

**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, JANUARY 6, 2005**

The regular meeting of the Benbrook City Council was held on Thursday, January 6, 2005 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Felix Hebert  
Jerry Dittrich  
Ron Sauma  
John Vander Pan  
Keith Bailey  
Robert Cook  
Rickie Allison

Also Present:

Cary Conklin, City Manager  
Joanna King, City Secretary  
Andy Wayman, Assistant City Manager

Others Present:

Ed Gallagher, City Planner  
Todd Mauny  
Maggie Hebert  
Dorcas Neuman, Benbrook News  
Alan Bowling  
Bill Smith  
David Bunn  
Larry Stowe  
Lisa Flowers  
Gary Hankins  
Pat Dunkin  
Al Griner  
Joan Chew  
Bonita Biggs  
Teresa Stichnot  
Loretta Belisle  
and 5 other citizens

**I. CALL TO ORDER**

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

**II. INVOCATION  
PLEDGE OF ALLEGIANCE**

Invocation was given by Pastor Gary Oliver with Tabernacle of Praise.  
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 the City Manager may request one or more items be removed from the Consent Agenda for separate discussion and action.)**

**1. Minutes of the regular meeting held December 2, 2004**

Motion by Mr. Cook, seconded by Mr. Sauma to approve the consent agenda as presented.

Vote on the Motion:

Ayes: Mr. Cook, Mr. Bailey, Mr. Allison, Mayor Hebert, Mr. Vander Pan, Dr. Dittrich, Mr. Sauma

Noes: None

Motion carries unanimously.

**IV. PROCLAMATION/RECOGNITION/AWARDS**

**1. Employee Recognition  
Todd Mauney – Field Service II – Street Department – 5 Years Service**

Mayor Hebert presented Todd Mauney with certificate recognizing his 5 years of service to the City of Benbrook as a Field Service employee in the Street Department.

**V. CITIZEN PRESENTATION**

**1. Pat Dunkin, President 4 PAWS – Contribution toward Purchase of Animal Transport Unit**

Ms. Pat Dunkin and members of 4 PAWS presented the City with a check in the amount of \$5,000 as their contribution toward the recently purchased animal transport unit for the animal control vehicle.

**VI. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL**

**1. Appointment of Municipal Court Judge to Unexpired Term**

Mr. Conklin gave the following report: The recent retirement of Judge Edwin L. Presley makes it necessary to appoint his replacement. Judge Presley served as the Municipal Court Judge for 30 years. While serving in this capacity, Judge Presley was recognized for having achieved the highest standards of judicial excellence in both knowledge and practice.

In 2002, Judge Presley recommended and City Council appointed Mr. Alan Bowling as the Associate Judge for the Municipal Court. During this period, Mr. Bowling received the required training to serve as a Municipal Court Judge from the Texas Municipal Courts Education Center. Mr. Bowling is a licensed and practicing attorney with his office located in the City of Benbrook.

Staff is recommending that City Council make the Municipal Court Appointment to the unexpired term to Mr. Alan Bowling with compensation set at \$1,000 per month.

Motion by Mr. Allison, seconded by Mr. Cook to adopt Resolution 2005-01 appointing Mr. Alan Bowling as the Judge of the Municipal Court to serve the unexpired two year term.

Vote on the Motion:

Ayes: Mr. Bailey, Mr. Allison, Mayor Hebert, Mr. Vander Pan, Dr. Dittrich, Mr. Sauma, Mr. Cook

Noes: None

Motion carries unanimously.

Resolution 2005-01 being **“A RESOLUTION APPOINTING THE JUDGE OF THE MUNICIPAL COURT FOR AN UNEXPIRED TWO YEAR TERM.”**

**V. PRESENTATION BY PLANNING AND ZONING COMMISSION**

**VI. REPORTS OF CITY MANAGER**

**A. GENERAL**

**G-1540 Benbrook Area Chamber of Commerce Request for Hotel/Motel Tax Funding for Visitor Center**

Mr. Conklin gave the following report: City Council met with members of the Benbrook Area Chamber of Commerce (BACC) during worksessions on December

2 and December 16, 2004. The BACC requested Hotel/Motel Funding from the City for staffing a Benbrook Visitor Center.

According to the BACC letter of request:

“The visitor’s center conveys the first impression of our City. We now have two attractive new signs outside our office but the center itself is only staffed part-time and not currently on a regular schedule. Our chamber receives on average daily, ten visitors; 30 visitor phone calls; and 60-70 emails for general information about the City. The BACC needs a full time tourism director to run the visitors center. Responsibilities of a tourism director and percentage of time expected for each function would be:

1. Welcome and greet visitors to the center (100%)
2. Answer the telephone, opening mail and reviewing mail (100%)
3. Development and distribution of marketing materials to convention & visitor bureaus, other chambers and local businesses (100%)
4. Advertise and promote tourism events; softball tournaments, citywide garage sale (100%)

Based on BACC presentations and City Council modifications, staffs from the Chamber and the City have drafted the following terms of agreement:

#### Services

1. Advertise and promote the City as an enjoyable place to visit, an ideal place to work, and a dynamic place to live.
2. Provide visitor’s information about the City including hospitality, emergency, cultural, entertainment, and historical facts and services.
3. Identify and research special events, including cultural programs and sport activities that would promote the City throughout the state and bring tourism to the area.

#### Responsibilities of the Administrator

1. The program will be supervised and directed by the Board of Directors of the Chamber.
2. All employees of the Visitor Center will be employees of the Chamber and subject to all Chamber employment benefits and policies.
3. Responsibility for the actions and obligations of the Visitor’s Center will be that of the Chamber and not the City.
4. The Chamber will maintain separate bank accounts for all reimbursements provided by the City pursuant to this agreement.
5. The Visitor’s Center will maintain pertinent records to evaluate the effectiveness and benefit of the Center.

## Costs and Expenses

1. The Chamber will hire a full time tourism director to work principally for the Visitor's Center. The cost of labor, taxes and employee benefits for this employee will be paid by the Chamber and reimbursed by the City within ten days following the end of each month. Cost will be based on a salary of \$22,500 per year (1,875.00 a month) plus payroll taxes and multiplied by a percentage representing the time devoted to Visitor Center activities. Authorized sick leave, absences and holiday and vacation time will be considered 100% Visitor Center related. The Chamber will not ask reimbursement for time of other employees or volunteers assisting with Visitor's Center activities.
2. Printing of advertisements and informational literature requested by the Visitor's Center would be submitted for approval to the City and paid directly by the City. The Chamber has previously submitted a request for 54,000 copies of the "Benbrook, the Southwest Gateway to the Dallas/Fort Worth Metroplex" pamphlets and 1,000 Benbrook Digi Tours compact disks.
3. Overhead for the shared Visitor's Center facilities and equipment is \$500 a month. These costs represent 50% of only the rent, telephone and office supplies and postage cost for the ten months ending October 2005. Overhead of \$500 will be added to the labor reimbursement cost report.

## Reports

1. The Chamber will provide the City with a monthly Activity Report, which details the number of contacts to the Visitor's Center, the allocation of time to Visitor Center activities (which supports the request for labor reimbursement) and a summary/status of tourism projects.
2. An annual report by the Chamber in August of each year will highlight the activities and accomplishments of the Visitor's Center for the year.
3. Financial statements of the Chamber will be prepared monthly and will be available to the City upon request.
4. Copies of the chamber's Form 990, Return of Organization Exempt From Income Tax will be public records and available to the City upon request.

Staff contacted the legal staff from Texas Municipal League relative to Hotel/Motel Tax funding for visitor centers. TML advised the City to maintain an accurate account of bed tax funding in relationship to the hours contributed specifically for the visitor's center. TML cautioned the City against funding through bed tax work performed not directly related to the visitor center.

Following discussion, motion by Mr. Vander Pan, seconded by Mr. Sauma to approve the Benbrook Area Chamber of Commerce request for Hotel/Motel Tax funding for a Visitor's Center as presented.

Vote on the Motion:

Ayes: Mr. Allison, Mayor Hebert, Mr. Vander Pan, Dr. Dittrich, Mr. Sauma, Mr. Cook, Mr. Bailey

Noes: None

Motion carries unanimously.

**IX. OTHER MATTERS OF BUSINESS**

**X. INFORMAL CITIZEN PRESENTATION**

**XI. ADJOURNMENT**

Meeting adjourned at 8:08

**APPROVED:**

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**Felix T. Hebert, Mayor**

**ATTEST:**

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**Joanna King, City Secretary**