



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, AUGUST 2, 2007**

The regular meeting of the Benbrook City Council was held on Thursday, August 2, 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
Dan Tully
James Schull
Larry Stowe

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Dave Gattis, Deputy City Manager
David Ragsdale, Comptroller
Walter Shumac, Public Service Director

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher, City Planner
Sherri Newhouse, Budget Director
Cathy Morris, Administrative Analyst
Bill Smith
Members of the Benbrook Bulls Baseball Team
Linda Belota
Mr. and Mrs. Milton Davis
Chuck and Nancy Moody
Susie Morrison
Approximately 25 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 Councilmember Larry Stowe.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held July 5, 2007

Motion by Mr. Sauma, seconded by Mr. Stowe to approve the minutes of the regular meeting held July 5, 2007.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

2. Minutes of the regular meeting held July 19, 2007

Motion by Mr. Allison, seconded by Mr. Tully to approve the minutes of the regular meeting held July 19, 2007.

Vote on the Motion:

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

Noes: None

Abstain: Mr. Stowe

Motion carries 6-0-1.

IV. PROCLAMATION/AWARDS/RECOGNITION

1. Proclamation – Recognizing the Benbrook Bulls – Winner of the Pony Pinto State Tournament

Mayor Dittrich presented Chris Fernandez, Coach of the Benbrook Bulls with a proclamation recognizing and applauding the Benbrook Bulls, the individual team players and their coaches for winning the Pony Pinto State Tournament and being accorded the State Championship. This team of seven-to-eight year old youths came from behind in the final inning of the State Championship on July 21, 2007 to score seven runs and secure victory.

V. PRESENTATION BY PLANNING AND ZONING COMMISSION

VI. REPORTS OF CITY MANAGER

A. GENERAL

G-1713 Consider adoption of a resolution directing publication of Notice of Intention to issue combination tax and revenue certificates of obligation

Dave Gattis gave the following report: City Council directed staff to proceed with issuance of Certificates of Obligation to fund the Plantation East Creek project. The actual issuance will be \$1,035,000 over 20 years through competitive bidding. The estimated annual payments will be \$80,000. Due to State law requirements the City must publish the intent 30 days prior to the sale.

Motion by Mr. Allison, seconded by Mr. Schull to adopt Resolution No. 2007-10 authorizing the publication of the Notice of Intent to issue certificates of obligation.

Vote on the Motion:

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

Noes: Mr. Stowe

Motion carries 6-1.

Resolution No. 2007-10 being **“RESOLUTION DIRECTING PUBLICATION OF NOTICE OF INTENTION TO ISSUE COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION.”**

G-1714 Adopt Ordinance amending Chapter 10.40 of the Benbrook Municipal Code by adding no parking and no stopping restrictions on Rush Street

Walter Shumac gave the following report: Rush Street is a residential street located north of Western Hills High School between Westerly Road and Boston Avenue. Recently, staff has received complaints that nonresident vehicles are parking on both sides of Rush Street and are blocking access for residents. Many of these vehicles appear to be Western Hills High School students. While there is sufficient parking for Western Hills High School students in designated student parking lots, it appears that some students are not using those lots because of parking permit requirements and fees and/or concerns about security in some of the lots.

The proposed City ordinance adds no parking, no stopping, and no standing restrictions from 7:30 a.m. to 3:30 p.m. on school days on the north and south side of Rush Street. If approved by City Council, City crews will install no parking signs, paint the curbs and begin enforcement. Staff contacted the residents along Rush Street regarding the proposed ordinance and all were in agreement.

Motion by Mr. Sauma, seconded by Mr. Schull to adopt Ordinance No. 1242 designating a no parking, no stopping, nor standing zone from 7:30 a.m. to 3:30 p.m. on school days on the north and south side of Rush Street.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Ordinance No. 1242 being **“AN ORDINANCE AMENDING CHAPTER 10.40 OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY ADDING NO PARKING, NO STOPPING, NO STANDING RESTRICTIONS FROM 7:30 A.M. TO 3:30 P.M. ON SCHOOL DAYS ON THE NORTH AND SOUTH SIDES OF RUSH STREET; PROVIDING FOR VIOLATIONS AND PENALTIES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.”**

SECTION III

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 no more than Five Hundred Dollars (\$500.00).

SECTION X EFFECTIVE DATE

This ordinance shall be in full force and effect from and after its passage and publication as required by law.

G-1715 Accept the 2007 Certified Appraisal Roll, set Anticipated Collection Rate and appoint an Officer to calculate and publish the Effective Tax Rate & Roll Back Tax Rate

David Ragsdale gave the following report: Staff received the 2007 certified Appraisal Roll from the Tarrant Appraisal District on July 25, 2007. The reports “Information on 2007 Appraisal Roll” and “Information on 2006 & 2007 Tax Roll” contain certain state-mandated information on appraised value, adjustments, exemptions, and taxable value of property in the City as of January 1, 2007.

To comply with “Truth-in-Taxation” requirements, the City Council must accept the certified Appraisal Roll as presented by Tarrant Appraisal District, set an anticipated collection rate for next year and appoint an officer to calculate and publish the Effective Tax Rate and Roll Back Tax Rate.

Motion by Mr. Allison, seconded by Mr. Schull to accept the 2007 certified Appraisal Roll as presented; set 100% as the anticipated property tax collection rate for 2007-08; and, appoint the Financial Director to calculate and publish the Effective Tax Rate and the Roll Back Tax Rate.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

VII. OTHER MATTERS OF BUSINESS

VIII. INFORMAL CITIZEN COMMENTS

Linda Belota and Milton Davis spoke regarding conditions in field area behind Rush Street

IX. EXECUTIVE SESSION – Pursuant to Texas Government Code Section 551.074, Personnel Matters

1. City Manager Performance Evaluation Including Salary Determination

Mayor Dittrich recessed the regular meeting for Executive Session at 8:04 P.M.

X. RECONVENE INTO OPEN SESSION – Take necessary action from Executive Session

Mayor Dittrich reconvened the regular meeting at 8:58 p.m.

Motion by Mr. Schull, seconded by Mr. Sauma to approve a 4% salary increase for the City Manager including COLA.

Vote on the Motion:

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

Noes: Mr. Stowe

Motion carries 6-1.

XI. ADJOURNMENT

Meeting adjourned at 8:59 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary