

Council Minutes August 12, 2014

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. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 12th day of August, 2014 with the following members present:

Jim Griffin	Mayor
Michael Boyter	Council Members
Ray Champney	
Jim Davisson	
Steve Farco	
Roger Fisher	
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
Cliff Blackwell	Administrative Services Director
Chuck Carlisle	Risk/Contractual Services Manager
Bill Cooper	Deputy Director of Information Services
Natalie Foster	Marketing Specialist
Roger Gibson	Police Chief
Tom Hoover	Public Works Director
Meg Jakubik	Assistant to the City Manager
Mirenda McQuagge-Walden	Managing Director
Maria Redburn	Library Director
Jacquelyn Reyff	Planning Manager
Bill Syblon	Development Director
James Tindell	Fire Chief

WORK SESSION

Mayor Griffin called the Work Session to order at 5:30 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, 7, 8, 10, 11, 12, 13, 14 and 15.

Administrative Services Director Cliff Blackwell presented information regarding Items #7 and #8, which are for the acceptance of the certified tax roll for 2014 and does not require Council action. There is an increase in the City's taxable values of 3.8 percent. Every year, the County submits to the Council the July certified roll, as well as the anticipated collection rate for the upcoming tax year, which has always been 100 percent. If it is less, there would have to be adjustments to the following year's debt rate. In answer to questions from Council, Mr. Blackwell stated that this amount is the largest the City has seen and that there has been an average increase of 1.5 percent the previous three years.

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Public Works Director Tom Hoover presented information regarding Item #11. In January of 2013, the City entered into an agreement with the County for the 39th Year Community Block Development Grant program for waterline improvements along Savannah Way. In 2014, the County approved a contract with Excel 4 Construction in the amount of \$139,889, and the City agreed to pay for any amount over \$123,812.64. During construction, there was a change order to add fire hydrants and additional water line improvements, which increased the funding to \$150,779, leaving a balance of \$26,966.

Police Chief Roger Gibson presented information regarding Item #12. Alliance for Children enters into agreements with agencies such as the Police Department every three years. They provide coordination of forensic interviews to reduce the stress of future victimization of children, as well as coordination of resources for prosecution efforts. The City has had an agreement since 1999 and the price structure, which is based on population, has not changed much. In answer to questions from Council, Chief Gibson stated that he believes the Alliance for Children to be not-for-profit; that costs do not have to do with usage; that the City participates with a collective group that responds to such things as abductions, but a vast majority of time an officer works with the Alliance on Bedford cases; and that without the program, they would have to dedicate a larger number of resources to accomplish the same goals.

Chief Gibson presented information regarding Items #13 and #14. He recently came to Council regarding a security camera program. There would be five camera locations in the City, two of which would be on buildings. Both those locations have rooftop agreement requirements and there is no money required to sign them.

In answer to questions from Council regarding Item #15, Risk/Contractual Services Manager Chuck Carlisle stated that this was not a budgeted item and it was sent through TIPS/TAPS.

- **Presentation on pilot program for recycling carts.**

Jeri Harwell with Republic Services stated that they would like to do a pilot program for recycling carts at no obligation or cost to the City to get a true reading of what residents think of the carts when they utilize them. The hardest thing about going to carts is the perception of residents. Benefits of carts include: a larger container size of 65 gallons; lids providing litter control, as well as preventing recycling from getting contaminated; and increased participation in that the average resident will put the excess waste into the trash when the bins get full. They are proposing two recycle routes of 2,200 homes one of which recycles more and one that recycles less, to find out if the program increases or decreases recycling. They would monitor the data for 90 days and at the end of the program, send out a comment survey. The information would be put into a spreadsheet and include comments by group. One item that needs to be worked out is if they would pick up the carts at the end of the 90 days or wait until Council makes their decision. She displayed a graph showing cart sizes in surrounding cities and stated that 95 gallons were utilized for every other week pickup. She stated that if the City were to move forward, she does not yet know the cost as there are several variables.

Deputy City Manager David Miller stated that the reason for this request was that when the contract was renewed with Republic Services, a majority of the Council discussed launching a pilot program to see if there is a strong desire for the carts. The recent City survey showed that 67 percent of respondents supported going to some type of cart. The anticipated launch date would be October 1.

In answer to questions from Council, Ms. Harwell stated that the floor area surface of the carts is the same footprint as the bins; that every resident would receive a letter about when the carts would be delivered and gives them a contact person; that if they refuse the cart prior to the delivery date, Republic Services would reach out to them but if they still refuse, their recycling would not be picked up for 90 days; and that the weighing of materials is done at their facility. There was discussion on costs being a factor, Council receiving a copy of the surveys, and the color of the carts. In answer to questions from Council regarding the benefits to Republic Services, Ms. Harwell discussed safety factors, having clean materials, saving landfill space and reducing the number of calls for missing bins and litter. A postcard on what can be recycled would be included with the carts. In answer to further questions, she stated

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that she would not recommend a 95 gallon cart for the survey but if the City moves forward on the program, residents would get a choice between a 65 gallon and 95 gallon cart; and that residents would be notified of the 90 days of no recycling when the cart is refused. In answer to a question from Council, Mr. Miller stated that there are risks regarding the current ordinance for recycle containers being stored out-of site. In regards to what defines success of the program, Ms. Harwell stated that it is increased recycling and decreased trash, and the residents' response on ease of use.

Council was of the consensus to move forward on the pilot program and establish an October 1 launch date.

- **Present report on the 2014 City of Bedford Fourth Fest.**

Special Events Manager Wendy Hartnett presented a report on the 2014 City of Bedford Fourth Fest. The goals of the festival are to provide a community event, foster economic growth, encourage citizen involvement, and produce a phenomenal festival that enhances the image of the City. She presented a timeline of events regarding the music and the malfunction of the fireworks, and discussed a Police report on a four-inch mortar found on Lakeview Court. She presented a comparison of the fireworks issues this year compared to 2012. There was discussion on the timeline and that nobody was hurt during the event. She stated a decision needs to be made to stay with Western Enterprises or not. The City has done business with them for 20 years, there will be a better show in 2015, and a professional technician will be provided. If they decide not to stay with Western, staff would bid comparable shows with other companies. In-house changes include the functionality of the stage, better communication with the staging company and improved internal procedures.

Ms. Hartnett stated that cost recovery was 36.9 percent and revenue increased by \$10,000, not including refunds from the fireworks. Expenses have been static and personnel have been reduced; however, nothing customer service related has been cut back. Onsite parking increased by 96 percent; there was increased pricing for glow products; Friends of the Library parking increased by 15 percent to \$2,750; pizza sales were added; there was added efficiency to the staff and volunteer program; and the event continues to start at 4:00 p.m. Challenges include adding more sponsors, improving lots for on-site parking, investigating other parking locations, removing the shuttle, and evaluating other fireworks vendors. She stated that 90 percent of logistical issues for staff are due to the shuttles. In answer to questions from Council, Ms. Harnett stated that there are issues with fireworks coming from China and that other companies are having problems as well; that traffic cannot go out to the Forest Ridge Drive exit because of the shuttles; that Western is required to show proof of insurance; that Mr. Carlisle has been working with the owner of the truck damaged during the show; and that the price with Western has not really changed over the last 20 years. Council discussed going out to bid for other companies.

Mayor Griffin adjourned the Work Session at 6:44 p.m.

Council convened into Executive Session pursuant to Texas Government Code Section 551.071, to seek advice from the City Attorney regarding Item #6 at 6:44 p.m.

Council reconvened from Executive Session at 7:00 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 7:05 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION

Councilmember Turner gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

ANNOUNCEMENTS/UPCOMING EVENTS

Marketing Specialist Natalie Foster reminded everyone about Blues Fest and that on Friday night, there will be the First Annual Foreman's Backyard BBQ Battle. The Animal Shelter will participate in the "Empty the Shelter" adoption event, in which all fees are waived, from 10:00 a.m. to 5:00 p.m. on Saturday. She discussed photography classes that are available at the Boys Ranch Activity Center.

OPEN FORUM

Patricia Nolan, 1005 Carousel Drive – Ms. Nolan signed up to speak on Item #5. She stated that the Mayor recently made proposals on how the Board and Commissions were to operate. Their mission statement is that they are comprised of citizen volunteers who have an active interest in the participation of municipal business within the City. They have dedicated volunteers who have served many years but Council is discounting their time and service. Volunteers affect public policy; have access to the highest form of City government; develop networks; shape and influence public policy by lending a more diverse viewpoint for the Council to consider; and play a vital role that enhances the quality of life in the City. They may take hours of deliberation before making recommendations. The City could not function without them and they perform a vital service that shapes the quality of life and reflect the varied interests of the community. She discussed the proposed changes and asked if every year the Council changes, would every member need to be re-interviewed, wasting the Council's and candidates' time. She stated that the July 1 Planning Session minutes reflect Council discussion on more control being needed so nothing bad is said about doing business in the City, and Code Compliance issues not being allowed to be brought up during Council meetings. She stated that this is not free democracy at work and that Boards and Commissions bring a system of checks and balances without which the City would cease to exist as a community. She stated that if Council members are going to vote alike without discussion, the City does not need seven of them. She stated that if Council is going to elect the chairperson, set the agenda, and tell the Boards and Commissions what to say, it is an autocratic form of government and should not be tolerated.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Champney, seconded by Councilmember Turner, to approve the following items by consent: 3, 7, 8, 10, 11, 12, 13, 14 and 15.

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

COUNCIL RECOGNITION

1. **Proclamation declaring August 12, 2014 as Plaski Family Day in the City of Bedford. ***This item requested by Councilmember Turner.**

Mayor Griffin read a proclamation declaring August 12, 2014 as Plaski Family Day in the City of Bedford.

Alicia Plaski discussed planting American flags in honor of her father who fought in World War II. Her father Walter Plaski recounted his experiences with the Second Infantry at the Battle of the Bulge. Ms. Plaski stated that she has created a non-profit called Flag DFW and she wants to see flags up and down Forest Ridge Drive.

2. **Consider a resolution authorizing the Beautification Commission to recognize Gemma Dalton, DDS and Pecan Creek Apartments for maintaining, improving, and/or keeping their property visually attractive to the community.**

Beautification Commission Chairperson Faye Murphy discussed the Business Recognition Program, where a citizen can nominate businesses for an award in three categories – overall appearance, best improved, and superior landscaping. From those businesses nominated this summer, the Commission recognized Pecan Creek Apartments for superior landscaping, and Gemma Dalton, DDS for overall appearance. Each business will be given a plaque and recognition signs will be placed at the businesses for a month. The presentation is scheduled for Saturday, August 23, with Dr. Dalton at 10:00 p.m. and Pecan Creek Apartments at 10:15 a.m.

Motioned by Councilmember Champney, seconded by Councilmember Farco, to approve a resolution authorizing the Beautification Commission to recognize Gemma Dalton, DDS and Pecan Creek Apartments for maintaining, improving, and/or keeping their property visually attractive to the community.

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

APPROVAL OF THE MINUTES

3. **Consider approval of the following City Council minutes:**
 - a) **July 22, 2014 regular meeting**

This item was approved by consent.

PERSONS TO BE HEARD

4. **The following individual has requested to speak to the Council tonight under Persons to be Heard:**

- a) **Salvatore Caruso, 148 Ravenswood Drive, Bedford, Texas 76022 – Requested to speak to the Council to present the “Block Party” concept.**

Salvatore Caruso, 148 Ravenswood Drive, Bedford – Mr. Caruso stated that a year ago the Community Affairs Commission was looking for a direction and he brought up the possibility of a block party. He and fellow Commission member Mark Massey discussed the idea of having the Mayor and Council come to different communities around the City, in the form of a rolling block party. They are proposing two a year, one in September, and one in April or May. They are asking that the Library, Boys Ranch, and the Fire and Police Departments have tables. Mr. Massey stated that he has been on the Commission for six years, has seen it evolve and that this is a fresh opportunity to reach out to the community. He feels that it will reach more people in the business, residential and faith-based communities than meetings that have been held at the Library. 6Stones and a church will be participating. He stated that this would give people the opportunity to talk to Council and voice their opinions. Mr. Caruso recognized Commission Member Amy Sabol, whose subcommittee coordinated with different departments to have tables at the Mayor’s Roundtable. Albertsons is providing free hotdogs, water and chips, and St. Vincent’s has volunteers to hand out fliers. They will have a photographer for pictures in the Bedford Connection. The street is easily blocked off and they have received permission from the homeowners.

- b) **Darryl Day, 1317 Brookshire Drive, Bedford, Texas 76021 – Requested to speak to the Council regarding Boards and Commissions.**

Darryl Day, 1317 Brookshire Drive, Bedford – Mr. Day discussed his roles in the community including with the HEB Chamber, the Education Foundation Board, the Mid-Cities Optimist Club, Trinity High School, and 6Stones. He is a business owner and life-long resident of the HEB area. At a Library

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Fundraiser, he met Joe and Connie Stout and first heard about Trap-Neuter-Release (TNR). He had his first experience to speak to Council at their February 11 meeting and was disturbed by the process that night and has since tried to make sense of what he saw. He stated that the Animal Shelter Advisory Board was not allowed to have a voice and he has been exploring why for the last six months. He discussed talking to members of Council the following day and told them that he was disturbed by what had happened. He discussed a meeting regarding TNR attended by 40-50 people and he told the attendees he would talk to Council and observe and understand the reason behind Council's decisions. He had applied to be on the Board but was told that the appointment process would not be until November to allow Council to redefine the mission statement and roles of the Boards and Commissions before new people are brought on. He discussed the February 11 meeting and stated that Dr. Epps was not allowed to answer questions but there was a Q&A with the Police Chief. He reviewed the Council mission statement, including being responsive to the needs of the community and stated that 90 percent of people in attendance at the Council meeting were in favor of TNR. He questioned getting answers to questions after the vote. On May 15, he attended an all-day seminar for Animal Control Officers. He discussed comments by Council regarding it being unfortunate not hearing from any opponents and asked how that can be unfortunate. He discussed the purpose of the Board and that the members recognized that cats were being put down unnecessarily and that there was overcrowding in the Shelter. He discussed Council's goal of demonstrating excellent customer service in an efficient manner and an email being sent from a Council member to a volunteer at the Shelter about their contingency being disrespectful. He discussed what it means to be a liaison and stated that in looking at the minutes of the Board, staff says what they are doing is not working. He stated that he was surprised that for Animal Control, the Police only respond to complaints and that they should be eliminating the problem before it comes in. He stated that when the Board brought Council their recommendation, they were told it was not the direction of the Board even though it says so in the mission statement. He discussed changes to Boards and Commissions including the setting of agendas and the appointment of chairpersons. He stated that the problem is not the Board but the Shelter. He stated that staff and other citizens told them that TNR would never happen in the City. He discussed people bypassing the Board and trying to establish an ordinance to make TNR illegal; and the Council not allowing the Boards to function and taking away their power and asked why have boards. He stated that volunteer groups have tried to help the Shelter but they are not made to feel welcome and was told it is the hardest shelter to deal with and that they are afraid for the animals. He discussed the Council goal of encouraging citizen involvement and changing the ordinance to make TNR illegal. In regards to economic development, he stated the City should not want to have the most restrictive animal ordinance in the State. He discussed the Board not being able to give their presentation; not having a veterinarian position since February and that State law requires one; that there was a vicious dog bite on July 22; things being broken; State mandates; checks and balances being gone; the effect on animals, the quality of life, economic development and the budget; grants for the Shelter; Council taking control of the Boards and Commissions; and the negative effect on the City. He stated that he is disappointed and that this will embarrass the City and cost it money.

Mayor Griffin stated that the Council is dealing with the Boards and Commissions from the point of view of structure, conformity, and reestablishing that they work at the purview of the Council. They are refocusing all of them and it is not accurate to say that Council is not interested in citizen involvement. There was discussion on changing the Animal Shelter Advisory Board purpose back to the State definition.

OLD BUSINESS

- 5. Consider an ordinance amending Chapter 2. "Administration," Article IV. "Boards, Commissions and Committees;" Chapter 74. "Library," Article II "Library Board;" Chapter 86. "Parks and Recreation," Article II. "Parks and Recreation Board;" and Chapter 18. "Animals," Article III. "Animal Shelter Advisory Board" of the City of Bedford Code of Ordinances; providing a severability clause; and declaring an effective date.**

City Secretary Michael Wells presented information regarding this item. Based on discussions at the July 1 Planning Session and the July 22 Council meeting, several changes to the Boards and

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Commissions are being proposed. To make the appointment of Board and Commission members be in-line with the fiscal year, the terms of all members, excluding the Zoning Board of Adjustment, the Building and Standards Commission, and the Teen Court Advisory Board, will end on September 30, 2014. The Council would also name the chairperson, excluding the Planning and Zoning Commission as the provisions for naming their chairperson are in the Charter. Other changes that affect all Boards and Commission include: agendas being the responsibility of the staff and Council liaisons with input from the chairperson; subcommittees requiring approval by the Council and their meetings complying with the Open Meetings Act, including the posting of agendas; appointing a vice chairperson and secretary; requests for funding and/or staff time having to go through the staff liaison; making annual reports to Council; maintaining a record of all meetings to be kept on file with the City Secretary; each member serving at the will of the Council, and being removed at any time by a majority vote of the Council, with or without cause; and changing the attendance policy that absences are counted within the fiscal year. Other changes include: reducing the number of meetings of the Animal Shelter Advisory Board from six to three; adopting the Adopt-a-Street, Clean Up Bedford, and Chunk Your Junk subcommittees of the Beautification Commission and removing outdated language; removing the second part of the duties of the Community Affairs Commission, adopting their Business Outreach, Residential Outreach, Faith Based Outreach and City Expo subcommittees, and adding language regarding appointing qualified applicants to the "Business Owner" places; streamlining the purpose of the Cultural Commission, adopting their 501(c)(3), Arts Incubator, ArtsFest and Storefront Gallery subcommittees, and changing ARTSNET to Arts Council Northeast; deleting the Senior Citizen Advisory Board; removing language regarding the Library Advisory Board reviewing the Library budget prior to submittal to the City Manager; and moving the sections on the Parks and Recreation Board and Library Advisory Board under Chapter 2. "Administration," Article IV. "Boards, Commissions and Committees."

Council was of the consensus to change the language regarding the agendas to be the responsibility of staff and the chairperson with input from the Council liaison. Councilmember Fisher proposed changes to the Animal Shelter Advisory Board including that it consist of five members: one member of the general public, one licensed veterinarian, one representative from an animal welfare organization, one municipal employee who is the Police supervisor over the Animal Control Division, and one municipal employee whose duties include the daily supervision of the Animal Control Shelter; and that the powers and duties reference Section 18-84 as it deals with multi-pet permitting and Section 18-187 as it deals with exotic animals. There were no objections to these proposed changes.

There was discussion on a comprehensive review of Boards and Commissions; addressing systems, procedures and policies; members and liaisons clearly understanding their roles; and having more organized and structured processes in order to be more effective and efficient.

Motioned by Councilmember Turner, seconded by Councilmember Fisher, to approve an ordinance amending Chapter 2. "Administration," Article IV. "Boards, Commissions and Committees;" Chapter 74. "Library," Article II "Library Board;" Chapter 86. "Parks and Recreation," Article II. "Parks and Recreation Board;" and Chapter 18. "Animals," Article III. "Animal Shelter Advisory Board" of the City of Bedford Code of Ordinances; providing a severability clause; declaring an effective date, and including the changes as previously stated.

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

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Champney, Councilmember Farco, Councilmember Turner and Councilmember Fisher.

Voting in opposition to the motion: Councilmember Davisson

NEW BUSINESS

- 6. Public hearing and consider an ordinance to rezone a portion of the property known as Lot C, Block 28, Stonegate Addition, located at 530 Bedford Road, from Light Commercial to Light Commercial/Specific Use Permit/Tobacco Products Store, specifically allowing the sale**

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of tobacco or other substances such as vapor, electronic cigarettes, e-cigarettes, liquid nicotine, etc., for KND Discount Cigarettes; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. The property is generally located east of Brown Trail and south of Bedford Road. (Z-254)

Planning Manager Jacquelyn Reyff presented information regarding this item. It is for the property at 530 Bedford Road in the Bedford Plaza Shopping Center. The location has an existing tobacco product store with a valid certificate of occupancy. The new owner attempted to complete the certificate of occupancy process; however; on April 22, 2014, Council approved a zoning ordinance which now requires a specific use permit (SUP) for this business type. The property has no zoning variance and the applicant is only requesting a SUP. The property is zoned L - Light Commercial, and the tobacco product store is a permitted use when the SUP process is complete. The applicant would like to continue using the 1,007 square foot lease space and there would be no physical changes to the site. There are 61 parking spaces for the entire shopping center and parking is in compliance for the proposed use. The Comprehensive Plan indicates the location to be commercial so the proposed use would not conflict with the Plan. The Planning and Zoning Commission approved the SUP request at their July 10 meeting 6-0-0.

Mayor Griffin opened the public hearing at 8:45 p.m.

Sal Caruso, 148 Ravenswood Drive – Mr. Caruso stated that he spoke at the July 10 Commission meeting and expressed his viewpoints. He had gone to the store and noticed that there were adult magazines. There is an elementary school, apartment complex and a high school in the area. There are gambling machines and pipes in the store as well. There are snacks, candy and chips and children can walk in there anytime. He talked to a store representative who removed the magazines but he is not comfortable that it will not be that way once again if this item is approved. He discussed e-cigarettes including checking ages, and cited articles that stated they are not regulated by the FDA and are a chemical aerosol. A CDC survey indicated that 1.8M middle and high school students have used e-cigarettes in 2012. He stated that the benefits and risks of e-cigarettes are uncertain but there is insufficient data to draw conclusions. He stated that the World Health Organization recommended consumers not to use them. He stated that the store should not be shut down but needed to be more monitored.

Starr Finn, 1545 Forest Park Circle #238 – Ms. Finn stated she came to speak out against the shop. She stated that there is mindset in the culture that once one gets to a certain age, one can partake of certain things. There is a need to use God's word and apply it to one's life and that one should not sin when they reach a certain age. It represents bondage and does not glorify God. The land would become sick and defiled and cause people and the land not to prosper. One should want to do things that glorify God and not give people the opportunity to sin.

Mayor Griffin closed the public hearing at 8:55 p.m.

Sajeel S. Khaleel, a representative for Discount Tobacco, stated that the applicant understands the laws regarding e-cigarettes and that they are boxed off and sealed. They also follow the law regarding asking for identification. His client was in negotiations with the previous owner in December before the new regulations came out. In regards to concerns about adult magazines, they are not illegal as long as they are controlled. He does not see why the SUP cannot be granted.

There was discussion on the prohibition of commerce. In answer to questions from Council, Mr. Khaleel stated that the name has always been Discount Cigarettes and there would be no changes to the storefront; that the LED lights around the window no longer work; and that the sale is complete. There was discussion on the legalities in the zoning process that make it difficult to prohibit this type of store. In answer to further questions from Council, Mr. Khaleel stated that his client is willing to say they will no longer sell any adult products; that 90 percent of their sales come from actual tobacco; and that pipes represent two to three percent of their business and they are waiting for their inventory to clear out. In

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answer to questions from Council, Ms. Reyff stated that she is not aware of the sale of adult products being legal non-conforming after approval of this item. There was discussion on adding a stipulation that the LED lights remain in non-working condition or not allowing them to be replaced.

Motioned by Councilmember Fisher, seconded by Councilmember Davisson, to approve an ordinance to rezone a portion of the property known as Lot C, Block 28, Stonegate Addition, located at 530 Bedford Road, from Light Commercial to Light Commercial/Specific Use Permit/Tobacco Products Store, specifically allowing the sale of tobacco or other substances such as vapor, electronic cigarettes, e-cigarettes, liquid nicotine, etc., for Discount Cigarettes; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date, with the stipulation that the SUP be attached to the new owner's name and a ban on LED lights surrounding the windows.

Motion approved 5-2-0. Mayor Griffin declared the motion carried.

Voting in favor of the motion: Mayor Griffin, Councilmember Boyter, Councilmember Davisson, Councilmember Farco and Councilmember Fisher.

Voting in opposition to the motion: Councilmember Turner and Councilmember Champney.

7. Receive the 2014 Certified Ad Valorem Tax Roll from the Tarrant Appraisal District.

This item is for informational purposes only. No Council action is necessary.

8. Receive the certified anticipated collection rate from the Tarrant County Tax Assessor-Collector for the City of Bedford, Texas.

This item is for informational purposes only. No Council action is necessary.

9. Consider a proposed tax rate and set two public hearings on the proposed tax rate, if required.

Assistant to the City Manager Meg Jakubik presented information regarding this item. The tax rate recommended to fund the budget as presented is the current tax rate. The compositions of the rate changed with an increase on the Debt side for the Boys Ranch Park and capital items that Council approved. That increase resulted in a four percent decrease on the Maintenance and Operations side to maintain the same rate. This item is to set the maximum tax rate that Council will consider when they go for formal approval on September 9.

Motioned by Councilmember Fisher, seconded by Councilmember Farco, to consider a tax rate of \$0.4948303 per \$100 assessed valuation to be voted on the September 9, 2014 agenda, and schedule a public hearing to discuss the tax rate on Tuesday, August 26, 2014 at 6:30 p.m. at Bedford City Hall and a second public hearing to discuss the tax rate on Tuesday, September 2, 2014 at 6:30 p.m. at Bedford City Hall.

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

10. Call a public hearing on the proposed FY 2014-2015 budget to be held on August 26, 2014 at 6:30 p.m. in the City Hall Council Chambers.

This item was approved by consent.

11. Consider a resolution authorizing the City Manager to approve payment in the amount of \$26,966.36 to Tarrant County for the final payout for the Tarrant County Community Development Block Grant 39th Year Program.

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This item was approved by consent.

12. Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) and Protocol Agreement with Alliance for Children.

This item was approved by consent.

13. Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) with Texas Health Resources.

This item was approved by consent.

14. Consider a resolution authorizing the City Manager to enter into a rooftop equipment/system agreement with Leis 'Ohana Hui Family Partnership, LTD.

This item was approved by consent.

15. Consider a resolution authorizing the City Manager to enter into a contract with Harrison, Walker & Harper (HWH) to remodel the men's and women's restrooms at the Senior Center in the amount of \$24,656.49.

This item was approved by consent.

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

✓ **Animal Shelter Advisory Board - Councilmember Fisher**

No report was given.

✓ **Beautification Commission - Councilmember Turner**

Councilmember Turner announced the Crud Cruiser event on September 13 at Meadow Park. Residents have the ability to get rid of their crud year-round by getting a voucher at City Hall. The Shred Day event is scheduled for mid-October.

✓ **Community Affairs Commission - Councilmember Boyter**

Councilmember Boyter stated that everyone heard Mr. Caruso's presentation. He recognized other Commission members in attendance and stated that it was a great honor to serve them. He respects them and appreciates all that they have done.

✓ **Cultural Commission – Councilmember Champney**

Councilmember Champney reported that the Commission met the previous night and discussed Arts Fest in March of next year. There was discussion on storefront art displays including maybe having another one in November.

✓ **Investment Committee – Councilmember Turner**

Councilmember Turner reported that the Committee held its quarterly meeting a couple of weeks ago. The City's money is very safe but not making a lot of interest due to curbs put in place by the State and the City. The first principle of investing is safety. The City is earning 17 basis points, which is comparable to other cities. He has asked the City's investment advisory company to come to the August 26 Council meeting to present the basis on which the City's investments are made.

✓ **Library Board - Councilmember Davisson**

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No report was given.

✓ **Parks & Recreation Board - Councilmember Davisson**

Councilmember Davisson reported that the Board reviewed and proposed changes for the summer day camp fees, including incentivizing people to pay in advance. The 2K9 and Dog Splash Day events are scheduled for September 9 at 8:30 a.m. and 10:00 a.m. respectively. The costs are \$10.00 for 2K9, \$5.00 for Dog Splash Day, and \$12.00 for both.

✓ **Senior Citizen Advisory Board - Councilmember Turner**

No report was given.

✓ **Teen Court Advisory Board - Councilmember Farco**

Councilmember Farco reported that the Board met on August 7 and discussed the successful banquet. They raised \$1,500 and awarded six \$1,000 scholarships. They are looking for more students and adult volunteers.

17. Council member Reports

No other reports were given.

18. City Manager/Staff Reports

City Manager Beverly Griffith reported that the Senior Center will be closed the week of September 8-12 for much needed repair and maintenance work.

Public Works Director Tom Hoover gave a presentation on the West Nile Virus (WNV) and what the City is doing about mosquitoes. They are working with the Tarrant County Health Department and have four static locations and one roaming location. The City got its first hits on the north side and at Stormie Jones Park. The roving trap was moved below Cheek Sparger Drive and received a positive hit. They have taken an aggressive stance where a four man crew walks every linear foot of creek once a month and applies chemicals to the water, banks and high grasses. They also remove blocks in the flow of the water, including trees that have fallen. They have doubled their efforts in areas that have tested positive, including mowing the grass along the two positive areas. Since then, they have not had a positive test at Stormie Jones. Their program complies with EPA and CDC requirements, by reducing the breeding sites, educating the population, and using biological chemicals. He discussed it being an interdepartmental effort between Code Compliance, Public Works and the Parks Departments. The City has had more positive tests but no human cases. In regards to spraying, he stated that it treats adult mosquitoes, which is not effective and would cost \$150,000 to \$200,000 to fog the entire City. The CDC recommendation is to spray when there are multiple human cases. In answer to questions from Council, Mr. Hoover stated that they do service in apartment areas in coordination with management due to the number of residents, but that they do not service commercial property.

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

Item #6 was discussed during Executive Session.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 9:28 p.m.

Council Minutes August 12, 2014

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary