



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, MAY 4, 2006**

The regular meeting of the Benbrook City Council was held on Thursday, May 4, 2006 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich
Rickie Allison
Keith Bailey
John Vander Pan
Ron Sauma
James Schull
Larry Stowe

Also Present:

Cary Conklin, City Manager
Joanna King, City Secretary
Andy Wayman, Assistant City Manager
Sherri Newhouse, Budget Director
Tommy Davis, Fire Chief

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher
Daniel Tully
Bill Smith
Julie Haines
and 4 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
The Pledge of Allegiance was recited.

III. CONSENT AGENDA (Items listed under the Consent Agenda are considered routine and are enacted in one motion. The exception to this rule is that a Councilmember, citizen, or City Manager may request one or more items removed from the Consent Agenda for separate discussion and action.)

1. **Minutes of the regular meeting held April 20, 2006**
2. **Interlocal Agreement with Fort Worth ISD to Provide a School Security Initiative in Conjunction with the Benbrook Police Department**

Motion by Mr. Stowe, seconded by Mr. Schull to approve the consent agenda as presented.

Vote on the Motion:

Ayes: Mr. Schull, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

IV. PRESENTATION BY PLANNING AND ZONING COMMISSION

V. REPORTS OF CITY MANAGER

A. GENERAL

G-1625 Adopt Resolution amending Chapter 15 of the Benbrook Municipal Code Local Amendments to the 2003 Edition of the International Fire Code Related to Open Burning

Mr. Wayman gave the following report: The recent drought proved that open burning in an urbanized area is dangerous to property and public health. Because of recent wild fires and by virtue of Benbrook's continued growth and development, staff proposes the following changes to the Fire Code:

1. Open Burning Ban – Few areas are suited for open burning. As a result, the proposed amendment bans open burning except at campsites and for bonfires permitted by the Fire Chief. Grills, smokers, etc. are not affected by this change.
2. Trench Burning – The current increase in new development has resulted in significant land clearing, creating large piles of brush and trees. When the piles are open-burned, the adjoining neighborhoods are adversely affected by smoke and ash. The proposed amendment requires landowners to trench burn brush and tree piles upon obtaining permit approval from the Texas Commission on Environmental Quality and the City of Benbrook. Trench burning incinerates the trees and brush by use of high volume fans, resulting in virtually no smoke or airborne ash.
3. Landowner Responsible – Landowners who knowingly pile brush, trees and other combustible materials are responsible for securing these piles and for any fires related to the piles.

Motion by Mr. Allison, seconded by Mr. Bailey to adopt Ordinance No. 1207, amending Chapter 15 of the Benbrook Municipal Code, Exhibit G,

Amendments to the 2003 International Fire Code, Sections 307.2, 307.2.2, 307.3.2, and 307.3.3.

Vote on the Motion:

Ayes: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull

Noes: None

Motion carries unanimously.

Ordinance No. 1206 being **“AN ORDINANCE OF THE CITY OF BENBROOK AMENDING CHAPTER 15 OF THE BENBROOK MUNICIPAL CODE (1985), LOCAL AMENDMENTS TO THE 2003 EDITION OF THE INTERNATIONAL FIRE CODE AND PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.”**

Section 4

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2,000.00) for all violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

Section 7

This ordinance shall be in full force and effect from and after passage and publication as provided by law, and it is so ordained.

G-1626 Approve Replacement of Light Poles on Ball Field No. 1

Mr. Wayman gave the following report: A windstorm of April 7 damages one of the 50-foot high ball field light poles in the Dutch Branch Park athletic complex. All of the ball field light poles in the athletic complex are made of wood. The majority are at least 20 years old, some poles are over 30 years old. For the upcoming budget year, staff planned to begin replacing the wood poles, a field or two a year, with new metal poles. In total, the City has eight lighted ball fields, with 4 to 8 poles per field.

A major portion of the cost to replace a pole is contractor mobilization. Pole replacement requires a tall crane, which most companies rent for the specific project. As a result, the cost to replace poles is markedly less after the first pole.

The gross cost to replace the damaged wood pole with a new wood pole is \$5,760. The gross cost to replace the damaged wood pole with a new metal pole is \$6,700. The gross cost to replace the damaged wood pole plus the five remaining wood poles on Field No. 1 with metal poles is \$17,500.

TML reimbursed the City for the cost to replace a wood pole, less a \$2,500 deductible, for \$3,260. The net cost to replace the one wood pole with a metal pole would be \$3,440 (unit cost). The net cost to replace all six wood poles with metal poles is \$14,240 or a unit cost of \$2,373.

Based on the superior per unit cost and the planned pole replacement program, staff recommends replacing all six poles on field #1 with metal poles. Most likely, this project will occur when the particular field receives limited or no use. If approved, funding for the project would come from General Fund Reserves.

Motion by Mr. Schull, seconded by Mr. Sauma to approve the replacement of light poles on ball field #1 at a cost of \$14,240 to be paid from General Fund Reserves.

Vote on the Motion:

Ayes: Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull, Mr. Bailey

Noes: Mr. Stowe

Motion carries unanimously.

VI. OTHER MATTERS OF BUSINESS

VII. INFORMAL CITIZEN PRESENTATION

VIII. ADJOURNMENT

Meeting adjourned at 7:42 p.m. followed by a worksession.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary