texas.

1st motion: Council Member Brantley made a motion to authorize Olson & Olson to file an amended claim as stated on item 11.B.

2nd motion: Council Member Simpson seconded the motion.

Vote:

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

0 Nays

MOTION PASSED.

Mayor Skipworth called Mrs. Sue Emmitte to podium to address her concern. Mrs. Sue Emmitte resides at 3508 Hill Ave. She has a problem with DISD bus barn affecting her neighborhood.

Item 8.A and Item 8.B were discussed.

Public Hearing convened at 7:14 p.m. and reconvened at 7:15 p.m.

12. ADJOURNMENT

1st Motion: Council Member Wilson made a motion to adjourn.

2nd Motion: Council Member Linton seconded the motion.

Vote:

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

0 Nays

MOTION PASSED.

Meeting adjourned at 7:16 p.m.



Sean Skipworth, Mayor

Attest:



Ana Urps, City Secretary

