



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, FEBRUARY 20, 2020**

The regular meeting of the Benbrook City Council was held on February 20, 2020 at 7:30 p.m. in the Council Chambers with the following Council members present:

Jerry Dittrich, Mayor  
Renee Franklin  
Larry Marshall  
Dustin Phillips  
Jim Wilson  
Laura Mackey  
Jason Ward

Also Present:

Andy Wayman, City Manager  
Joanna King, City Secretary  
Jim Hinderaker, Assistant City Manager  
Rick Overgaard, Finance Director  
Beth Fischer, Deputy City Secretary

Citizens Present:

Bennett Howell, Public Services Director  
Leslie Marshall, Accounting Supervisor  
Bill Smith  
Keith Bailey  
Kent Williams  
Thomas Casey  
Dylan Mandel, Scout Troop 17  
Corey Mandel

**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 Elder Yancey with Encounter Church  
The Pledge of Allegiance was recited.

**III. CITIZEN COMMENTS ON ANY AGENDA ITEM**

**IV. MINUTES**

**1. Minutes of the regular meeting held February 6, 2020**

Motion by Dr. Marshall, seconded by Ms. Mackey to approve the minutes of the regular meeting held February 6, 2020.

Vote on the Motion:

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

Noes: None

Motion carried unanimously.

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

**CC-2020-04 Make appointment to Place 7 on Planning and Zoning Commission and Place 4 on Benbrook Economic Development Corporation Board of Directors**

Motion by Ms. Franklin, seconded by Dr. Marshall to make the following appointments:

Hunter Brauer to Place 7, Planning and Zoning Commission to serve a term expiring December 30, 2021.

Thomas Casey to Place 4, Benbrook Economic Development Corporation Board of Directors to serve a term expiring December 30, 2020.

Vote on the Motion:

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

Noes: None

Motion carried unanimously.

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

### **PZ-2020-01 Adopt Ordinance updating the Benbrook Comprehensive Plan**

Jim Hinderaker gave the following report: The Benbrook Comprehensive Plan update began in January 2019. The City Council appointed a seven-member Steering Committee, supported by Staff, to lead the update process. The committee met once a month to review and provide comment on the various plan elements. During the early months of the plan update, Staff met with key stakeholders and property owners to gain a better understanding of their desired land use goals. This information, along with existing and future land use and demographic data, was presented to the committee. The committee completed their work in August 2019.

In October 2019, during separate work sessions, Staff presented the Steering Committee's recommendations to the Benbrook Parks and Recreation Board and the Planning and Zoning Commission for their review and input. Both Boards were supportive of the Committee's recommendations. The plan was then presented to the public during a public open house held on November 12, 2019. Residents had an opportunity to review the key plan elements and provide comment.

Following the public open house, the plan was made available on-line and in-person for additional public review and comment through December 12, 2019. The comments were presented to the Planning and Zoning Commission during a final work session held on December 12, 2019. In accordance with State Law and the Benbrook City Charter, the Planning and Zoning Commission held a public hearing on January 9, 2020 and unanimously recommended approval of the updated Comprehensive Plan.

The primary objectives of the plan update were to remove out-of-date material, update the land use and transportation sections for vacant properties located within the City and its extraterritorial jurisdiction (ETJ) and to establish a more user friendly and readable plan. The plan further establishes a new overall vision for the City – "Making Benbrook Your Hometown", while maintaining the City's core tenets and principles. One of the more significant recommendations of the plan is the proposed establishment a new downtown area, anchored by a new municipal complex, along Winscott Road south of I-20.

The Benbrook Comprehensive Plan is a guidance document and does not contain any regulatory language.

The Planning and Zoning Commission recommends acceptance of the ordinance adopting the Comprehensive Plan.

Mayor Dittrich opened the public hearing at 7:44 p.m. No one spoke to the item. Mayor Dittrich closed the public hearing at 7:45 p.m.

Motion by Mr. Wilson, seconded by Ms. Franklin to adopt Ordinance No. 1455 with the additional language to the Transportation Element located on pages 28 and 30 to read "The City will work toward complete streets for new and reconfigured roadways."

Vote on the Motion:

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

Noes: None

Nomination carried unanimously.

Ordinance No. 1455 being **"AN ORDINANCE OF THE CITY OF BENBROOK, TEXAS, AMENDING AND UPDATING THE COMPREHENSIVE PLAN OF THE CITY; PROVIDING THAT THIS COMPREHENSIVE PLAN SHALL SUPERSEDE AND REPLACE ANY PREVIOUSLY ADOPTED COMPREHENSIVE PLAN; PROVIDING FOR A PURPOSE AND APPLICATION SECTION; 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 9  
EFFECTIVE DATE**

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

## **VII. REPORTS FROM CITY MANAGER**

### **A. GENERAL**

#### **G-2455 Accept Finance Report for period ending January 31, 2020**

Rick Overgaard gave the following report: General Fund revenues for the month of January were \$4,586,056. Major revenues collected for the month include property taxes of \$3,839,380, franchise taxes of \$82,897, fines and forfeitures of \$65,630, charges for services of \$50,754 and a transfer in of \$100,000 from the Road Damage Fund. Sales tax collected and recognized as revenue in January was \$318,986. Fiscal year-to-date sales tax is 15.75% greater than last year at this time. General Fund revenues collected through the end of January were \$12,935,784 or 61.4% of the budget.

General Fund expenditures for the month of January were \$2,550,967, which includes a budgeted transfer out of \$1,150,000 for various capital projects. Fiscal year-to-date expenditures were \$7,044,311 or 33.5% of the adopted budget.

Total General Fund revenues of \$12,935,784 were greater than General Fund expenditures of \$7,044,311 by \$5,891,473.

Debt Service Fund revenues for the month of January totaled \$1,224,732. \$134,844 was from property tax and \$1,089,888 was a transfer in from the Stormwater Fund and TIF Fund to cover their respective debt service. Fiscal year-to-date revenues total \$1,470,838. Debt service payments of \$1,497,770 were made the end of January. Total expenditures of \$1,497,770 exceeded total revenues of \$1,470,838 by \$26,932.

EDC revenues as of January 31, 2020, were \$602,850. EDC expenditures through the end of January were \$480,071, which includes the purchase of land. Total revenues exceeded total expenditures by \$122,779.

Total revenues received through January 31, 2020 were \$1,148,190 from Stormwater Utility fees, mineral lease revenue, interest earnings, and a transfer in of \$900,000 from the General Fund. Total expenditures for the Capital Projects Fund were \$1,560,078 through the end of January, which includes the transfer out of \$1,089,888 to the Debt Service Fund for Stormwater and TIF debt service payments. January expenditures included the following projects: Chapin Road Culvert, Van Deman Road Drainage, and Clearfork Emergency Access Bridge. Total expenditures exceeded total revenues by \$411,888. Sufficient funds are available in the current fund balances of the Capital Projects Fund. This fund operates on a project basis rather than a specific fiscal year.

On January 31, 2020, the City had \$22,110,172 invested at varying interest rates; the EDC had \$4,623,198 available.

Motion by Dr. Marshall seconded by Mr. Phillips to approve the finance report for the period ending January 31, 2020.

Vote on the Motion:

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

Noes: None

Nomination carried unanimously.

**G-2456      Accept a drainage easement located on Lots 6 & 7, Block 2, Whitestone Ranch Phase 4 Addition**

Jim Hinderaker gave the following report: In order to properly convey public storm water negatively impacting multiple properties in the Whitestone Ranch Phase 4 Addition, Staff seeks to secure a 10-foot wide drainage easement from Melvin and Sunny Stanley, the owners of Lot 6, Block 2, Whitestone Ranch Phase 4 Addition (10900 Claret Court) and Christy and Joseph Koennecke, the owners of Lot 7, Block 2 of said addition (10904 Claret Court).

The easement grants the City authority to enter the property to make improvements. Upon acceptance of the drainage easement, construction of a 4-foot wide concrete valley flume will begin. The City is typically completing small drainage projects (like this one) on an ongoing, routine basis.

Motion by Ms. Franklin, seconded by Mr. Ward to approve the drainage easement located on Lots 6 & 7, Block 2, Whitestone Ranch Phase 4 Addition.

Vote on the Motion:

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

Noes: None

Nomination carried unanimously.

**VIII. INFORMAL CITIZEN COMMENTS**

**IX. COUNCIL MEMBER AND STAFF COMMENTS**

**X. ADJOURNMENT**

Meeting adjourned at 8:00 p.m. followed by a Worksession:

1. Discuss Perimeter Walls

**APPROVED:**

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**Jerry B. Dittrich, Mayor**

**ATTEST:**

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**Joanna King, City Secretary**