



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, JANUARY 7, 2016**

The regular meeting of the Benbrook City Council was held on Thursday January 7, 2016 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich
Renee Franklin
Larry Marshall
Rickie Allison
Jim Wilson
Mark Washburn
Ron Sauma

Also Present:

Andy Wayman, City Manager
Dave Gattis, Deputy City Manager
Joanna King, City Secretary
Nicole Belford, Management Analyst
Bennett Howell, Public Service Director

Others Present:

Ed Gallagher, Planning Director
Johnna Matthews, Planner
Denise Huneycutt, Benbrook News
Matthew Bryan, Boy Scout Troop 95
Monte Martin III, Boy Scout Troop 95
Scott Bryan
Monte Martin II

I. CALL TO ORDER

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

II. INVOCATION/PLEDGE OF ALLEGIANCE

Invocation given by Pastor Jack Cook of Wyatt Drive Baptist Church.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the Regular Meeting held December 17, 2015

Motion by Mr. Wilson, seconded by Mr. Sauma to approve the minutes of the regular meeting held December 17, 2015.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

IV. REPORTS FROM CITY MANAGER

A. GENERAL

G-2223 Adopt Ordinance amending Chapter 1.12 – Business License of the Benbrook Municipal Code (1985) by adding application fees for filming in the City of Benbrook and reimbursement fees for inconveniences when using public property

Nichols Belford gave the following report: City Staff annually reviews the City's fee schedule and recommends updates as needed. At the last City Council meeting, City Council approved the City of Benbrook Filming Guidelines and associated fees. The proposed Ordinance codifies the fees in the Benbrook Municipal Code. The fees approved in December were as follows:

1. Application Fee for Filming in the City of Benbrook
2. Reimbursement Fees for Inconveniences including use of City parking lots, parking areas, and City streets

Staff did not identify any other fees that require updating this year.

Motion by Dr. Marshall, seconded by Mr. Allison to adopt Ordinance No. 1391 amending Chapter 1.12 – Business License of the Benbrook Municipal Code by adding application fees for filming in the City of Benbrook and reimbursement fees for inconveniences when using public property.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

Ordinance No. 1391 being **“AN ORDINANCE AMENDING CHAPTER 1.12 OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY REVISING THE FEE SCHEDULE FOR THE CITY OF BENBROOK, BY ADDING AN APPLICATION FEE FOR FILMING AND FEES FOR REIMBURSEMENT FOR INCONVENIENCES WHEN USING CITY-OWNED REAL ESTATE OR PUBLIC PROPERTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE**

OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.”

SECTION 4

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 (\$2,000.00) 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 8

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-2224 Adopt Ordinance amending Chapter 12.16 – Park and Recreation Use Regulations of the Benbrook Municipal Code (1985) by updating the prohibition of firearms in parks and requiring approval to use bows and arrows in parks

Bennett Howell gave the following report: House Bill 910 (H.B. 910), passed by the 84th Legislature and effective on January 1, 2016, modifies the current law related to concealed handgun licenses. The bill eliminates the concealed/open carry distinction and creates a “license to carry a handgun”. H.B. 910 allows a person with a current concealed handgun license, or a person who obtains the new “license to carry a handgun,” to carry a handgun in a concealed manner or openly in a belt or shoulder holster.

H.B. 910 preempts local regulation for many municipal facilities. Currently, the Benbrook Municipal Code prohibits firearms in Benbrook Parks. Based on H.B. 910, it is necessary to amend the Benbrook Municipal Code to allow individuals in Benbrook Parks who possess a license to carry a handgun. All other weapons will still be prohibited.

In addition, the ordinance provides an opportunity for archery activities with the approval of the Public Services Director. On occasion, the Benbrook Community Center/YMCA summer day camp engages in organized archery activities for their summer campers.

Motion by Mr. Allison, seconded by Dr. Marshall to adopt Ordinance No. 1392 amending Chapter 12.16 Park and Recreation Use Regulations of the Benbrook Municipal Code (1985) by updating the prohibition on firearms and requiring approval to use bows and arrows in parks.

Vote on the Motion:

Ayes: Ms. Franklin, Dr. Marshall, Mr. Allison, Mayor Dittrich, Mr. Wilson, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

Ordinance No. 1392 being **AN ORDINANCE OF THE CITY OF BENBROOK AMENDING CHAPTER 12.16 – PARK AND RECREATION AREA USE REGULATIONS OF THE BENBROOK MUNICIPAL CODE (1985) BY UPDATING THE PROHIBITION OF FIREARMS IN THE PARKS AND REQUIRING APPROVAL TO USE BOWS AND ARROWS IN THE PARKS; PROVIDING A PENALTY CLAUSE; 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 II
PENALTY CLAUSE**

Any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any provisions of this ordinance shall be fined not more than Two Hundred Dollars (\$200.00) for all violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION IX
EFFECTIVE DATE**

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

- V. INFORMAL CITIZEN COMMENTS**
- VI. COUNCIL MEMBER AND STAFF COMMENTS**
- VII. ADJOURNMENT**

Meeting adjourned at 7:40 p.m.

APPROVED: 
Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary