

MINUTES
City of Dickinson
CITY COUNCIL
COUNCIL REGULAR MEETING

October 24, 2023

The Dickinson City Council met in a duly called and announced on **Tuesday, October 24, 2023** , at **6:00 PM**. Council Chambers 4403 Highway 3, Dickinson, TX 77539 The meeting was held for the purpose of considering the following 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, Fred L Linton.

ITEM 2.) INVOCATION

Councilmember Simpson led the invocation.

ITEM 3.) PLEDGE OF ALLEGIANCE

Mayor Skipworth led the Pledge of Allegiance and Texas 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

- HGAC Update

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

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4.B City Manager Update

- Recognition for the Digitalizing of the Community Development Files - Maricela Shayegan and Carol Sullivan Infrastructure
- Project Statuses
- Community and Economic Development Status
- Grant Updates

Assistant City Manager, Chaise Cary welcomed and thanked everyone in attendance.

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.

Tami Steambarge 5109 Casa Grande - Upset about a comment made at a previous meeting. Tami also stated that she would not be attending Council meetings anymore.

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.
Items 6E and 6F were pulled from the consent agenda.
Johnnie Simpson motioned to approve consent agenda with the exception of items 6E and 6F, Fred L Linton seconded the motion.

VOTE:

7 AYES (Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Mark Townsend, Jessie Brantley, Bill Schick, Fred L Linton)
0 NAYS

MOTION PASSED.

- 6.A **Consideration and possible action to approve the August 22, 2023, Council Meeting Minutes. - PASSED**
- 6.B **Consideration and possible action to approve the September 26, 2023, Regular Council Meeting Minutes. - PASSED**
- 6.C **Consideration and possible action to amend the City's TexPool list of authorized representatives. - PASSED**
- 6.D **RESOLUTION XXX - 2023 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, DESIGNATING THE GALVESTON COUNTY DAILY NEWS AS THE OFFICIAL NEWSPAPER FOR THE CITY OF DICKINSON FOR FISCAL YEAR 2023-2024; REQUIRING THAT ALL NOTICES REQUIRED BY LAW TO BE GIVEN TO THE PUBLIC BE PUBLISHED THEREIN; PROVIDING FOR INCORPORATION OF PREAMBLE; PROVIDING A REPEALER CLAUSE, SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE. - PASSED**
- 6.E **RESOLUTION XXX-2023 - CONSIDERATION AND POSSIBLE ACTION ON APPROVING A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE AN AGREEMENT WITH FLOCK GROUP, INC. FOR SAFETY INFRASTRUCTURE AND MAINTENANCE FOR THE CITY OF DICKINSON POLICE DEPARTMENT.**

Councilmember Mark Townsend ask for clarification regarding the contract. Chief Berezin addressed Council and answered questions and concerns. Chief Berezin stated that the previous administration had an agreement where 16 cameras were installed. They were going to install 5 more cameras in the rights-of-way. They had a year-to-year contract, with the price increasing on a yearly basis. After he reviewed said contract, he realized we could lock in the same rate for the next 5 years saving the city money. He stated we would be eliminating the additional 5 cameras that have no value and reposition the current 12 cameras already installed. Assistant City Manager, Chaise Cary stated City Manager Melancon was on the line and would answer council questions. City Manager clarified and stated that we a year-to-year contract with the Flock Group.

He stated that we have ARPA Funding for this contract. By approving the 5-year contract we would be locking in a lower rate and saving money.

Johnnie Simpson motioned to approve and Fred L Linton seconded the motion.

VOTE:

6 AYES (Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Jessie Brantley, Bill Schick, Fred L Linton)

1 NAYS (Mark Townsend)

MOTION PASSED

- 6.F **RESOLUTION XXX-2023 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT FOR TEMPORARY CLOSURE OF STATE RIGHT-OF-WAY- MULTI-YEAR AGREEMENT BETWEEN THE CITY OF DICKINSON AND THE STATE OF TEXAS, BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR THE VETERAN'S DAY PARADE; ESTABLISHING THAT THE HOMECOMING PARADE SERVES A PUBLIC PURPOSE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE CITY MANAGER; AND, PROVIDING AN EFFECTIVE DATE.**

Mayor Skipworth stated that there was a typo in the wording. There was a sentence that read "Veteran's Parade", this needs to be corrected to read "Homecoming Parade".

Mark Townsend motioned to approve and Johnnie Simpson seconded the motion.

VOTE:

7 AYES (Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Mark Townsend, Jessie Brantley, Bill Schick, Fred L Linton)

0 NAYS

MOTION PASSED

- 6.G **ORDINANCE XXX-2023 - Consideration and possible action approving the creation and establishment of the Municipal Court of Record No. 1 in the City of Dickinson, Texas. (SECOND AND FINAL READING) - PASSED**

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

- 7.A **Conduct a public hearing concerning a request for the abandonment of Avenue L right-of-way.**

Public Hearing convened at 6:35 p.m.

Staff Presentation - Yvonne Briscoe

Applicant - Todd and Paula Graves

No applicant rebuttal

Public Hearing Adjourned at 6:36 p.m.

- 7.B Consideration and possible action to approve an ordinance for a request for the abandonment of Avenue L right-of-way.

Bill Schick motioned to approve and Jenna P Simsen seconded the motion.

VOTE:

7 AYES (Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Mark Townsend, Jessie Brantley, Bill Schick, Fred L Linton)

0 NAYS

MOTION PASSED

ITEM 8.) ORDINANCES

8.A

ORDINANCE XXX-2023 - Consideration and possible action concerning a request for a Specific Use Permit for Group Home in a Conventional Residential ("CR") zoning district, for approx. ± 0.31 acres, located at 3025 SHERWOOD OAK STREET, and legally described as ABST 19 PERRY & AUSTIN SUR LOT 11 SHERWOOD OAKS. (FIRST READING)

Mrs. James addressed the Council, she stated that she is willing to work with the city. She answered council questions and concerns.

Councilwoman Simsen asked City Attorney Justin Pruitt if by denying this the city would be in violation of the current Housing Act. Simsen also asked if this would affect grant funding in the future for the city. City Attorney stated that this could be a violation, which would have to be determined by the court. He stated that this would probably be considered as adult care. Mrs. James would need that specific license (adult care) from the state. If we approve this SUP we would safeguard the city and allow only that type of permit, which would be limited for elderly care only. Councilmember Brantley asked if the applicant was currently licensed by the state. Mrs. James stated that before she applies for the licensing, she needs approval from the city. She stated that she would apply for the B Section of the state licensing which relates to elderly care. Justin stated that the state audits on a yearly basis. Mrs. James would have to maintain this license with the state yearly. City Manager Melancon stated that we can run the risk of the court forcing the city by court order to approve this SUP and running the risk of zero conditions. Justin Pruitt asked Mrs. James to inform council of what licenses/certifications she holds. Mrs. James stated that she has cared for the elderly for over 15 years. She strongly believes that the elderly need to be advocated for and she stated that she is a registered nurse.

Mark Townsend motioned to Deny and Bill Schick seconded the motion.

VOTE:

4 AYES (Johnnie Simpson, Jenna P Simsen, Fred L Linton, Sean Skipworth - Mayor)

3 NAYS (Mark Townsend, Jessie Brantley, Bill Schick)

MOTION FAILED

Johnnie Simpson motioned to approve with conditions adding the elderly care condition and Jenna P Simsen seconded the motion.

VOTE:

4 AYES (Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Fred L Linton)

3 NAYS (Mark Townsend, Jessie Brantley, Bill Schick)

MOTION PASSED

ITEM 9.) ACTION ITEMS FOR CONSIDERATION

9.A Consideration and possible action on approval of terms of office for Dickinson Economic Development Corporation (DEDC) positions.

Jessie Brantley motioned to approve and Jenna P Simsen seconded the motion.

VOTE:

6 AYES (Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Jessie Brantley, Bill Schick, Fred L Linton)

1 NAYS (Mark Townsend)

MOTION PASSED

9.B RESOLUTION XXX-2023 - Consideration and possible action concerning a request 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 substitute frontage on a recorded access easement / private street for the required frontage on a public street, for a proposed subdivision of approx.

± 0.622-acres, generally located west of Lighthouse Lane and north of Dirrick Street, and legally described as ABST 208 W K WILSON SUR PT OF LOT 4 (4-3) BLK 14 BEATTY SUB.

Mr. Micheal Bailey owner of the property - 5220 Lighthouse Lane stated he would answer any questions.

Karen Utley - 5320 Lighthouse Lane – Concerned with Easement/Road Maintenance Association Ordinance and Water Hydrant.

City Attorney, Justin Pruitt stated that this is the first step to replat property. The City Council would only be approving the variance recognizing this is a private street with private access. Once this is approved this will allow the applicant to then submit the plat application that would go through the regular plat requirements. Justin reiterated that this approval would only allow the applicant to submit his application.

Bill Schick motioned to deny and Mark Townsend seconded the motion.

VOTE:

2 AYES (Mark Townsend, Bill Schick)

5 NAYS (Fred L Linton, Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Jessie Brantley)

MOTION FAILED

Jessie Brantley motioned to approve with conditions and Fred L Linton seconded the motion.

VOTE:

5 AYES (Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Jessie Brantley, Fred L Linton)

2 NAYS (Mark Townsend, Bill Schick)

MOTION PASSED

ITEM 10.) EXECUTIVE (CLOSED) SESSION(S)

None.

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

None.

ITEM 12.) ADJOURNMENT

Jessie Brantley motioned to Adjourn and Bill Schick seconded the motion. (7:24 p.m.)


VOTE:

7 AYES (Sean Skipworth - Mayor, Johnnie Simpson, Jenna P Simsen, Mark Townsend, Jessie Brantley, Bill Schick, Fred L Linton)

0 NAYS


MOTION PASSED

PASSED APPROVED, AND ADOPTED this November 14, 2023.



Sean Skipworth, Mayor

ATTEST:



Ana Urps, City Secretary