



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, MARCH 2, 2006**

The regular meeting of the Benbrook City Council was held on Thursday, March 2, 2006 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
David Gattis, Assistant City Manager
Donna Savage, Assistant to City Secretary

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher
Ron Rainey
Bill Smith
Tammi Cauthen
Sam Balkum
Charlie Anderson
Daniel Tully
Perry and Rita Stokes
M. B. Lee
Lydia O'Brien
Pat Dunkin
Jack Bostick
and 6 other citizens

I. CALL TO ORDER

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

**II. INVOCATION
PLEDGE OF ALLEGIANCE**

Invocation was given by Pastor Todd Pylant with First Baptist Church
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held February 16, 2006

Motion by Mr. Vander Pan, seconded by Mr. Stowe to approve the minutes of the February 16, 2006 regular meeting as corrected.

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. PROCLAMATION/RECOGNITION/AWARDS

1. Employee Recognition Ron Rainey – Benbrook Economic Development Corporation – 10 Years Service

Mayor Dittrich presented Mr. Ron Rainey with a Certificate of Appreciation for his 10 years of service to the Benbrook Economic Development Corporation.

V. PRESENTATION BY MAYOR AND MEMBERS OF CITY COUNCIL

1. Councilmember Ron Sauma – Consider Policy Change for Hotel/Motel Tax Funding Reimbursements

Councilmember Sauma stated he is asking City Council to consider a change in Hotel/Motel Tax reimbursements. He advised that at present there are no guidelines or restrictions once the monies are approved by City Council. Mr. Sauma reminded City Council that at the February 2, 2006 meeting he was upset over a hotel bill charged and paid in the City of Azle. He advised that Benbrook has three fine hotels in the City and if the money is coming from Benbrook hotels, folks coming in for whatever organization should stay within the City.

Motion by Mr. Sauma, seconded by Mr. Vander Pan for individuals, groups, or entities visiting the immediate Benbrook area, the following policy shall apply: The City of Benbrook will not consider Hotel/Motel Tax reimbursement requests based on hotel/motel expenses originating outside the City limits of Benbrook when adequate vacancies exist within our City.

Mr. Sauma stated this guideline would be helpful to organizations receiving Hotel/Motel Tax Funds to know the ground rules and assist them in knowing how the funds are to be spent. He advised that this guideline is not directed at any one organization. Mr. Schull offered a friendly amendment to include "subject to special needs." Mr. Sauma and Mr. Vander Pan agreed to the amendment. Discussion on the motion continued. Amendment was clarified

as “special physical needs”. Motion to read “For individuals, groups, or entities visiting the immediate Benbrook area, the following policy shall apply: The City of Benbrook will not consider Hotel/Motel Tax reimbursement requests on hotel/motel expenses originating outside the City limits of Benbrook when adequate vacancies exist within our City and capability of providing special physical needs.”

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.

2. Resolution Calling City of Benbrook General Election and Adopt Agreement for Tarrant County Elections Administrator to Conduct a Joint Election on May 13, 2006

Joanna King gave the following report: The regular election for council members in Places 2, 4 and 6 is scheduled for Saturday, May 13, 2006.

Tarrant County Commissioner’s Court will be calling a Special Bond Election for the same date. In order to guarantee the availability of election equipment to all entities holding elections on this uniform election date, the Interim Election Administrator is requesting entities to enter into a joint election agreement.

The Advantages of the Joint Election include:

- Expanded early voting polling places. Tarrant County provides twenty-eight early voting polling places within the County. Benbrook residents would be able to vote early at any of these locations and not be restricted to voting only in the City of Benbrook.
- Election Cost. The City’s cost for the election would be \$6,453. This cost represents a twenty-five percent (25%) reduction from the cost of the May 2005 regular election.
- Voting equipment, election officials and polling places. Beginning January 1, 2006, one of the requirements of the Help America Vote Act is that at least one Direct Recording Electronic (DRE) machine be present at each polling place. This equipment is intended for use by the handicapped. Without the ability to lease the equipment from Tarrant County, the City would be required to either purchase four DRE machines or lease the equipment from another vendor. Any purchase cost would not include the programming necessary to read the ballots.
- Tarrant County will provide all necessary voting equipment, obtain all polling places, and train all election. In providing the equipment, the

necessity of leasing the equipment from another vendor or making an outright purchase would be eliminated resulting in significant savings.

Motion by Mr. Sauma, seconded by Mr. Vander Pan to adopt Resolution No. 2006-02 entering into Joint election with Tarrant County for May 13, 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.

Resolution No. 2006-02 being **“A RESOLUTION ESTABLISHING PROCEDURES FOR A JOINT ELECTION IN BENBROOK, TEXAS BETWEEN THE CITY OF BENBROOK AND TARRANT COUNTY.”**

VI. PRESENTATION BY PLANNING AND ZONING COMMISSION

VII. REPORTS OF CITY MANAGER

A. GENERAL

G-1613 Consider Status of Plantation East Creek Project (postponed from 2-16-06)

Mr. Gattis gave the following report: This project was included in the 2004 bond program was the enlargement of the Plantation East Creek channel behind Tara Drive. The project will remove at least 20 homes from the 100-year floodplain, including one repetitive loss property. The homes are partially protected by the 1992 drainage project.

Staff has been seeking necessary drainage easements since November 2005. As on March 2, 2006, staff has 11 of the 21 drainage easements necessary to build the project.

The options available to the City Council include:

- Authorize staff to proceed with condemnation to obtain the remaining 10 easements;
- Postpone any action for another 2 weeks or a month to allow neighborhood to obtain the easements; or
- Postpone the project and reconsider the project again at a future date as part of another bond program. Unexpended funds could be used for other drainage projects.

Staff's concern with the first option is the expense of condemnation on the 10 properties would be in excess of the budget just in legal fees.

Following discussion, motion by Mr. Stowe, seconded by Mr. Schull to postpone action on the project until April 6, 2006.

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.

VIII. OTHER MATTERS OF BUSINESS

IX. INFORMAL CITIZEN PRESENTATION

Mr. Jack Bostick and Mrs. Lydia O'Brien address City Council regarding the Plantation East Creek Project.

Mrs. Pat Dunkin stated she is unaware of the outcome from a worksession regarding liability insurance for 4-PAWS and Benbrook Sister Cities, Inc. She asked that City Council schedule that worksession if it had not already taken place.

X. ADJOURNMENT

Meeting adjourned at 8:15 p.m. followed by an Open Meetings Training worksession.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary