



**MINUTES  
OF THE  
MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, AUGUST 18, 2016**

The regular meeting of the Benbrook City Council was held on Thursday August 18, 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  
Jim Wilson  
Mark Washburn  
Ron Sauma

Also Present:

Andy Wayman, City Manager  
Dave Gattis, Deputy City Manager  
Joanna King, City Secretary  
Sherri Newhouse, Finance Director  
Dawn Green, Police Administrative Manager

Others Present:

Ed Gallagher, Planning Director  
Maddie Schwartz, Accounting Supervisor  
Johnna Matthews, Planning Assistant  
Bill Smith  
Denise Huneycutt, Benbrook News  
Matthew Lutes  
Pat Dunkin  
Caroline Lausch  
Darlene Kalil  
Teresa Stitchnot  
Loretta Belisle  
Donna Morrison  
Maryanne Martinez  
and 5 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 Renee Franklin.  
The Pledge of Allegiance was recited.

### III. MINUTES

#### 1. Approve Minutes of the Regular Meeting held August 4, 2016

Motion by Dr. Marshall, seconded by Mr. Wilson to approve the minutes of the regular meeting held August 4, 2016.

Vote on the Motion:

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

Abstain: Mr. Sauma

Noes: None

Motion carries 5-1-0

### IV. CITIZEN PRESENTATION

#### 1. Pat Dunkin – 4PAWS – Donation Recognition

Matthew Lutes, a 6<sup>th</sup> grade student at Trinity Valley presented a check in the amount of \$2,500.00 to 4PAWS. Mr. Lutes stated he, along with his family, established the Starfish Foundation, a private foundation and he was making the donation to 4PAWS for making a difference in the community.

Ms. Pat Dunkin accepted the check and expressed 4PAWS appreciation to Mr. Lutes for his generous donation.

### V. PRESENTATION BY PLANNING AND ZONING COMMISSION

**PZ-2016-03 Adopt Ordinance amending Chapter 17.08 Definitions; Chapter 17.20 Districts, District Boundaries and District Uses; Chapter 17.54 – “D” Multiple-Family District; Chapter 17.74 – “MU” Mixed Use District; Chapter 17.75 – “FBC” Form Based Code District; Chapter 17.84 – Supplementary District Regulations; Chapter 17.92 – Sign Regulations; Chapter 17.96 – Fence Regulations; and Chapter 17.98 – Landscape and Buffer Regulations of the Benbrook Municipal Code**

Dave Gattis gave the following report: The Planning and Zoning Commission and City staff regularly review the City's development regulations for necessary updates. The proposed amendments represent discussions over the past two years. Those proposed amendments include:

#### **Chapter 17.08 – Definitions**

Adds definitions for the following:

- Fence Repair
- Fence Replacement (Substantial Improvement)
- Unified Commercial Development
- Unified Commercial Sign

## **Chapter 17.20 Districts, District Boundaries and District uses**

- Delete listing of “FBC” Form-Based Code District from designated list of zoning districts.
- Delete “FBC” District column from Table 17.20.070, Summary of Uses; and revise uses in “MU” Mixed Use District column.

## **Chapter 17.54- “D” Multiple-Family District**

Section 17.54.032 A is amended to include additional design requirements, to have architectural design requirements for multi-family consistent with other residential zoning districts, including:

- 80% masonry
- 7:12 roof pitch

## **Chapter 17.74 – “MU” Mixed Use District**

- Create a new “MU” Mixed Use District by combining regulations and features from both the existing “MU” District and “FBC” District.

## **Chapter 17.74 – “MU” Mixed Use District**

Revisions to the uses allowed in the District include:

### **Chapter 17.74.20 Use Regulations**

Revision made to uses allowed in the District include:

- 17.74.020 Use Regulations
- 17.74.22 Permitted Uses
- 17.74.024 Conditional Uses
- 17.74.026 Special Exception Uses

### **Chapter 17.74.30 District Design Standards**

- A. Building Form and Development Standards
- B. Building Design Standards
  - Building Placement
  - Block Standards
  - Building Height
  - Parking Location
  - Façade Requirements and Façade Elements
- C. Streetscape Standards
- D. Civic Space and Open Space Standards
- E. Building and Screening Standards
- F. Neighborhood Transition Standards

## **Chapter 17.74.040 Development Site Plan**

- Must meet the intent of the “MU” District
- Requires approval by the Planning and Zoning Commission after a public hearing

## **Chapter 17.75 – “FBC” Form-Based Code District**

With the amendments to the “MU” District, the “FBC” District will be repealed.

## **Chapter 17.84 – Supplementary District Regulations**

The architectural requirements for the “D” Multiple-Family District are revised to be consistent with other residential zoning districts and to correct a typographical error.

## **Chapter 17.92 – Sign Regulations**

- Two tables in the chapter were not consistent regarding building signs for the “D’ District and have been revised.
- Unified Commercial Signs to provide for limited off-premise signs in a coordinated manner has been added.

## **Chapter 17.96 – Fence Regulations**

Provides clarification of fence permitting requirements and provides for enhanced construction standards and fence materials.

- Permit required for fence over 30-inches in height
- Metal posts in concrete
- Clarification of use of barbed-wire fences
- Inspections required.

## **Chapter 17.98 – Landscape and Buffer Requirements**

- Clarification of zoning districts
- Clarification on landscape thresholds
- Reduced buffer yard plantings
- Modified parking lot landscaping requirements
- Other miscellaneous revisions

The Planning and Zoning Commission considered the amendments at their July meeting and following a public hearing, unanimously recommended adoption.

Mayor Dittrich opened the public hearing at 7:49 p.m. No one spoke to the item.

Mayor Dittrich closed the public hearing at 7:50 p.m.

Motion by Mr. Washburn, seconded by Dr. Marshall to adopt Ordinance No. 1398 amending Chapter 17, Zoning Regulations of the Benbrook Municipal Code.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

Ordinance No. 1398 being **“AN ORDINANCE AMENDING TITLE 17 - ZONING OF THE BENBROOK MUNICIPAL CODE (1985), AS AMENDED, BY AMENDING CHAPTER 17.08 — DEFINITIONS; CHAPTER 17.20 DISTRICTS, DISTRICT BOUNDARIES AND DISTRICT USES; CHAPTER 17.54 – “D” MULTIPLE-FAMILY DISTRICT; CHAPTER 17.74 – “MU” MIXED USE DISTRICT; CHAPTER 17.75 – “FBC” FORM BASED CODE DISTRICT; CHAPTER 17.84 – SUPPLEMENTARY DISTRICT REGULATIONS; CHAPTER 17.92 – SIGN REGULATIONS; CHAPTER 17.96 – FENCE REGULATIONS; CHAPTER 17.98 – LANDSCAPE AND BUFFER REQUIREMENTS – ZONING OF THE BENBROOK MUNICIPAL CODE; 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 PUBLICATION IN PAMPHLET FORM; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.**

SECTION 11  
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 (\$2,000.00) 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 18  
EFFECTIVE DATE

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

## **VI. REPORTS FROM CITY MANAGER**

### **A. GENERAL**

#### **G-2258 Accept finance report for period ending July 31, 2016**

Sherri Newhouse gave the following report: General Fund revenues for the month of July were \$658,806. Property tax collections were \$107,141. Sales tax collected in June but received by the City and recognized as revenue in July was \$177,732 for the month. General Fund revenues collected through the end of July were \$15,662,669 or 94.00 percent of the budget.

General Fund expenditures for the month of July were \$1,232,509. Expenditures through the end of July were \$13,215,356 or 75.55 percent of the adopted budget.

For the 2015-16 fiscal year-to-date, total General Fund revenues of \$15,662,669 exceeded General Fund expenditures of \$13,215,356 by \$2,447,313.

Debt Service revenues collected for the month of July totaled \$4,235; all revenue was from property taxes. Debt Service expenditures for July were \$110,644 for interest payments on general obligation bonds and certificates of obligation due on August 1.

Total revenues for 2015-16 in the amount of \$408,360 were exceeded by total expenditures of \$1,495,107 by \$1,086,747.

This deficit will be reduced significantly when debt service payments for TIF certificates of obligation and for Storm Water Fund general obligation bonds are re-allocated to the appropriate fund before the end of the 2015-16 fiscal year.

EDC revenues as of July 31, 2016 were \$735,237. Sales tax revenue received by the EDC for the fiscal year was \$709,365. EDC expenditures for July were \$7,350. Revenues for the year in the amount of \$735,237 exceeded total expenditures of \$448,113 by \$287,124.

Total revenues received through July 31, 2016 for the Capital Projects Fund were \$1,995,081. Total expenditures for the Capital Projects Fund in July 2016 were \$52,746; all July expenses were engineering services for drainage projects. Expenses for the Plantation West Project totaled \$23,070. Expenses for the Vista Way Project were \$29,676. For the 2015-16 fiscal year, total revenues of \$1,995,081 exceeded total expenditures of \$830,028 by \$1,165,053.

On July 31, 2016, the City had \$23,716,135 invested at varying interest rates; the EDC had \$6,126,960 available.

Motion by Dr. Marshall, seconded by Mr. Sauma to accept the finance report for the period ending July 31, 2016.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**G-2259      Authorize Interlocal Agreement with Fort Worth Independent School District to provide three Police Officers to participate in Annual School Security Initiative**

Dawn Green gave the following report: The Benbrook Police Department provides three full-time School Resource Officers (SRO) for FWISD campuses located in Benbrook. The three officers serve as a liaison between the police department and Benbrook schools. All reports and incidents occurring on school property are handled primarily by the SRO's. During holidays and summer break, the officers perform regular patrol duties. The Fort Worth Independent School District subsidizes fifty percent (50%) of the salary, benefits, overtime, and training for all three officers.

Motion by Mr. Washburn, seconded by Mr. Wilson to approve the Interlocal Agreement between the City of Benbrook and the Fort Worth Independent School District for three (3) full-time School Resource Officers.

Vote on the Motion:

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

Noes: None

Motion carries unanimously

**VII. OTHER MATTERS OF BUSINESS**

**1. Conduct 1<sup>st</sup> Public Hearing on 2016 Property Tax Rate**

Sherri Newhouse provided the following information on the 2016 Property Tax Rate:

The Certified Appraisal Roll was received by Tarrant Appraisal District on July 25, 2016. Staff prepared the "Information on the 2016 Appraisal Roll" to obtain the appraised values; adjustments; exemptions and taxable value of property.

## **Required Calculations**

- Current Property Tax Rate is \$0.657500
- Proposed Property Tax Rate is \$0.650000
- Effective Tax Rate (ETR) is \$0.658006
- Roll Back Tax (RTR) is \$0.754396
- Estimated Net Taxable Value is \$1,736,357,102
- Increase from 2015 is approximately 7.48%
- Net increase from 2015 is approximately 2.73%
- New construction added \$41,267,855
- Each cent represents \$173,636

## **Impact of Over-65 Tax Ceiling**

- Benbrook Residential Accounts equal \$8,487
- Citizens with over-65 tax ceiling equals \$2,408
- Percent over-65 property accounts equals 29.37%

## **Impact of Over-65 Ceiling – Taxable Value**

- Benbrook residential accounts \$1,234,339,324
- Citizens with over-65 tax ceiling \$302,336,256
- Percent over-65 property values 24.49%

Average appraised value of home equals \$167,332  
Average taxable value of home equals \$151,936  
Average city property taxes equals \$987.52

## **Projected Re-Allocation of Property Tax Rate**

- Current General Fund Rate is \$0.6325 and Debt Service Rate is \$0.0250; total is \$0.6575
- Proposed General Fund Rate is \$.6225 and Debt Service Rate is \$0.0275; total \$0.6500
- Property Tax Rate decreases by \$0.75 from current rate of \$0.6575 to \$0.6500 for 2016.

Mayor Dittrich opened the public hearing on the 2016 property tax rate at 8:01 p.m. No one spoke to the item. Mayor Dittrich closed the public hearing at 8:01 p.m.

## 2. Conduct 1<sup>st</sup> Public Hearing on 2016-2017 Proposed Budget

Sherrri Newhouse presented the following information:

### Revenues

General Fund	\$17,502,365
Debt Service Fund	\$ 481,898
Operating Fund	\$17,984.263

### Expenditures

General Fund	\$17,487,650
Debt Service Fund	\$ 954,816
Operating Fund	\$18,442.466

### Transfers and Special Projects

General Fund to Capital Asset Replacement	\$200,000
General Fund to CPF Clear Fork Bridge Project	\$500,000
General Fund to Animal Shelter Fund	\$500,000
General Fund to CPF Vista Way Sidewalks	\$ 80,000
Storm Water Utility Fund to Debt Service Fund	\$458,203

### Variance Between Expenditures and Revenues

General Fund	\$ 14,715
Debt Service Fund	\$(14,715)
Operating Funds	\$ -0-

### Projected Ending Fund Balances

General Fund	\$9,103,128
Debt Service Fund	\$ 65,526
Operating Fund	\$9,168,654

### Current Ad Valorem Tax Rates (Per \$100 valuation)

General Fund	\$0.6325
Debt Service Fund	\$0.0250
Operating Fund	\$0.6575

### Proposed Ad Valorem Tax Rates (Per \$100 valuation)

General	\$0.6225
Debt Service Fund	\$0.0275
Operating Funds	\$0.6500

## Effective and Rollback Tax Rates (Per \$100 valuation)

Proposed Tax Rate	\$0.650000
Effective Tax Rate	\$0.658006
Rollback Tax Rate	\$0.754396

## Impact of Over-65 Tax Ceiling

Benbrook Residential Property Accounts	8,487
Over-65 Ceiling Property Accounts	2,408
Percentage Over-65 Ceiling Property Accounts	28.37

## Impact of Over-65 Tax Ceiling – Taxable Value

Benbrook Residential Property Accounts	\$1,234,339,324
Over-65 Ceiling Property Accounts	\$ 302,336,256
Percentage Over-65 Ceiling Property Accounts	24.49

## Changes in Assessed Valuations

Certified Appraisal Value Increase	7.48%
Total Taxable Value Increase	2.73%
New Construction	\$41,267,855
Property Tax Revenue generated by one cent	\$173,636

## Budget Highlights ( Base Budget)

- Continuation of current services, programs and staffing levels
- Three percent cost-of-living adjustment for full-time employees
- Up to 10% increase in employee insurance costs
- Decrease in TMRS Rate effective January 1, 2017
- Replacement of five police patrol vehicles
- Replacement of computers, peripherals and software as scheduled
- Addition of one school crossing guard

## Budget Highlights (Decision Packages)

- One full-time police officer position
- Reclassification of Communications Specialist
- Three full-time Firefighter/Paramedic positions
- Elimination of three part-time ACFSU positions
- Part-time clerical support for Fire Department
- Part-time clerical support for Municipal Court
- Year-Round part-time workers for Park Department
- Replacement signal light control box for Public Works
- New AED's for Patrol Vehicles
- Scheduling Software for Fire Department

- Fire Inspections Software for Fire Department
- Enhanced and upgraded systems for City computers
- Utility Vehicle for Park Department
- Roof resealing of Police Department facility
- Stand-alone air conditioning system for Server/Computer Room
- Replacement of department-issued hand guns for Police Officers through the Narcotics Account
- Purchase of Gas Masks for Police Patrol and SWAT through Grants
- Replacement of Backhoe and Skid Steer Loader through Capital Asset Replacement Fund (transfer of old equipment to Park Department)

#### **Debt Service Fund**

- Transfer from Stormwater Utility for Drainage Bonds \$458,203
- Payment to TIF Certificates of Obligation from TIF
- Use of Debt Service \$14,715 in Reserves for 2016-2017 payments
- Increase Debt Service Property Tax Rate to \$0.027 from \$0.0250 (offset by rate decrease in General Fund Property Tax Rate)

The Finance Director presented the certified appraisal roll from the Tarrant Appraisal District to City Council on August 4, 2016. City Council accepted the Certified Appraisal Roll; set the Anticipated Property Tax Collection Rate at 100%' and appointed the Finance Director to calculate and to publish the Effective Tax Rate (ETR) and the Rollback Tax Rate (RTR).

The next public hearing on the 2016 Property Tax Rate and the Proposed 2016-2017 Budget is scheduled for September 1, 2016.

Mayor Dittrich opened the public hearing on the 2016-2017 proposed budget at 8:15 p.m. No one spoke to the item. Mayor Dittrich closed the public hearing at 8:15 p.m.

#### **VIII. INFORMAL CITIZEN COMMENTS**

Pat Dunkin inquired about the temporary carports that are appearing throughout the City and questioned in the Carport Ordinance addressed the issue. Mr. Gattis stated the ordinance pertained to permanent carports but staff would look into the matter.

#### **IX. COUNCIL MEMBER AND STAFF COMMENTS**

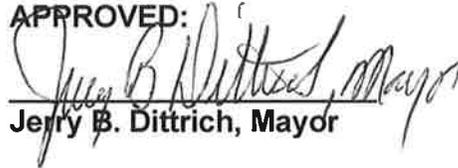
**IX. ADJOURNMENT**

Meeting adjourned at 8:17 p.m. followed by a worksession:

**Emergency Item**

An urgent public necessity to receive information from the Director of Tarrant County Health Department regarding possible aerial spraying for mosquitos due to concerns about the West Nile Virus currently affecting Tarrant County, Texas, including the City of Benbrook.

**APPROVED:**



Jerry B. Dittrich, Mayor

**ATTEST:**



Joanna King, City Secretary