

Council Minutes January 13, 2015

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. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 13th day of January, 2015 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
Natalie Foster	Marketing Specialist
Roger Gibson	Police Chief
Wendy Hartnett	Special Events Manager
Tom Hoover	Public Works Director
Meg Jakubik	Assistant to the City Manager
Jill McAdams	Human Resources Director
Mirenda McQuagge-Walden	Managing Director
Bill Syblon	Development Director

COUNCIL CHAMBER WORK SESSION

Mayor Griffin called the Work Session to order at 5:00 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: 1, 3, 4, 5, 6, 7, 8, 9 and 11.

Assistant to the City Manager Meg Jakubik presented information regarding Item #3. The City was approached by HEB Hospital, which requested that the prohibited places in the Smoking Ordinance be expanded to include the entire hospital campus. The ordinance carves out property that is leased for non-medical purposes such as restaurants.

Council discussed Item #4, including the justification for the change; issues related to quorums; volunteers who work on Beautification projects; filling the remaining positions on the Commission; and the functioning of the Commission.

Council discussed Item #5. In answer to questions from Council, City Manager Beverly Griffith stated that to fence off the entire area of the BRAC would cost approximately \$1,900. In answer to further questions from Council, Special Events Manager Wendy Hartnett stated that the fencing would be solely

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for the alcohol; that they may not need as much fencing if the City contracts with a third party; that they are looking at doing a craft brew experience; and that the City would be paying the third party. There was discussion on alcohol being an expense instead of revenue; the time of day for alcohol sales; infusing more participation and interest in the event, including advertising; no alcohol being allowed in the egg hunt area, and posting signs or volunteers; and ensuring that safeguards are in place. Ms. Hartnett stated that the special event permit went through the appropriate City departments and there were no red flags; that it is not the intention for staff to sell alcohol; and that they are Texas Alcoholic Beverage Commission certified. There was discussion on alcohol at the Taste and Tunes events.

Public Works Director Tom Hoover presented information regarding Item #6, which is for a sewer rehabilitation project in concert with the City's Sanitary Sewer Outreach Initiative (SSOI) project with the State. The engineering firm for this project was hired in January of 2014. The project is along Spring Valley Drive between Harwood Road and Simpson Terrace. The cost projection was approximately \$460,000 and the low bid came in at approximately \$409,000. Excel 4 Construction has done good work on other City projects, and the engineering firm has reviewed their references, insurance and bonding and has found no reason not to award them the bid. In answer to questions from Council, Mr. Hoover, stated that the project is in the 19.1 drainage basin, which is associated with the Trinity River Authority metering station at Pipeline Road; that work associated with the basin has already been done; that this area was in the initial assessment performed by Espey required by the SSOI due to outflow issues; that the project is associated with the agreement with the State; and that work performed by staff has reduced the total treatment of water by 300,000 gallons a day.

In answer to questions from Council regarding Item #7, Mr. Hoover stated that staff is getting a new camera van, which is on order but will not be available for another six months; that the current van is down as much as it is operational; that they have enough linear feet of cleaning and inspections for the SSOI report due in February and they wanted to work on areas that were committed to the State; that in seven subdivisions, staff will inspect, television, clean and replace sections as needed; that there is a fine of \$10,000 a day if the City does not meet the projections; that staff was able to use remaining funds from the Water Development Board; that by doing television and cleaning, an environmental assessment is not required; that it was decided not to put the remaining \$96,000 in funds into a construction project; that the estimate for the amount of linear feet and type of cleaning is based on experience and if it is discovered that more heavy cleaning is required, staff can do a change order or have their own crews fix the area; and that the City is required to inspect 20 percent of its system and clean 166,000 linear feet every year.

Mr. Hoover presented information on Item #8. Staff was approached by the City of Hurst regarding a study funded through the Federal Emergency Management Agency for the Valley View Branch. This study would determine what improvements might be needed. The section of the branch that runs through Bedford is already improved with concrete channel lining but changes made downstream may lower the floodplain elevation. By participating in the study, Hurst gets more points for joint collaboration and Bedford would get the results of a major study for relatively low costs. The City would only have to pay if Hurst is awarded the grant and the City is not committed to any construction projects.

Mr. Hoover presented information regarding Item #9, which is an agreement with Tarrant County to allow the City to use their bidding process to purchase liquid asphalt. There is \$35,000 in the budget for asphalt and liquid asphalt. This agreement would save money over the City purchasing liquid asphalt itself as the City would have to purchase larger quantities. The current prices are \$2.06 a gallon for the County and \$7.00 a gallon for the City. In answer to a question from Council, he stated that the City has not been buying any quantity of liquid asphalt at that higher price.

Building Official Russell Hines presented information regarding Item #9, which is a new truck for the Building and Multi-Family Inspector that was recently hired, and was approved in the budget process. The cost of the vehicle is \$21,390 and it will primarily be used for the patrol and inspection of multi-family properties. In answer to questions from Council, Mr. Hines stated that in the past, these inspections were subcontracted out and a minimum number of inspections were being performed to meet Code; that there was not enough funds for follow-up inspections; that staff was seeing more areas

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of decline in the properties, which needed to be addressed; that the service was previously subcontracted out to an individual; that the difference in cost of the vehicle compared to the budget was due to miscommunication on the part of the dealer; and that the price includes the total cost of the vehicle except for the tool box and that decaling will take place in-house.

- **Presentation on Community Affairs Commission plans.** **This item requested by Mayor Griffin.

Mayor Griffin requested this item be placed on the agenda. Community Affairs Commission Chairperson Roy Savage recognized Commission members Steve Grubbs, Gary Morlock and Dianne Doughty in attendance. The purpose of his coming to Council is to seek approval of the calendar of events that the Commission assembled for the current year's activities. The Commission will coordinate with City staff to solidify dates and times so as not to interfere with other City meetings. He asked if the Commission is fulfilling the will of the Council. He discussed the tentative calendar including dates for business and residential roundtables, the City Expo at the Boys Ranch that may be held in conjunction with the Pet Fair, block parties, and a Mayor's roundtable. There was discussion on increasing participation in business roundtables; moving residential roundtables to different areas of the City; having food at the events; and getting the Chamber to advertise the business roundtables. In answer to questions from Council regarding the block party, Mr. Savage stated that the format should stay the same depending on participation and they are looking at 6Stones for help; and that it would be open to anybody. There was discussion on businesses having more participation upfront and conducting a survey of attendees. Council was of the consensus to approve the approach of the Commission and the events and activities presented.

- **Presentation on the Employee In-Service Training Day.**

Human Resources Director Jill McAdams stated that this was a budgeted item brought to Council in September, which was to close City facilities to host an employee in-service training day. It is an event that will be held each Veteran's Day moving forward. The intention was to provide employees a conference style event and training. Employees were given gift bags with items from human resources' vendors as well as lanyards, PRIDE bracelets and a folio. The keynote speaker was Julie Burch, whose presentation was "Going the Distance Rocky Style," which was about perseverance and accomplishing goals. General employees were broken into various groups and there was a separate group for supervisors and management. The budget for this event was \$9,000 and the training was done through Strategic Government Resources. One hundred thirty-five employees were in attendance, including four off-duty personnel. Twenty-seven shift personnel were not able to attend. Supervisory employees went through classes regarding managing employee performance, instilling customer service values, and hiring the right people through behavioral-based interviewing. The general employees were split into groups of 59 and 64 at the Library and BRAC, and had classes on extraordinary customer service, harassment prevention, effective communication skills, and time management. A survey was sent out and 93 responses were received, which were overall positive. The time management and behavioral-based interviewing classes were the most well received, while there were negative comments on having harassment training, the location and physical setup of the training, and refreshments. There were comments regarding not having special acknowledgement of veterans so there will be some type of recognition moving forward. She discussed suggestions for next year including a wellness activity, team building, verbal judo, dealing with difficult coworkers, and open records laws. In answer to questions from Council, Ms. McAdams stated that the Emerging Leaders classes take the Meyers-Briggs and the DISC assessments, and that senior staff has taken the Meyers-Briggs assessment. There was discussion on morale and building togetherness.

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

Public Works Director Tom Hoover stated that this was a follow-up to the discussion from the last Council meeting regarding bringing engineering services internal. Based on questions from Council at that time, he stated by the end of December, the City spent \$75,000 on professional engineering services, which projects out to \$200,000 annually. Staff is looking at additional water and sewer repairs to maintain compliance with the Texas Commission on Environmental Quality (TCEQ), as well as to

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hold Development Review Committee (DRC) meetings internally. Staff put together a list of projects over the next five years that were estimated at between \$267,000 and \$335,000. Larger and more specialized work, as well as work that need to be performed faster would still require a consulting engineer. The total amount of engineering services that could be performed internally is \$1.4M over the next five years, the costs associated with bringing it internal is approximately \$1M, for a potential savings of approximately \$400,000 over the next five years. He stated that it is always cheaper to have in-house engineering but the key is how quickly something needs to be done. Over the last five years, the City has done more design work and construction than since 2005, when in-house engineering services were ended. The internal positions would allow the opportunity for such things as DRC, an extra set of engineering eyes in the field, and coordinating the inspectors. He stated that the savings could be used for another street project such as Gregory Avenue. There was discussion on annual monitoring to justify what has been saved; staff providing the amount of money spent on engineering during the time that the City did and did not have engineers, the number of people in the office and the total value of projects during that time; and collaborating with other cities for engineering. In answer to questions from Council, Mr. Hoover stated that the internal positions would be used for smaller projects such as Dora Street and Bedford Road; that the estimated costs include salary and benefits for two positions, with construction costs in the first year; that the \$1.4M in water and sewer estimates are from projected costs prepared by consultants and Gary Burton Engineering; and that the DRC budget is for Dick Perkins to attend the meetings. Council was of the consensus for staff to pursue this item with the additional information requested by Council.

Mayor Griffin adjourned the Work Session at 6:11 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 and 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 551.071, consultation with City Attorney regarding pending and contemplated litigation regarding 2212 Central Drive.**
- e) Pursuant to Section 551.074: personnel matters – review steps for City Manager evaluation.**
- f) Pursuant to Section 551.087, deliberation regarding economic development negotiations regarding Meadow Park.**

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 and contemplated litigation regarding 533 Bedford Road; Section 551.087, deliberation regarding economic development negotiations with the City of Euless; Section 551.071, consultation with City Attorney regarding pending and contemplated litigation regarding 2212 Central Drive; Section 551.074: personnel matters – review steps for City Manager evaluation; and Section 551.087, deliberation regarding economic development negotiations regarding Meadow Park at 6:16 p.m.

Council reconvened from Executive Session at 6:59 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.

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The Regular Session began at 7:02 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Pastor Ken Ehrke, Cathedral of Hope-MidCities)

Pastor Ken Ehrke of Cathedral of Hope-MidCities gave the invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

ANNOUNCEMENTS/UPCOMING EVENTS

Marketing Specialist Natalie Foster stated that there were tickets left for the Murder Mystery Dinner the upcoming Saturday starting at 7:00 p.m. On February 1, there will be a "Collector's Day" at the Old Bedford School starting at 3:00 p.m. where people can show off collector's items from 1915 to 1960. There will be an event every month at the School leading up to the 100 Year Anniversary event. The annual Mardi Gras Casino and Gala sponsored by the Library Foundation will be held on February 7, starting at 6:30 p.m. Tickets are \$50 and can be purchased at the Library. The Senior Center Valentine's Day Dance will from 7:00 p.m. to 9:00 p.m. on February 9 and will feature refreshments and music from Doc Gibbs. The City is still accepting applications for artists for ArtsFest scheduled for the end of March. Artists will have the opportunity to display and sell their items.

OPEN FORUM

Nobody chose to speak during Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Champney, seconded by Councilmember Turner, to approve the following items by consent: 1, 3, 4, 5, 6, 7, 8, 9 and 11.

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

APPROVAL OF THE MINUTES

1. Consider approval of the following City Council minutes:
 - a) December 9, 2014 regular meeting
 - b) December 22, 2014 special meeting

This item was approved by consent.

NEW BUSINESS

2. Public hearing and consider an ordinance to rezone property known as a portion of Lot 8, Block 1, Gregory Addition also known as Tract 8A1 of Abstract 1080 J.M. Matson Survey, located at 2101 Pipeline Road, Bedford, Texas, from "R-7,500" Residential to "H" Heavy Commercial. The property is generally located west of McCurry Avenue and north of Pipeline Drive. (Z-264)

Development Director Bill Syblon presented information regarding this item, which is a rezoning case. The applicant wishes to redevelop the site of a former convenience store and gas station at the northeast corner of Central Drive and Pipeline Road. The building has been razed and the site has split

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zoning, with half being residential and the convenience store site being heavy commercial. For redevelopment, the entire site needs to be consistent to heavy commercial. Since the site is adjacent to residentially zoned properties, a site plan is required. The site plan reflects an 8,000 square foot building and is in compliance with all zoning regulations. The Planning and Zoning Commission unanimously approved this item at their December 11 meeting.

Mayor Griffin opened the public hearing at 7:10 p.m.

Lynn Kadleck, 2000 North Central Expressway, Plano – Mr. Kadleck stated that he represents the developer and owner of the property and that he is willing to answer any questions Council may have.

Mayor Griffin closed the public hearing at 7:11 p.m.

In answer to questions from Council, Mr. Syblon stated that a field inspection of the existing retaining wall indicated it to be a concrete masonry unit (CMU) product and as the site is redeveloped, if it is determined that it is not consistent with current zoning regulations, it would have to be addressed; that CMU is not considered a masonry product; and that all of the tanks from the former gas station have been pulled.

Motioned by Councilmember Champney, seconded by Councilmember Davisson, to approve an ordinance to rezone property known as a portion of Lot 8, Block 1, Gregory Addition also known as Tract 8A1 of Abstract 1080 J.M. Matson Survey, located at 2101 Pipeline Road, Bedford, Texas, from “R-7,500” Residential to “H” Heavy Commercial. The property is generally located west of McCurry Avenue and north of Pipeline Drive. (Z-264)

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

- 3. Consider an ordinance amending Chapter 82 – “Offenses and Miscellaneous Provisions,” Article III “Smoking,” Section 82-71 “Definitions” and Section 82-72 “Prohibited in certain public areas” of the City of Bedford Code of Ordinances; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; providing a penalty clause; and providing an effective date.**

This item was approved by consent.

- 4. Consider an ordinance amending Chapter 2. “Administration,” Article IV. “Boards, Commissions and Committees;” Division 3. “Beautification Commission,” Section 2-206. “Composition” of the City of Bedford Code of Ordinances; providing a severability clause; and declaring an effective date.**

This item was approved by consent.

- 5. Consider a resolution authorizing the sale of alcoholic beverages at ArtsFest held at the Boys Ranch Park on March 28, 2015.**

This item was approved by consent.

- 6. Consider a resolution authorizing the City Manager to enter into a contract with Excel 4 Construction, LLC in the amount of \$409,894 for the 19.1W Sanitary Sewer Renewal Serving Spring Valley Drive Project.**

This item was approved by consent.

- 7. Consider a resolution authorizing the City Manager to enter into a contract with Metro Pipe Inspection, LLC in the amount of \$39,573 for the Closed-Circuit Television and Inspection of Sanitary Sewer Lines (CCTV) project.**

This item was approved by consent.

- 8. Consider a resolution authorizing the City Manager to support the City of Hurst, Texas' application for flood protection planning grant assistance filed with the Texas Water Development Board.**

This item was approved by consent.

- 9. Consider a resolution authorizing the City Manager to enter into an Interlocal Agreement with Tarrant County for the purchase of liquid asphalt.**

This item was approved by consent.

- 10. Consider a resolution authorizing the City Manager to enter into a Professional Services Contract for the Asbestos Abatement, Demolition and Site Clearance of 533 Bedford Road.**

Deputy City Manager David Miller presented information regarding this item, which is for approval of a bid to clean up and demolish the existing structures at 533 Bedford Road. The recommendation is to award it to JR's Demolition for \$71,750. Staff will move rapidly to have the site cleaned up but due to State regulations and coordination with other agencies, he does not want to commit to a time frame.

Motioned by Councilmember Farco, seconded by Councilmember Turner, to approve a resolution authorizing the City Manager to enter into a Professional Services Contract for the Asbestos Abatement, Demolition and Site Clearance of 533 Bedford Road.

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

- 11. Consider a resolution authorizing the purchase of a truck for the Fire Department's Building Inspection Division in the amount of \$21,390 through the State of Texas Buy Board Purchasing Program.**

This item was approved by consent.

- 12. 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 have its first meeting of the year on January 19.

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

No report was given.

- ✓ **Cultural Commission - Councilmember Champney**

Councilmember Champney reported that the Commission met on Monday in work session to discuss ArtsFest and upcoming storefront galleries. There will be a work session on January 31 to discuss the results of the survey conducted by an outside consultant. This is to help with their planning process so they can move forward on a 501(c)3 application and an application to the State for recognition for a cultural district.

✓ **Library Board - Councilmember Davisson**

No report was given.

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

No report was given.

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

Councilmember Farco reported that the Board will meet on Thursday.

13. Council member Reports

No other reports were given.

14. City Manager/Staff Reports

City Manager Beverly Griffith advised Council that staff received the audited financial statements and will schedule an Audit Committee meeting in the next couple of weeks.

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

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

ADJOURNMENT

Mayor Griffin adjourned the meeting at 7:20 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary