



**MINUTES
OF THE MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY,
SEPTEMBER 3, 2009**

The regular meeting of the Benbrook City Council was held on Thursday, September 3, 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
Sherri Newhouse, Budget Director
Dawn Konieczny, Police Administrative Manager
James Mills, Police Chief

Others Present:

Ed Gallagher, City Planner
Bob Rowley, City Engineer
Cathy Morris, Public Involvement Director
Karen Barber, Benbrook News
Bill Smith
Jess Jordan
Larry Stowe
Dan Tully
Mr. and Mrs. Steven Cook
8 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 Lonnie Huett with Restoration Family Church
The Pledge of Allegiance was recited.

III. CITIZEN PRESENTATION

1. Steven Cook – Tour de Benbrook – Request for Special Event Permit

Mr. Steven Cook made presentation to City Council to hold a bicycle ride through Benbrook in 2010. The event would be known as Tour de Benbrook and benefit the community through name recognition as well as participates using Benbrook Hotels, restaurants and shopping facilities.

Following presentation and discussion with members of City Council, Mayor Dittrich thanked Mr. Cook for his presentation and requested that he return at a later date with other information discussed during the meeting.

IV. REPORTS OF CITY MANAGER

A. GENERAL

G-1863 Presentation on Online Crime Mapping and Public Alert System

Police Chief James Mills made presentation on the new Online Crime Mapping and Public Alert System available through the City's website.

G-1864 Interlocal Agreement with Fort Worth Independent School District to provide two Police Officers to participate in Annual School Security Initiative

Dave Konieczny gave the following report: The Benbrook Police Department provides two (2) full-time School Resource Officers for the Fort Worth Independent School District. The officers serve as liaison between the police department and the staff at Western Hills High School, Benbrook Elementary and Westpark Elementary. All reports and incidents occurring on school property are handled primarily by the School Resource Officers. During holidays and summer break, the officers perform regular patrol duties. The Fort Worth Independent School District subsidizes fifty percent (50%) of the salary, benefits, overtime, and training for both officers.

Motion by Mr. Allison, seconded by Mr. Sauma to approve the Interlocal agreement between the City of Benbrook and the Fort Worth Independent School District for two full-time School Resource Officers to be funded at fifty percent by the City and fifty percent by Fort Worth Independent School District.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

B. CONTRACTS

C-250 Public Right-of-Way Use License with Barnett Gathering, L.P. for three Natural Gas Pipeline crossings

Dave Gattis gave the following report: Barnett Gathering, L.P. proposes to build a natural gas gathering line in Benbrook to collect natural gas produced at the four XTO Energy well pads located along the Clear Fork-Trinity River and in the Benbrook Industrial Park.

The line will carry the gas to the existing Barnett Gathering Compressor Station located adjacent to Aledo Road. To accomplish this, Barnett Gathering needs to cross Benbrook streets in three locations: 1) the Winbrook Drive right-of-way immediately north of the westbound I-20 frontage road, 2) Winscott Road at the intersection of Winbrook Drive, and 3) Mulberry Drive west of Shady River Court.

On April 2, the City Council adopted Ordinance No. 1825 which established licensing procedures for the use of public rights-of-way and established a \$46/linear foot fee for a 20-year license. The Public Right-of-Way License covers the three crossings and requires a fee of \$7,740. The City will have oversight approval over the construction methods used and the Company is required to restore the right-of-way to an acceptable standard.

Motion by Mr. Anderson, seconded by Mr. Sauma to approve the Right-of-Way Use License with Barnett Gathering, L.P.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

C-251 Road Damage Remediation Agreements with Chesapeake Operating, Inc.

Dave Gattis gave the following report: On May 21st, City Council adopted the updated Oil and Gas Ordinance and a revised Fee Ordinance that, among other things, established a new road damage remediation fee for gas drilling vehicles that use City streets. The fee is based on the type of drilling being performed, the type of street pavement being traversed, and the length of street involved.

Chesapeake Operating is preparing to drill two new wells within or adjacent to Benbrook. The Ridglea Triangle 1H well is located along Vickery Boulevard adjacent to the Union Pacific Railroad in an industrial area. The Company is planning to use Vickery Boulevard and Winscott Road to reach the well site from I-20. Because Vickery/Winscott is a heavy-duty concrete roadway, the damage is not expected to be significant and the road damage remediation fee is \$168.96.

Chesapeake Operating is also drilling a well in Fort Worth along Williams Road, known as Valley West 1H. Even though the well is in Fort Worth, Williams Road is in Benbrook and Chesapeake must use Benbrook streets to access the well site. Williams Road is a heavy-duty concrete street and the road damage remediation fee is \$71.68.

Motion by Mr. Sauma, seconded by Mr. Bailey to authorize the City Manager to execute the two Road Damage Remediation Agreements with Chesapeake Operating, Inc.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

V. OTHER MATTERS OF BUSINESS

1. Public Hearing on 2009 Property Tax Rate

Sherri Newhouse gave the follow report:

The City of Benbrook's property tax rate for the 2009-10 fiscal year is proposed to be \$0.615165 for the General Fund and \$0.042335 for the Debt Service Fund. The total property tax rate proposed for 2009-10 is \$0.6575.

The proposed property tax rate for 2009-10 is two cents less than the current or 2008-09 fiscal year property tax rate of \$0.6775. The General Fund property tax rate is proposed to increase by \$0.007065 from \$0.608100 to \$0.615165. The Debt Service property tax rate is proposed to decrease by \$0.027065 from \$0.069400 to \$0.042335. The total property tax rate for 2009-10 of \$0.6575 is proposed to decrease by a net two cents from the 2008-09 rate of \$0.6775.

Revenue from General Fund current property tax revenue is projected to be \$8,874,574 in 2009-10; this amount is \$314,574 over the 2008-09 current property tax estimate of \$8,560,000. Revenue from Debt Service Fund current property tax revenue is projected to be \$500,172 in 2009-10; this amount is \$476,828 less than the 2008-09 current property tax estimate of \$977,000. Revenue from total (General Fund and Debt Service Fund) current property tax revenue is projected to be \$9,374,746 in 2009-10; this amount is \$162,254 below the 2008-09 current property tax estimate of \$9,537,000.

The 2009-10 Proposed Budget is predicated upon a two-cent reduction in the property tax rate. The proposed property tax rate for 2009-10 is \$0.6575 per \$100 valuation. The 2009-10 fiscal year is the fifth consecutive year that the City of Benbrook has reduced the property tax rate. The proposed 2009-10 property tax rate is the City's lowest property tax rate since the 1991-92 fiscal year.

Mayor Dittrich opened the public hearing at 8:15 P.M. No one spoke to this item. Mayor Dittrich closed the public hearing at 8:16 P.M.

Mayor Dittrich made the following statement:

The record vote to adopt the tax rate will occur at the Benbrook City Council Meeting scheduled for Thursday, September 17, 2009 at 7:30 pm in the Benbrook City Council Chambers, located at 911 Winscott Road, Benbrook, Texas.

2. Public Hearing on 2009/2010 Proposed Budget

Sherri Newhouse gave the following report:

The 2009-10 Proposed Budget is based upon General Fund revenues and transfers of \$13,836,638. Debt Service Fund revenues and transfers are projected to be \$1,037,289. Total Operating Funds (General Fund and Debt Service Fund combined) revenues and transfers are projected to be \$14,873,927 for 2009-10.

The 2009-10 Proposed Budget is based upon General Fund expenditures and transfers of \$13,836,638. Debt Service Fund expenditures and transfers are projected to be \$1,037,289. Total Operating Funds (General Fund and Debt Service Fund combined) expenditures and transfers are projected to be \$14,873,927 for 2009-10.

The transfers included in the 2009-10 Proposed Budget are: (1) the transfer of \$250,000 from the General Fund to the Capital Asset Replacement Fund, (2) the transfer of \$142,206 from the General Fund to the Core Value Fund (this amount is the projected current property tax revenue from mineral rights), and (3) the transfer of \$529,116 from the Storm Water Utility Fund to the Debt Service Fund (this amount is for payment of principal and interest on drainage bonds).

The 2009-10 Proposed Budget reflects the following variances in revenues and expenditures; these variances do not reflect the transfer of funds from the General Fund to the Capital Asset Replacement Fund. The projected variance between revenues and expenditures for the General Fund is zero. The projected variance between revenues and expenditures for the Debt Service Fund is zero. The projected variance between revenues and expenditures for the Operating Funds is zero.

The projected ending fund balances are: \$6,823,932 for the General Fund, \$1,236,358 for the Debt Service Fund, and \$8,060,290 for the Operating Funds.

The City of Benbrook's property tax rate for the 2009-10 fiscal year is proposed to be \$0.615165 for the General Fund and \$0.042335 for the Debt Service Fund. The total property tax rate proposed for 2009-10 is \$0.6575.

The proposed property tax rate for 2009-10 is two cents less than the current or 2008-09 fiscal year property tax rate of \$0.6775. The General Fund property tax rate is proposed to increase by \$0.007065 from \$0.608100 to \$0.615165. The Debt Service property tax rate is proposed to decrease by \$0.027065 from \$0.069400 to \$0.042335. The total property tax rate for 2009-10 of \$0.6575 is proposed to decrease by a net two cents from the 2008-09 rate of \$0.6775.

The 2009-10 Proposed Budget's base budget requests include the continuation of current services; no positions and no programs are proposed for elimination. The base budget also includes funds to finance an up-to 15% increase for health, dental, and life insurance costs for employees. The base budget also includes funds to replace five vehicles for the Police Department.

Funds are included in the 2009-10 Proposed Budget for the following new and/or enhanced programs, purchases, and services: year-four of the document-imaging software program, network attached storage for disaster recovery for the City's computer systems, a part-time assistant for the Information Technology Director, spam soap for City computers, subscription to CrimeReports.com for the Police Department, mobile video units for Police vehicles, the promotion of three Fire Fighter/Paramedic positions to the rank of Lieutenant, salary adjustment for ACFSU members, traffic counters for Street Department, funds for parks maintenance projects, rewiring of Service Center Building, continuation of fuel reserve account, implementation of recommended adjustments in classification and compensation matrix. The Capital Asset Replacement Fund will finance the replacement of a pick-up truck for Inspections and the purchase of a flat bed truck for the Street Department.

At tonight's meeting, an overview of the 2009-10 Proposed Budget will be presented and will be followed by a public hearing to allow citizens to make comments and/or provide input regarding the 2009-10 Proposed Budget. Copies of the 2009-10 Proposed Budget Summary are available at City Hall and on-line at the City's website. Tonight's public hearing is the second of two public hearings on the 2009-10 Proposed Budget.

At the September 17, 2009 City Council meeting, the Council will approve the 2009-10 Budget through the adoption of an ordinance. Council will also set the 2009 property tax rate through the adoption of a separate ordinance at that meeting.

Mayor Dittrich opened the public hearing at 8:24 P.M.

Mr. Dan Tully addressed City Council on the lack of a cost of living raise for City employees and suggested there be a one-time reward across the board for the diligence the employees work to protect tax-payers money. Mr. Tully also expressed concern that there will not be funding for Castle Park and believes funds should be included for all parks.

With no other speakers, Mayor Dittrich closed the public hearing at 8:26 P.M.

Mr. Wayman addressed Mr. Tully's concerns in that Castle Park is a priority and Park Department has been asked to utilize their existing maintenance account for improvements. He stated the City has undertaken a Classification Study that will become part of the budget and although not considered a COLA, employees that are below Market will be adjusted. He stated that no employee will suffer financially from the study.

VI. INFORMAL CITIZEN COMMENTS

VII. ADJOURNMENT

Meeting adjourned at 8:32 P.M. followed by a worksession to review history of City of Benbrook-Fort Worth ISD Relationship.

APPROVED

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary