

**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, SEPTEMBER 15, 2005**

The regular meeting of the Benbrook City Council was held on Thursday, September 15, 2005 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
Sherri Newhouse, Budget Director
Phyllis Wolfe, IT Coordinator
David Ragsdale, Comptroller
Tommy Davis, Fire Chief

Others Present:

Ed Gallagher, City Planner
Dorcas Neuman, Benbrook News
Valerie Stowe
Bill Smith
Daniel Tully
Weldon & Tammi Cauthen
Whitney Cauthen
Riley Cauthen
Pat Swisher
Weldon & Mildred Cauthen
Bill Pendery
Charlie & Pamela Brandenburg
Gary Hankins
Lisa Flowers
Pat Dunkin
Marilyn Perkins
Diana Crosthwaite
James & Joann Howard
Ann Heinz
Joel Peal
Lawrence Thompson

I. CALL TO ORDER

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

**II. INVOCATION
PLEDGE OF ALLEGIANCE**

Brother Jack Cook with Wyatt Drive Baptist Church gave the invocation.
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 to be removed from the Consent Agenda for separate discussion and action.)

1. Minutes of the regular meeting held September 1, 2005

Motion by Mr. Allison, seconded by Mr. Vander Pan 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. CITIZEN PRESENTATION

1. Riley Cauthen – Request for Water Park at Benbrook Community Center/YMCA

Mr. Riley Cauthen, student of Benbrook Elementary made presentation to City Council regarding the installation of a water-park at the Benbrook Community Center/YMCA. (Copy of presentation attached as part of record.) Mr. Cauthen stated that he attended the opening of the water-park at the Ryan YMCA and thought a like project would be fun for the families of Benbrook. He stated that with the help of his dad, they have drawn some plans to include a sports pool, wave pool, wave river, kiddy pool and three slides.

Mayor Dittrich and members of City Council thanked Mr. Cauthen for his

presentation. He was advised that City Council has placed funding in the 2005-2006 fiscal year budget to study improvements at the Benbrook Community Center/YMCA.

2. Becky Harper – Fort Worth ISD – Strategic Performance Planning Process

Ms. Harper, representative of the Fort Worth ISD stated the school district is beginning the Strategic Performance Planning Process. Numerous meetings will be held within the district to receive input for future goals and priorities. Information gathered will be used to formulate visions and missions for the Fort Worth School District.

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

VI. REPORTS OF CITY MANAGER

A. GENERAL

G-1583 Financial Report for Period Ending August 31, 2005

Cary Conklin gave the following report: General Fund revenues for the month of August totaled \$466,131. Through August, total collections were \$10,231,521 or 100.98% of the amount budgeted.

General Fund expenditures for the month of August totaled \$732,062. Through August, total expenditures were \$8,307,292 or 88.84% of the amount budgeted. At August 31, 2005 revenues exceeded expenditures by \$924,229.

EDC revenues were \$82,436 with most of this amount coming from Sales Tax. Expenditures were \$43,890. Revenues exceed expenditures by \$397,607 through the month of August.

Investments were \$8,534,728 at August 31, 2005.

Motion by Mr. Schull, seconded by Mr. Stowe to accept the financial report for the period ending August 31, 2005 as presented.

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.

• New Server/SAN	\$ 15,000
• Web Site, CRM, & E-Commerce	\$ 22,000
• Citizen Relationship Management Software	\$ 10,000
• Police Vehicle Light Bars	\$ 6,900
• Four (4) hand held radios for Police	\$ 3,000
• Code RED Emergency Telephone Notification	\$ 14,000
• Jury Service Fees for Court of Record	\$ 1,296
• Benbrook Entry Sign	\$ 5,000
• 18' tandem axel trailer for Public Works	\$ 2,500
• Additional salary for part-time employee	\$ 5,000
• Pesticide spray rig for Parks	\$ 2,700
• 60" zero turn mower for Parks	\$ 7,000
• Increase salary for part-time fleet service	\$ 5,119
• Benbrook Blvd. Corridor Plan	\$ 20,000
• BCC/YMCA Plan	\$ 15,000
• Increase salary for CAD/GIS Intern	\$ 2,500
• Debt Service Adjustment – Sale of CO's For TIF and re-financing of current debt	\$197,490

City Council Review

Reduction of Property Tax Rate from the current rate of \$0.7625 to \$0.7425

Approval of cost of living salary adjustment for full-time employees of 2.5%

Additional projects and/or programs as recommended by City Manager and/or City Council:

• Internet Service for City Council	\$ 3,608
• Additional funds for document imaging	\$ 5,000
• Funds for Safer Grant – Additional Fire Fighter Position	\$ 78,132
• Funds for signal for Winscott & Lakeside	\$100,000
• Adjustment of Debt Service	
• Additional funds for City Attorney Services	\$ 10,000
• Funds for fuel reserve	\$ 35,000

Mayor Dittrich asked if anyone from the audience cared to speak regarding the two items. Mr. James Howard thanked City Council and staff for work performed in lowering the tax rate.

Motion by Mr. Allison, seconded by Mr. Sauma to adopt Ordinance No. 1195 approving budget figures for fiscal year 2005-2006.

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. 1195 being: **“AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, APPROVING BUDGET FIGURES FOR THE FISCAL YEAR 2005 THROUGH 2006; APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005, AND ENDING SEPTEMBER 30, 2006, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT AND ACCOUNT; ACCEPTING AND APPROVING THE EMPLOYEE CIVIL SERVICE CLASSIFICATIONS; REPEALING CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE AND SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.”**

Motion by Mr. Sauma, seconded by Mr. Bailey to adopt Ordinance No. 1196 fixing and levying ad valorem taxes for year 2005.

Vote on the motion:

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

Noes: None

Motion carries unanimously.

Ordinance No. 1196 being **“AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BENBROOK, TEXAS, FIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2005 AND ENDING SEPTEMBER 30, 2006, AND FOR EACH YEAR THEREAFTER UNTIL OTHERWISE PROVIDED, AT THE RATE OF \$0.7425 PER ONE HUNDRED DOLLARS (\$100.00) ASSESSED VALUE ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF BENBROOK, TEXAS, AS OF JANUARY 1, 2005, TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES AND TO PROVIDE AN INTEREST IN DEBT SERVICE FUNDS ON ALL OUTSTANDING DEBTS OF THE CITY; DIRECTING THE ASSESSMENT THEREOF; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST THEREON; PROVIDING FOR PLACE OF PAYMENT; PROVIDING FOR APPROVAL OF THE TAX ROLLS PRESENTED TO THE CITY COUNCIL; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE AND DECLARING AN EFFECTIVE DATE.”**

G-1586 Adopt Management Agreement for Benbrook Community Center/YMCA

Mr. Conklin gave the following report: In October 1999, the City of Benbrook entered into a three (3) year agreement with the YMCA of Metropolitan Fort Worth for management and operation of the Benbrook Community Center/YMCA. In February 2003, the City and the YMCA renewed the agreement for three (3) additional years. The 2003 agreement included an automatic renewal clause for successive three (3) year terms.

The Benbrook Community Center/YMCA officially opened in June 2000. Since that time, Benbrook citizenry has embraced the YMCA management concept, the YMCA's community based programming and the facility itself. In addition, the Benbrook Community Center/YMCA has garnered local, state and national awards for management innovation and facility design.

The current management agreement between the City and the YMCA of Metropolitan Fort Worth expires on May 31, 2006. Both City staff and the YMCA concur that the current agreement is working well and should be extended by exercising the three (3) year automatic renewal clause. In August, the Board of Directors of the YMCA of Metropolitan Fort Worth approved the three (3) year automatic renewal subject to approval by the City Council. If approved, the term of the extended agreement commences on June 1, 2006 and ends on May 31, 2009.

Motion by Mr. Schull, seconded by Mr. Sauma to adopt the management agreement for the Benbrook Community Center/YMCA as presented.

Vote on the motion:

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

Noes: None

Motion carries unanimously.

G-1587 2005-06 Hotel/Motel Tax Allocations

Mr. Conklin gave the following summary of funds available from the Hotel/Motel Bed Tax fund:

Beginning Balance	\$134,501.68
REVENUES (Thru August 23)	
Motel 6	40,021.83
Benbrook Inn & Suites	6,053.59
Best Western Winscott Inn & Suites	42,406.88
Interest	4,117.47

TOTAL REVENUES		92,599.77
EXPENSES (Thru August 23)		
Motel 6	4,200.00	
Best Western Inn & Suites	3,700.00	
Benbrook Sister Cities-Full (to-date)	2,047.10	
Benbrook Sister Cities-Partial (to-date)	593.05	
City Promotional Fund	2,589.82	
BACC-Relocation Packets	207.14	
BACC-Visitor Center Staff/Overhead	13,548.14	
BACC-Information Booklets	4,100.00	
BACC-Digi Tours	900.00	
TOTAL EXPENSES		31,885.25
Ending Balance		\$195,216.20
SUMMARY OF NEW REQUEST		\$12,900.00
BENBROOK SISTER CITIES - Qualifying under Section 4 - Funding for the Arts		
LIMIT: State law limits funding for the arts to 15% of collections or \$13,889.97		
FULL FUNDING		
Arts Program	3,600.00	
Scholarships/Grants-ILA	1,100.00	
Scholarships/Grants-Bled	3,800.00	
Subtotal	8,500.00	
PARTIAL FUNDING		
Overhead, Supplies, Internet & Publications	733.33	
Annual Conference Registration		666.67
Ballymoney Program	2,666.67	
Bled Program	333.33	
Subtotal	4,400.00	
MOTEL 6 - Qualifying under Section 3 - City Promotion		\$4,700.00
LIMIT: None		
Advertising - Billboards	4,700.00	
BENBROOK CHAMBER OF COMMERCE		\$41,444.00
LIMIT: None		
Tourism Director Salary & Payroll Taxes		30,260.00
Shared Overhead	6,000.00	
Other Expenses	960.00	
Promotional Items	2,000.00	
Training & Education	1,000.00	
Trade Association memberships	600.00	
Display Racks	624.00	
TOTAL REQUEST		\$59,044.00

On Thursday September 8, 2005, City Council met in a hotel/motel distribution work session. After lengthy deliberation, City Council reached an unbinding consensus for the following funding:

<u>Organization</u>	<u>Funding Amount</u>	<u>Purpose</u>
Motel 6	\$4,700	Advertising
VSA Benbrook Chamber	\$3,600 \$41,444	Arts Program Tourism Director & Visitor Center
Mayor/Council	\$8,600	Purchases memorabilia such as lapel pins, pens & pencils, City logo items & City flags and other items for promotion of the City

Mayor Dittrich stated City Council would hear from one representative from each organization requesting funding. He stated he would then open the floor to one representative opposing such funding.

Ms. Diane Crosthwaite with Benbrook Sister Cities addressed City Council. She stated the only funding being considered by City Council was to go toward the Very Special Artists (VSA) program. Ms. Crosthwaite urged City Council to reconsider funding for the Sister Cities program.

Motion by Mr. Sauma to fund \$4,700 to Motel 6 as requested.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Motion by Mr. Allison, seconded by Mr. Vander Pan to award the Chamber of Commerce \$41,444 as requested.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Motion by Mr. Vander Pan, seconded by Mr. Bailey to fund \$8,600 for the City Promotional Fund.

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.

Motion by Mr. Allison, seconded by Mr. Stowe to fund the amount of \$3,600 for the VSA program.

Following discussion, motion withdrawn by Mr. Allison and Mr. Stowe.

Motion by Mr. Schull, seconded by Mr. Allison to approve funding to Sister Cities in the amount of \$3,600 to fund the Very Special Artists (VSA) program as presented.

Vote on the Motion:

Ayes: Mr. Allison, Mayor Dittrich, Mr. Stowe, Mr. Schull

Noes: Mr. Bailey, Mr. Vander Pan, Mr. Sauma

Motion carries 4-3.

G-1588 Resolution Adopting the Implementation of the National Incident Management System

Tommy Davis gave the following report: President Bush issued Homeland Security Directive 5, Management of Domestic Incidents, directing the Department of Homeland Security to develop and administer the National Incident Management System (NIMS). NIMS provides a consistent nationwide system for Federal, State and local governments to work together to prepare for, prevent, respond to, and recover from domestic incidents, regardless of cause, size or complexity.

Governor Perry issued Executive Order 40 on February 23, 2005, adopting NIMS as the statewide system for emergency prevention, preparedness, response, recovery and mitigation activities. Implementation of and compliance with NIMS ensures full and robust preparedness across Texas.

President Bush established ambitious deadlines for NIMS adoption and implementation. With adoption of this resolution, the City of Benbrook will be NIMS compliant. Beginning in FY 2005, local governments must implement NIMS to receive public safety grant funding.

Motion by Mr. Allison, seconded by Mr. Schull to adopt Resolution 2005-18 adopting the implementation of the National Incident Management System.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Resolution 2005-18 being **“RESOLUTION ADOPTING THE IMPLEMENTATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM”**

B. CONTRACTS

C-212 Approve Contract for Wireless Communications Consultant

Ms. Wolfe gave the following report: Wireless access to the internet has become a goal for many cities. The applications and services now provided through the internet have proven to be a valuable tool for first responders and public safety concerns. Other applications provide proven cost savings for cities in this time of tightened budgets. Recognizing the impact of wireless access, Benbrook Water Authority Board of Directors and Benbrook City Council members met in work session to discuss common goals and cooperative efforts in bringing this technology to the City.

In the worksession, attendees reviewed the various types of wireless access. Also, the complexity of planning a wireless infrastructure to fit the City of Benbrook was discussed. Representatives learned that several vendors have contacted the two staffs regarding wireless provisions. Based on the factors involved, the two staffs are recommending an outside expert analysis in consideration of a wireless infrastructure necessary to cover the City.

Comport Network Services and Solutions (CNS²) has provided technology expertise and support to both the Benbrook Water Authority (BWA) and the City of Benbrook (COB). The project proposal includes the following tasks and deliverables:

- Determine application needs and objectives for BWA and COB.
- Education of the various viable wireless technology options best suited for BWA and COB to include tactical and strategic requirements.
- Selection criteria considerations based on technology, vendor stability/longevity, and startup & on-going financial considerations.
- Review with BWA and COB focus group for input, feedback, and final version to be presented.
- Present (or support presentation) to BWA Board of Directors and COB City Council Members, answer questions, and provide recommended next steps.

CNS² estimates this project will take 24 – 30 hours at an hourly rate of \$100 per hour. CNS² is ready to begin work upon approval. The Benbrook Water Authority has agreed to pay 50% of the project cost.

Motion by Mr. Vander Pan, seconded by Mr. Stowe to authorize the City Manager to sign the project contract and approve City payment of 50% of the project cost.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

VII. OTHER MATTERS OF BUSINESS

VIII. INFORMAL CITIZEN PRESENTATION

Ms. Pamela Brandenburg requested clarification of the funding for VSA through the Sister Cities program. Mayor Dittrich advised City staff would work with Sister Cities in this matter. Ms. Brandenburg urged City Council to reconsider funding for the Sister Cities Program.

Ms. Ann Heinz urged City Council to reconsider funding for the Sister Cities Program.

Ms. Marilyn Perkins urged City Council to reconsider funding for the Sister Cities Program.

IX. ADJOURNMENT

Meeting adjourned at 8:53 P.M.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary