



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, JUNE 7, 2007**

The regular meeting of the Benbrook City Council was held on Thursday, June 7, 2007 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich  
Keith Bailey  
Ron Sauma  
Rickie Allison  
James Schull  
Larry Stowe  
Dan Tully

Also Present:

Andy Wayman, City Manager  
Joanna King, City Secretary  
Dave Gattis, Deputy City Manager  
Walter Shumac, Director of Public Services

Others Present:

Dorcas Neuman, Benbrook News  
Ed Gallagher, City Planner  
Madonna Tully  
Judge Alan Bowling  
Toni Bowling  
Bill Smith  
Mr. and Mrs. Paul Galvin  
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 given by Mr. Bill Smith.  
The Pledge of Allegiance was recited.

### **III. MINUTES**

#### **1. Minutes of the regular meeting held May 7, 2007**

Minutes were removed from agenda. Actual meeting date was May 17, 2007.

### **IV. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL**

#### **1. Resolution Appointing Municipal Court Judge**

Joanna King gave the following report: Article IX, Section 9.03 of the Benbrook Municipal Code requires City Council to appoint the municipal court judge to serve a two-year term.

Alan Bowling as served as the Judge of the Municipal Court since 2005. Prior to this appointment, Judge Bowling served as Associate Judge and continues to show high standards of judicial excellence in both knowledge and practice.

Motion by Mr. Allison, seconded by Mr. Schull to adopt Resolution No. 2007-08 reappointing Alan Bowling as the Judge of the Municipal Court for a two year term.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Resolution No. 2007-08 being **“A RESOLUTION APPOINTING THE JUDGE OF THE MUNICIPAL COURT FOR A TWO YEAR TERM”**

#### **2. Councilmember James Schull – Relationship between City of Benbrook and Fort Worth ISD**

Councilmember James Schull request staff to schedule a worksession to discuss options regarding the relationship between the City of Benbrook and the Fort Worth ISD. Mayor Dittrich stated that during pre-council worksession, it was determined that a worksession could be scheduled following the regular meeting on June 21, 2007.

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

## VI. REPORTS OF CITY MANAGER

### A. GENERAL

#### **G-1703 Adopt Ordinance vacating a 10-foot wide utility easement along the common line between Lots 2 and 3, Block A, Lakeview-High Point Addition**

Mr. Gattis gave the following report: Lakeview-High Point was final platted in April 2006 as a five lot subdivision south of Rogers Road and west of Grace Cozby in the Stephens Heights area.

Lots 2 and 3, Block A, were recently purchased by a single owner and are in the process of replatting the two lots into a single lot. In conjunction with the replat combining the two lots, the ten-foot wide utility easement along the current common line between existing Lots 2 and 3 is proposed to be vacated. All utility suppliers have reviewed the proposed replat and reported that they have not facilities in the easement. No future plans for facilities in the easement, and have not objection to the vacation of the easement.

Motion by Mr. Schull, seconded by Mr. Sauma to adopt the ordinance vacating the ten-foot wide utility easement along the common line between Lots 2 and 3, Block A, Lakeview-High Point and authorize the Mayor to execute a quitclaim deed releasing the interest of the City in the easement.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Ordinance No. 1236 being **“AN ORDINANCE VACATING AND ABANDONING THE TEN-FOOT WIDE UTILITY EASEMENT LOCATED ON PORTIONS OF LOT 1 AND LOT 2, BLOCK A, LAKEVIEW-HIGH POINT; DECLARING THAT THE PROPERTY IS UNNECESSARY FOR THE USE BY THE PUBLIC; AUTHORIZING THE MAYOR OF THE CITY TO EXECUTE A QUITCLAIM DEED RELEASING THE PUBLIC OWNERSHIP INTEREST AND CONTROL IN THE PROPERTY; AND PROVIDING AN EFFECTIVE DATE.”**

#### **G-1704 Consider financial options for Plantation Ease Creek Drainage Project**

Mr. Gattis gave the following report: The channel improvements along Plantation Ease Creek behind Tara Drive is the last project included in the 2004 bond program that has been authorized for construction. The project will remove approximately

23 houses from the 100-year floodplain. The project design has been completed and the last required drainage easement was obtained in April of this year.

The estimated cost of construction for this project is \$1,027,424. Unfortunately, there are insufficient funds currently available to build the project and the drainage bond funds have been used for other projects.

There are several options available to the City Council.

1. The City Council could choose to postpone construction of the Plantation East Creek Drainage project until a future bond issue is approved by the voters. Staff projects that a future bond election would not be feasible until 2010 without a tax rate increase. The City will retain the permanent drainage easements, but many of the temporary construction easements will expire and will need to be renegotiated. It is likely that construction costs will continue to increase and local residents will still be subject to flooding and flooding insurance requirements.
2. The City Council could choose to authorize construction with funding to come for unappropriated reserves. Approximately \$5.5 million is available in unencumbered reserves.
3. The City could issue certificates of obligation to cover the cost of construction. This debt could be covered by a portion of the Storm Water Utility fee.

Discussion followed regarding the option to fund the project with unappropriated reserves versus issuance of certificates of obligation and storm water utility program.

Motion by Mr. Allison, seconded by Mr. Sauma to authorize the issuance of \$1 million in certificates of obligation to cover the cost of constructing the Plantation East Creek drainage project utilizing a portion of future Storm Water Utility reserves to service the C.O. debt and authorize the solicitation of bids for construction.

Vote on the Motion:

Ayes: Mr. Allison, Mayor Dittrich, Mr. Tully, Mr. Sauma, Mr. Schull, Mr. Bailey

Noes: Mr. Stowe

Motion carries 6-1.

#### **G-1705      Authorize a walking lane on Mercedes Street**

Walter Shumac gave the following report: Currently, there is no sidewalk on the north side of Mercedes Street fronting Benbrook Elementary. As a result, there is no designated walkway for students to access the crosswalk at San Angelo and Park Center. To alleviate this problem, Councilmember Sauma suggested utilizing a portion of the existing road to create a walking lane.

Staff originally investigated the possibility of creating a four-foot walking lane by installing three-foot tall tubular road markers and road buttons. Subsequently, it

was discovered that the Street Maintenance Department currently has a supply of curb stops that could be utilized to create the walking lane. The curb stops would be painted yellow and a small gap between sections to allow for drainage. It is anticipated that a tubular road marker would be installed at the gaps for additional visibility. Road buttons would also be used for transition of the walking lane.

Staff has met with representative from the Lockheed Martin Bike Club to discuss the pedestrian lane. LMBC representatives concur with the pedestrian only lane and have withdrawn their request for a bike lane for this section of Mercedes.

In conjunction with the walking lane, staff will re-stripe the center line of Mercedes and install signage for pedestrian only markings. With the installation of the walking lane, there will still be a sufficient width for parking. The school will send flyers to notify parents of the new pedestrian lane.

Motion by Mr. Sauma, seconded by Mr. Schull to authorize the construction of a walking lane along Mercedes Street from the BWA water tower to the existing sidewalk.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**VII. OTHER MATTERS OF BUSINESS**

**VIII. INFORMAL CITIZEN COMMENTS**

Mr. Paul Galvin expressed appreciation and support to the City Council, Police Department and staff.

**IX. ADJOURNMENT**

Meeting adjourned at 8:25 p.m.

**APPROVED:**

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**Jerry B. Dittrich, Mayor**

**ATTEST:**

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**Joanna King, City Secretary**