



**MINUTES  
OF THE  
REGULAR MEETING OF THE  
BENBROOK CITY COUNCIL  
THURSDAY, OCTOBER 20, 2016**

The special meeting of the Benbrook City Council was held on Thursday October 20, 2016 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

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

Others Present:

Patty Bissey, Marketing Coordinator  
Johnna Matthews, Assistant Planner  
Denise Huneycutt, Benbrook News  
Todd Pylant  
Ansley Pylant  
Wendy Shabay

**I. CALL TO ORDER**

Meeting called to order at 7:30 p. m. by Councilmember Sauma.

**II. INVOCATION/PLEDGE OF ALLEGIANCE**

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

**III. MINUTES**

**1. Approve Minutes of the Special Meeting held October 3, 2016**

Motion by Mr. Washburn, seconded by Dr. Marshall to approve the minutes of the special meeting held October 3, 2016.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

#### **IV. PROCLAMATION/AWARDS/RECOGNITION**

##### **1. Receive 2016 Planning Excellence Certificate from Texas Chapter of American Planning Association – Wendy Shabay, National APA Board Member**

Wendy Shabay, member of the National Board of Directors of the American Planning Association and Immediate Past President of the Texas Chapter of the American Planning Association presented City Council with the 2016 Planning Excellence Certificate from the Texas Chapter of American Planning Association. Ms. Shabay stated the APA represents over 40,000 practicing planners, officials and citizens involved in planning issues with the goal of making great communities happen. The Texas Chapter includes approximately 2,000 members whose mission is to advocate the profession of planning providing expertise and processes that empower citizens to be engaged in the development and sustainability of Great Communities in Texas.

The 2016 Planning Excellence Certificate recognizes the Benbrook City Council's support for planning in the community. To qualify for this recognition, the City must support training of its planning commissioners and staff, support professional certification by staff, and keep the city's Comprehensive Plan and development regulations current. Only 35 cities in Texas are receiving this recognition in 2016.

Ms. Shabay expressed appreciation to the City Council for allowing Dave Gattis, Deputy City Manager to be part of the American Planning Association. She stated Mr. Gattis has served in all aspects of the APA and his expertise has been invaluable.

#### **V. REPORTS OF CITY MANAGER**

##### **A. GENERAL**

##### **G-1166 Approve Resolution authorizing use of eminent domain to acquire various easements on Lot 2, Block 1, Marshall T. Robinson Addition**

Dave Gattis gave the following report: Over the past year, numerous attempts have been made by Staff to negotiate the acquisition of public access easements, public utility easements, and temporary construction easements from the property owner, DPM Benbrook Self Storage LLC (CubeSmart), on Lot 2, Block 1 of Marshall T. Robinson Addition, City of Benbrook, Tarrant County, Texas, more commonly known as 8510 Benbrook Boulevard, Benbrook Texas 76126. The easements are necessary to facilitate access and to accommodate utility improvements related to the Benbrook Boulevard (US 377) project.

The easements include an access easement to provide access from the common driveway to the 7-Eleven property, access from the proposed access drive from the proposed Benbrook Field Drive to the existing access easement on the property, various utility easements to provide for the relocation of electrical service, and various temporary construction easements. The easements are necessary for the public's use and purpose of constructing roadway and electrical utility improvements to serve existing and new development in the City. The improvements associated with these easements provide safety for access associated with the street improvements of Benbrook Boulevard, provide access to and from a signalized intersection associated with the Benbrook Field Drive construction, and are associated with the utility beautification improvements of Benbrook Boulevard.

Staff will continue to negotiate for the voluntary acquisition of these easements, but needs to begin eminent domain proceedings so that the project is not delayed if voluntary acquisition cannot be achieved. Staff had previously reached a tentative verbal agreement on the necessary easements but the property changed ownership, negating these efforts. No progress has been made with the new owner of the property (a.k.a. CubeSmart).

Motion by Dr. Marshall, seconded by Ms. Franklin to authorize the use of the power of eminent domain to acquire an approximate 0.104 acre public access easement, an approximate 0.024 acre public access easement, an approximate 99.77 square foot public utility easement, an approximate 1,359.63 square foot public utility easement, an approximate 0.060 acre temporary construction easement, an approximate 0.010 acre temporary construction easement, and an approximate 0.009 acre temporary construction easement out of Lot 2, Block 1 of Marshall T. Robinson Addition, City of Benbrook, Tarrant County, Texas, owned by DPM Benbrook Self Storage, LLC, such easements being acquired for the public use of the construction of roadway and electric utility improvements for the Benbrook Boulevard Expansion Project and to adopt Resolution Number 2016-11 as presented.

Vote on the Motion:

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

Noes: None

Motion carries unanimously.

**Resolution No. 2016-11 being "A RESOLUTION OF THE CITY OF BENBROOK, TEXAS AUTHORIZING THE CITY ATTORNEY TO BRING A CONDEMNATION ACTION FOR THE PURPOSE OF OBTAINING PUBLIC ACCESS EASEMENTS, PUBLIC UTILITY EASEMENTS, AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE CONSTRUCTION OF ROADWAY AND ELECTRICAL UTILITY IMPROVEMENTS AND FOR OTHER PUBLIC PURPOSES PERMITTED BY LAW."**

**VI. INFORMAL CITIZEN COMMENTS**

**VII. COUNCIL MEMBER AND STAFF COMMENTS**

Councilmember Jim Wilson reminded citizens on the upcoming election dates.

Councilmember Renee Franklin reminded citizens of the following upcoming events:

Benbrook Senior Citizens Annual Craft Fair – October 21-22, 2016

Benbrook Historical Society's Hoodlums & Halos Living History Walking Tour – October 22, 2016

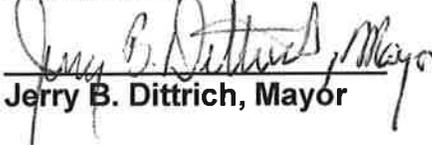
Benbrook Elementary Fair – October 22, 2016

Ron Sauma congratulated City staff for the success of Heritage Fest held on October 15, 2016.

**IX. ADJOURNMENT**

Meeting adjourned at 7:52 p.m.

**APPROVED:**

  
Jerry B. Dittrich, Mayor

**ATTEST:**

  
Joanna King, City Secretary