

MINUTES
City of Dickinson
CITY COUNCIL
COUNCIL SPECIAL MEETING

August 8, 2023

The Dickinson City Council met in a duly called and announced the Special Meeting on **Tuesday, August 08, 2023, at 6:00 p.m.** 4403 Highway 3, Dickinson, Texas 77539 for the purpose of considering the following numbered items.

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

Councilmembers present were as follows: Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Mark Townsend, Jessie Brantley, Bill Schick - Position 5, Fred L Linton.

ITEM 2.) INVOCATION

Council Member Simpson led the invocation.

ITEM 3.) PLEDGE OF ALLEGIANCE

Mayor Skipworth led the pledge of allegiance to the United States Flag.

ITEM 4.) 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.

4.A Council Comments

Council Members welcomed and thanked everyone in attendance. They briefed on events that they attended and upcoming community events.

4.B City Manager Update

- Infrastructure
- Project Statuses
- Community and Economic Development Status
- Community Events
- Grant Updates

City Manager Theo Melancon briefed on ongoing projects and answered Council questions and concerns.

ITEM 5.) 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
Wally Deats	5201 Desel Drive	Executive Session – Scott Jones
Sue Emmitte	3508 Hill Ave	Council Meeting Times

ITEM 6.) **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 Council member requests, in which event the item will be removed from the consent agenda and discussed after the consent agenda.

Consent Agenda was moved to discuss after Executive Session.

- 6.A Consideration and possible action on approving the minutes of the City Council Meeting of July 25, 2023. - PASSED

- 6.B **RESOLUTION XXX -2023** - Consideration and possible action approving a Resolution of the City Council of the City of Dickinson directing the City Manager or designee to begin the abandonment process for the portion of Avenue L located adjacent to the boundaries of the lots located at 12202 COVE LN and 103 AVE L. – PASSED

- 6.C **ORDINANCE XXX-2023** - AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING ARTICLE V “FLOOD DAMAGE PREVENTION AND PROTECTION” OF CHAPTER 14 “PLANNING AND DEVELOPMENT” OF THE CITY OF DICKINSON CODE OF ORDINANCES TO PROVIDE UPDATED REGULATIONS REGARDING FLOOD CONTROL; PROVIDING A PENALTY; PROVIDING A REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND, PROVIDING AN EFFECTIVE DATE. (SECOND AND FINAL READING) - PASSED

- 6.D **ORDINANCE XXX-2023** - CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE MAYOR, OR DESIGNEE, TO ENTER INTO A JOINT ELECTION AGREEMENT WITH GALVESTON COUNTY FOR A SPECIAL ELECTION TO BE CONDUCTED ON BEHALF OF THE CITY OF DICKINSON ON TUESDAY, NOVEMBER 7, 2023 FOR THE PURPOSE OF REAUTHORIZING 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; DESIGNATING THE PLACES AND MANNER OF HOLDING THE ELECTION; PROVIDING FOR THE POSTING AND PUBLICATION OF NOTICE FOR THE ELECTION; PROVIDING A SAVINGS CLAUSE; PROVIDING AN OPEN MEETINGS CLAUSE; AND, PROVIDING AN EFFECTIVE DATE. - PASSED

1st Motion: Council Member Brantley made a motion to approve the consent.

2nd Motion: Council Member Simpson seconded the motion.

Vote:

5 Ayes (Skipworth, Simpson, Simsen, Brantley, Linton)

2 Nays (Townsend, Schick)

MOTION PASSED.

ITEM 7.) **PUBLIC HEARING(S) AND ACTION ITEMS FROM PUBLIC HEARING(S)**

Public Hearing item was moved after the Action items for consideration.

Public Hearing opened at 7:00 p.m.

7.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 recorded access easement for the required frontage on a public street, for a proposed subdivision of approx. 4.117 acres, generally located approx. 330-feet east of FM 646 approx. 390-feet north of 2nd Street, and legally described as ABST 1 M AUSTIN SUR PT OF LOT 130 (130-7) THAMANS 1ST SUB.

- Staff Presentation – Yvonne Briscoe/Abigail Almendarez
- Applicant Presentation – Joe Ruiz - 14129 Holland Road
Public Comments - Ellen Chacon - 951 FM 646 N.
- Applicant Rebuttal – Joe Ruiz
- Adjourn Public Hearing – 7:08 p.m.

7.B **RESOLUTION XXX- 2023-** Consideration and possible action concerning making a recommendation for 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 recorded access easement for the required frontage on a public street, for a proposed subdivision of approx. 4.12 acres, generally located approx. 330-feet east of FM 646 approx. 390-feet north of 2nd Street, and legally described as ABST 1 M AUSTIN SUR PT OF LOT 130 (130-7) THAMANS 1ST SUB.

1st Motion: Council Member Simpson made a motion to approve with staff recommendations which extend from 18 months to 24 months, plat must be recorded with Galveston County Clerk’s Office within 24 months of subdivision variance approval.

2nd Motion: Council Member Linton seconded the motion with staff recommendations.

Vote:

7 Ayes (Skipworth, Simpson, Simsen, Townsend, Schick, Brantley, Linton)

0 Nays

MOTION PASSED.

ITEM 8.) ACTION ITEMS FOR CONSIDERATION

Action items were moved to discuss at the beginning of the meeting after Public Comments.

8.A Discussion concerning Ordinance 1012-2022B to amend Chapter 18-20 "Property owner notification" and 18-24 "City council hearing and action" of the Code of Ordinances change the mailing distance requirement.

Senior Planner Yvonne Briscoe briefed the Council on the mailing distant requirements and answered questions.

There was no action taken.

8.B **ORDINANCE XXX-2023 - CONSIDERATION AND POSSIBLE ACTION TO APPROVE AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF**

DICKINSON, TEXAS, APPROVING THE 2023 APPRAISAL ROLL; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.

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

2nd Motion: Council Member Simpson seconded the motion.

Vote:

7 Ayes (Skipworth, Simpson, Simsen, Townsend, Schick, Brantley, Linton)

0 Nays

MOTION PASSED.

- 8.C Consideration and possible action to approve the No-New Revenue and Voter Approval Rates for Tax Year 2023.

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

2nd Motion: Council Member Brantley seconded the motion.

Roll Call Vote:

7 Ayes (Skipworth, Simpson, Simsen, Townsend, Schick, Brantley, Linton)

0 Nays

Roll call vote was 7-0 all in favor.

MOTION PASSED UNANIMOUSLY

- 8.D Consideration and possible action on a proposed tax rate for FY2023-2024 and set the date for the Public Hearing on the FY2023-2024 Budget.

1st Motion: Council Member Brantley made a motion to propose the FY2023 tax rate as the No-New Revenue rate.

2nd Motion: Council Member Simpson seconded the motion.

Roll Call Vote:

7 Ayes (Skipworth, Simpson, Simsen, Townsend, Schick, Brantley, Linton)

0 Nays

Roll call vote was 7-0 all in favor.

MOTION PASSED UNANIMOUSLY.

- 8.E Presentation and discussion concerning the 2023-2024 Budget for the City of Dickinson.

City Manager Theo Melancon addressed the Council and presented the 2023-2024 Budget based on the approval of the No-New Revenue rate. He introduced Finance Director, Harrison Nicholson. Mr. Nicholson briefed on the General Fund summary, expenditures, Debt Service, Relief/Disaster, Street Maintenance, Vehicle Equipment Replacement, and went over the changes to the July 11, 2023, Budget presentation previously presented. City Manager and Finance Director answered Council questions and concerns.

There was no action taken.

ITEM 9.) EXECUTIVE (CLOSED) SESSION(S)

Executive Session convened at 7:22 p.m.

Executive Session re-convened at 7:40 p.m.

9.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.

- *Scott Jones vs. City of Dickinson et. al.*, Cause Number 22-CV-1880 in the 10th Judicial District Court of Galveston County, Texas.

ITEM 10.) ACTION ITEMS FROM EXECUTIVE (CLOSED) SESSION(S)

10.A Consideration of authorizing the City Manager to execute a settlement agreement in *Scott Jones vs. City of Dickinson et. al.*, Cause Number 22-CV-1880 in the 10th Judicial District Court of Galveston County, Texas.

1st Motion: Council Member Simpson made a motion to authorize the City Manager to enter into an agreement with Scott Jones contingent upon Dickinson Economic Development Corporation approval.

2nd Motion: Council Member Brantley seconded the motion.

Vote:

7 Ayes (Skipworth, Simpson, Simsen, Townsend, Schick, Brantley, Linton)

0 Nays

MOTION PASSED.

ITEM 11.) ADJOURNMENT

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

2nd Motion: Council Member Simpson seconded the motion.

Vote:

7 Ayes (Skipworth, Simpson, Simsen, Townsend, Schick, Brantley, Linton)

0 Nays

MOTION PASSED.

The meeting was adjourned at 7:43 p.m.



Sean Skipworth, Mayor

ATTEST:



Ana Urps, City Secretary

