

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Special Session at 5:30 p.m., Work Session at 6:00 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 22nd day of May, 2012 with the following members present:

Ray Champney
Chris Brown
Roger Fisher
Jim Griffin
Roy Savage
Roy W. Turner

Mayor Pro Tem
Council Members

constituting a quorum.

Staff present included:

David Miller
Stan Lowry
Michael Wells
Cliff Blackwell
Bill Cooper
Roger Gibson
John Kubala
Jill McAdams
Mirenda McQuagge-Walden
Maria Redburn
Jacquelyn Reyff
Bill Syblon
James Tindell

Deputy City Manager
City Attorney
City Secretary
Administrative Services Director
Information Services Director
Police Chief
Public Works Director
Human Resources Director
Managing Director of Community Services
Library Manager
Planning Manager
Development Director
Fire Chief

SPECIAL SESSION

Mayor Pro Tem Champney called the Special Session to order at 5:30 p.m.

- **Consider approval of the following City Council minutes:**
 - a) **May 8, 2012 regular meeting**
 - b) **May 17, 2012 special meeting**

Motioned by Councilman Brown, seconded by Councilman Griffin, to approve the minutes of the May 8, 2012 regular meeting and the May 17, 2012 special meeting.

Motion approved 6-0-0. Mayor Pro Tem Champney declared the motion carried.

- **Council member reports**
 - a) **Councilman Fisher – End of Term Comments**

Councilman Fisher said to the citizens that it has been an honor to serve them the last three years. It has been a privilege of a lifetime and the things he has learned as a part of the Council are things he will never forget. He has learned a lot about government and feels that city government is the most pure form of government. He is now hoping to serve the citizens on a different level. To the City staff, he is

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sorry that they are vilified for simply being municipal employees. He appreciates them and their honesty and candor. He can honestly say that he is leaving the City in a better position than when he came in. The votes he has made were in the best interest of the City and not in deference to further anybody's political career. To the Council, he stated that they have had many meetings and many good times and he appreciates them all. He spoke directly to and expressed gratitude towards each Council Member present. When he was elected, his mom gave him a plaque with a poem called "My Town" written in 1938. He presented framed copies of the poem to each of the Council members. To the new Council Members, he advised them to vote their conscience, vote their City, trust the staff and that everything that they do not be for the betterment of their personal political careers but for the betterment of the people who voted them into their position to serve. Finally, he thanked his wife and his children.

Mayor Pro Tem Champney stated he has enjoyed his four years on Council and his last year as Mayor Pro Tem. It has been a wonderful experience and everything that Councilman Fisher said about it being a learning experience is true. Tonight is a celebration as there will be new Council Members with new ideas and the City will move ahead and prosper.

- **Consider a resolution to receive and accept as true and correct the canvassed voting results for the General Election held on May 12, 2012 for the election of a Mayor and Council Members Place 1 and Place 2, and the results of a Special Election for the election of Council Members Place 3 and Place 4, as presented by the City Secretary.**

Motioned by Councilman Turner, seconded by Councilman Brown, to approve a resolution to receive and accept as true and correct the canvassed voting results for the General Election held on May 12, 2012 for the election of a Mayor and Council Members Place 1 and Place 2, and the results of a Special Election for the election of Council Members Place 3 and Place 4, as presented by the City Secretary.

Motion approved 6-0-0. Mayor Pro Tem Champney declared the motion carried.

INAUGURATION OF NEWLY ELECTED OFFICIALS

- **Administer Statement of Elected Officer and Oath of Office to newly elected Mayor and Council Members Place 1, Place 2, Place 3 and Place 4 and presentation of the Certificates of Election.**

City Secretary Michael Wells administered the Statement of Elected Official to newly elected Council Members Michael Boyter - Place 1, Jim Davisson - Place 2, Sherri Olsen - Place 3 and Patricia Nolan – Place 4. Mr. Wells also administered the Statement of Elected Official to newly elected Mayor Jim Griffin. Mayor Jim Griffin presented the Certificates of Election to Council Members Boyter, Davisson, Olsen and Nolan. Councilman Turner presented the Certificate of Election to Mayor Griffin.

Mayor Griffin stated he was humbled and grateful for the support to make this day a reality. His heart is about service and giving back to the community. He hopes to continue to do that as Mayor and that he would be the salesperson for the City in order to sell it to new businesses and as a destination. He hopes to work together with the Council as a team and that they will accomplish a lot. He gave a special thanks to his daughter and wife for their hard work.

Councilman Turner welcomed each new member to the Council and he looks forward to working with them. A special welcome goes to Mr. Griffin as the new Mayor and he looks forward to working with him in any capacity.

Councilman Brown stated to the new Council Members that everybody was new at one point and he knows exactly what they are going through. If there is any way that himself, Councilman Turner or Mayor Griffin can help the new members, he wants to work together as a team. He looks forward to working with every single one of them.

ADJOURNMENT

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Mayor Griffin adjourned the Special Session at 5:54 p.m.

WORK SESSION

Mayor Griffin called the Work Session to order at 6:05 p.m.

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

Council discussed placing the following items on consent: 3, 4 and 5.

Fire Chief James Tindell presented information regarding Item #3. The 2009 State Homeland Security Grant Program is used for enhancements to the Mobile Command Unit, which is utilized by the Police and Fire Departments to protect the City. The Unit is also available to the State and Federal Governments upon request and costs are 100 percent reimbursed to the City. The final project utilizing the grant is for the purchase of radios to communicate with other levels of government. It would replace radios currently being used. In answer to questions from Council, Chief Tindell explained that it was not a stipulation of the grant for the Unit to be available to the State or Federal Governments. Other items funded through the grant include a satellite system and antenna towers, an infrared camera system and a generator system. He explained it was highly unlikely that there would be any further grant opportunities in the future.

Police Department Technical Services Manager Kelli Agan presented information regarding Item #4. This item is for renovations to the Department's Dispatch Center and the break room to address space and storage issues. When the Law Enforcement Center was built, there had been additional space designated for Dispatch; however, it was reduced to accommodate a server. The space is inadequate and items are being stored in unfavorable places such as a restroom. The break room is also very small. Funding for this project is from Tarrant County and there is no cash match. \$307 will have to be utilized from the line item budget.

Managing Director of Community Services Mirenda McQuagge-Walden presented information regarding Item #5. This is for a resolution to deny the most recent rate increase request from Atmos Energy. It is a system-wide increase for base rates of 11.94%, or \$49M. It also includes a 13.6% increase for residential customers. The deadline to act on the denial is June 11; without the denial, the rate increase will automatically go into effect. In answer to questions from Council, Ms. McQuagge-Walden stated that in January, Atmos filed their statement of intent and Council took action to allow 90 days of negotiations. Atmos and the Atmos Cities Steering Committee (ACSC) have indicated they want to come to some sort of settlement; however, no agreement has been reached. Staff wants to move forward with the denial, which would prevent the rate increase from going into effect on June 11 and would allow some time for further negotiations before this item goes before the Railroad Commission. This is the first full blown rate case since 2005. Past rate cases have been more incremental and handled through either the Gas Reliability Infrastructure Program or the rate review mechanism. There is no statutory timeframe for the Railroad Commission to hear this case but she was told by the attorneys for the ACSC to expect an average of four to six months before it would be heard by the Commission.

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 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments.**
- **Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – Gregory Eric Austin v. City of Bedford.**

Council convened into Executive Session pursuant to the Texas Government Code pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of

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Landera Apartments and Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – Gregory Eric Austin v. City of Bedford at 6:19 p.m.

Council reconvened from Executive Session at approximately 6:31 p.m. Council did not finish the Executive Session and will convene again at the end of the meeting.

Council convened into Executive Session again at approximately 7:08 p.m.

Council reconvened from Executive Session at approximately 7:30 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 6:36 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order. He thanked everybody in the audience and asked them to bear with the new Council and the new Mayor as they get through the process.

INVOCATION (Pastor Marty Akins, First Baptist Church of Bedford)

Pastor Marty Akins of First Baptist Church of Bedford gave tonight's invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

OPEN FORUM

Nobody chose to speak under tonight's Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilman Brown, seconded by Councilman Turner, to approve the following items by consent: 3, 4 and 5.

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

COUNCIL RECOGNITION

1. Proclamation designating the week of May 20 – 26, 2012 as Emergency Medical Service Week.

Mayor Griffin read a proclamation designating the week of May 20 – 26, 2012 as Emergency Medical Service Week. Fire Chief Tindell, Deputy Chief Bobby Sewell and Dr. Roy Yamada were on hand to accept the proclamation. Mayor Griffin stated that the City has the greatest emergency services between the Fire and Police Departments and he is amazed by their sacrifice and hard work.

Deputy Chief Sewell stated that Dr. Yamada has been the Medical Director for Bedford for 14 years. He is currently the Medical Director over 11 different cities, two colleges and the air medical service. Dr. Yamada congratulated the new Council and looked forward to working with them. The previous Council supported them greatly and allowed them to be the best EMS in the State. He stated that he does not send patients to the closest hospital, but instead sends them to the most appropriate hospital.

PERSONS TO BE HEARD

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

a) Scott Nordon, Posados 1601 Airport Freeway – Request to speak to the Council regarding Posado’s new sign.

Scott Nordon, Posados, 1514 Ridgewood Drive, Prosper, TX – Mr. Nordon is the Chief Operating Officer of Posados and they operate a restaurant in the City. TxDOT has acquired land on the Forest Ridge/121 side of their property and the decision was made to move the entrance of Posados from its current location to the northwest side of the building. With that, the building was redesigned and plans were submitted to the City. They have run into issues with one of their signs. When the plans were submitted and applications made for permits back in January, the sign package was part of the plans. The sign has already been manufactured at a cost of \$9,500. He stated that they have operated in Bedford for over 12 years and he has been encouraged by the City’s openness during renovations. They chose not to move based on the City’s willingness to work with them and the strong customer base. He asked that the Council work with them to grant a variance on the 12 inches.

In answer to questions from Council, Building Official Russell Hines stated that the plans for the building were submitted in November of 2011. It went through the process of plan review and permits were issued. There was no sign package included at that time, just that a sign blade was denoted. The sign package was received in May and it was determined that the sign in question was in violation. The current Sign Ordinance reads that any sign which projects away from the wall more than 12 inches is prohibited. The Posados sign projects away from the wall by 24 inches. This item cannot be taken to the Building and Standards Commission for a variance. Staff would like to bring language to Council for an amendment to the Sign Ordinance that would allow this sign.

In answer to questions from Council, Deputy City Manager David Miller stated that Posados could not put up the sign until the Ordinance has been changed. Staff can bring this change to Council by the June 12 meeting or the end of June at the latest. Mr. Hines stated that it is common practice that the sign package be separate from the plan review.

Council was of the consensus to direct staff to bring amendments to the Sign Ordinance for “projection signs”, moving the maximum distance from the wall from 12 inches to 26 inches.

b) William Ledbetter, 3006 Bramble Oaks Court, Bedford, TX – Requested to speak to the Council to recap the Saturday, April 21, 2012 CRUD Cruiser event.

William Ledbetter, 3006 Bramble Oaks Court – Mr. Ledbetter congratulated the new Council. He reported on the CRUD Cruiser Event that was held by the Parks and Recreation Board in conjunction with the Beautification Commission on April 21. This event is an outreach program from the City of Fort Worth Hazardous Waste Collection facility. 200 vehicles came through Meadow Park and the CRUD vehicle was filled within two hours. Their recycling partner, SDS Electronic Recycling, reported that they collect 5,945 lbs of electronics. This arrangement with SDS is at no cost to the City. Mr. Ledbetter also reported that the Community Garden has already donated produce to New Hope. Council congratulated Mr. Ledbetter on being selected as the new chairperson of the Beautification Commission.

NEW BUSINESS

3. Consider a resolution authorizing the City Manager to purchase, seven mobile and four portable radios from D/FW Communications in the amount of \$22,292.50, utilizing funding from the 2009 State Homeland Security Grant Program awarded by the State of Texas.

This item was approved by consent.

4. Consider a resolution of the City Council of Bedford, Texas, authorizing the City Manager to enter into a contract with The Rockaway Company, Inc. for renovations to the Police

Department's Dispatch Division in the amount of \$19,525, utilizing the Tarrant County 9-1-1 District PSAP Assistance Program Funding.

This item was approved by consent.

- 5. Consider a resolution of the City of Bedford denying Atmos Energy Corp., Mid-Tex Division's ("Atmos Mid-Tex") requested rate change; requiring the Company to reimburse the City's reasonable rate making expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and ACSC's legal counsel.**

This item was approved by consent.

6. Report on most recent meeting of the following Boards and Commissions:

- ✓ **Animal Control Board**

No report was given.

- ✓ **Animal Shelter Advisory Board**

No report was given.

- ✓ **Beautification Commission – Councilman Turner**

Councilman Turner reported that the Community Garden has already made donations to charitable groups. The plots are completely rented out and there is a waiting list.

- ✓ **Community Affairs Commission**

No report was given.

- ✓ **Cultural Commission**

No report was given.

- ✓ **Library Board – Councilman Brown**

No report was given.

- ✓ **Parks & Recreation Board**

Mayor Griffin reported that the Board is working on their presentation regarding a dog park at Meadow Park.

- ✓ **Senior Citizen Advisory Board**

No report was given.

- ✓ **Teen Court Advisory Board no report.**

No report was given.

7. Council member reports

Mayor Griffin reported that the Council will be holding Board and Commission interviews on June 5. At the Council meeting on June 12, assignments for Council liaisons to the Boards and Commission will be made.

8. City Manager/Staff Reports

Deputy City Manager David Miller stated that on behalf of the City Manager's Office and the rest of City staff, he welcomes the new Council members and looks forward to working with them. On Friday, May 25, Central Pool and SPLASH will open. City offices will be closed on Monday, May 28 for Memorial Day; however, trash and recycling will not be affected. Registration continues for the Summer Reading Club with the log-in beginning June 1. On June 1, the Old Bedford School will be showing the 1960 version of Ocean's 11 as part of classic movie night.

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

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

ADJOURNMENT

Mayor Griffin adjourned the meeting at 7:31 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary