



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, FEBRUARY 17, 2022**

The regular meeting of the Benbrook City Council was held on February 17, 2022 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jason Ward, Mayor
Renee Franklin
Larry Marshall
Dustin Phillips
Gary Addison
Laura Mackey
Keith Tiner

Also Present:

Andy Wayman, City Manager
Jim Hinderaker, Assistant City Manager
Joanna King, City Secretary
E. Allen Taylor, City Attorney
Beth Fischer, Deputy City Secretary
Jessica James, EDC Director
Rick Overgaard, Finance Director
Bennett Howell, Public Services Director

Others:

Pastor Jacob Serns, Benbrook Seventh Day Adventist
Phyllis Harkins
Janice Howe
Mr. and Mrs. Terry Roach

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALEGIANCE

Invocation was given by Pastor Sean with Benbrook Seventh Day Adventist Church.
The Pledge of Allegiance was recited.

III. CITIZEN COMMENTS ON ANY AGENDA ITEM

IV. MINUTES

1. Approve minutes of the regular meeting held January 20, 2022

Motion by Ms. Franklin, seconded by Mr. Phillips to approve the minutes of the regular meeting held January 20, 2022.

Vote on the Motion

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Ward, Mr. Addison

Noes: None

Abstain: Ms. Mackey and Mr. Tiner

Motion carried 5-0-2

V. CITIZEN PRESENTATION

1. Terry Roach - Police Department Complaints

Terry Roach addressed City Council regarding a police incident.

VI. PRESENTATION BY ECONOMIC DEVELOPMENT CORPORATION BOARD OF DIRECTORS

EDC-2022-01 Approve a Temporary Commercial Lease Agreement between the Benbrook Economic Development Corporation (BEDC) and Kenneth Russell

Jessica James gave the following report: Kenneth Russell, owner of several Russell Feed & Supply stores in the area, has continually operated his first store located at 8704 Benbrook Boulevard in Benbrook since 1997. For the past couple of years, Mr. Russell has worked with the Benbrook Economic Development Corporation (BEDC) and the City on plans to replace the Benbrook store with a new, larger building.

To avoid closure of the Benbrook store during construction of the new building, Mr. Russell and BEDC (approved by City Council) entered into a one-year, no cost lease agreement (with a three-month extension option) to allow Mr. Russell to temporarily relocate the Benbrook store to the BEDC owned 8,000 SF building located at 9331 Westpark Drive. The three-month extension will expire on March 31, 2022.

Due to the pandemic and construction delays, Mr. Russell has not completed construction of the new building and is requesting a new lease that will start on April 1, 2022 and run through June 30, 2022. The lease agreement includes a six-month extension option that expires on December 30, 2022. Mr. Russell has

the option to terminate the lease at any time (two-week notice required) without penalty.

BEDC unanimously approved the new lease agreement with Mr. Russell during the January 18, 2022, Board meeting.

The Agreement outlines the obligations of each party, term of three months with a possible six-month extension, and the discount rental rate of \$6,000 per month, if performance measures are met by February 15, 2022. The performance measures include:

- All required engineering and construction plans for the Russell Feed Store located at 8704 Benbrook Boulevard must be approved, and
- Vertical construction must have commenced on the building, or
- Mr. Russell must provide the receipt showing the building package has been ordered by February 15, 2022.

The performance measures have been met and the monthly rental rate for the property will be \$7,746. Other than the term, rental rate, and performance measures, the obligations in the agreement are the same as the prior lease.

Motion by Mr. Tiner, seconded by Ms. Franklin to approve the Lease Agreement between the Benbrook Economic Development Corporation and Kenneth Russell.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Ward, Mr. Addison, Ms. Mackey, Mr. Tiner

Noes: None

Motion carries unanimously.

VII. REPORTS FROM CITY MANAGER

A. GENERAL

G-2550 Accept finance report for period ending January 31, 2022

Rick Overgaard gave the following report: General Fund revenues for the month of January were \$3,322,787. Major revenues collected for the month include Property taxes of \$2,613,849, Franchise taxes of \$56,309, Permits of \$97,274, Fines and Forfeitures of \$34,898, Charges for Services of \$93,578, and Other Agency of \$42,737. Sales tax collected and recognized as revenue in January was \$376,366. Fiscal year to date sales tax is \$1,286,910, an increase of 10.11% over last year at this time. General Fund revenues collected through the end of January were \$13,071,483 and 61.2% of the budget.

General Fund expenditures for the month of January were \$1,545,350. Fiscal year to date expenditures were \$5,536,980 and 25.9% of the adopted budget.

Total General Fund revenues of \$13,071,483 were more than total General Fund expenditures of \$5,536,980 by \$7,534,503.

Debt Service revenues for the month of January totaled \$1,396,049. \$356,048 was from property tax and \$1,040,001 was a transfer in from the Stormwater Fund and TIF Fund to cover their respective debt service. Fiscal year to date revenues total \$1,715,687. Debt Service payments of \$1,403,251 were made the end of January. Total revenues of \$1,715,687 exceeded total expenditures of \$1,403,251 by \$312,436.

EDC revenues through January 31, 2022, were \$664,759. EDC expenditures through the end of January were \$143,854. Total revenues exceeded total expenditures by \$520,905.

Total revenues received through January 31, 2022 were \$353,305 from stormwater utility fees, mineral lease revenue, and interest earnings. Total expenditures for the Capital Projects Fund were \$1,040,001 through the end of January, which is a transfer out of \$1,040,001 to the Debt Service Fund for Stormwater and TIF debt service payments. Total expenditures exceeded total revenues by \$686,696. Sufficient funds are available in the current fund balances of the Capital Projects Fund. This fund operates on a project basis rather than a specific fiscal year.

On January 31, 2022, the City had \$50,485,599 invested at varying interest rates; the EDC had \$5,637,601 available.

Motion by Dr. Marshall, seconded by Ms. Mackey to accept the finance report for the period ending January 31, 2022.

Vote on the Motion:

Ayes: Dr. Marshall, Mr. Phillips, Mayor Ward, Mr. Addison, Ms. Mackey, Mr. Tiner, Ms. Franklin

Noes: None

Motion carries unanimously.

B. CONTRACT

C-350 Award Design Contract for the Chapin Road and Dawn Drive Channel Improvements Project

Bennett Howell gave the following report: The Chapin Road Channel Improvement Project will install a turf reinforcing mat and gabion mattresses in the channel to improve flow characteristics. The project will start just south of the culvert at Chapin Road and transition into the channel at Palomino Estates.

The Dawn Drive Channel Improvement Project will install modular block walls necessary to improve stormwater flow within the channel and reduce sediment

deposition in the culverts. The project will start at the culvert crossing on Dawn Drive and end approximately 150 feet downstream of the culvert.

To keep costs low, both projects will be designed and constructed as one project. Both projects are included in the Capital Improvements Program approved by the City Council.

The project will be funded using the Stormwater Utility Fund.

Motion by Mr. Phillips, seconded by Mr. Tiner to award the design contract for the Chapin Road and Dawn Drive Channel Improvement Projects to Freese and Nichols for \$103,900.

Vote on the Motion:

Ayes: Mr. Phillips, Mayor Ward, Mr. Addison, Ms. Mackey, Mr. Tiner, Ms. Franklin, Dr. Marshall

Noes: None

Motion carries unanimously.

VIII. INFORMAL CITIZEN COMMENTS

IX. COUNCIL MEMBER AND STAFF COMMENTS

Mr. Tiner recognized Benbrook Middle High School 8th Grade Basketball team as the FWISD City Champions and the BMHS Varsity Basketball team who are in the play-offs. He also recognized the dance teams for Footworks Performing Arts Center for receiving the majority of major awards at the recent L.A. Dance Magic competition.

Ms. Franklin reminded the community that Monday, February 21, 2022 is President's Day and City Hall will be closed.

X. ADJOURNMENT

Meeting adjourned at 8:09 p.m. followed by Worksession to discuss renaming of South Benbrook Park to Jerry Dittrich Park

APPROVED:



Jason Ward, Mayor

ATTEST:



Joanna King, City Secretary