



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, MARCH 20, 2008**

The regular meeting of the Benbrook City Council was held on Thursday, March 20, 2008 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich
Dan Tully
Larry Stowe
Keith Bailey
Ron Sauma

Also Present:

Dave Gattis, Deputy City Manager
Joanna King, City Secretary
David Ragsdale, Comptroller
Cathy Morris, Administrative Analyst

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher, Planner
Bill Smith
Colin Murchison
Ron Underwood
Robert Loritz
Mike Patterson
And 5 other citizens

I. CALL TO ORDER

Meeting called to order at 7:30 p. m. by Mayor Dittrich.

**II. INVOCATION
PLEDGE OF ALLEGIANCE**

Invocation given by Mr. Bill Smith.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held February 21, 2008

Motion by Mr. Stowe, seconded by Mr. Sauma to approve the minutes of the regular meeting held February 21, 2008

Vote on the Motion:

Ayes: Mr. Bailey, Mayor Dittrich, Mr. Tully, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

IV. PROCLAMATION/AWARDS/RECOGNITION

1. Proclamation – American Red Cross Month

Mayor Dittrich presented a Proclamation to Mr. Colin Murchison, Board Director with the Chisholm Trail Chapter of the American Red Cross proclaiming March as American Red Cross Month

V. INFORMATIONAL PRESENTATION

1. Gateway Land Services Seismic Testing

Mr. Ron Underwood, Permit Supervisor with Gateway Permit Services gave an informational presentation regarding seismic testing that will be performing in the City on behalf of XTO Energy, Inc.

VI. PRESENTATION BY PLANNING AND ZONING COMMISSION

PZ-2008-02 Adopt Update of Section 17- Capital Improvements of the Comprehensive Plan

Dave Gattis gave the following report: The Capital Improvements Plan (CIP) identifies capital project to be built by the City. CIP projects typically include:

- Street reconstruction
- Drainage projects
- Community facilities, such as parks and City buildings

CIP typically looks at three time horizons: 1 year, 5 year and 10 year.

The CIP is included in the Comprehensive Plan and summarized in the annual budget and is required to be updated annually by the City Charter.

Changes and updates include:

- Financial status of projects updated through September 30, 2007
- Revision and update of bonding capacity
- Community facilities cost revised to 2007 dollars using ENR Building Cost Index
- Revision to street inventory
- Drainage cost revised to 2006 dollars using revised unit cost

Mayor Dittrich opened the public hearing at 8:25 p.m. No one spoke to the item. Mayor Dittrich closed the public hearing at 8:26 p.m.

Motion by Mr. Stowe, seconded by Mr. Tully to adopt the revised Section 17-Capital Improvements as part of the Comprehensive Plan.

Vote on the Motion:

Ayes: Mr. Bailey, Mayor Dittrich, Mr. Tully, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

VII. REPORT OF CITY MANAGER

A. GENERAL

G-1768 Financial report for month of February 2008

Dave Gattis gave the following report: General Fund revenues for the month of February totaled \$1,594,153 with almost all this amount coming from property taxes. General Fund expenditures for February totaled \$898,095. At February 29, revenues exceeded expenditures by \$3,880,525.

EDC revenues were \$85,384 while expenditures were \$98,721 with most of this going for legal services, engineering and interest on debt.

Investments were \$14,809,152 at February 29 and the entire amount is available immediately if needed.

Motion by Mr. Tully, seconded by Mr. Bailey to accept the financial report for the month of February 2008 as presented by staff.

Vote on the Motion:

Ayes: Mr. Bailey, Mayor Dittrich, Mr. Tully, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

G-1769 Comprehensive Annual Financial Report for Fiscal Year 2006-2007

David Ragsdale gave the following report: This marks the fourth year for the new business world format and the objectives are still the same. The report shows that the City had \$12,171,173 in current assets. The City Capital Assets were \$97,515,660 with depreciation of \$43,895,319. The City's Capital Assets are 45% depreciated. These numbers indicate that the City may need to consider issuing bonds to replace some of those fully depreciated assets.

Other highlights of the annual financial report include:

- Although City Council budgeted a balance budget, the City ended the year with a surplus of 812,118. Most of this surplus was due to the department turning back \$789,968 of their budgets.
- The General Fund ended with a balance of \$6,367,531.
- Total ending balances of all funds were \$11,110,789.

Motion by Mr. Sauma, seconded by Mr. Tully to accept the Comprehensive Annual Financial Report for the period ending September 30, 2007.

Vote on the Motion:

Ayes: Mr. Bailey, Mayor Dittrich, Mr. Tully, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

G-1770 Adopt Ordinance amending Chapter 15.28 of the Benbrook Municipal Code by revising the restrictions on moving buildings within the City

Dave Gattis gave the following report: In 1962 City Council passed an ordinance prohibiting moving houses into residential districts. The ordinance is vague and can be misconstrued. The Ordinance also contains provisions that are in conflict with State law.

City staff and the City Attorney are proposing revisions. The proposed ordinance maintains prohibitions against bringing substandard buildings into the City. The ordinance adds four exemptions:

- Does not apply to moving a building from one part of a lot to another
- Construction trailers
- Manufactured and modular homes
- Prefabricated storage buildings under 400 square feet.

Motion by Mr. Bailey, seconded by Mr. Stowe to adopt Ordinance No. 1255 amending Chapter 15.28 of the Municipal Code regarding house moving.

Vote on the Motion:

Ayes: Mr. Bailey, Mayor Dittrich, Mr. Tully, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

G-1771 Adopt revised Administrative Regulation CD-4 regarding maintenance of detention ponds

Dave Gattis gave the following report: Administrative Regulation CD-4 addresses maintenance responsibilities for:

- City-owned property
- Drainage easements on private property, and
- Drainage on private property without easements

Existing detention ponds are on common property within drainage easement, so Homeowners Associations are responsible for mowing, etc. The City began requiring detention ponds about five years ago. Currently, there are four detention ponds – La Bandera and Trinity Gardens. More will be required to handle new development under iSWM standards.

The City is in better condition to maintain ponds than a Homeowner Association and the regulation addresses the perceived “double charge” with storm water utility fees. The City will provide basic maintenance for ponds to assure function.

Homeowner Associations will be responsible for any landscaping and maintenance above minimum standards.

Motion by Mr. Sauma, seconded by Mr. Stowe to adopt the revised Administrative Regulation CD-4.

Vote on the Motion:

Ayes: Mr. Bailey, Mayor Dittrich, Mr. Tully, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

VIII. OTHER MATTERS OF BUSINESS

IX. INFORMAL CITIZEN COMMENTS

X. ADJOURNMENT

Meeting adjourned at 8:47 P.M.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary