

**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JANUARY 5, 2006**

The regular meeting of the Benbrook City Council was held on Thursday, January 5, 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
Dave Gattis, Assistant City Manager

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher
Bill Smith
Daniel Tully
Charles Peppers

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 Mayor Pro-Tem Rickie Allison.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held December 15, 2005

Motion by Mr. Allison, seconded by Mr. Bailey to approve the minutes of the December 15, 2005 regular meeting 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 BENBROOK ECONOMIC DEVELOPMENT CORPORATION

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

VI. REPORTS OF CITY MANAGER

A. GENERAL

G-1604 Public Hearing and Determination on 32nd Year Community Development Block Grant Application

Dave Gattis gave the following report: The City's application for the 32nd Year Community Development Block Grant (CDBG) is due February 6, 2006. The City Council is required to hold a public hearing to receive public comment prior to that time and a public hearing has been scheduled for tonight.

Benbrook has received over \$2,800,000 in CDBG funds since 1975. Projects must benefit low or moderate-income residents, either by being located within a CDBG Target Area or benefiting a target population, such as the elderly or handicapped.

The 30th Year funds were used to construct sidewalks on Mercedes, Bandera and San Angelo. The 31st Year funds will be used to construct sidewalks on Del Rio and San Saba. Funding is approximately \$110,000 and must result in a usable project at the end of the year. However, the City budgeted \$10,000 as matching funds for CDBG projects.

Potential projects include:

- Construct culvert at Childers Avenue
- Used to pay for elderly and handicapped transit services
- Construct additional sidewalks in the Target Area
- Pave the alley between Mercedes and Cozby North Street

City Council tentatively designated Timber Creek culvert at Childers as the 32nd Year project. The City Engineer has evaluated the drainage needs along Timber Creek upstream of Winscott Road with the goal of removing residents from the 100-

year floodplain. Portions of these improvements are within the Target Area and are eligible for CDBG funding. The Engineer has identified over \$1,387,800 in needed drainage improvements within the Target Area, but these can be broken out by culverts and channel sections. One should generally work from downstream to upstream, so the first project would be to install an additional 10-foot by 6-foot culvert at Childers Avenue, at an estimated cost of \$159,233.

Mayor Dittrich opened the public hearing at 7:35 p.m. Mr. Charles Peppers, 1116 Usher Street spoke in favor of the Timber Creek culvert as the 32nd Year CDBG project.

With no other speakers, Mayor Dittrich closed the public hearing at 7:38 p.m.

Motion by Mr. Sauma, seconded by Mr. Vander Pan to authorize staff to prepare an application for the enlargement of the Timber Creek culvert at Childers Avenue in the Target Area as the 32nd Year Community Development Block Grant project.

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.

G-1605 Ordinance Amending Benbrook Municipal Code by Adopting the 2005 Edition of the National Electric Code and Local Amendments

Dave Gattis gave the following report: The City of Benbrook currently operates under the 2002 National Electric Code. This code is revised every three years to provide for the inclusion of newly approved materials and methods of construction. Construction codes are adopted to protect health, safety and welfare by establishing minimum standards for materials and methods of construction.

The North Central Texas Council of Governments (NCTCOG) encourages local governments to adopt the same building and electric codes to enable builders to have comparable requirements from city to city. The NCTCOG recently recommended the adoption of the 2005 National Electrical Code, along with several regional amendments.

The Regional Codes Committee was established in 1967 with the goal of coordination and recommending a common set of building and electric codes for north central Texas. Most of the changes between 2002 and the 2005 versions

of the National Electric Code are to advance the safety of building systems while keeping construction costs as reasonable as possible. The regional amendments recommended by NCTCOG are referencing the maximum number of disconnects, securing and supporting of cables and raceways, ampacities for single-phase dwellings and identifying equipment. The NCTCOG regional amendments are minimal and no additional local amendments are proposed.

Motion by Mr. Stowe, seconded by Mr. Vander Pan to adopt Ordinance No. 1202 adopting the 2005 National Electric Code and regional amendments as the official electric code for the City of Benbrook.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Ordinance No. 1202 being **“AN ORDINANCE AMENDING CHAPTER 15.08 OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY ADOPTING THE 2005 EDITION OF THE NATIONAL ELECTRIC CODE AND LOCAL AMENDMENTS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.”**

SECTION 5

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars (\$2,000) for all violations involving zoning, fire safety or public health and sanitation, including dumping of refuse, and shall be fined not more than Five Hundred Dollars (\$500) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 9

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

VII. OTHER MATTERS OF BUSINESS

VIII. INFORMAL CITIZEN PRESENTATION

IX. ADJOURNMENT

Meeting adjourned at 7:46 p.m. followed by a worksession to discuss:

1. Method to fill vacancy on Tax Increment Financing Board of Directors; and
2. Core Value Statement

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary