



**MINUTES
OF THE
MEETING OF THE
BENBROOK CITY COUNCIL
THURSDAY, OCTOBER 2, 2008**

The regular meeting of the Benbrook City Council was held on Thursday, October 2, 2008 at 7:30 p. m. in the Council Chambers at 911 Winscott Road with the following Council members present:

Jerry Dittrich
Dan Tully
Ron Sauma
Keith Bailey
Mark Washburn
Rickie Allison

Also Present:

Andy Wayman, City Manager
Joanna King, City Secretary
Dave Gattis, Deputy City Manager
Sherri Newhouse, Budget Director
Walter Shumac, Community Service Director
Kathleen Wells, City Attorney

Others Present:

Lynn Dalton, Benbrook News
Members of the Benbrook Police Department
Chief James Mills, Assistant Chief David Babcock, Dawn Konieczny, Wendy Ramirez, Radonna Goetz, Patrick Marx, Mike Shaw, Clint West, Chad Peabody, Mike Ford, Craig Ross, Don Smith, Wesley Cooper, Michael Mullinex, Jason Montgomery, Arvin Campbell, David Falter
Ed Gallagher, City Planner
Tommy Davis, Fire Chief
Bill Smith
Robert Clark
Jim Wilson
Vernon Gatlin
Jess Jordan
Charlie Anderson
Karen Ellis
Ron Rainey
Pat Taber
Tammi Cauthen
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 Mr. Bill Smith.
The Pledge of Allegiance was recited.

III. MINUTES

1. Minutes of the regular meeting held September 18, 2008

Motion by Mr. Tully, seconded by Mr. Allison to accept the minutes of the regular meeting held September 18, 2008 as presented.

Vote on the Motion:

Ayes: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Tully, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

IV. PROCLAMATION/RECOGNITION/AWARDS/INTRODUCTION

1. Introduction of Part-Time GIS Technician

Dave Gattis introduced Amy Roach to member of the City Council. Ms. Roach has assumed the position as Part-Time GIS Technician for the City of Benbrook.

2. International City/County Management Association's 2008 Voice of the People Award for Excellence in Police Services presented to Benbrook Police Department

Dave Gattis stated that the Voice of the People Awards are announced each year by the International City/County Management Association (ICMA) and National Research Center, Inc. (NRC) to the jurisdictions with the highest rated services according to a representative sample of their own residents. To win, the rating for service quality must be one of the top three among all eligible jurisdictions in 2007 and must reside in the top 10% among over 500 jurisdictions in the NRC database of citizen surveys.

In June 2008, the City was notified that the City of Benbrook has won the 2008 Voice of the People Award for Excellence in Police Services. Mr. Gattis advised that he received this award on behalf of the City and Police Department as part of a special ceremony at the annual ICMA conference in Richmond, VA. In addition, the Police Department will be featured in the best practice forum on the NRC Web site.

The award was presented to Mayor Dittrich and Police Chief James Mills.

V. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT CORPORATION

EDC-2008-01 Ratify Benbrook Economic Development Corporation Budget for FY2008-2009

Mayor Dittrich announced that this item is being moved following the Executive Session listed on the Agenda.

VI. REPORTS OF CITY MANAGER

G-1808 Adopt Ordinance amending Chapter 1.12 of the Benbrook Municipal Code by revising Ambulance Service fees, Park and Recreation Area fees and Tree Mitigation fees

Walter Shumac gave the following report: Staff periodically reviews fees for City Services to determine whether they need to be revised. Staff has identified three areas for proposed revision:

Section 1.12.030-Public Safety and Municipal Court

The current administrative fee is \$5.00 per mile for patient transport. Staff is proposing a \$7.00 per mile fee for transport from the point of pick-up to the point of delivery. This rate increase matches Medicare's increase in allowable rates for mileage.

Section 1.12.090-Zoning, Subdivision and Development

City Council established a tree removal permit process and cost for tree removal and mitigation at its September 18, 2008 regular meeting. Staff is proposing a \$50 permit application fee and a cost of \$100 per caliper inch for Protected and Quality Trees and \$50 per caliper for Secondary trees.

Section 1.12.095-Park and Recreation Areas

Staff is proposing to codify established park and recreation fees into the fee schedule as follows:

Pavilion Rental	
Resident	40/day
Nonresident	50/day
Football/soccer field light deposit	\$100
Football/soccer field	\$20/hour
Baseball field lighting	\$5/half-hour

Motion by Mr. Allison, seconded by Mr. Bailey to adopt Ordinance No. 1274 by revising and adding fees for ambulance, park facilities and tree mitigation.

Vote on the Motion:

Ayes: Mr. Bailey, Mr. Allison. Mayor Dittrich, Mr. Tully, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

Ordinance No. 1274 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 REVISING PUBLIC SAFETY AND MUNICIPAL COURT FEES, ZONING, SUBDIVISION AND DEVELOPMENT FEES, AND PARK AND RECREATION AREA FEES; 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 5

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 9

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-1809 Appointment to Boards and Commissions

Joanna King gave the following report: The even number positions on the City's various Boards and Commissions will expire October 31, 2008.

The City advertised a formal notice to accept applications for Boards and Commission appointments in the Benbrook News, the Fort Worth Star-Telegram, the City Channel of Charter Communications, the City's Home Page and the quarterly Newsletter.

City Council has been provided a copy of the applications received from both current members and other citizens wishing to serve the City.

Motion by Mr. Sauma, seconded by Mr. Allison to schedule interviews for Boards and Commission applicants on October 8 and 9, 2008 beginning at 6:00 p.m.

Vote on the Motion:

Ayes: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Tully, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

C-237 Award Employee Health Insurance

Sherri Newhouse gave the following report: Aetna has covered the employee group health insurance plan from 1996 through 2006 and again since November 1, 2007. The plan provides for a Base Plan PPO, which serves as the Primary Plan and a Buy-Up PPO plan with employees paying the variance between the Base and Buy-up.

The City provides a Co-Payment Reimbursement Program for up to \$1,500 for hospitalization and up to \$750 for Out-Patient Procedure/Surgery. A Cafeteria Plan Reimbursement Program is also provided of up to \$300 for employees without dependent health coverage through the City. There is also a \$100 reimbursement for vision expenses.

The proposed rate increase from Aetna is 12% based on trend for Base Plan PPO and for Buy-Up Plan PPO. Aetna's alternate proposals showed no significant savings to the City and an increased cost to employees.

Aetna is proposing a new program this year. The Aetna Behavioral Health Assistance Program (EAP) covers counseling services, referrals to community services and complementary and alternative medicine, health and wellness program discounts. The new program is a cost of \$1.60 per month per employee with an estimated annual cost for 110 employees of \$2,112.

The 2008-09 budget allocation for employee health insurance coverage is \$867,158. The total cost for the Aetna renewal is \$707,930 or \$159,228 below budget.

Staff is recommending that City Council:

1. Approve a one-year contract with Aetna, effective November 1, 2008 through October 31, 2009 offering the Base Plan PPO as the primary plan and offering the Buy-Up PPO as an alternate plan.
2. Require employees who enroll in the Buy-Up Option PPO to pay the difference in premiums between the premium cost of the Base PPO and the premium cost of the high-option PPO for employees and dependents.
3. Increase dependent subsidy to offset the premium increase for employees with dependent coverage, based on the premium rates for low-option PPO.
4. Continue co-payment reimbursement up to \$1,500 for hospitalization and up to \$750 for out-patient procedures and surgery.
5. Contribute \$300 to 2009 cafeteria plan accounts for employees without dependent coverage.
6. Contribute \$100 to 2009 cafeteria plan accounts for employees with dependent coverage for eyeglasses and/or contact lenses.
7. Require employees to enroll in Aetna Navigator to receive reimbursements.

8. Implement Aetna Behavioral Health Employee Assistance Program.

Motion by Mr. Tully, seconded by Mr. Sauma to award the employee health insurance to Aetna with the options presented by staff in its entirety.

Vote on the Motion:

Ayes: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Tully, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

C-238 Award Employee Dental Insurance

Sherri Newhouse gave the following report: The current employee dental insurance contact is with Metropolitan Life Insurance Company (MetLife).

Benefits to the plan cover preventative/diagnostic, basic coverage and major coverage. The plan is an indemnity plan with reimbursement at 90th percentile. The plan offers a Preferred Dentist Program for discounts ranging from 10% to 35%. There are five participating Benbrook dentists.

The MetLife's proposed renewal represents a 2.5% increase. This is the first increase in three years. The proposed renewal continues current services, no changes in benefits and no changes in co-payments or deductibles.

The 2008-09 budget provides \$44,389 for total premiums and subsidies. The proposed plan is a cost of \$34,676.

Staff is recommending that City Council:

1. Renew the contract with MetLife effective November 1, 2008 with no changes in benefits, services, deductibles and co-payments.
2. Continue subsidy for Family Coverage at \$13.76 per month.
3. Expand subsidy to cover 2.5% increase for all employees with dependent coverage.
4. The City to pay 100% of employee premium.

Motion by Mr. Sauma, seconded by Mr. Washburn to award the employee dental insurance contract to MetLife for an annual cost of premium and dependent subsidy in the amount of \$34,676.

Vote on the Motion:

Ayes: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Tully, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

VII. INFORMAL CITIZEN COMMENTS

VIII. EXECUTIVE SESSION – Pursuant to Section 551.071 of the Government Code to receive the advise of the City Attorney on the following matter in which the duty of the attorney to the City Council under Texas Disciplinary Rules of professional Conduct of the State Bar of Texas conflicts with Chapter 551 of the Government Code

1. Legal issues concerning the Benbrook Economic Development Corporation

Mayor Dittrich recessed the regular meeting at 8:06 p.m.

IX. RECONVENE INTO REGULAR SESSION

1. Necessary action from Executive Session

Mayor Dittrich called the regular meeting back to order at 10:20 p.m. and announced there is no action from the Executive Session.

V. PRESENTATION BY BENBROOK ECONOMIC DEVELOPMENT CORPORATION

EDC-2008-01 Ratify Benbrook Economic Development Corporation Budget for FY2008-2009

Motion by Mr. Allison, seconded by Mr. Tully to approve only projects and expenditures for 1/12th of the expenditures of the 2007-08 budget through October 31, 2008 including personnel compensation and benefits for employment on an at-will basis, at the same rate/amount from the 2007-08 budget; EDC will submit by October 10, 2008 an amended budget for 2008-09 that meets the Council's requirements; Council will consider the amended EDC budget for 2008-09 at its October 16, 2008 meeting; Council ratifies the payment of EDC personnel compensation and benefits for October 1, 2, and 3, 2008 on an at-will basis only, at 2007-08 compensation amounts, and specifically disapproves any expenditures pursuant to the proposed employment contract with Ron Rainey beginning October 1, 2008.

Vote on the Motion:

Ayes: Mr. Bailey, Mr. Allison, Mayor Dittrich, Mr. Tully, Mr. Washburn, Mr. Sauma

Noes: None

Motion carries unanimously.

XIII. ADJOURNMENT

Meeting adjourned at 10:22 p.m.

APPROVED:

Jerry B. Dittrich, Mayor

ATTEST:

Joanna King, City Secretary