



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
TUESDAY, JULY 2, 2019**

The regular meeting of the Benbrook City Council was held on Tuesday July 2, 2019 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich, Mayor
Renee Franklin
Larry Marshall
Dustin Phillips
Jim Wilson
Laura Mackey
Ron Sauma

Also Present:

Andy Wayman, City Manager
Jim Hinderaker, Assistant City Manager
Beth Fischer, Deputy City Secretary
Rick Overgaard, Finance Director
Amanda Valdez, Management Analyst

Others Present:

Bill Smith
Tammi Cauthen

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALLEGIANCE

Invocation given by Councilmember Renee Franklin.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held June 20, 2019

Motion by Dr. Marshall seconded by Mr. Sauma to approve the minutes of the regular meeting held June 20, 2019.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Wilson, Ms. Mackey, Mr. Sauma

Noes: None

Motion carries unanimously.

IV. REPORTS FROM CITY MANAGER

A. GENERAL

G-2416 Adopt Ordinance amending Title 15 of the Benbrook Municipal Code by adopting a local amendment requiring the installation of diaper changing stations in certain restaurants

Jim Hinderaker gave the following report: Pursuant to a recent City Council work session, the proposed Ordinance requires the installation of a minimum of one safe, sanitary, and convenient diaper changing station, available to all sexes, in each publicly available and accessible restroom within all new restaurants with a total gross square-footage of 2,500 square feet or more. The Ordinance also requires installation of the same in any restaurant undergoing a major renovation involving the reconfiguration of a publicly available and accessible restroom. The Ordinance would apply to new restaurants that have not submitted building plans or are currently in the development process.

Examples of Benbrook restaurants that exceed 2,500 square feet include:

Hoffbrau
Braum's
Raising Cane's
Wendy's

Examples of Benbrook restaurants that do not exceed 2,500 square feet include:

Arby's
Smoothie King

The Ordinance further provides that the diaper changing station shall be manufactured for commercial use and be compliant with Standard Consumer Safety Performance Specifications for Diaper Changing Tables, including anti-bacterial, anti-fungal and other nationally recognized standards approved by the Building Official.

Motion by Mr. Phillips, seconded by Ms. Mackey to adopt Ordinance No. 1446 amending Title 15 of the Benbrook Municipal Code by adopting a local amendment requiring the installation of diaper changing stations in certain restaurants.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Wilson, Ms. Mackey, Mr. Sauma

Noes: None

Motion carries unanimously.

Ordinance No. 1446 being, **“AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, AMENDING TITLE 15 OF THE CITY OF BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY AMENDING CHAPTER 15.04 - BUILDING CODE, ADOPTING A LOCAL AMENDMENT REQUIRING THE INSTALLATION OF DIAPER CHANGING STATIONS IN CERTAIN RESTAURANTS; SAID CHANGES TO BE ADOPTED AND INCORPORATED INTO THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY REFERENCE ONLY; PROVIDING THAT AN OFFICIAL COPY OF SAID AMENDMENT SHALL BE MAINTAINED AS A PUBLIC RECORD IN THE OFFICE OF THE BENBROOK BUILDING OFFICIAL; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN PAMPHLET FORM; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE. “**

SECTION 5 PENALTY CLAUSE

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 not more than Two Thousand Dollars (\$2,000) for all violations involving zoning, fire safety or public health and sanitation, including dumping of refuse, and shall be fined not more than Five Hundred Dollars (\$500.00) for all other violations of this Ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 10
EFFECTIVE DATE**

This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

G-2417 Authorize City Secretary to accept applications to fill Alternate position vacancies on the Zoning Board of Adjustment/Appeals Commission

Jim Hinderaker gave the following report: The Zoning Board of Adjustment/Appeals Commission consist of five (5) regular members and four (4) alternates. The alternate positions serve during the absence of a regular member in order to maintain a quorum.

Currently there are two alternate positions vacant. The term for Alternate C expires December 30, 2019 and Alternate D will expire December 30, 2020.

Staff recommends City Council direct the City Secretary to accept applications to fill the vacant positions with a July 23, 2019 deadline. City Council to conduct interviews on August 1, 2019 and make appointments on August 15, 2019:

Motion by Mr. Wilson, seconded by Ms. Franklin to authorize the City Secretary to:

1. Accept applications to fill the vacant alternate positions on the Zoning Board of Adjustments/Appeals Commission with an application deadline of July 23, 2019;
2. Schedule interviews with those applicants at 6:00 p.m. on August 1, 2019; and,
3. City Council make those appointments at the August 15, 2019 meeting.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Phillips, Mayor Dittrich, Mr. Wilson, Ms. Mackey, Mr. Sauma

Noes: None

Motion carries unanimously.

V. INFORMAL CITIZEN COMMENTS

VI. COUNCIL MEMBER AND STAFF COMMENTS

Councilmember Ron Sauma recognized Benbrook Citizen on Patrol Director Don Pilliod for being awarded the “Coordinator of the Year” for the State of Texas by the Texas Citizens on Patrol Association.

VII. ADJOURNMENT

Meeting adjourned at 7:42 p.m. followed by worksession to discuss FY 2019-2020 Budget.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary