

Council Minutes October 27, 2015

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 6:00 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 27th day of October, 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	City Manager
Kelli Agan	Assistant City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Cliff Blackwell	Administrative Services Director
Natalie Foster	Public Information Officer
Jeff Gibson	Police Chief
Meg Jakubik	Strategic Services Manager
Bill Syblon	Development Director
James Tindell	Fire Chief

**COUNCIL CHAMBER WORK SESSION**

Mayor Griffin called the Work Session to order at 6:00 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: 3, 5, 6 and 8.

Police Chief Jeff Gibson presented information regarding Item #6, which is for a replacement program for laser and radar speed measuring devices. The life expectancy of the current units is seven years and they are averaging between eight and twenty-one years on those units. Going past that life expectancy causes issues when going to court on traffic citations. This fiscal year, they will replace nine units currently in inventory, with the remainder being replaced over the next two to three years. Three of the ten units in the Traffic Division are inoperative and it is too cost prohibitive to fix them. There was discussion that the Department takes equipment from old vehicles such as light bars and computers to outfit new vehicles; having a plan in place so they are not in the position where equipment goes beyond its life expectancy; and the new units running off of regular batteries as opposed to a proprietary battery system. In answer to questions from Council, Chief Gibson stated that the laser units will be assigned first to the Traffic Division.

City Secretary Michael Wells presented information regarding Item #8. He stated that after the Board

and Commission appointment process on September 22, applications were received by Karla Setser to serve on the Community Affairs Commission and Rick Solt to serve on the Building and Standards Commission. There are currently openings on both commissions. There was discussion on the Mayor interviewing both candidates; and changes to the Cultural Commission that will be brought to Council in December.

- **Presentation of Simple Recycling Program.**

Strategic Services Manager Meg Jakubik stated that the City was approached by Simple Recycling for a landfill diversion program that recycles items that are not accepted through Republic Waste Services recycling like textiles and home goods. She stated that she is seeking consensus from Council if they would like staff to explore the program.

Sonny Wilkins with Simple Recycling stated that the program is the highest environmental impact initiative that can be implemented by a municipality that is free to the City and its residents. It is 100 percent turnkey meaning there are no financial or operational requirements by the City and it will generate some revenue. According to the Environmental Protection Agency, even with places like Goodwill, churches and drop boxes to donate clothing, only 15 percent of material that can be donated or recycled ends up in those places, while 85 percent is going to landfills. The average person throws out 70 pounds worth of textiles per year, 95 percent of which is recyclable. Between 1999 and 2009, the volume of post-consumer textile waste grew by 40 percent, while the diversion rate only grew by two percent. The curbside model is being applied to this program and is very simple for residents. It mimics the current curbside recycling schedule and residents only have to place textiles in Simple Recycling bags, which lists all of items that will be accepted. Residents can set out the bags with their other recyclable items and Simple Recycling trucks will pick them up. The drivers will leave replacement bags but there will have to be negotiations with the City about how that is done. Residents can call for extra bags and special pickups at no cost. The materials will go to a transfer station to be weighed and the City will receive a report on the amount collected at the end of the month as well as a check amounting to \$20 per every ton they collect. He stated that the top ten to twenty percent of materials goes to their local thrift store partners. A majority that is not suitable to be sold in thrift stores is set up for international export. The next grade of materials, amounting to approximately ten percent, is broken down for such items as raw materials, insulation and carpet padding. The remainder, approximately five percent, ends up as waste. Their sister company, Great Lakes Marketing, actually moves the material. Their home office is in Ohio and the program started out there approximately two years ago. The program is up and running in approximately 30 municipalities and no municipality has chosen to discontinue the program. In the Dallas-Fort Worth market, they have a signed contract with the City of Kennendale and he will be presenting the program to other cities.

In answer to questions from Council, Mr. Wilkins stated that Simple Recycling is for-profit; that the top ten to twenty percent of materials will be sold in volume to thrift stores; that all the cities that have their program already had a recycling program in place; that the program is an extension of what the cities already provide; that they are not competing with non-profits but with landfills, as they are going after those people that do not participate in donating to non-profits; that they have not received any complaints from non-profits; that people will only donate those items that they feel are re-sellable but Simple Recycling will take everything on a regular schedule; that they usually see participation from one out of every 20 to 30 homes and a typical truck can run about 4,000 to 5,000 households; that the City can forward any customer service calls to the company's call center and a report will be generated for the City; that they typically have customer service related calls in the first 30 days of the program, which then drops off; that they have not had to make any major adjustments to the program; that they have a four-phase marketing plan, with an informational post card being mailed out to residents two weeks prior to the rollout of the program, followed by a 10X13 envelope containing a brochure and two bags a week before the rollout; that any communication with the residents will be signed off on by the City first; that there will be another postcard mailed out the week of the rollout and one more four weeks after the rollout; that all marketing expenses are paid by Simple Recycling and the City can include a letter with the second mailing at no charge; that Great Lakes Marketing handles logistics of moving the materials; that it will take approximately two years for the company to break even on their investment; that they will

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probably capture approximately 20,000 pounds of material a month in Bedford; and that volume is the key to making a profit but they do not rely on just one municipality. In regards to issues related to scavenging or rummaging through materials, Ms. Jakubik stated that in the three cities that responded to an inquiry from the City of Plano, two had no complaints and the other had one report of a bag being taken.

In answer to further questions from Council, Mr. Wilkins stated the terms of the agreement is a four-year contract giving Simple Recycling exclusive rights to collect soft recyclables, with a 45-day cancellation notice without penalty; that the company is privately held; that materials are sold in volume to thrift stores and for international export; that they get a higher margin on the higher grade materials that go through the thrift stores; that there is zero risk to the City because of the 45-day cancellation notice; that they have had discussions with the City of Euless; that there is language in the contract that if a bag is missed, it will be picked up within 24 hours; that soft recyclables include clothing, shoes, small toys, bedsheets, linen, towels, as well as small electronics; that if an item can be picked up by one person, they will do so, but if not they will put a green tag on the item saying that it cannot be accepted; that they typically have meetings with the hauler to minimize any issues with the current recycling program; that they hope the City will provide information on the website about the program; that they will be able to run routes quickly and efficiently; that the contract will allow the City to audit the process of weighing materials; that their transfer station is in Houston but they will have one in the area in the near future; and that the bags themselves are recyclable.

Ms. Jakubik stated that there were some concerns on the part of Republic regarding potential mix-ups, missed collections and customer service issues; that the City will work with the parties to work out these issues if the Council wants to move forward on the program; that the City Attorney has reviewed the template of the contract and had some minor changes with the language; and that if Council so desires, this item can be on the agenda for the December meeting. Council was of the consensus for staff to pursue the program.

Mayor Griffin adjourned the Work Session at 6:48 p.m.

### **REGULAR SESSION**

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

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

Mayor Griffin called the meeting to order.

### **INVOCATION (Dr. Jerry Chism, Martin United Methodist Church)**

Dr. Jerry Chism of Martin United Methodist Church gave the invocation.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the flags of the United States and Texas were given.

### **ANNOUNCEMENTS/UPCOMING EVENTS**

Public Information Officer Natalie Foster announced that there will be a business roundtable on Thursday, November 5 from 8:00 a.m. to 9:00 a.m. at the Library, with breakfast being served at 7:30 a.m. Topics include the Bedford Commons, the budget, and updates on the Boys Ranch construction. The Senior Center holiday luncheon will be on Friday, November 20 at 12:00 p.m. Food will be served by senior staff and door prizes will be handed out. The lunch is free but people are asked to bring canned food items to kick off the holiday food gathering for the organization NEED. Finally, the public can go to the City's Facebook page to vote on the name for the new Parks and Recreation mascot.

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Ms. Foster presented updates on the construction at the Boys Ranch Park. With the recent rains, the lake did get filled up but in anticipation, the construction crews pumped out the water downstream and will continue to do so until the water is gone. A chain-link fence has been put around the concrete rubble that will be used for the fish habitat and the sidewalks are being worked on around the Park. The foundation of the pavilion by the Senior Center has been completed and the pavilion structure by the playground is under construction. If it rains again, the crews will again pump out the water until the lake is dry.

Mayor Griffin praised the Fire Department and stated that there was a fantastic "Back the Blue" event the previous Wednesday in support of the Police Department and officers. He stated that Councilmember Farco will be inducted into the HEB Hall of Fame on November 7.

### **OPEN FORUM**

Nobody chose to speak during Open Forum.

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

Motioned by Councilmember Champney, seconded by Councilmember Farco, to approve the following items by consent: 3, 5, 6 and 8.

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

### **COUNCIL RECOGNITION**

#### **1. Employee Service Awards.**

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

Todd Rorie, Fire Department - 10 years of service  
Mike Hager, Police Department - 25 years of service

#### **2. Proclamation declaring November 2015 as American Diabetes Month in the City of Bedford.**

Mayor Griffin read a proclamation declaring November 2015 as American Diabetes Month in the City of Bedford. Janet Sigler with the American Diabetes Association accepted the proclamation.

### **APPROVAL OF THE MINUTES**

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

- a) **October 13, 2015 regular session**

This item was approved by consent.

### **NEW BUSINESS**

#### **4. Consider a resolution authorizing the Beautification Commission to recognize Fort Worth Community Credit Union, Lupe's Tex Mex Grill, Mexican Inn Café, St. Michael's Catholic Church and the Cimarron Shopping Center for maintaining, improving, and/or keeping their property visually attractive to the community.**

Beautification Commission Chairperson Marty Geer and Community Services Manager Eric Valdez presented information regarding this item. Ms. Geer stated that the Commission recognizes businesses that maintain, improve and keep their property attractive with certificates of recognition and signage. Nominations may be submitted to the Parks, Recreation and Special Events Department and categories

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include overall appearance, superior landscaping, best improved appearance, and eco-friendly landscaping. Entries are reviewed twice annually, and nominations can be made by elected officials, Commission members, City employees or residents. She asked Council consider the following businesses for recognition: St. Michael's Catholic Church, nominated by Bob Gough, for overall appearance; Fort Worth Community Credit Union, nominated by Patty Sinclair, for superior landscaping; Lupe's Tex Mex Grill, nominated by Sam Fairchild, for best improved appearance; Mexican Inn Café, nominated by Bonnie Cooper, for eco-friendly landscaping; and Cimarron Shopping Center, nominated by F. Dewey Tennant, for eco-friendly landscaping. The award presentations are tentatively scheduled for 10:00 a.m. on November 6 and November 13. Mr. Valdez stated that they worked on revamping the program and displayed updated signage for the awards.

Motioned by Councilmember Turner, seconded by Councilmember Champney, to approve a resolution authorizing the Beautification Commission to recognize Fort Worth Community Credit Union, Lupe's Tex Mex Grill, Mexican Inn Café, St. Michael's Catholic Church and the Cimarron Shopping Center for maintaining, improving, and/or keeping their property visually attractive to the community.

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

- 5. Consider a resolution authorizing the City Manager to enter into an agreement with Active Network, LLC for the implementation of ActiveNet recreation software at the Senior Center, Bedford Splash, and the Boys Ranch Activity Center in the amount of \$14,772.50.**

This item was approved by consent.

- 6. Consider a resolution authorizing the City Manager to purchase nine replacement radars for the Police Department in the amount of \$16,865.68 through Kustom Signals, Inc. utilizing the HGAC Cooperative Purchasing Agreement.**

This item was approved by consent.

- 7. Consider a resolution in support of statewide Proposition 7 for increased State funding for transportation.**

No discussion took place on this item.

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

This item was approved by consent.

- 9. 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 met on October 19 and were presented with the opportunity to assist the PTA at Meadow Creek Elementary School on planting trees around the school on Saturday at 3:00 p.m.

✓ **Community Affairs Commission - Councilmember Farco**

Councilmember Farco recognized Commission members Gary Morlock, Roy Savage and Steve Grubbs who were in attendance. The Commission will host a business roundtable on November 5, with breakfast being served at 7:30 a.m., with the program going from 8:00 a.m. to 9:00 a.m. Afterwards, from 9:00 a.m.

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to 9:30 a.m., attendees will have the opportunity to ask questions and visit with the Mayor and Development Director Bill Syblon.

### ✓ **Cultural Commission - Councilmember Champney**

Councilmember Champney reported that the Commission will meet the following week. He thanked Councilmember Fisher for passing around a program that outlines the possibilities of what can happen when a community comes together and there is a vision. He stated that the whole idea of the Commission is to facilitate a symbiotic relationship between them and the Bedford Commons in order to create a greater sense of community, more participation by the residents, and to have more opportunities for activities that will be beneficial for the young and old.

### ✓ **Library Advisory Board - Councilmember Farco**

No report was given.

### ✓ **Parks and Recreation Board - Councilmember Sartor**

Councilmember Sartor encouraged everyone to vote on the name of the new Parks and Recreation mascot.

### ✓ **Teen Court Advisory Board - Councilmember Gebhart**

No report was given.

### ✓ **Senior Citizen Liaison - Councilmember Turner**

Councilmember Turner presented an overview of the history of the Senior Center. It was built in 1982 in concert with the City of Hurst and was originally 5,000 square feet. By 1987, it had outgrown the space and it was brought up to its current size of 9,190 square feet. In 2009, Hurst separated and opened their own center. The Center serves 2,260 people a month through 136 programs. Recently added activities include classes on yoga, chess, bridge, sewing, and ballroom and line dancing, as well as trips to Winstar Casino. Once a month, there is a lunch-and-learn program and educational seminars are held at least twice a month on such subjects as cataracts, weight management, osteoporosis, home safety, mosquitos, living with diabetes, rheumatoid arthritis and memory loss. Trips are planned to take seniors to travel experts. They are in the process of adding a patio to the west side of Center that will overlook the lake and pavilion. Other activities include ceramics, needlework, guitar lessons, tai chi and the famous Monday night dances.

## **10. Council member Reports**

Councilmember Fisher invited citizens of Bedford and sister cities to the Christmas tour concert with Shane & Shane with Phil Wickham to benefit 6Stones' "Night of Hope" event on December 5 at 7:00 p.m. He reminded everybody about the upcoming election on Constitutional amendments.

Councilmember Farco stated that he serves on the Board of the Chamber of Commerce and he has been told by other members that they are very proud of Bedford for always having Councilmembers, the Mayor and City staff at ribbon cuttings. He thanked staff for being there to welcome new businesses. He stated that the "Back the Blue" event was a great night to honor the Police Department; that the Fire Department open house was incredible; and that Assistant City Manager Kelli Agan did a wonderful job while the City Manager was on vacation.

Councilmember Turner reminded everybody about the time change on November 1.

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

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City Manager Roger Gibson thanked Councilmember Farco for his recognition of the work Ms. Agan did while he was on vacation.

**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, receive an update on recent economic development activity.**
- b) Pursuant to Section 551.071(2), consultation with the City Attorney on matters in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code – Apartment Inspection Fees.**

Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation receive an update on recent economic development activity and Section 551.071(2), consultation with the City Attorney on matters in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code – Apartment Inspection Fees, at 7:21 p.m.

Council reconvened from Executive Session at 8:58 p.m.

**ADJOURNMENT**

Mayor Griffin adjourned the meeting at 8:58 p.m.

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Jim Griffin, Mayor

ATTEST:

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Michael Wells, City Secretary