



**MINUTES
OF THE MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY,
JULY 2, 2009**

The regular meeting of the Benbrook City Council was held on Thursday, July 2, 2009 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich
Keith Bailey
Rickie Allison
Mark Washburn
Ron Sauma
Charlie Anderson
Jim Wilson

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Dave Gattis, Deputy City Manager
Wade Adkins, City Attorney
Sherri Newhouse, Budget Director

Others Present:

Ed Gallagher, City Planner
Karen Barber, Benbrook News
Admiral Robert A. Callanan, Texas Navy Association
Admiral Patrick McEnroe, Texas Navy Association
Admiral Dwight A. Sharpe, Texas Navy Association
Darlene Kalil
Brian Hayden
Jess Jordan
Dan Tully
Mr. and Mrs. Robert Clark
Kyle Carr
Bill Smith
Joan Chew
Pat Dunkin
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 was given by Pastor Todd Pylant with First Baptist Church of Benbrook
The Pledge of Allegiance was recited.

III. MINUTES

- 1. Minutes of the regular meeting held June 18, 2009**
- 2. Minutes of the special meeting held June 22, 2009**

Motion by Mr. Wilson, seconded by Mr. Washburn to approve the minutes of the regular meeting held June 18, 2009 and minutes of the special meeting held June 22, 2009.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

IV. OATH OF OFFICE TO NEWLY ELECTED CITY OFFICIALS

Joanna King, City Secretary administered the Oath of Office to Member of the Council, Place 7, Ron Sauma.

V. SELECTION OF MAYOR PRO-TEM

Motion by Mr. Sauma, seconded by Mr. Anderson to appoint Mr. Rickie Allison as Mayor Pro-Tem.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

VI. SELECTION OF NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS VOTING REPRESENTATIVE

Motion by Mr. Wilson, seconded by Mr. Allison to appoint Mr. Ron Sauma as the North Texas Council of Governments Voting Representative.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

VII. PROCLAMATION/AWARD/RECOGNITION

1. Enroll members into the Texas Navy Association and the Chester W. Nimitz Squadron

Admiral Robert A. Callanan, Admiral Patrick McEnroe and Admiral Dwight A. Sharpe inducted Mayor Jerry Dittrich, Councilmember Keith Bailey, Councilmember Ron Sauma and City Manager Andy Wayman into the Texas Navy Association and the Chester W. Nimitz Squadron. Each member was presented with a certificate issued by Governor Rick Perry.

Marcia Etie, Outreach Specialist with Congress Woman Kay Grangers office presented the newly inducted members of the Texas Navy with a letter of congratulations from Congress Woman Granger.

VIII. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

CC-2009-12 Make appointments to Capital Improvements Projects Committee

Motion by Mr. Allison, seconded by Mr. Bailey to make the following appointments to the Capital Improvements Projects Committee: Jim Amick, John Brasher, John Castro, Kristen Chonko, Kyle Carr, Robert Clark, Alicia Hunter, Peter Kau, Vernon Gatlin, Jess Jordon, Laurin McLaurin, Kate Moore. David Ramsey, Anthony Rutigliano, Dennis Schneider, Samantha Spence, Pamela Brandenburg, and John VanderPan.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

IX. REPORTS OF CITY MANAGER

A. GENERAL

G-1852 Adopt Ordinance Amending Chapter 15.40 – Flood Hazard Protection and adopt FEMA Maps

Dave Gattis gave the following report: The City has participated in the National Flood Insurance Program since 1979. By adopting FEMA's minimum regulations, the City provides residents the opportunity to purchase flood insurance. By adopting higher standards through the CRS, residents can get discounts on flood insurance premiums.

The current floodplain maps became effective in August 2000, with some panels as old as August 1995. FEMA began a map modernization process in 2005 to revise flood maps for Tarrant County by creating digital flood insurance maps that are more accurate and are geographic information systems compatible. New floodplain maps will become effective for insurance purposes in September 2009.

To bring Benbrook floodplain regulations into compliance, the City is required to adopt an Ordinance which revises the flood ordinance and establishes the September 25, 2009 maps as the basis for making floodplain decisions. Failure to adopt the Ordinance will invalidate all flood insurance policies in the City. The proposed ordinance includes text changes required by FEMA. Additional regulations proposed by staff are:

- The definition of "Substantial improvement" has been changed to include cumulative cost of all improvements,
- A minimum 50-foot setback from the stream banks is added for newly-created lots to help minimize issues with bank erosion,
- Street and access routes in new subdivisions must be raised two feet above the flood level, not just the building pads, and
- Modifications to stream channels and floodplain must not increase the flood height (currently allowed to raise flood levels as much as one foot), not diminish valley storage (currently no limit), and not increase channel velocities (currently no limit).

The changes further protect existing and future residents from flooding and could potentially reduce flood insurance premiums by improving the City's Community rating System (CRS) rating.

Motion by Mr. Anderson, seconded by Mr. Sauma to adopt Ordinance No. 1289 revising the flood hazard regulations and adopting the September 2009 FEMA maps.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

Ordinance No. 1289 being “**AN ORDINANCE AMENDING CHAPTER 15.40 OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY REVISING THE BASIS FOR ESTABLISHING SPECIAL FLOOD HAZARD AREAS; PROVIDING FOR VIOLATIONS, PENALTIES AND INJUNCTION; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**”

SECTION 11
PENALTY CLAUSE

Any person, firm or corporation, who violates, disobeys, omits, neglects or refuses to comply or who resists the enforcement of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00).

SECTION IX
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as required by law.

G-1853 Resolution to Authorize Offer to Sell City-Owned Real Property at 913 Timberline Drive

Dave Gattis gave the following report: The City acquired 913 Timberline Drive in 2005 for floodplain and drainage purposes. The house was demolished and the lot filled to remove it from the floodplain.

The City attempted to sell the lot in 2007, but did not receive any bids. An individual has approached the City recently to purchase the property.

Staff is recommending that City Council authorize the sale through sealed bids.

Motion by Mr. Allison, seconded by Mr. Bailey to:

1. Authorize the sale of 913 Timberline Drive through sealed bids,
2. Establish a minimum bid of \$20,000
3. Reserve the mineral rights, and
4. Expend extra funds, up to \$500, in addition to the required newspaper notice to advertise the sale to a wider audience.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

G-1854 Consider Funding for Pedestrian Bridges for Twilight Park and Timbercreek Park

Motion by Mr. Allison, seconded by Mr. Anderson to continue this item to a later date.

Vote on the Motion:

Ayes: Mr. Anderson, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

X. INFORMAL CITIZEN COMMENTS

XI. ADJOURNMENT

Meeting adjourned at 8:15 P.M. followed by a worksession:

1. Overview of City Charter and Functional Roles of Benbrook Government
2. Discuss City Council Request for Development Information
3. Budget Process Overview

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary