

## Council Minutes March 13, 2012

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 5:30 p.m. in the Conference Room and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 13th day of March, 2012 with the following members present:

Jim Story	Mayor
Chris Brown	Council Members
Ray Champney	
Roger Fisher	
Jim Griffin	
Roy Savage	
Roy W. Turner	

constituting a quorum.

Staff present included:

Beverly Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Mirenda McQuagge-Walden	Managing Director of Community Services
Maria Redburn	Library Manager
Bill Syblon	Development Director

### **CALL TO ORDER**

Mayor Story called the Work Session to order at 5:30 p.m.

### **WORK SESSION**

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed placing the following items on consent: 2, 3, 7 and 8.

- **Presentation of concepts for Bedford Open for Business Campaign.**

Managing Director of Community Services Mirenda McQuagge-Walden introduced Christine Wetzel with ThomasArts. Ms. Wetzel will present four thematic concepts for the "Open For Business" program.

The current situation is that the North Tarrant Expressway is making travel very difficult. There is a need to let consumers know that Bedford is open for business, to drive residents and commuters to local businesses, and to enhance the positive relationship between the City and businesses.

Four themes have been developed to position the City as a destination and to let people know that, while visiting businesses may be inconvenient, it is worth it. These themes are designed to extend beyond the promotion period.

Theme #1 is "Drive," with the tagline of "Ride Home Happy." The points of this theme are to dispel negative feelings with driving during the construction period; that people will leave Bedford feeling

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fulfilled; and that a ride to Bedford will pay off during the giveaway and after the promotion period. The theme also contains customizable images.

Theme #2 is "Hidden Treasure," with the tagline "Find Treasure Here." This theme works well with the City's tagline of "Discover the Center". The points of this theme are to portray a fun and adventurous spirit during construction; it will work well with the giveaway during the promotion; and it defines Bedford and its businesses as valuable finds.

Theme # 3 is "Bedder," with the tagline "Bigger, Badder, Bedder." The points of the theme is that it is a playful concept that uses the City's name with a twist; that Bedford is a cool place to be; and that visitors and residents will see a reinvigorated Bedford, which ties in with the giveaway. The theme can also be customized to use the Bedford "B". A spinoff tagline for this theme is "Bigger, Better, Bedford". This tagline still uses bold, in-your-face lettering to get attention. It also shows that Bedford itself and access to the City is getting bigger and better every day.

Theme # 4 is "Takes You Places," with the tagline "Get Carried Away." The points of this theme are that it uses a concept related to highway travel; it lets people know that in Bedford, you can have fun, get where you want to be and find what you need; and it hints at the promotion, especially if the prize is a Harley or a car. The theme can also be customized.

Ms. Wetzel then presented information regarding the sweepstakes promotion, which entails giving away one large item using different codes. Components of the promotion include creative development and management; ad development and media placement; sweepstakes administration, which would be handled by bringing in a company that specializes in this type of promotion; printed pieces; and prize procurement. Consumers would receive a unique code at the point of purchase either on receipts or a game piece. They would then enter the code on the website or by text. Each business would have a unique code, which would track which retailers are performing and how many codes have been entered at a given time. She recommended that the grand prize be a Harley, which ties into Bedford and BluesFest. Monthly prizes could be added to include gift certificates to businesses, passes to programs at the Old Bedford School and passes to BluesFest. The promotional flow is that marketing channels direct consumers to the microsite, which then directs people to stores and then back to the microsite. People are encouraged to refer their friends to the microsite as well. The estimated cost for the program ranges from \$100,000 to \$147,200.

Ms. Wetzel then presented information regarding the frequency promotion, which entails smaller, more frequent prizes. Components of this promotion include creative development and management; ad development and media placement; microsite development; printed pieces; and prize procurement. Direct mail pieces containing a stamp card will be sent to residents and people in the surrounding area. Local businesses would then stamp the cards after a purchase and, once the card is full, it will be collected by the business and returned to the City for a prize drawing. Possible prizes include gift certificates to businesses, passes to programs at the Old Bedford School and passes to BluesFest. The promotional flow is that direct marketing channels direct people to the microsite and retailers. The estimated cost for the program is \$60,000.

Council and staff discussed the demographics of the City, the possibility of co-opting the program with the North Tarrant Expressway, incorporating elements of these programs with Shop Bedford First and the metrics needed to measure the success of the program. Council was of the consensus not to do the sweepstakes program due to the costs and that the businesses that staff has been in contact with regarding these programs preferred the frequency program. Council directed staff to explore options with the Shop Bedford First program and to contact the City of Grapevine about the metrics they used and if they explored other options. It was further decided that it was too early in the process to decide on a theme.

Mayor Story adjourned the Work Session at 6:28 p.m.

**EXECUTIVE SESSION:**

To convene before the Regular Session, if time permits, in the conference room in compliance with Section 551.001 et. Seq. Texas Government Code, to discuss the following:

- Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 2A, Bedford-Arlington Road Ltd. Sub.
- Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to a confidential business prospect.

Council was unable to meet in Executive Session prior to the start of the Regular Session. Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 2A, Bedford-Arlington Road Ltd. Sub. and Section 551.087, deliberation regarding economic development negotiations relative to a confidential business prospect at approximately 7:44 p.m.

Council reconvened from Executive Session at approximately 8:34 p.m.

Any necessary action to be taken as a result of the Executive Session will occur during the regular session of the Bedford City Council Meeting.

**REGULAR SESSION 6:30 P.M.**

The Regular Session began at 6:32 p.m.

**CALL TO ORDER/GENERAL COMMENTS**

Mayor Story called the meeting to order.

**INVOCATION (Reverend Ted McIlvain, Martin Methodist Church)**

Reverend Ted McIlvain of Martin Methodist Church gave tonight's invocation.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

**OPEN FORUM**

Gerhard Degemman, 2335 L. Don Dodson – Mr. Degemman requested to speak to the Council on Item #8 regarding the May 12 City elections. He does not feel there is enough enthusiasm among the electorate. He wanted to know how people were able to learn about the candidates. Mayor Story explained that it was up to the individual candidates to get their information out to the public. Mr. Degemman stated that the City has a population of approximately 48,000, of which 26,671 are registered voters. At the last election, only 3,759 people voted, which is very little for a city of this size. He stated that where he came from, there were a lot of debates held by clubs and he asked how the City Council is promoting the election. Mayor Story explained that it was the Council's job to call the election and provide a place to hold the election and that it was inappropriate to have any campaigning during a Council meeting.

John Gessner, 1700 Airport Freeway – Mr. Gessner requested to speak to the Council on Item #4 regarding the Sign Ordinance. He is the Vice President and General Counsel of Front Burner Restaurants, which operates the Twin Peaks restaurant. He stated that the construction has been disruptive to businesses along the freeway and that business at Twin Peaks has declined by 30%. They are looking at limited access, the potential loss of property and the removal of most of the pole signs. The way the construction is located and the way the highway is configured, people cannot see

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from one side of the highway to the other. He stated that removing signs makes it look like the restaurant is closed. He urged the Council to adopt a policy of relaxing or suspending enforcement of the Sign Ordinance along the highway during construction or at the least express leniency in dealing with the vendors located there. Based on questions from Council, Mr. Gessner stated that he would like to see a relaxation of the regulations regarding special promotion signs during construction

Mark Massey, 3741 Oak Cove Lane – Mr. Massey requested to speak to the Council on Item #1 regarding Amy Sabol's request to speak regarding a single family rental ordinance. He is here in a dual role as both a member of the Community Affairs Commission and as the president of the homeowner's association where Ms. Sabol resides. He stated that if other cities have similar ordinances, the City should take a look at mirroring these types of ordinances. He shares her concerns about rental properties. He does not want to take away rights from property owners, but that he would like the City to look at strict ordinances that can be enforced. He also stated he does not want health care businesses showing up in his neighborhood.

### **CONSIDER APPROVAL OF ITEMS BY CONSENT**

Motioned by Councilman Champney, seconded by Councilman Turner, to approve the following items by consent: 2, 3, 7 and recognizing Sarah Sisson as making a contribution to the Library for purchasing rights to the naming of a room for \$15,000 and Item # 8 in relationship to the special election, which is taking place the same day as the regular election but the filing times for the two seats that have been opened up have been extended.

Motion approved 7-0-0. Mayor Story declared the motion carried.

Ms. Sisson stated that she has lived in the City since she was five. She ran for Council and though she did not win, she made a lot of friends. She is a member of the Library Foundation and works with the Library Friends. She decided to make the contribution because she loves Bedford.

### **PERSONS TO BE HEARD**

**1. The following individuals have requested to speak to the Council tonight under Persons to be Heard.**

**a) Amy Sabol, 2209 Pine Thicket Lane, Bedford, TX – Requested to speak to the Council regarding a single family rental ordinance.**

Amy Sabol, 2209 Pine Thicket Lane – Ms. Sabol has lived in Bedford for over 20 years and currently lives in the Brookwood Hills II neighborhood. She requested to speak to the Council because she believes that there is a need for a single family rental ordinance. She does not believe that this issue can be anything but personal as it affects the community and the investment people have put into their homes. Since 2004, the neighborhood has continually reported a home close to her for code violations and she believes it to be a neglected rental property. Their only recourse has been to report the property when the grass and weeds were too high or if the pool was black. She stated that Code Enforcement has been out at that location several times and that Building Official Russell Hines told her there is a good size file on that property going back to 2004. She believes there have been no fines issued on that property in eight years and she wonders where the City's accountability is? She stated that after Christmas, a tenant was living in the house for four and a half weeks with no water or power and was keeping warm with a gas fireplace. If there had been an ordinance in place, that property would have been red-flagged. With an ordinance, the owner would have been informed that the property no longer had water and was no longer considered a livable property by City standards. The Police Department made calls but the tenant did not answer and a search of the Tarrant Appraisal District showed that the owner lives in San Antonio, but there was no phone number listed.

Ms. Sabol stated that the cities of Carrollton, Hurst and North Richland Hills have all approved a single family rental ordinance. She stated that the reasons that the ordinance is need are: to hold homeowners responsible for their tenant's disruptive activities and at least allow the Police Department to involve the

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homeowners when the tenant is involved in criminal activity; to establish regular inspections of these properties for violations of City codes and other laws; and to address the issue of the number of unrelated people living in a single family home, such as a rate of occupancy. What it would take is a database of all rental properties so the City and the Police Department can find property owners – some ordinances require that out-of-town landlords have a local contact; and require inspections every other year. The City would have to work with landlords to make sure they are truly habitability standards and not just cosmetic. This program would be self supporting through a registration fee.

Ms. Sabol stated that this ordinance would reduce crime and increase property values. It would benefit landlords, tenants and the community alike. It would educate owners and their tenants about their rights and responsibilities. It would ensure that tenants are provided with safe and sanitary housing. It would help the City identify dangerous structures, as well as illegal activity and promote the sustainability of neighborhoods. The City needs to help citizens protect their investment and maintain the quality of life in their neighborhoods. She stated that people cannot be trusted to comply unless it is mandatory. She requested that the Council act quickly and responsibly on this issue.

Council discussed with Ms. Sabol and staff regarding the need for such an ordinance, or if increased enforcement of current ordinances would be enough, as well as the number of single family rental properties there are in the City. Council directed staff to look further into this issue. They also directed staff to look into the complaints on the property mentioned by Ms. Sabol and their resolution and to ask other cities if the number of vacant houses have increased because this type of ordinance might deter people from renting.

### **b) William Ledbetter, 3006 Bramble Oaks Court, Bedford TX – Requested to speak to the Council regarding the March 17, 2012 Community Garden pavilion groundbreaking.**

William Ledbetter, 3006 Bramble Oaks Court – Mr. Ledbetter invited Council, on behalf of the Beautification Commission, to the Community Garden pavilion groundbreaking this Saturday at 10:30 a.m. This was all made possible because members of Commission embraced the vision of community through producing food for the less fortunate. In January, the Commission voted to provide funds for this project and the Council voted to approve the funding. Tarrant Master Gardeners will provide training this Saturday and there will be separate educational activities for children.

## **APPROVAL OF THE MINUTES**

2. Consider approval of the following City Council minutes:
  - a) February 28, 2012 regular meeting

This item was approved by consent.

## **OLD BUSINESS**

3. Consider an ordinance to rezone property known as Tract 3A, Block 15, Stonegate Addition from Light Commercial to Heavy Commercial/Specific Use Permit/Rental Services with Outside Storage. The property is generally located south of State Highway 183 and east of Brown Trail. (Z-214) (Tabled at the February 28, 2012 Council Meeting)

This item was approved by consent.

4. Consider an ordinance amending Chapter 6 of the City of Bedford Code of Ordinances, “Advertising;” Article III-Signs, Section 6-67 “Definitions,” Section 6-69 “General Regulations,” Section 6-70 “Special Sign Types,” Section 6-71 “Permanent Signs,” Section 6-72 “Temporary Signs,” Section 6-74 “Prohibited Signs;” providing for an Exhibit “A” being the City of Bedford Sign Regulations; providing a savings clause; providing a severability clause; and providing an effective date. (Tabled at the February 28, 2012 Council Meeting)

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Development Director Bill Syblon presented information regarding this ordinance. This is a follow-up from several Work Sessions and Council meetings. This ordinance was tabled at the previous Council meeting to add "Sidewalk Vertical Banner" under the "Still in Business" signs. This type of sign can be no taller than ten feet and no wider than two feet. It came about as a request from one of the property owners.

Council discussed adding language so that the banners would only promote the businesses in a shopping center as opposed to the broker and that it be a fixed sign.

Motioned by Councilman Champney, seconded by Councilman Griffin, to approve an ordinance amending Chapter 6 of the City of Bedford Code of Ordinances, "Advertising;" Article III-Signs, Section 6-67 "Definitions," Section 6-69 "General Regulations," Section 6-70 "Special Sign Types," Section 6-71 "Permanent Signs," Section 6-72 "Temporary Signs," Section 6-74 "Prohibited Signs;" providing for an Exhibit "A" being the City of Bedford Sign Regulations; providing a savings clause; providing a severability clause; and providing an effective date with the provision that Section 6-70, Subsection G. read: "Temporary, stationary signage necessary for operation of a business located on site during construction caused by public police authority in which access or visibility of the business is substantially hampered may be approved by the building official upon submitting plans addressing such condition."

Motion approved 6-1-0. Mayor Story declared the motion carried.

Voting in favor of the motion: Councilman Fisher, Councilman Savage, Councilman Griffin, Councilman Champney, Councilman Turner and Councilman Brown.

Voting in opposition to the motion: Mayor Story

### **NEW BUSINESS**

#### **5. Public hearing and consider an ordinance to rezone a portion of property known as Lots 1B and 2A1 Harwood Village Shopping Center Addition, Suite A from Heavy Commercial to Heavy Commercial/Specific Use Permit/Church. The property is generally located south of Harwood Road and west of Brown Trail. (Z-216)**

Development Director Bill Syblon presented information regarding this ordinance. This application is to allow Break Free Church to occupy an existing 1,800 square foot space. The church is not proposing changes to the outside of the building and they will utilize existing parking. This item was unanimously approved at the February 23, 2012 Planning and Zoning meeting.

Mayor Story opened the public hearing at 7:31 p.m.

Nobody chose to speak under tonight's public hearing.

Mayor Story closed the public hearing at 7:31 p.m.

Motioned by Councilman Turner, seconded by Councilman Griffin, to approve an ordinance to rezone a portion of property known as Lots 1B and 2A1 Harwood Village Shopping Center Addition, Suite A from Heavy Commercial to Heavy Commercial/Specific Use Permit/Church.

Motion approved 7-0-0. Mayor Story declared the motion carried.

#### **6. Public hearing and consider an ordinance to rezone a portion of property known as Lot 1A, Block C, Jefferson Glenn Addition from Planned Unit Development to Amended Planned Unit Development/Motorcycle and Motor Scooter Sales and Service. The property is generally located west of State Highway 121 and south of Bedford Road. (Z-217)**

Development Director Bill Syblon presented information regarding this ordinance. This application is to allow 3 Cousins Cycles to convert a car wash structure to a retail motorcycle facility for retail parts,

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general repair, maintenance and restoration. The 878 square foot car wash facility is not in operation and is ancillary to an existing gas station and convenience store. The applicant does not propose to expand the building, but will add landscaping and motorcycle parking. This item was approved at the February 23, 2012 Planning and Zoning meeting by a 4-1 vote.

Council discussed adding a handicap parking space to the rear of the structure. Mr. Syblon stated that only one space is required so any new one would be redundant.

Mayor Story opened the public hearing at 7:35 p.m.

Nobody chose to speak under tonight's public hearing.

Mayor Story closed the public hearing at 7:36 p.m.

Council discussed the drainage of oil and making sure it is not dumped into the City's sewer system. Brian Trennepohl, the applicant, stated that they are talking to a reclamation service for oil and cleaning fluids. There is an on-site mud pit which everything drains into. In regards to a restroom, Mr. Trennepohl stated that they may look into adding one later after they make sure they can make a living at this facility. He also stated there would be no issue with adding the additional handicap parking space.

Motioned by Councilman Champney, seconded by Councilman Turner, to approve an ordinance to rezone a portion of property known as Lot 1A, Block C, Jefferson Glenn Addition from Planned Unit Development to Amended Planned Unit Development/Motorcycle and Motor Scooter Sales and Service. The property is generally located west of State Highway 121 and south of Bedford Road with the stipulation of adding a handicap space as mentioned by Councilman Griffin.

Motion approved 7-0-0. Mayor Story declared the motion carried.

### **7. Consider a resolution accepting the purchase of naming rights for the Small Conference Room in the Bedford Public Library by Sarah Sisson in the amount of \$15,000.**

This item was approved by consent.

### **8. Consider a resolution ordering the Special Election of the City of Bedford, Texas to be held on Saturday, May 12, 2012 for the purpose of electing Place 3 and Place 4 to the Bedford City Council.**

This item was approved by consent.

### **9. Report on most recent meeting of the following Boards and Commissions:**

- ✓ **Animal Control Board- Councilman Griffin**

No report was given.

- ✓ **Animal Shelter Advisory Board- Councilman Griffin**

No report was given.

- ✓ **Beautification Commission- Councilman Turner**

Councilman Turner wanted to echo Mr. Ledbetter's invitation to come out to the Community Garden groundbreaking.

- ✓ **Community Affairs Commission- Councilman Fisher**

Councilman Fisher reminded everybody of the Energy Smart Fair scheduled for April 14 from 11:00 a.m. to 2:00 p.m. at the Library.

✓ **Cultural Commission- Councilman Champney**

No report was given.

✓ **Library Board- Councilman Brown**

Councilman Brown reported that the Board has chosen Ralph Chaney as the Adult Volunteer of the Year and Reyna Cuevas as Teen Volunteer of the Year. He also reported that the Seuss Festival had a terrific turnout with over 1,000 people in attendance. The Board will meet next Wednesday at 7:00 p.m. in the Library.

✓ **Parks & Recreation Board- Councilman Griffin**

Councilman Griffin reported that the Board met on March 1 and fine-tuned their presentation for the dog park in terms of cost, design, funding and sponsorships. The Board will be presenting slides and handouts in the near future. The plan is to have the dog park at Meadowpark behind the ball fields. He has had conversations with members of the school district who stated this would not be a problem; however, there would need to be a formal change to the lease agreement.

✓ **Senior Citizen Advisory Board- Councilman Savage**

Councilman Savage reported that the Senior Center lost a very active member in Mr. Harold Knorr. He was a singer and guitar player. He was also a long time member of the Building and Standards Commission. His funeral is this Friday at 3:00 p.m.

✓ **Teen Court Advisory Board- Councilman Griffin**

Councilman Griffin reported that the Board met to finalize the plans for the Teen Court banquet. They are also making a few changes to the bylaws and they are working to make touchups that will be acceptable to all three cities.

**10. Council member reports**

No other reports were given.

**11. City Manager report**

No report was given.

**12. Take any action necessary as a result of the Executive Session.**

No action was necessary as a result of the Executive Session.

**ADJOURNMENT**

Mayor Story adjourned the meeting at 8:35 p.m.

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Jim Story, Mayor

ATTEST:

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Michael Wells, City Secretary