



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, SEPTEMBER 7, 2006**

The regular meeting of the Benbrook City Council was held on Thursday, September 7, 2006 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich
Rickie Allison
Keith Bailey
John Vander Pan
Ron Sauma
James Schull
Larry Stowe

Also Present:

Cary Conklin, City Manager
Joanna King, City Secretary
Andy Wayman, Assistant City Manager
David Ragsdale, Comptroller
Sherri Newhouse, Budget Director

Others Present:

Dorcas Neuman, Benbrook News
Ed Gallagher
Dawn Konieczny
Valerie Stowe
Ron Rainey
David Hoover
Danny and Marilyn Perkins
Charlie and Pamela Brandenburg
Tommie Linton
Colin Gibson
Kevin McCauley
Bill Smith
Daniel Tully
Ed Wilsberg
Karen Ellis
Joan Chew
Jack Bostick
and 2 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 Pastor Todd Pylant with First Baptist Church
The Pledge of Allegiance was recited.

III. CONSENT AGENDA

- 1. Minutes of the regular meeting held August 17, 2006**
- 2. Interlocal Agreement with Benbrook Water Authority for Street Repair Services**
- 3. Interlocal Agreement with Benbrook Water Authority for Refuse Billing and Payment Collection**
- 4. Interlocal Agreement with City of Fort Worth for Household Hazardous Waste Program**

Motion by Mr. Vander Pan, seconded by Mr. Schull to approve the Consent Agenda, 2006 as presented.

Vote on the Motion:

Ayes: Mr. Schull, Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma

Noes: None

Motion carries unanimously.

IV. CITIZEN PRESENTATION

- 1. David Hoover, TXAPA President – Certificate of Achievement for Planning Excellence**

David Hoover, Director of Planning for the City of Allen and President of the Texas Chapter of the American Planning Association addressed City Council. Mr. Hoover advised that the American Planning Association represent over 39,000 practicing planners, officials and citizens involved in planning issues with the goal of making great communities happen. The Texas Chapter includes approximately 2,500 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.

On behalf of the Board of Directors of the Texas Chapter, Mr. Hoover presented Mayor Dittrich with the 2006 Certificate of Achievement of Planning Excellence in recognition of the City's support for planning in the community. To qualify for this recognition, the City must support training for its planning commissioners and staff, support professional certification by the staff, and keep the City's Comprehensive Plan and development regulations. Only 23 cities in Texas are receiving this

recognition this year and this is the seventh consecutive year Benbrook has been recognized.

2. Danny Perkins, Benbrook Sister Cities President – Introduction of Officers from Ballymoney, Northern Ireland

Danny Perking, President of Benbrook Sister Cities, Inc. introduced two members of the Ballymoney, Northern Ireland police force to City Council. Officer Tommie Linton and Officer Colin Gibson are on a two-week visit with the Benbrook Police Department to observe Benbrook police procedures and learn how those procedures can assist their department.

3. Kevin McCauley – Request Speed Limit Change in Residential Neighborhoods

Mr. Kevin McCauley, President of La Bandera Phase I & II Homeowners Association addressed City Council with a proposal to enhance the safety of children and pedestrians as well as a decrease in noise pollution. Mr. McCauley requested a change in the posted speed limits in residential neighborhoods from 30 mph to 25 mph. Mr. McCauley gave examples of vehicle travel distance and stopping distance between the two speeds.

Mr. McCauley volunteered the streets within the La Bandera Homeowners Associations as a pilot program to test the reduction in the speed limit. He advised that if it were deemed necessary by the City Council, he would present a petition to the 109 homes in the La Bandera area to affirm their desire to reduce the speed limit.

Following discussion, consensus of City Council to meet in a worksession with staff to explore the speed limit reduction on neighborhood streets.

V. BENBROOK ECONOMIC DEVELOPMENT CORPORATION

EDC-2006-03 Ratify Benbrook Economic Development Corporation Budget for FY 2006-2007

Mayor Dittrich advised that Item EDC-2006-03 has been removed from the agenda.

VI. PRESENTATION BY PLANNING AND ZONING COMMISSION

VII. REPORTS OF CITY MANAGER

A. GENERAL

G-1652 Appointment to Boards and Commissions

Ms. King gave the following report: The even numbered positions on the City's various Boards and Commissions will expire October 31, 2006. The City advertised a formal notice to accept applications for Boards and Commission

appointments in the Benbrook News and the Fort Worth Star-Telegram. The announcement was also placed on the City Channel of Charter Communications, the City Home Page, and the quarterly Newsletter.

Staff is requesting that City Council determine the process for applicant evaluations for the Boards and Commissions; schedule that process, or make the appointments for a term to expire October 31, 2006.

Motion by Mr. Vander Pan, seconded by Mr. Stowe to schedule interview sessions with the candidates for Boards and Commissions on September 25, 2006.

Vote on the Motion: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull

Noes: None

Motion carries unanimously.

G-1653 Adopt Ordinance Amending Section 8.08.010 of the Benbrook Municipal Code by Reducing the Maximum Height of Grass and Weeds to 10 Inches.

Ms. Konieczny gave the following report: Section 8.08.010 of the Benbrook Municipal Code limits grass and weeds to twelve inches in height for occupied and unoccupied properties. Properties with high grass and weeds are considered a public nuisance and are (1) unsightly, (2) harbor insects and rodents, (3) create a fire hazard and (4) reduce the value of adjoining property.

Currently, yard growth must reach twelve inches before City staff can initiate abatement. The abatement process includes a written warning and provides ten days for compliance. For the majority of citizens, a yard that is 10 inches in general growth is offensive. Having to wait until the growth reaches 12 inches to take abatement action, which can equate to an additional week or more, is annoying to the general citizenry. The most frequent complaint received by the Code Compliance Department is that the Municipal Code allows excessive yard growth before action can be taken.

Staff is proposing to reduce the maximum legal height from twelve to ten inches, allowing staff to act more timely and ultimately be more responsive.

Following discussion, motion by Mr. Schull, seconded by Mr. Bailey to amend Section 8.08.010 of the Benbrook Municipal Code by reducing the maximum height of grass and weeds to ten inches.

Vote on the Motion:

Ayes: Mr. Allison, Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull, Mr. Bailey

Motion carries unanimously.

Ordinance No. 1215 being **“AN ORDINANCE OF THE CITY OF BENBROOK AMENDING CHAPTER 8.08.010 PF THE BENBROOK MUNICIPAL CODE, WEEDS, RUBBISH, STAGNANT WATER, ETC.; AND 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 AD 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 provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2000.00) for all violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

SECTION 7

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

B. CONTRACT

C-220 Award Contract for Employee Health Insurance

Ms. Newhouse gave the following report: Since October 1, 1996, Aetna has provided group health insurance for City employees and their eligible dependents. The City pays all premium expenses for full-time employees.

From 1996 to 2005, the City offered employees an HMO plan through Aetna. In October 2005, the City offered employees the choice between two plans; a PPO plan was offered as the City’s primary health plan and an HMO was offered as an optional plan. Employees, who chose to remain in the HMO, agreed to pay the variance in premium costs between the HMO and the PPO premium.

CURRENT PLANS

• Aetna HMO (1996 to 2006)

– Benefits

\$40 Office Visit -PCP

\$50 Office Visit -Specialist, OB/GYN, & Eye Doctor

\$75 Urgent Care Center

Prescriptions (30 day supply) \$20, \$40, & \$70

Mail Order Prescription 90 day supply at 60 day supply cost

\$200 Emergency Room Co-Payment

\$1,500 Co-Payment for Hospital

\$500 Co-Payment for Out Patient Surgery and Procedures

CURRENT PLANS

- **Aetna PPO (2005 to 2006)**

- Benefits

- \$25 Office Visit -PCP

- \$40 Office Visit -Specialist, OB/GYN, & Eye Doctor

- \$75 Urgent Care Center

- Prescriptions (30 day supply) \$15, \$25, & \$40

- Mail Order Prescription 90 day supply at 60 day supply cost

- \$150 Emergency Room Co-Payment + 30% Co-Insurance

- \$250 Co-Payment for Hospital, Deductible, & Co-Insurance

- Out Patient Surgery and Procedures – Deductible + Co-Insurance

- Monthly Premiums -PPO

- Employee \$339.78 (paid 100% by City)

- Family \$633.97 (\$155.80 paid by City)

- Spouse \$454.37 (\$166.66 paid by City)

- Children \$283.28 (\$74.15 paid by City)

- Monthly Premiums -HMO

- Employee \$404.24 (\$339.78 paid by City)

- Family \$754.26 (\$155.80 paid by City)

- Spouse \$541.02 (\$166.66 paid by City)

- Children \$337.03 (\$74.15 paid by City)

Aetna's Renewal

- Original Increase 42.90%

- 90% ratio of Claims to Premiums

- One Claim in excess of \$150,000

- Two Claims in excess of \$50,000

- Revised Renewal – 35.00%

- Alternatives: PPO – 36.30% PPO – 32.60% HSA – 31.80% HSA – 18.28%

Ten requests for proposals were requested (Eight refusals)

TML and United Healthcare Competitive Proposals

TML Proposal

Reduced Benefits for Pre-Existing Conditions

Lifetime Maximum of \$1,000,000

High-Option PPO to Replace HMO

- Employee Rate 32.08% Increase

- Retiree Rate 165.00% Increase

Low-Option PPO to Replace PPO

- Employee Rate Reduction

- Increase in Family Dependent Rate

- Retiree Rate Increase

United Healthcare Proposal

High-Option PPO to Replace HMO

- 9.78% Rate Increase for Employees and Retirees

Low-Option PPO to Replace PPO

- 7.40% Rate Increase for Employees and Retirees

High-Option PPO to Replace HMO

- Comparable Network, Benefits, Co-Payments, Deductibles, Maximums, and Co-Insurance Rates

Low-Option PPO to Replace PPO

- Comparable Network, Benefits, Co-Payments, Deductibles, Maximums, and Co-Insurance Rates

PPO NLN14 (Modified)

- Benefits

\$25 Office Visit -PCP

\$40 Office Visit -Specialist, OB/GYN, & Eye Doctor

\$50 Urgent Care Center

Prescriptions (30 day supply) \$10, \$30, & \$50

\$250 Emergency Room Co-Payment

Hospitalization – Deductible + Co-Insurance

Out Patient Surgery and Procedures – Deductible + Co-Insurance

PPO NLN14 (Modified) –Benefits

Individual Deductible \$1,000

Family Deductible \$2,000

Co-Insurance Rate – 30.00%

Maximum Out-of-Pocket \$4,000 Individual

Maximum Out-of Pocket \$8,000 Family

Lifetime Maximum -Unlimited

Pre-Existing Conditions -Covered

United Healthcare Proposed Rates

Employee	\$364.93
Family	\$680.90
Spouse	\$488.39
Children	\$304.25

United Healthcare Monthly Rate Increase

Employee	\$25.15
Family	\$46.93
Spouse	\$33.66
Children	\$20.97

Health Insurance Committee Recommendation

- Considerations
 - Address Employee Complaints and Concerns
 - Offer Two Plans: High-Option and Low-Option PPO
 - Continue Current Benefits
 - Retain Subsidy
 - Continue Co-Payment Reimbursement
 - Non-Disruption of Current Treatment and Services
 - Financial Impact on Employees
 - Remain within 2006-07 Budget Allocation
 - United Healthcare for 2006-07
 - Designate Low-Option PPO as Primary Plan
 - City will pay ALL of Employee Premium
 - Offer High-Option PPO as Alternate Plan
 - Employees will Pay Difference in Premium Costs
 - Employee Only \$78.83 per Month
 - Dependent Coverage at an Additional Rate of: \$147.06 for Family
 - \$105.47 for Spouse; \$65.70 for Children
 - Continue Co-Payment Reimbursement Plan Levels
 - Out Patient Surgery and Procedures Co-Payment -up to \$750 per procedure.
 - Hospitalization Co-Payment -up to \$1,500 per hospitalization
 - Estimated Cost at \$26,450 for 2006-07
- Increase Dependent Subsidy for Low-Option PPO
- Family Coverage by \$563 per year or \$46.93 per month
 - Spouse Coverage by \$404 per year or \$33.66 per month
 - Children Coverage by \$252 per year or \$20.97 per month
 - Estimated Cost of Subsidy Adjustment at \$16,764 for 2006-07
- Continue Health Fund for Employees without Dependent Coverage
 - Reimburse up to \$300 for and restrict \$100 for Eyeglasses and/or Contact Lenses

Funding

- 2006-07 Budget Allocation is \$625,881
 - Low-Option PPO Premium Cost for 104 Employees is \$455,433
 - Subsidy for Dependent Coverage is \$79,934
 - Reimbursement Program is \$26,450

Total Cost is \$561,817 or \$64,064 Below Budget

Staff recommends City Council approve a one-year contract with United Healthcare, effective October 1, 2006 offering PPONLN14 (as modified by the City) as the primary plan and offering PPO NLH8 as an alternate plan

Require employees who enroll in PPO NLH8 to pay the difference in premiums between the premium cost of PPO NLN14 (as modified by the City) and the premium cost of PPO NLH8 for employee and dependents

Continue co-payment reimbursement up to \$1,500 for hospitalization reimburse up to \$750 for out-patient procedures and surgery

Consider increase of dependent subsidy to offset the premium increase for employees with dependent coverage, based on the premium rates for low-option PPO NLN14 (as modified by the City)

Contribute \$200 to 2007 cafeteria plan accounts for employees without dependent coverage and allow full-time employees to receive up to \$100 for eyeglasses and/or contact lenses

Motion by Mr. Schull, seconded by Mr. Stowe to award the contract for employee health insurance as recommended by staff.

Vote on the Motion:

Ayes: Mayor Dittrich, Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull, Mr. Bailey, Mr. Allison

Noes: None

Motion carries unanimously.

VIII. OTHER MATTERS OF BUSINESS

1. Public Hearing on 2006 Property Tax Rate

Mr. Ragsdale gave the following report: Cities must hold two (2) public hearings to receive citizen input on the tax rate. The first public hearing was held August 17. The dates for the hearings are August 17 and September 7, 2006. City Council will adopt the tax rate on September 21 when the fiscal budget for 2006-2007 is adopted.

Mayor Dittrich declared the public hearing open at 8:36 p.m. No one spoke on the item. Mayor Dittrich closed the public hearing at 8:37 p.m.

2. Public Hearing on Proposed Budget for Fiscal Year 2006-2007

Ms. Newhouse gave the following report:

2006-2007 Revenues

–General Fund\$12,015,550
–Debt Service Fund\$ 1,239,474
–Operating Funds\$13,255,024

2006-2007 Expenditures

–General Fund\$12,015,550
–Debt Service Fund\$ 1,239,474
–Operating Funds\$13,255,024

Variance between expenditures and revenues

–General Fund	\$0
–Debt Service Fund	\$0
–Operating Funds	\$0

•Projected Ending Fund Balances

–General Fund	\$5,048,477
–Debt Service Fund	\$ 101,173
–Operating Funds	\$5,149,650

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

–General Fund	\$0.615346
–Debt Service Fund	\$0.107154
–Operating Funds	\$0.722500

Base Budget Requests

- Continuation of Current Services
- Step Increases for Eligible Employees
- Up to 15% Increase in Employee Insurance
- Replacement of Four (4) Police Vehicles
- Debt Service Principal and Interest (as of 10/01/06)
- Continuation of Current Fee Structures
- Funding of TIF in Non-Departmental

Decision Packages - Funded in City Manager’s Proposal

- Outsource Document Imaging for Large Plat Files –\$7,000
- Document Imaging Software for User Departments -\$22,500
- Replacement of Staff Car with Hybrid Sedan -\$22,000
- Four Computer Systems for Communications/Records -\$4,400
- Six Patrol Vehicle Light Bars -\$11,400
- Six Hand-Held Radios for Patrol -\$ 3,900
- Computer System for Jail Booking Area -\$1,100
- Four Closed Circuit Cameras for Patrol -\$5,500
- Eight Tactical Entry Vests for Patrol -\$8,800
- LIDAR Accident Investigation Tool for Patrol -\$2,895
- Three Full-Time Fire Fighters -\$189,556
- One Chassis for Fire Brush Truck -\$36,250
- Replacement of Fire Station Generator -\$15,000
- Maintenance of Outdoor Warning Sirens -\$4,300
- Concrete Saw for Public Works -\$18,500
- Light Pole Replacement for Parks -\$19,000
- Utility Vehicle for Parks -\$8,400
- Citizen Opinion Telephone Survey -\$10,000

Decision Packages –Approved by City Manager

- Preliminary Engineering for Benbrook Boulevard -\$252,000
- Stormwater Utility Feasibility/Implementation -\$121,000
- Re-Classification of Development Coordinator -\$4,633

Decision Packages –Not Approved by City Manager

- Fourth Full-Time Fire Fighter -\$63,186
- Replacement of Second Chassis for Fire Brush Truck -\$36,250
- ISO Consultant for Fire Department -\$17,400
- EMS Billing Software and Computers -\$30,575
- Additional Field Service Position for Parks -\$44,696

City Council Review

- Reduction of Property Tax Rate from the current rate of \$0.7425 to \$0.7225 (each one cent equals approximately \$115,203)
- 3.00% Cost of Living Salary Adjustment for Full-Time Employees (approximately \$72,669 per each 1.00% increase) -\$218,009
- Severance Pay for Retiring City Manager -\$48,076 (includes fringe benefits)
- Establish Wireless Hardware Fund -\$75,000
- Funds for EMS Software and Computers for Fire Department -\$30,575
- Establishment of Engineering Department -\$82,761
- Reduction of Funds for Preliminary Engineering for Benbrook Boulevard Project (only \$100,000 of \$252,000 included); reflects reduction of revenue by \$252,000

Mayor Dittrich declared the public hearing open at 8:46 p.m.

Mr. Bill Smith asked if funding had been provided to the police department for Thermo-Imaging equipment. Mr. Conklin stated that equipment was available in the Fire Department and would be used by the Police Department if required.

With no other speakers, Mayor Dittrich closed the public hearing at 8:48 p.m.

IX. INFORMAL CITIZEN PRESENTATION

X. EXECUTIVE SESSION – Pursuant to Texas Government Code

- 1. Section 551.072 – Deliberation Regarding Real Property – Consider Counter Offer for Drainage Easement at 4020 Tara Drive**

Mayor Dittrich recessed the regular meeting at 8:49 p.m.

XI. RECONVENE FROM EXECUTIVE SESSION

Mayor Dittrich reconvened the regular meeting at 9:03 p.m.

Motion by Mr. Stowe, seconded by Mr. Allison to accept the counter offer for drainage easement at 4020 Tara in the amount of \$20,000.

Vote on the Motion:

Ayes: Mr. Vander Pan, Mr. Stowe, Mr. Sauma, Mr. Schull, Mr. Bailey, Mr. Allison, Mayor Dittrich

Noes: None

Motion carries unanimously.

XII. ADJOURNMENT

Meeting adjourned at 9:04 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary