

## Council Minutes July 1, 2014

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 4:00 p.m. in the TXI Conference Room, 1805 L. Don Dodson, on the 1st day of July, 2014 with the following members present:

Jim Griffin  
Michael Boyter  
Ray Champney  
Steve Farco  
Roger Fisher  
Roy W. Turner

Mayor  
Council Members

constituting a quorum.

Councilmember Davisson was absent from the meeting.

Staff present included:

Beverly Griffith  
David Miller  
Michael Wells  
Cliff Blackwell  
Roger Gibson  
Tom Hoover  
Jill McAdams  
Mirenda McQuagge-Walden  
Maria Redburn  
Bill Syblon  
James Tindell

City Manager  
Deputy City Manager  
City Secretary  
Administrative Services Director  
Police Chief  
Public Works Director  
Human Resources Director  
Managing Director  
Library Director  
Economic Development Director  
Fire Chief

### **CALL TO ORDER/GENERAL COMMENTS**

Mayor Griffin called the meeting to order at 4:01 p.m.

### **WORK SESSION 4:00 p.m.**

- Council planning session to include discussion regarding the Council's visions, goals and related topics.

### **Brasher Lane**

City Manager Beverly Griffith stated that the City had previously received requests from citizens to construct Brasher Lane and Midway Court, including associated utilities and drainage, and that the City entered into a contract with Pacheco Koch. Public Works Director Tom Hoover stated that staff presented five scenarios to Council on January 24, who directed staff to look at preliminary cost projections and designs. Chris Cha with Pacheco Koch stated the total project is 1,210 linear feet with back-to-back 31 foot curb and gutter roads, along with two six-by-four box culverts at a length of approximately 1,550 linear feet. It would also include water and sewer adjustments and the water and sewer improvements along Highway 157. In regards to the pavement, it is 1,210 linear feet, one-fourth of which is commercial and will have eight-inch pavement, and three-fourths of which is residential and will have six-inch pavement. The metal railing at the end of Aspenwood Drive and Brasher Lane will be

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removed. The sidewalks will be four feet and off of the back of the curb, leaving approximately two feet between the curb and the sidewalk. A TxDOT permit will be needed along Industrial Boulevard. The geotechnical investigation has been completed and it will be six inches of lime with a stabilized subgrade. In regards to drainage improvements, there are currently three 48-inch pipes going into a channel. The channel will be eliminated and paved over, and the water in the pipes would be put into two boxes. At the downstream end, they will do clean-up and grade the channel down to the headwall. In answer to questions from Council, Mr. Cha stated that the rights-of-way are already in place and there may be some drainage easements. Miscellaneous improvements include lowering an exposed sewer pipe, upsizing 200 feet of sewer lines from eight-inch to 12-inch pipe, and eliminating an exposed water pipe. The total cost is \$1.3M for Brasher Lane and Midway Court, and \$200,000 for the water and sewer improvements. In answer to questions from Council, it was stated that the project includes the approach on Renee Drive and that there was previous discussion on leaving Renee Drive alone as it is unknown how that property is going to develop. In regards to a timeline, Mr. Cha stated that 60 percent of the design should be done by the end of July, the project bid out for construction in September or October, and that it would take approximately six months for completion. In answer to questions from Council, Mr. Hoover stated that this project will provide sewer and water service from Shipley's Do-Nuts to the carwash. In regards to paying for the project, Ms. Griffith stated that the water and sewer portion could come out of the Utility Fund, the stormwater and drainage portion could come out of the Stormwater Fund, and the paving portion could come out of 4B. There would probably be a need for a short term debt issuance on the stormwater/drainage and paving portions. In regards to interest in the properties along Highway 157, Development Director Bill Syblon discussed a dialysis center north of the carwash and that fast-casual restaurants have worked on the Euless side. There was discussion on the Comprehensive Land Use Plan, the zoning of the properties, if this was the best use of \$1.5M for road improvements in the City, maximizing the value of properties, having eight-inch concrete for the commercial paving, and the 20 percent contingency. Council was of the consensus to include this project in the Capital Improvement Plan as part of the budget process.

### Public Works Projects

Mr. Hoover discussed the water distribution update and that staff is looking at improving on water quality issues in the Bedford Road and Brown Trail area. They are proposing to do a major water line project from the elevated tank to the west, which would require tearing up Bedford Road. In the 4B budget, they are proposing to replace the section of Bedford Road from Sommerset Drive to Brown Trail with concrete, along with fixing the four corners with ADA access. In answer to a question from Council, Mr. Hoover stated that concrete is easier to maintain in the long run, that asphalt is cheaper but does not last as long at 15 to 20 years as opposed to concrete at 30 to 50 years, and that generally asphalt is \$30 a yard compared to \$45 a yard for concrete. Mr. Hoover discussed mill overlays on Carolyn Drive and Schumac Drive and concrete panels on Wade Drive. He stated that the City is averaging four water main breaks a month, and that staff would like to focus on the major pipes along the perimeter of the City and then focus on mains in the subdivisions. In regards to the Northwest Pressure Plane project, they are 85 percent complete with the water mains, the pavement is in the process of being repaired, and the pumps have been ordered and should be in by August, and that they are looking to have the system tied in together by the first part of September. In regards to funding for sidewalks, Mr. Hoover stated that sidewalks are put into three categories: A-List are pretty substantial trip hazards, B-List are not as bad but need to be looked at, and C-List is cracked and would become A or B List as the trees continue to grow. All three categories add up to 28,000 square feet of sidewalk at a cost of \$170,000, and staff has been budgeting approximately \$25,000 to \$30,000 a year. For a street to be eligible for CDBG money, both sides of the street need to fall within the CBDG area. In regards to a sidewalk on Pipeline Road, it was stated that the property falls within the City of Euless. There was discussion on a sidewalk on Bedford Road, which had been designed but that Council decided to move forward on the sidewalk on Schumac Lane instead. There was discussion on the property at Laurel Lane and Cheek Sparger Road being in the 4B budget.

Budget

City Manager Beverly Griffith presented information on budget items and asked for Council feedback. She stated that risks the City must address include the following: confusing strategic planning with strategic visioning; inadequate fiscal planning; failure to invest in the future; and the loss of human capital. In regards to taxable values, she stated that the preliminary report received in April shows the values to be up by 3.28 percent. The June numbers are typically low because properties that are under protest are not included. Sales tax collections are above budget but there are multiple incentive agreements that have sales tax rebates.

In regards to employee benefits, Ms. Griffith stated that the contract for health insurance has been awarded and that increases were passed on to employees for dependent coverage. In regards to TMRS, employees currently contribute five percent with the City doing a two-to-one match. When TMRS was first implemented, the City was unable to discontinue with ICMA as several employees had borrowed against their accounts; however, a sunset date to pay off those loans was set for October 1, 2014. This would be the first opportunity to transition employees fully into TMRS or to a higher contribution rate to TMRS. There was discussion on completely terming ICMA including that it would have a net zero effect. In regards to compensation, she asked if Council wanted to consider cost-of-living adjustment (COLA) or a merit increase, or a combination of both, since there has been an increase to employee deductions. There was discussion on the numbers for a COLA including that it would depend on when it is done; that the impact of a change to TMRS would not be until January; and that the average COLA based on a recent survey is approximately 2.5 percent. She stated her recommendation was a COLA up to the amount of what is deducted from TMRS. There was discussion on doing a one-time payment, the impact of technology and most City services still being a human process; and sustainability being a high priority.

In regards to new initiatives, Ms. Griffith discussed adding a dedicated multi-family inspector and adjusting the fees paid by apartments on a monthly basis to fund the inspection program. The current fee is \$0.75 per unit per month and has not been changed since the late 1990s. There was discussion on the multi-family inspections being brought in-house and raising the fee by \$0.50. In answer to questions from Council, Fire Chief James Tindell stated that multi-family inspections are being split between two building inspectors; that the City of Hurst has three inspectors dedicated to multi-family inspections; that the other two inspectors would still assist the multi-family inspector; and that 50 percent of the complexes have been inspected in the first six months of the year. Regarding a crime free multi-family officer, Police Chief Roger Gibson stated that it would be a civilian position that would serve as a liaison between the Police Department and the apartment managers, and that the program would be voluntary. A database of participating complexes would be maintained by the Bedford Apartment Managers Association. There was discussion on apartments contributing money to the program; that there are 38 complexes in the City; and that there is a large turnover in apartment managers. Ms. Griffith discussed performing a business process analysis for Code Compliance and Building Inspections. She stated that there are best practices out in the community and the idea is to, either in-house or using a consultant, identify what those best practices are. In answer to questions from Council, Ms. Griffith stated the cost for such an analysis is between \$32,000 and \$35,000, and that the analysis would have to be kept up-to-date based on changing laws and demographics. There was discussion on being proactive when it comes to Code Compliance; avoiding debating code issues in open meetings; establishing a baseline; and code enforcement being fluid. Chief Gibson stated that Code is on an old software system, which causes difficulty in extrapolating data; that the secretary for Code has developed a secondary database; and that the new computer module would allow the history of a location to be seen at a glance.

In regards to Public Works, Ms. Griffith stated that there is a need to replace some large equipment including a backhoe and a sewer camera van that is currently 16 years old. Mr. Hoover stated that in regards to building security improvements, there are no cameras to protect the equipment and that they want to change the front entry gate from a keypad to electronic. There was discussion on whether other security improvements would make more sense including a new fence; that some equipment is equipped with GPS; and cameras serving as a deterrent. In regards to street lights, Mr. Hoover stated

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that 70 residents have asked for street lights; that the average cost of each light is \$4,000 depending on electrical needs; and that this is an item that is not currently being funded. There was discussion on lighting standards; prioritizing the list of street light requests; that all requests are residential; the Library entrance on Bedford Road; that the City used to budget \$10,000 to \$12,000 a year, but that it was cut in the early 2000s and not funded since; that staff receives five to six requests a year; maintaining the lights that are already in place; and that the lights are maintained by Oncor.

Ms. Griffith discussed the Tourism Fund, including that hotel/motel occupancy taxes are below projections by ten percent or \$75,000 due to the highway construction and contracting; and the relationship between those collections and the increased requests for initiatives and programs. She discussed setting aside funds on a reoccurring basis for a technology fund and maintenance needs for the Library. In regards to initiatives from the Citizen Survey, she stated that staff will bring to Council plans, including proposals for funding, to address certain issues including junk vehicles. She discussed the expiration of the contract with the City of Colleyville for Fire Station 2 at the end of Fiscal Year 2014-2015; and that staff needs input on how Council wants to proceed including absorbing the cost through the tax rate or some other way to make up the deficit by October 2015. There was discussion on the positive impact Station 2 has on the City's insurance rate; that other cities are not interested in joint ventures anymore; that if the City would be re-rated without Station 2 that it would be lucky to get a rating of 4 or 5; that the staffing for Station 2 is where it needs to be; and that 99 percent of its fire protection has been for Bedford.

### Code Compliance

Mayor Griffin stated that he wanted to send a clear message to Code Compliance that Council is behind them and that they support what they are doing. He stated that discussion tonight is to set priorities of what Code needs to focus on, including the survey results regarding junk vehicles and trash in yards. Chief Gibson stated that Code has processed 6,403 violations since the Police Department took over the division, which is a significant improvement. He discussed how sign violations were previously inputted per sign and now multiple signs at one location are being treated as one call. Of those total violations, 231 violations remain open. There were 809 violations for garbage being put out too early the previous 12 months through a combination of complaints and staff observations. He stated they are creating a form for tree violations with a disclaimer regarding tree services that follow Code officers. There was discussion on putting this information on the website and social media. Chief Gibson further discussed ordinance revisions, district realignments, the Neighborhood Revitalization Program, procedures for repeat violators, staff being on the same page on what is going to be done when there is a violation, and putting the procedures in place that after the first extension, or one beyond 14 days, would need supervisor approval.

In answer to questions from Council, Chief Gibson stated that violations for trash being out too early includes recycle bins; that with the addition of resources including extra personnel and field tablets, Code's numbers will continue to improve; and that they have not received a lot of requests from the public on trash being out too early and that it mostly came from Council. There was discussion on changing the ordinance regarding trash being out too early including for when it is darker during winter hours; a pilot program for the use of recycle carts; prioritizing Code issues from a health and safety standpoint; other crimes being discovered at code violators' properties; educating the public including that a list of top ten code violations was included in the last Bedford Connection and is included in all new resident packets, as well as code tips being on the back of water bills; and the outdated software being a big obstacle.

### Smoking Ordinance

Deputy City Manager David Miller discussed prohibiting smoking in restaurants. This had been discussed over the years but was set aside during the highway expansion due to its effect on the negotiations the City had with the restaurants. He asked to get direction on what Council would like to do and stated that if they do something, it would need to include electronic cigarettes. In answer to a question from Council, Mr. Syblon stated that in speaking with new restaurants, the smoking ordinance

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has not come up. Mr. Miller discussed excluding certain establishments based on their alcohol sale ratios and creating a definition of bar/tavern. He discussed allowing smoking on patios and stated that several cities have provisions that allow smoking on patios adjacent to the restaurant, and some have distance requirements for how close the patio is to the main entrance. There was discussion on grandfathering current establishments, establishing compliance dates, and being unilateral; visiting local restaurants regarding the distance from their patios to the front entrance; the City being business friendly; that certain businesses are waiting on the City to put smoking regulations in place; the definition of a sports bar; having restaurants apply for an exception; and establishing a timeframe. Council was of the consensus to prohibit smoking in restaurants in all hours of operations; to address existing establishments that are pushing the higher percentage of alcohol sales; and to allow smoking on patio areas. Council was of the consensus to prohibit smoking in parks, including parking lots, with a temporary exception for City special events. In regards to distance requirements from front entrances, the current City regulation is 25 feet from a City building, with the exception of the Library, which is 100 feet, and there was discussion on making a special exemption for the Senior Center. Mr. Miller discussed how well received the roll-out of the City of Weathford's ordinance was. He stated that staff will bring back an ordinance to the Council.

### Boards and Commissions

Mayor Griffin stated the goal of this discussion was to work through each Board and Commission with the objective of producing a document that includes their mission statement and functions for each member to sign. In regards to the Building and Standards Commission and the Zoning Board of Adjustment, there have been issues getting people to participate on those boards and after extensive discussion and research, it was determined that it was in the best interest to combine them. There was discussion on having all current board and commission members reapply; clarifying the role of the Council liaison; notifying the members of the boards and commissions about this process; the Mayor meeting with the chairpersons of all of the boards and commissions; leaving off the Teen Court Advisory Board from the discussion as it is done in conjunction with two other cities; moving interviews and appointments to September to align with the City's fiscal year; and the inconsistency on how meetings are run.

In regards to the Animal Shelter Advisory Board, Council was of the consensus for their purpose and function to be from the State definition and for them to meet three times a year instead of six. There was discussion on Board members adding to staff's workload and the potential effect on volunteerism. There was further discussion on the Board not having a secretary and Council was of the consensus to add the position of a secretary as part of their function.

Council was of the consensus that for all Boards and Commissions, the agenda is the responsibility of the staff and council liaisons with input from the chairperson; that all subcommittee meetings have to be held in accordance with the Open Meetings Act including posting agendas; and that the Council would appoint all chairpersons.

In regards to the Beautification Commission, the Council was of the consensus to leave the purpose alone and to formally establish their Adopt-A-Street, Clean Up Bedford, and Chunk Your Junk subcommittees. Council was further of the consensus that subcommittees for every Board and Commission have to be approved by the Council.

In regards to the Community Affairs Commission, the Council was of the consensus to remove the second section of their official purpose that speaks to providing specific input on items that make doing business in the City difficult and point out areas of concerns. Council was also of the consensus to formally approve their Business Outreach, Residential Outreach, Faith Based Outreach, and City Expo subcommittees. Further, Council was of the consensus that any requests for funding and/or City staff time by any Board or Commission be made through the staff liaison.

In regards to the Cultural Commission, there was discussion on revising the official purpose. Council was of the consensus to formally approve their Arts Incubator, 501(c)(3), and Storefront Gallery

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subcommittees. Council was also of the consensus to add a sentence to the purpose of each Board and Commission regarding making a yearly report to Council.

Council generally discussed the Library Advisory Board and the Parks and Recreation Board. In regards to the Senior Citizen Board, there was discussion on the usefulness of the Board since the Senior Center is no longer shared with the City of Hurst. Staff will inquire with the Senior Center Manager to discuss whether the Board needs to be disbanded.

There was discussion on doing a S.W.O.T analysis of the Bedford Commons, looking for an investment group and establishing criteria from investors, and creating a presentable plan. There was discussion on setting the public meetings on the Bedford Commons and it was decided, depending on the schedule of the consultant, to hold it on October 14.

### **ADJOURNMENT**

Mayor Griffin adjourned the meeting at 9:30 p.m.

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Jim Griffin, Mayor

ATTEST:

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Michael Wells, City Secretary