

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 5:00 p.m. in the Conference Room, 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 9th day of December, 2014 with the following members present:

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

Mayor  
Council Members

constituting a quorum.

Councilmember Boyter was absent from the meeting.

Staff present included:

Beverly Griffith  
David Miller  
Cathy Cunningham  
Michael Wells  
Kelli Agan  
Cliff Blackwell  
Natalie Foster  
Wendy Hartnett  
Tom Hoover  
Joey Lankford  
Mirenda McQuagge-Walden  
Bill Syblon

City Manager  
Deputy City Manager  
City Attorney  
City Secretary  
Technical Services Manager  
Administrative Services Director  
Marketing Specialist  
Special Events Manager  
Public Works Director  
Fire Marshal  
Managing Director  
Development Director

### **CONFERENCE ROOM WORK SESSION**

Mayor Griffin called the Work Session to order at 5:02 p.m.

- **Interviews for appointments to Bedford's Citizen Boards and Commissions.**

The Council conducted interviews to Bedford's Citizen Boards and Commissions.

- **Discussion regarding appointments to Bedford's Citizen Boards and Commissions.**

Council generally discussed the appointment of members to Bedford's Citizen Boards and Commissions.

Mayor Griffin adjourned the Work Session at 5:43 p.m.

### **COUNCIL CHAMBER WORK SESSION**

Mayor Griffin called the Work Session to order at 5:47 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, 9, 10, 11, 12, 13, 14 and 15.

There was discussion on Item #9 requiring no funding from the City and Items #12 and 13 being under budget.

City Manager Beverly Griffith presented information regarding Item #8, which is a request to authorize incentive pay for public safety dispatchers based on Texas Commission on Law Enforcement (TCOLE) requirements that went into effect in January of 2014. These requirements are for dispatchers to have basic certification, which is now part of their base job requirement. The State offers four levels of certification and it is customary in law enforcement to offer incentive pay for the additional three levels above the basic level. Staff is asking approval of a program whereby a dispatcher would receive no incentive pay for the basic certification and \$25 a month for the intermediate certification, \$50 for the advanced certification and \$75 for the master certification. The differences in the levels are based on years of experience, training and education. In answer to questions from Council, Ms. Griffith stated that there are currently three out of 13 dispatchers that would qualify for the advanced certification. In answer to questions from Council, Police Chief Roger Gibson stated that the intermediary certification requires a minimum of two years of experience and 120 hours of training, the advanced certification requires a minimum of four years of experience and 240 hours of training, and the master certification requires a minimum of eight years of experience and 500 hours of training; that this type of incentive pay is standard for police and fire departments; and that he believes the amount of pay is similar to surrounding cities.

- **Presentation on the Engineering Services for the City of Bedford.**

Public Works Director Tom Hoover stated that during the budget process, the question was raised about designing infrastructure with on-staff engineers. Staff performed a cost analysis on how much it would cost for in-house services compared to an outside consultant system. In 2004, there were engineering positions that were eliminated through attrition. Since that time, the City has utilized outside consultants for plan reviews, general consulting, water system designs, sewer system improvements, paving and drainage, and flood plain studies, several of which could have been performed in-house. He stated that the City has spent \$800,000 over the last two years on outside consultants. The City would still continue to use consultants for such projects as SCADA, the North West Pressure Plane pump station, electrical and structural engineering, and major drainage projects. Excluding these types of projects, the City would have saved \$450,000 over the last two years. Projects that would be handled in-house include water line projects like Somerset Circle and Dora Lane and the Bedford Trails extension. By bringing in an engineer and support person, he stated the City could anticipate those positions generating the private sector equivalent of \$250,000 to \$300,000 in work a year. For engineering services over the next five years, the City would spend \$36,000 for plan reviews, \$100,000 for water system improvements, and \$100,000 for design fees for the wastewater system, totaling \$300,000 a year. He stated that the costs associated with hiring two people including benefits and training are approximately \$200,000 a year with startup costs of \$40,000. These positions would increase efficiency with engineering staff, provide the opportunity for the City to expand the services it provides to the citizens, and save the City money.

There was discussion on having five to ten years of engineering services, totaling \$336,000 a year, classified as in-house type of work costing \$205,000 a year for two positions; potential savings of approximately \$133,000 per year; and the engineering position being a Professional Engineer and the other position being a designer. In answer to questions from Council, Ms. Griffith stated that from 1995 through 2004, the City had a variety of on-staff engineers and consultant engineers; that during that time, there were two major Capital Improvement Programs and other 4B street projects, most of which were one-time projects; that starting in 2004, the City did not perform the type of maintenance that is being spoken of currently and, the smarter thing was to contract out those projects based on needs; that the program the City is going to perform is predictable and structured; and that asking for in-house engineers is based on the quantity and type of work. In answer to further questions from Council, Mr. Hoover stated that he does not anticipate hiring another clerical position and that contract documentation facilitation is currently performed in-house; and that adding these positions would free up

the rest of staff, inspections services would be better able to monitor CIP projects, and that work could be better scheduled and construction activities more spread out.

There was discussion on the next steps being to bring something formal to Council in January. Council requested that staff bring a list of projects on which the engineering position would be working and what expenditures have been paid to consultants so far the current budget year.

Mayor Griffin adjourned the Work Session at 6:14 p.m.

Mayor Griffin reopened the Work Session at 6:14 p.m.

Council discussed the following appointments to Bedford's Citizen Boards and Commissions for Item #7:

Beautification Commission

Place 5 - Bonnie Cooper

Place 7 - Kathy Fairchild

Place 8 - Sam Fairchild

Place 9 - Bob Gough

Place 10 - C.W. Koellman

Building and Standards Commission

Place 1 - Tonya Martin

Community Affairs Commission

Place 1 - Joy Brandon

Library Board

Place 4 - Lester Davis

Place 7 - Marcia Griffith

Place 8 - Sarah Williams

Parks and Recreation Board

Place 1 - Daniel Davis

Planning and Zoning Commission

Place 8 Alternate - Michael Davis

Street Improvement Economic Development Corporation

Public - Tina Penney

Mayor Griffin adjourned the Work Session at 6:16 p.m.

**EXECUTIVE SESSION**

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

- a) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1RB, Bedford Meadows Shopping Center.
- b) Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation regarding 533 Bedford Road.
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations with the City of Euless.
- d) Pursuant to Section 551.074: personnel matters – review steps for City Manager evaluation. \*\*This item requested by Mayor Griffin.

Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1RB, Bedford

Meadows Shopping Center; Section 551.071, consultation with City Attorney regarding pending or contemplated litigation regarding 533 Bedford Road; Section 551.087, deliberation regarding economic development negotiations with the City of Euless; and Section 551.074: personnel matters – review steps for City Manager evaluation at 6:18 p.m.

Council reconvened from Executive Session at 6:46 p.m. Council was unable to finish the Executive Session and will convene again at the end of the Regular Session.

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

The Regular Session began at 6:48 p.m.

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

Mayor Griffin called the meeting to order. He stated that Councilmember Boyter was unable to attend the meeting.

### **INVOCATION**

Councilmember Farco gave the invocation.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

### **ANNOUNCEMENTS/UPCOMING EVENTS**

Mayor Griffin stated that he attended the L. D. Bell Craft Fair and was approached by a person that said they loved the Library. He stated that the City participated in a bus pull for 6Stones and the Night of Wonder to provide presents and food for students. Out of the five entrants, Bedford defeated the cities of Hurst and Euless, and the School District.

Marketing Specialist Natalie Foster reported that the Firefighter Pancake Breakfast is scheduled from 7:00 a.m. to 10:00 a.m. the following Friday and Saturday at the Central Fire Station. The cost is \$5.00 and there will be a raffle and a possible visit from Santa. The Senior Center will be having a Christmas dance from 7:00 p.m. to 9:00 p.m. on Monday, December 15 at a cost of \$6.00 and will include live music and special refreshments.

### **OPEN FORUM**

Nobody chose to speak during Open Forum.

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

Motioned by Councilmember Champney, seconded by Councilmember Davisson, to approve the following items by consent: 3, 7, 8, 9, 10, 11, 12, 13, 14 and 15.

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

### **COUNCIL RECOGNITION**

#### **1. Employee Service Recognition.**

The following employees received recognition for dedicated service and commitment to the City of Bedford:

Zachary Hicks, Police Department - 10 years of service  
Brenda Albright, Police Department - 15 years of service

## **2. Proclamation recognizing January 30, 2015 as OnStage Day in the City of Bedford.**

Mayor Griffin read a proclamation recognizing January 30, 2015 as OnStage Day in the City of Bedford.

### **APPROVAL OF THE MINUTES**

#### **3. Consider approval of the following City Council minutes:**

- a) **November 18, 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) **Ben Panchasarp, 4020 N. Macarthur Boulevard, Suite 122-278, Irving, Texas 75038 – Requested to speak to the Council regarding the City Ordinance on lawn care.**

Ben Panchasarp, 1430 Biltmore Lane, Irving, Texas – Mr. Panchasarp stated that he wanted to comment on code enforcement in terms of lawn care and maintenance. His family has owned the property, which is 7.2 acres off of Highway 121 and Cummings Drive, since the 1970s. He stated that over the years, people have been dumping on the property and that they have spent money to haul away debris. Over the years, debris and vegetation have come over on their side of the property from homeowners doing work on their homes and having pools built. Dirt being shoveled on their property has created a buffer so that when they have people come mow, they have to move over as not to ruin their equipment. There used to be a road that went behind the property, which was abandoned by the City. They have for the most part maintained the mowing but they do not mow at the times when the grass is not growing. He stated that there were complaints from homeowners regarding pests and they cleared out and mowed the property. They have had plans to develop the property and want to work with the City. There was a violation notice sent by mail but he did not receive it. He disputed it with the Court, which dismissed the first one. He stated that the City wants them to mow the property on a schedule and that he was told by a contractor that somebody must be after them. He discussed weeds and surrounding properties that look worse, including the old Fitch property. He stated that he visited with a member of Code Compliance, who stated that she would work with them. He wanted to let Council know about the situation in hopes that it would trickle down to ease up things.

There was discussion on enhancing the look and feel of the City and things done with Code Compliance to reach these goals and objectives; ongoing cases on different pieces of property; working with property owners to accomplish these objectives; and the proximity of Mr. Panchasarp's property to the old Fitch property and the increased enforcement in that area.

### **NEW BUSINESS**

#### **5. 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, Bedford, Texas, from Light Commercial to Light Commercial/Specific Use Permit/Funeral Homes & Mortuaries, specifically allowing for Bedford Funeral Home. The property is generally located east of Brown Trail and south of Bedford Road. (Z-258)**

Development Director Bill Syblon first introduced new Planning Manager Emilio Sanchez. He then presented information regarding this item, which is for a funeral home to occupy a 2,551 square foot lease space in the Bedford Plaza Retail Center. They are required to obtain a Specific Use Permit (SUP) prior to opening. The hours of operation are from 8:00 a.m. to 5:00 p.m. but the hours may be extended upon request. All landscaping and parking requirements apply to the Center as a whole. The Planning and Zoning Commission approved this item at their November 13 meeting by a vote of 6-1 with the following stipulations: the use be restricted exclusively to the indoor lease space and no stacking of

vehicles take place in the parking area, and that the SUP be attached to the name of the business and not to the land.

In answer to questions from Council, Mr. Syblon stated that the hours may be extended upon requests by families on a case-by-case basis; and that State licensing would be part of the permits and inspection process, not the zoning process. In answer to questions from Council, the applicant, John Nganga, 2501 Meadow Park, Bedford, stated that they are required to have a license from the State but cannot apply for it until the process is complete; that they will not perform cremation or embalming at the location but by law are required to have an embalming room; that they would outsource most of the embalming; and that having a stipulation in the SUP to not allow embalming may prevent them from obtaining the license. In answer to questions regarding plumbing and drainage in the facility, Mr. Hoover stated that there would be a requirement to install backflow devices to protect the water system; and that staff would look at the requirements for plumbing for the waste that leaves the site, which would be part of the building permit process. There was discussion on adding stipulations regarding cremation and embalming; enforcement in respect to embalming; whether the byproduct of embalming is considered medical waste; the byproduct draining into the sewer system; and the location being in compliance with other funeral homes and the hospital, and with State law. Mr. Hoover stated that the location would be treated as an industrial user whereby effluents are tested to ensure that the concentration of elements do not exceed a certain level; that he does not anticipate any issues regarding the infrastructure capacity in the area; that staff would monitor and perform routine cleanings for build-ups of certain substances; and that the cost of backflow valves would be born by the owner and they are tested on a regular basis. Mr. Nganga stated that they would also be inspected by the State Commission on Funeral Services; that embalming services would pick up any bodies after 5:00 p.m.; that he needed to do something for lower and middle class residents due to the increased costs for funeral services; and that this is the first funeral home he has owned but has run some for corporations.

Mayor Griffin opened the public hearing at 7:36 p.m.

Travis Mitchell, owner of Serenity Chapel Services, Sherman, Texas - Mr. Mitchell stated he is in support of Mr. Nganga. He opened his funeral home in a shopping center and the only requirement was to install a backflow system. He stated that this location is more private than the one he has and that there is a loading area to unload the deceased out of the public view. He discussed the increase in prices of the funeral industry and having a general, storefront location to serve people; contracting with local churches for larger crowds; and the State requirement for an embalming room.

Mayor Griffin closed the public hearing at 7:41 p.m.

There was discussion on the differences regarding licenses for funeral directing and embalming.

Motioned by Councilmember Champney, seconded by Councilmember Turner, to approve an ordinance to rezone a portion of the property known as Lot C, Block 28, Stonegate Addition, located at 530 Bedford Road, Bedford, Texas, from Light Commercial to Light Commercial/Specific Use Permit/Funeral Homes & Mortuaries, specifically allowing for Bedford Funeral Home. The property is generally located east of Brown Trail and south of Bedford Road. (Z-258)

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

**6. Public hearing and consider an ordinance to rezone properties known as Lot 1, Block 1, and Lot 1A, Block 1, First State Bank Plaza Addition, located at 1921 and 1901 Shoalmont Drive respectively, from Service Commercial and Heavy Commercial/Specific Use Permit/Motorcycle Service respectively, to Heavy Commercial/Specific Use Permit/Motorcycle Sales and Service. The properties are generally located north of State Highway 183 and west of Central Drive. (Z-262)**

Mr. Syblon presented information regarding this item, which is for Adam Smith's Texas Harley-Davidson to construct a new 70,000 square foot, two-story dealership and the proposed use requires a SUP. The dealership would be built on a six acre site that used to be a Wells Fargo drive-thru and which is behind their current service center. The proposed site plan meets all of the zoning requirements but the applicant

is asking for a special sign type that is not addressed in the Sign Ordinance. The roof sign placed on the southern elevation is 14 feet tall and this special sign type can be included in the SUP. There is also a bar and shield sign on the façade and east elevation. Any other sign would have to go through the sign permitting process. There are also three, 30-foot tall flag poles placed on the roof at a total height of 80 feet, which are exactly the same heights of the flag poles at Mac Churchill Automall. If Council wishes to approve the flag poles as a component of the site plan, they can make it a stipulation. The Planning and Zoning Commission unanimously recommended approval of this item at their November 13 meeting with the following stipulation: that the site plan approval includes the signage Exhibits A and B provided at the November 13 Planning and Zoning Commission meeting.

Mayor Griffin opened the public hearing at 7:49 p.m.

Neil Noble, 6416 Cimmaron Trail, Colleyville, representing the applicant, stated that in regards to the height and special sign on the front, it was developed with the retail environment group at Harley-Davidson. There are very few dealerships that are built without highway frontage and in working with design personnel, there was a concern about the height, which lead to the idea of the raised sign and the flag poles. In regards to questions about the flags, they would be using the United States and Texas flags. He discussed having site lines for the traffic and that Harley-Davidson mandates certain signage requirements.

Mayor Griffin closed the public hearing at 7:51 p.m.

There was discussion regarding adding a stipulation for patriotic state or national flags. In answer to questions from Council, Mr. Noble stated that they are leasing the current facility and will shortly be closing on purchase; that the current service building would be part of the parking lot of the new dealership; that the northern building would continue in its current use; and that no final decision has been made on the main showroom building but that it would likely be used for a separate pre-owned motorcycle sales center.

Motioned by Councilmember Davisson, seconded by Councilmember Champney, to approve an ordinance to rezone properties known as Lot 1, Block 1, and Lot 1A, Block 1, First State Bank Plaza Addition, located at 1921 and 1901 Shoalmont Drive respectively, from Service Commercial and Heavy Commercial/Specific Use Permit/Motorcycle Service respectively, to Heavy Commercial/Specific Use Permit/Motorcycle Sales and Service with three stipulations: the signage be in accordance with Exhibits A and B, the flag poles be in accordance with the same exhibits, and that only American and Texas flags be flown. The properties are generally located north of State Highway 183 and west of Central Drive (Z-262)

Motion approved 5-0-1. Mayor Griffin declared the motion carried.

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

Abstaining from voting: Councilmember Fisher

**7. Consider a resolution appointing members to Bedford's Citizen Boards and Commissions.**

This item was approved by consent.

**8. Consider approval of a resolution authorizing an amendment to the Employee Personnel Policies and Procedures – Incentive Pay.**

This item was approved by consent.

**9. Consider a resolution authorizing the City Manager to enter into the first year of a three-year contract with B&B Wrecker Services, Inc. to provide towing and storage for City-initiated vehicle tows and providing an effective date.**

This item was approved by consent.

- 10. Consider a resolution authorizing the City Manager to purchase mobile radios from Motorola Solutions in the amount of \$40,152.96, utilizing the Tarrant County 9-1-1 P25 Assistance Program Funding.**

This item was approved by consent.

- 11. Consider a resolution authorizing the City Manager to expend funds for an annual payment in the amount of \$46,008 for the renewal of the extended maintenance, technical support agreement and server replacement plan with Innovative Interfaces, Inc.**

This item was approved by consent.

- 12. Consider a resolution authorizing the City Manager to purchase a 14-yard Tandem Dump Truck in the amount of \$121,454 from Rush Truck Center through BuyBoard, a Local Government Purchasing Cooperative.**

This item was approved by consent.

- 13. Consider a resolution authorizing the City Manager to renew a lease agreement with ONSTAGE relative to the Trinity Arts Theater located within the Bedford Boys Ranch Park.**

This item was approved by consent.

- 14. Consider a resolution authorizing the City Manager to enter into a lease agreement with Arts Council Northeast relative to the Trinity Arts Building located within the Bedford Boys Ranch Park.**

This item was approved by consent.

- 15. Consider a resolution authorizing the City Manager to enter into a one-year lease agreement with Cathedral of Hope Mid-Cities Church to provide meeting space for church services at the Old Bedford School.**

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 reported that the Commission will not be meeting this month and membership has been filled with appointments made earlier.

- ✓ **Community Affairs Commission - Councilmember Boyter**

No report was given.

- ✓ **Cultural Commission - Councilmember Champney**

Councilmember Champney reported that the Commission met the previous night. There was a four page overview of activities in 2014 and a projection of activities for 2015, including ArtsFests, art talks, and the Masterworks Series. They are putting together an application for a 501(c)3. They plan on submitting a letter of intent for the cultural district designation by the State in June or July, followed by

the formal application in January of 2016. He discussed the recent groundbreaking for the work at the Boys Ranch.

✓ **Library Board - Councilmember Davisson**

Councilmember Davisson wished Library Director Maria Redburn well as she has been sick.

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

Councilmember Davisson reported that the Board is working on the planning for the revision of the Parks Master Plan, which they hope to have completed by the end of the fiscal year.

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

No report was given.

### **17. Council member Reports**

Councilmember Turner reported that the Senior Center holiday lunch is Friday, December 12 at 12:00 p.m.

Mayor Griffin reported that by not winning the 6Stones bus pull, somebody with the City will have to take the polar plunge on Friday, and the decision on who is up to team captain Beverly Griffith.

### **18. City Manager/Staff Reports**

City Manager Beverly Griffith reminded everybody that with the holidays, there will be slight changes to trash pickup. Thursday will shift to Friday, and Friday to Saturday, the weeks of Christmas and New Years. She stated that the City received an email from Trinity River Authority notifying the City that their reservoir capacity is at 62.5 percent, they are projecting those levels will continue to decline, and that Stage Two water restrictions would be implemented around the first of the year.

### **EXECUTIVE SESSION**

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

- a) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1RB, Bedford Meadows Shopping Center.**
- b) Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation regarding 533 Bedford Road.**
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations with the City of Euless.**
- d) Pursuant to Section 551.074: personnel matters – review steps for City Manager evaluation. \*\*This item requested by Mayor Griffin.**

Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1RB, Bedford Meadows Shopping Center; Section 551.071, consultation with City Attorney regarding pending or contemplated litigation regarding 533 Bedford Road; Section 551.087, deliberation regarding economic development negotiations with the City of Euless; and Section 551.074: personnel matters – review steps for City Manager evaluation at 8:02 p.m.

Council reconvened from Executive Session at 9:35 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.

### **19. 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 9:37 p.m.

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Jim Griffin, Mayor

ATTEST:

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Michael Wells, City Secretary