

Council Minutes June 20, 2015

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 8:30 a.m. at the TXI Conference Room, 1805 L. Don Dodson, Bedford, Texas, on the 20th day of June, 2015 with the following members present:

Jim Griffin	Mayor
Ray Champney	Council Members
Steve Farco	
Roger Fisher	
Dave Gebhart	
Rusty Sartor	
Roy W. Turner	

constituting a quorum.

Staff present included:

Roger Gibson	Interim City Manager
Kelli Agan	Interim Assistant City Manager
Michael Wells	City Secretary
Les Hawkins	Interim Police Chief
Russell Hines	Building Official
Tom Hoover	Director of Public Works
Meg Jakubik	Assistant to the City Manager
Emilio Sanchez	Planning Manager
Bill Syblon	Development Director
James Tindell	Fire Chief

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order at 8:33 a.m.

WORK SESSION

- **Council planning session to include discussion regarding the Council's visions, goals and related topics.**
- **Staff update on current and upcoming projects.**

Staff gave updates on the following projects:

- **Monument Signs**

Public Works Director Tom Hoover stated that this project is to replace the signs that were torn down by NTE during the Highway 183 construction. A design was approved by Council and incorporated in construction documents that went out to bid. The bid was recently awarded to Turner Signs. A pre-construction meeting was held and the contractor has 120 days to

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complete the project. A \$25,000 settlement was negotiated with NTE to participate in the construction of the replacement signs and the total cost of the project is \$129,000. A slight change has been made to the original design due to potential maintenance issues with the cast stone; instead, there will be an aluminum plank with letters mounted to it, which will be textured and painted to look like cast stone. The company is also matching the brick and mortar with that used for the sign at the Old Bedford School. In answer to questions from Council, Mr. Hoover stated that the signs at Central Drive will be constructed first, followed by Harwood Road and Murphy Drive; that any damage to the new landscaping will be repaired; that electrical is already at the locations at Harwood Road and conduits have been run for those at Central Drive and Murphy Drive; that the contractor will take the electrical from the medians to the signs; and that staff is awaiting quotes regarding the sign at Fire Station 3. There was discussion on extending the landscaping on Highway 121 to Bedford Road, the washout of debris onto Bedford Road next to the church; maintenance of the landscaped medians; restriping of the intersection at Bedford Road and Airport Freeway; adding a yield sign by the Holiday Inn; adding crosswalks; and the long white lines that separate the frontage roads from the on and off ramps. Interim City Manager Roger Gibson stated that staff will be meeting with Robert Hinkle with NTE on several issues.

- **The Softball Field at the Boys Ranch**

Mr. Hoover stated that staff is in the process of compacting the soil at the site, which should be completed by the following Monday and will be followed up by the installation of grass later in the week. With FourthFest being moved to a new location, there will be no need to over-seed and over-water the site. Bermuda grass will be installed and it will not be a competition surface. The site will have three adult-sized soccer fields and a girls softball field. The site was never intended to be a competition field and was to be only used for practice. In subsequent years, staff will look at illuminating the soccer area, which can also provide lighting for the softball field. He stated that the site used to be a dumping ground for Public Works and the work, which is being done by Public Works crews, has been slowed down by the rain. In answer to questions from Council, Mr. Hoover stated that the site will not be irrigated and water trucks and cannons will be used instead; and that the softball field will have a non-competition type backstop.

In regards to Phase I of the Boys Ranch improvements, Mr. Hoover stated that the playground is substantially complete except for ladders and fall zone materials; that they will be bringing an item to Council regarding installing more intruder resistant fencing; that the dredging of the lake should begin at the end of the month and go through September; and that some of the rock ledging has been installed. There was discussion on using the same stone and mortar used for the Post Office channel for consistency; packaging the remaining phases of the improvements into a single phase; having plans in place to maintain facilities; incorporating the Senior Center and arts buildings into one complex with a workout center; potential efficiencies; whether the Boys Ranch is protected by the Historical Society; and discussions with a group on a public/private partnership to build a new athletic complex at the Boys Ranch. There was discussion on establishing a Council liaison relationship with the Senior Center; and a budget supplemental for a deck off of the back of the Center.

- **Budget/Budget Timeline**

Assistant to the City Manager Meg Jakubik presented information regarding the processes and steps staff goes through during the budget process. She stated that the budget is adopted based on the July certified values, while tax bills are generated off of the September certified values. In 2014, the City gained a few hundred thousand of value between the July and September values. The City starts to receive new values in April for the year but May gives a better estimate. There was an increase of 3.89 percent from the estimated values in September of 2014 to May of 2015. Historically, there is an average loss of 2.2 percent of value from May to

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the following September. These values include new construction that is already on the books. City departments have performed their first round of projections, which shows that both revenue and expenses are up from what was budgeted. The City was budgeted to go into the Fund Balance by \$300,000; however, based on the latest projections, it appears that it will go into the Fund Balance by \$236,000. The Tourism Fund may come out with surplus instead of going into the Fund Balance. In regards to the Water Fund, staff has been working with a consultant on a rate analysis that will be presented to Council. The Stormwater Fund is doing well and has some cost savings. Overall, the City is going into Fund Balance due to various maintenance funds; however, looking at net, the City is looking at coming in with revenue over expenditures. There was discussion on other funds and the surplus being more from an increase in revenues than a decrease in expenditures. Ms. Jakubik stated that the projections are net of any incentive payouts, which are subtracted on a monthly basis and earmarked. There was discussion on water sales increasing with watering restrictions being lifted and water sales being used to cover costs.

Ms. Jakubik presented information on supplemental requests, including phone system upgrades, software conversions, timekeeping software, personnel, line item funding increases, a commercial vehicle enforcement program, vehicles, facility improvements, and a monument sign at the Glade Parks gateway. There was discussion regarding health insurance and a request into New World Systems regarding TouchPoint software. Ms. Jakubik presented information on upcoming key dates and meetings.

- **Budget Philosophy/Focus and Long Range Planning**

Mr. Gibson stated that there has been concerted effort on the part of the departments to work together. One item that will be given to Council that they have not received before is a spreadsheet showing future supplemental requests. He stated that there have been discussions amongst staff on bringing custodial services in-house and funding playground maintenance. There was discussion on the loss of Fire Department and Public Works personnel as well as openings in Dispatch; issues with finding qualified persons for these positions; continuing with the TMRS/ICMA conversion, as well as salary and merit conversions; supporting infrastructure needs; maintaining the effective tax rate; thinking beyond needs; taking care of employees; the loss of employees being driven by salary and benefits; the costs and time to train police officers; long term threats from other communities; having a comprehensive plan to help stem the tide of losing employees; merit increases and market adjustments the previous two years; having fewer "gadgets" versus more money in employees' pockets; the number of employees that received market adjustments the previous two years; starting salaries not having been adjusted in nine years; the disparity in starting pay for dispatchers between Bedford and Eules; merging dispatch services in the three cities, including needing a separate facility; salary surveys conducted by the Human Resources Department; offering bonus incentives for new employees; not having enough money to do all that the City wants; and raising the salary ranges and the costs of doing a global market adjustment. Council requested information on salaries and options prior to the budget work session.

- **Linear Trails Identification**

Interim Assistant City Manager Kelli Agan stated that the Parks and Recreation Board recommended putting mile markers along the Trails to have a point of reference in the case of an emergency. The project should be completed by the following week. The starting point would be at Forest Ridge Drive and run east to the end of the trail by Walmart. Identification would be placed every tenth of a mile and would include poles and markers on the cement. A map of the markers would be plotted for Dispatch. There was discussion on the number of signs on the trails; creating a list of civic maintenance projects for community organizations; having opportunities for citizens, such as homeschoolers, to be civically engaged; having volunteers

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clean up the Boys Ranch; maintaining and beautifying streets and public areas; the role of the Beautification Commission; potential liability issues; installing a motion sensor on a recently installed pedestrian light; and installing signs at the entrance of the Trails.

- **AT&T Update**

Ms. Agan reported that she received an update from Paul Baumgardner with AT&T regarding the replacement of the "B" logo on the tower at Highway 183 and Central Drive, which has already faded due to being installed with inferior products. AT&T will evaluate what it would take to replace the logo in their third quarter, with the replacement occurring in their fourth quarter. There was discussion on adding lights; AT&T being willing to pay for the lighting using a certain layout and mechanism; fixing the logo and not lighting the tower; backlighting the logo; the estimated cost to replace the logo being \$50,000 and AT&T moving the project into January if they do not have enough money in their maintenance funds; having Turner Signs looking at the issue; and the cellular arrays at the top of the tower. Council was of the consensus to have the "B" backlit if possible.

There was Council discussion on the following topics:

- **Council Rules of Order and Procedure**

There was discussion on adhering to procedures and moving forward once decisions are made in order to function effectively; collectively giving staff direction as a group; procedures for joint meetings; and adding procedures for abstaining. There was discussion on Open Forum including changing it to its original state; the reasons for the changes; objections to the changes; interacting with citizens; and access to Council.

- **Boards and Commissions**

Council discussed Council liaison positions and was of the consensus to make the following appointments at the upcoming regular Council Meeting:

- Community Affairs Commission - Councilmember Farco
- Library Advisory Board - Councilmember Farco
- NCTCOG/RTC - Councilmember Farco
- Parks and Recreation Board - Councilmember Sartor
- Teen Court Advisory Board - Councilmember Gebhart
- Trinity River Authority - Councilmember Turner
- Industrial Development Authority - Councilmember Gebhart
- Street Improvement Economic Development Corporation - Councilmember Sartor
- Health Facilities Development Corporation - Councilmember Fisher

There was discussion on adding a Council liaison position to the Senior Center and Council of was of the consensus to appoint Councilmember Turner to that position.

Councilmember Gebhart nominated Councilmember Fisher to serve as Mayor Pro Tem and Councilmember Turner nominated Councilmember Champney to serve as Mayor Pro Tem. A majority of Council approved of Councilmember Fisher being appointed Mayor Pro Tem at the next regular Council Meeting.

- **Cultural District**

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Councilmember Champney presented information regarding the Cultural District. He discussed the history of the District going back to 2008; that 93.7 percent of citizens supported City resources being used to develop new businesses and revitalizing existing commercial areas; the Bedford Commons vision acknowledging the Cultural District as an important factor in attracting new businesses and residents; a presentation at the March 24 meeting about using the Cultural District as an example of strategic planning; a SWOT analysis of the Bedford Commons and Cultural District showing that they complement each other, which is a critical factor in getting the right kind of funding; density created through the District supporting the development of the Commons; the Texas Legislature continuing to fund arts and culture; private sector businesses locating next to arts and cultural sites; moving forward on the cultural district designation and establishing a 501(c)(3); arts and culture generating \$5.1B in the State's economy and \$320M in sales tax revenue; the Levitt Pavilion raising \$1.2M in less than one year to fund construction, with the City performing the street-scaping and infrastructure; the strategic plan presented by the Cultural Commission at the previous Council meeting; a budget supplemental proposal for a Cultural District Master Plan; incorporating activities at the Boys Ranch as part of moving forward on the District; opportunities from a budgeting and funding standpoint; offsetting development costs in relation to funding coming into the Boys Ranch; looking at the process from a big picture standpoint; available street-scaping products that can be incorporated into the planning and budgeting process; and coming up with unique ways to approach funding options. There was discussion regarding a new winery that has opened in the District; developing a cultural calendar; and more shopping centers featuring art in empty storefronts.

- **Development Activities**

Council discussed the Bedford Commons project, including a Planning and Zoning Commission amendment to the Development Code to have every development go through the Commission and Council; working with the development community to receive input; sharing information with the public; addressing older strip centers; and the public being fearful of a multifamily component. There was discussion regarding the International Council of Shopping Centers convention; discussions with Chick-fil-A and HEB ISD, including the need for more land and looking at other sites; the impact of online sales on retail operations; a restaurant group looking at property adjacent to the Shops at Central Park; the Big Lots Shopping Center being under new management; bringing landscaping up to code when fixing up a commercial property including that it is not a requirement if there is no change to the footprint and site plan; maintaining properties up to the code at the time they were built; the property at the corner of Harwood Road and Highway 121 being for sale; the former 24 Hour Fitness building becoming an indoor play center or another fitness center; and interest in the former Luby's property as a car dealership concept.

- **Sign Ordinance**

Building Official Russell Hines presented information regarding the Sign Ordinance. He stated that the revisions are modeled after ordinances in the cities of Euless and Southlake. The Ordinance has previously been revised in parts, but there has never been a comprehensive look at the whole thing. Recommended revisions to the Ordinance include the following:

- The section on Definitions has been restructured and some definitions have been added and others revised.
- The section on enforcement has added that a Code Compliance Officer is able to enforce the provisions of the Ordinance. Fines for noncompliance are recommended to go from \$10.00 to \$60.00 per sign. There was discussion on "bandit" signs, including issues with enforcement and staff being able to ticket offenders.

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- Regulations for electronic message graphic signs have been added. Recommendations include a time change limit of not less than 15 seconds, with time and temperature changes being allowed to remain at three seconds; and prohibitions on audio messages and graphical images on signs located on primary and secondary walls.
- Window signs have never been addressed and there was conflicting language within the Ordinance. Recommendations include defining more clearly what constitutes a window; an exemption on window displays that are not directly in the window; and a prohibition on “now hiring” signs being used to advertise the business.
- Regulations on For Sale/Lease Signs of Existing Buildings are modeled after those in Southlake and will give uniformity to shopping centers. The estimated cost on these types of signs range from \$1,100 to \$2,500 per sign. Recommendations include a maximum height of five feet with finials not to exceed nine inches; and a standard sign face.
- Revisions to Land For Sale/Leasing Signs are also based on those from Southlake. Recommendations include bringing them down to a maximum of five feet off of the ground from the current 15 feet; a maximum area of 32 square feet; and uniformity.
- Recommendations for Commercial and Residential Development Construction Signs include a maximum height of five feet from the ground; a maximum area of 32 square feet; and a limit on the number of signs.
- Exempted Signs have been consolidated into one section and include government signs, now hiring signs, and a change on residential sale, lease and rental signs to not be in conflict with the requirement of sale and lease signs on commercial properties.

There was discussion on regulating balloons of less than 24 inches in diameter; feather signs; and public input into the Ordinance revisions.

Mr. Hines presented information on Prohibited Signs. He listed surrounding cities that allow or prohibit portable signs. In regards to outlining windows with LED lights, North Richland Hills is the only surrounding City that is currently addressing the issue. The recommendation is that luminous signs would be prohibited in windows, except for illuminated Open/Closed signs. In answer to questions from Council, he stated that there is a discrepancy in the current Ordinance regarding regulating window signs and that the recommendation is to add a definition clarifying the definition of a window with a maximum of 25 percent of a window being used for signage. There was discussion on limiting the amount of storefront that can be used for advertising; creating standards for the City; cleaning up the aesthetic of the City; safety issues including making the inside of businesses more visible; blight; upsetting business owners; bringing in better businesses and residents; limiting the amount of advertising; the City's tax base; updating thoroughfares; increasing the percentage of window space to be used for advertising; Council acting as a homeowners association for the City; and standards being focused on health and safety.

Mr. Hines presented further information on prohibited signs. He stated that search lights or flashing lights would not be permitted, including for Open/Closed signs. Feather flags, previously referred to as swooper flags, are currently prohibited except if they have “still in business” permit during construction. There was discussion on the appeal process through the Building and Standards Commission and District Court; an upcoming item under Persons to be Heard at the next Council meeting regarding changing the Ordinance for swooper flags and other signage; adding language that temporary signs cannot go to Building and Standards; the length of time and circumstances that balloons over a certain size are allowed; supporting businesses digitally; being business friendly; language in the Ordinance on existing signs being

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brought into compliance; legal non-conforming signs and grandfathering; posts being removed when the plywood on For Sale/For Lease signs is removed; a trailer being used for advertising on Brown Trail; holiday lights in windows; examining the City of Arlington's recently approved sign ordinance; language on retroactively applying new regulations; the percentage of signs that would be affected; Council's mandate; granting a grace period on legal non-conforming signs; the time for staff to notify businesses; and amortization to recoup costs of signage. There was further discussion on staff getting advice from the City Attorney and getting an idea of the potential impact. Mr. Hines stated that the only permanent signs addressed in the draft Ordinance are electronic message board signs.

There was discussion on a citizen request to use City-owned property for pocket parks including working with the Parks and Recreation Board and potential maintenance issues. Council was of the consensus to not pursue the request. There was discussion on adding the Pledge of Allegiance to the Texas Flag as part of future Council meetings and Council was of the consensus to do so.

There was discussion on paying off debt to bolster the pay scale; much of the City's debt being on a schedule and not being callable; using cash reserves to pay for capital items the previous three years; using debt to pay for infrastructure; and the rollback rate being calculated on the operations portion of the tax rate. There was discussion on revisions to the Animal Ordinance regarding the feeding animals including enforcement and issues related to establishing ownership.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 1:26 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary