

**Council Minutes February 23, 2016**

**STATE OF TEXAS §**

**COUNTY OF TARRANT §**

**CITY OF BEDFORD §**

**The City Council of the City of Bedford, Texas, met in 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 23rd day of February, 2016 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
Cathy Cunningham	City Attorney
Michael Wells	City Secretary
Cliff Blackwell	Administrative Services Director
Jeff Florey	Cultural Coordinator
Natalie Foster	Public Information Officer
Jeff Gibson	Police Chief
Wendy Hartnett	Special Events Manager
Don Henderson	Parks Superintendent
Russell Hines	Building Official
Joey Lankford	Fire Marshal
Kenny Overstreet	Interim Public Works Director
Maria Redburn	Library Director
Bill Syblon	Development Director
James Tindell	Fire Chief

**COUNCIL CHAMBER WORK SESSION**

Mayor Griffin called the Work Session to order at 5:30 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: 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, 17, 19, 20 and 21. Items 13 and 18 were pulled from the agenda.

Building Official Russell Hines presented information regarding Items #4 and #5, which are for the National Electrical Code and the International Code Book, He stated that they are revised every three years by the International Code Council. The North Central Texas Council of Governments (NCTCOG) the reviews codes and recommends amendments. It is then kept in a uniform adoption process with surrounding cities. In answer to questions from Council, Mr. Hines confirmed that the updated codes are for new construction only. In answer to further questions from Council, Mr. Hines and City Attorney Cathy

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Cunningham stated that the \$2,000 a day penalty is the standard penalty clause and is the maximum set by State law.

Fire Marshal Joey Lankford presented information regarding Item #6. He stated that along the same lines as the building codes, the International Fire Code comes out every three years, and Bedford is on a six-year cycle to stay with the other cities. In answer to a question from Council, Mr. Lankford stated that changes that were made regarding the definitions of atriums and high rises were amendments recommended by NCTCOG to make it a better fit for the area.

There was discussion on Item #7 in regards to the savings to the City. Kim Probasco with the Trinity River Authority stated this is a great opportunity for the cities of Bedford and Euless. It is a combined project for the Tarrant County Water Supply project and represents a cost avoidance of approximately \$10M, though it will not be locked in until the sale goes through. In answer to questions from Council, Ms. Probasco confirmed that it is related to all member cities that participate in the water supply project and that it saves millions of dollars that otherwise would be charged to the taxpayers when the bonds are issued.

Interim Public Works Director Kenny Overstreet presented information regarding Item #8, which is for the emergency purchase of 47 linear feet of bridge railing that was damaged from a car accident. It damaged the structure of the railing and concrete footer and it will be replaced with railings up to TxDOT standards, similar to the railing that was replaced on Forest Ridge Drive several years ago. 2L construction, which replaced the railings on Forest Ridge Drive, was contacted to do work on this project. In answer to questions from Council, Mr. Overstreet stated that the design of the railing is primarily to keep vehicles from going off the edge and the second purpose is for pedestrians; that it is a TxDOT traffic safety issue and their standard mandate; that TxDOT inspects the City's bridges every two years and they are scheduled to come out this year; that TxDOT would send a letter to the City stating it was out of compliance; that the timeframe for the reconstruction of Harwood Road is 2019; that the person who hit the guardrail was not insured; that the City did look into repayment through that person, but it was not cost effective to go through a lawsuit; and that concrete decking where the railing was attached is broken and will have to be structurally rebuilt.

Mr. Overstreet presented information regarding Item #9, which is for a professional services agreement with Pacheco Koch to design the street rebuild of Bedford Road from Somerset Circle to the intersection with Brown Trail. This project includes curb and drainage work including installing storm drains so that water coming off of the Fire Station is carried down sidewalks. The drive approaches would be redone as well.

Mr. Overstreet presented information regarding Item #10. At the previous meeting, a contract was entered into with Tarrant County to repave Bedford Road from Martin Drive to Highway 121. This item is for the milling work for that project through an interlocal agreement with TexOp, which was awarded the contract through Tarrant County in the amount of \$54,225.67, which is a savings of \$8,461 over what was budgeted.

Fire Chief James Tindell presented information regarding Item #11. He stated the loading devices will help prevent back injuries to firefighters and injuries to patients from a stretcher being dropped; and that preventing one significant back injury would pay for the devices. There was discussion that this item was being paid for from a donation and Chief Tindell explained that the Fire Department was a beneficiary of a will in the amount of \$60,000 to be utilized strictly for EMS. In answer to questions from Council, Chief Tindell stated that the device attaches to the ambulance and then the stretcher is attached to the device and loaded into the ambulance; and confirmed that the device works in tandem with the current system.

Parks Superintendent Don Henderson presented information regarding Item #12, which is to replace the rubber material at six locations at Splash. Splash is in its thirteenth season and only the pads at the tot pool have been replaced. In answer to questions from Council, Mr. Henderson stated that TaylorMade Company makes the rubber pads for one of the other vendors who submitted a quote; and that the third company is using a new, unproven material that is outrageously expensive.

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Cultural Coordinator Jeff Florey presented information regarding Item #14, which is to authorize the sale of alcoholic beverages at ArtsFest at April 2. This was done at ArtsFest the previous year with craft beers and wine from a local vendor, and none of the liability would fall on the City using a third party. In answer to questions from Council, Mr. Florey stated that the alcohol would be sold from tents in the Boys Ranch parking lot behind the BRAC and in front of Splash; that the Cultural Commission recommended this to enhance the event; and that the City would get a percentage of sales to help bring in some revenue from the event as it is free to the public. There was discussion on the City being in the business of selling alcohol and that a third party vendor would be utilized; moving the item to the regular session; enhancing the whole experience for the attendees; similar activity at the Boys Ranch and the Old Bedford School in the past; and the event not attracting a rowdy crowd and excessive drinking.

Library Director Maria Redburn presented information regarding Item #15, which is to approve a contract with ByWater Solutions to migrate from their current Integrated Library System (ILS) to a Koha open source ILS, at a cost of \$17,000. An initial payment of \$5,900 is required in the current fiscal year, which will come out of the Library's budget; however, there will be no request for additional funding. This will save the City \$33,600 annually, which can be used to improve other Library services. The Library has been on the existing ILS since 1999 and it has reached end-of-life. They entered into a server replacement plan with the current vendor, Innovative Interfaces, Inc.; however, Innovative notified staff in October that after the final payment, they would not cover the server so the Library would have to find a third party. She stated that over 15,000 libraries use Koha and by contracting with ByWater, it will be hosted on three different servers for redundancy. When the server crashed the previous year, the Library was down for four days. In answer to questions from Council, Ms. Redburn stated she is bringing a contract to Council for thin clients in the spring; that this particular item was not supposed to have been necessary until 2017; that it was decided to renew with Innovative another year to test the migration; that they will use the blueprint used by other Innovative libraries for the migration rather than paying Innovative; that the final migration will not be until October or November of the following year; that ByWater's migration team is in Texas; that the current ILS has 47,000 library cards and 115,000 bibliographical records; that they will have to make sure their print and reservation management systems works with the new environment; that the \$40,000 to Innovative for annual maintenance is supposed to cover research and development, but they charge the City from \$7,000 to \$15,000 to benefit from those developments; that within the Koha community, anybody can develop something, which can be accessed with the next release; that the City can ask ByWater develop something and the City can ask members of the community to help with the costs; and that Koha will work with all of their current systems.

Administrative Services Director Cliff Blackwell presented information regarding Item #16, which is to accept the independent audit report. He stated that it was the smoothest audit process he has been part of in Bedford and thanked members of his staff including Paula McPartlin, Crystal Segovia, Addy Calderon, Jo Quarles and Michele Farbes. They helped provide the necessary information to BKD so they could check the City's systems and processes to see if it subject to fraud and analyze financial statements to ensure the City is accounting for every penny. By pulling in more money than it is spending, the City is in a better position to fund obligations for future years. The City has more assets than liabilities and its net position increased. David Coleman with BKD stated that they issued an unmodified, or clean, opinion on the City's financials. He discussed the implementation of General Accounting Standards Board (GASB) 68, which requires municipalities to bring their entire pension liability on the books. The City's total pension liability is \$9M, of which approximately 50 percent is funded. He stated that staff is working with the Texas Municipal Retirement System (TMRS) to get that paid off in ten years. There were no significant deficiencies or material weaknesses that have to be reported, and no journal entries. In answer to questions from Council, Mr. Coleman stated that the liability number has always been in the Comprehensive Annual Financial Report (CAFR) but GASB 68 requires it to be upfront; that every city in Texas has to implement this standard; that TMRS is very well managed and there is a plan in place to get the liability funded; and that the standard will cause a restatement in the current year, but it is only a change in how things are accounted. Mr. Blackwell stated that TMRS gives the City their contribution rate, which is used to help the City to reach the liability over 15 to 20 years; and in order to accelerate closing the gap, the City can opt to maintain the rate over that recommended by TMRS. In answer to further questions from Council, Mr. Coleman stated that the change was brought about due to the market

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and the effect on pension funds; that he believes it is an attempt to make the standards for governments more like those for commercial, for-profit companies; and that previously, the liability was not accrued on the financial statements but was a note in the CAFR, and now there are more disclosures in the report regarding the liability.

Mr. Blackwell presented information regarding Item #17, which is to authorize the City Manager to negotiate and enter into an agreement with Wells Fargo Bank for depository services. He stated that the City has benefitted from an excellent relationship with JP Morgan Chase for 23 years as the City's depository. By State statute, these type of agreements cannot exceed five years and after soliciting for these services recently, staff is recommending a different bank. Out of the three respondents, JP Morgan was not competitive, with costs 37 percent higher than one of the other respondents. Further, they will no longer offer custody safekeeping. The other two respondents were within 2.4 percent of each other from a cost perspective so staff focused on experience, references and demonstrations of their web portal products. Wells Fargo has several municipalities in the north Texas region, including some that have migrated to them from JP Morgan. The City can still negotiate the agreement with Wells Fargo. He stated that Valley View Consulting, represented by Tom Ross, played a vital role in coordinating the solicitation process.

City Secretary Michael Wells presented information regarding Item #19, which is to name new Board and Commission members. The newest members are as follows:

### Cultural Commission

Sonya Hood, Place 4: Term Expires September 30, 2016

### Parks and Recreation Board

Alex Cowart, Place 9: Term Expires September 30, 2017

Dylan Hoey, Place 10: Term Expires September 30, 2017

Randy Newby, Place 11: Term Expires September 30, 2017

Mr. Overstreet presented information regarding Item #20. Due to the construction at the Boys Ranch and the poor shape of the sub-base, there have been a lot of failures on Shady Lake Drive. Staff will make road base repairs and this item is an interlocal agreement through Grand Prairie with Reynolds Asphalt to mill off the asphalt after the repairs and repave the road. The cost of the project is \$67,000 and will be paid out of the 2011 General Obligation bonds that has a balance of \$76,000. The project is scheduled to start the second week of March when Greenscape has removed all of their heavy equipment. It will take approximately three days to do the repairs, one day to do the milling, and a day and a half to lay the asphalt.

Mr. Overstreet presented information regarding Item #21, which it to use the interlocal agreement through Grand Prairie with Reynolds Asphalt for the parking lot at the Trinity Arts Building, which has disintegrated over time. This project is to do a total reclamation of the parking lot and will be paid out of the 2007 General Obligation bonds. There was discussion on the future plans for the Boys Ranch. City Manager Roger Gibson stated that all three parking lots and the street were examined with the future of the Boys Ranch in mind, and this area was not suitable for the slurry product considered for other surfaces as it requires more extensive work.

### • **Update on the 6Stones Community Powered Revitalization (CPR) Program.**

Brian Cramer with 6Stones gave an overview of 6Stones and their Community Powered Revitalization (CPR) Program. CPR first started with the City of Euless, then moved to the cities of Hurst and Bedford. Since he joined 6Stones, CPR has expanded into Cleburne, Watauga, Haltom City and Richland Hills. Their vision is to be a catalyst of hope that transforms lives and homes in the community. They work with groups to provide solutions for issues at hand. He discussed and displayed pictures of houses that were recently worked on in Bedford by Atmos Energy. At the 2015 Fall Blitz, CPR attained its 400th house, and they are now up to 423 houses since October. Their goal is to work on 125 houses this year. He

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played a video from the 2014 Spring Blitz. During the 2015 Fall Blitz, they worked on 38 houses with 1,400 volunteers. They have worked on a total of 84 houses in Bedford, including 23 in 2015. In regards to the impact on the City in 2015, the scope of work was worth approximately \$95,000, there were 2,600 volunteer hours, and they had \$20,000 in donated materials and supplies. He discussed other 6Stones programs, including Operation Back 2 School, Night of Hope, the New Hope Center, and the Community Garden. He stated that the bigger picture for 6Stones is to create a replicate-able program to spread out to other parts of the country, and create a package that is teachable and transferrable to other communities. In 2015, they worked on 98 houses, and had participation from 3,400 volunteers and 164 different groups. He stated that 6Stones works with cities, school districts, chambers of commerce, churches, businesses and non-profit organizations. They are currently bringing houses on board for the upcoming Spring Blitz scheduled for April 8 and 9. The Fall Blitz is scheduled for October 21 and 22. There was discussion on the Community Garden bed owned by the Council, and that the Garden was adopted by football players from Trinity High School; challenging Council and staff to come out to the Spring Blitz; a VIP event after the Blitz; pride in the community; 6Stones helping to bring the community together; the Police and Fire Departments helping at Operation Back 2 School and Night of Hope; building a sense of community; and bringing in volunteers from the homeschool community.

- **Report on recent Fire Department activities.**

This item was moved to the Regular Session after Item #3.

Fire Chief James Tindell presented a report on Fire Department activities from 2015. He discussed the Department's mission statement and what they do to accomplish that mission. He stated that they have the most phenomenal firefighters in the State of Texas because they follow that mission. They are always prepared and determined, which is accomplished through training, allocation of equipment, protocols and medical direction. The Department is made up of three divisions, the first being Administration. He discussed the closing of a motel that was in violation of numerous fire codes. Their Certificate of Occupancy (CO) was pulled as they did not have a working fire alarm system and the motel was forced to repair every violation before a new CO was issued. In regards to fire prevention, they held 93 public information sessions, reached out to 7,500 citizens, and held a Citizen's Fire Academy (CFA) class with 25 graduates. They have a smoke detector program run by the CFA Alumni Association, which canvassed 640 homes, checked 262 detectors, and installed 51 detectors. In regards to the Fire Marshal, there was \$1.3M in fire loss in 2015 but \$75M of property was saved. Other accomplishments included computer upgrades in the Emergency Operations Center (EOC), advanced training for the arson investigators, and 420 subscribers to the Ambulance Subscription Program, representing a 25 percent increase over 2014.

In regards to the Operations Division, Chief Tindell stated that the fire calls with the largest dollar losses were structure fires, followed by vehicle fires. There were 2,326 EMS calls where a fire company responded. There were 155 hazardous condition calls, with the main priority being arcing and shorted electrical equipment. In regards to service, or non-emergency calls, there were 320 for "assist invalid." He explained that they have started going to nursing homes and retirement centers to assist residents who have fallen because the staff does not want to accept the liability. He asked that Council considers these issues when they approve future nursing homes due to the impact on the Fire Department from higher call volumes. He stated that they received 258 "good intent" calls; 457 false alarm calls mostly for businesses and for which the business is then charged; and 4,319 EMS calls, with the number one call being medical emergencies, followed by injuries and chest pains. For EMS, there is an average response time of three minutes once they are dispatched, which has improved due to the completion of the highway construction; the average time on scene is 18 minutes; the average time to transport a person to the hospital is eight minutes; and the average time at the hospital is 24 minutes, for a total average run time of 44 minutes on a call. All Fire Department employees and those in the City Secretary's Office and the Finance Division received updated Health Insurance Portability and Accountability Act (HIPAA) training. The Department was one of four jurisdictions in the State selected to be a beta test site for a new "Heart Safe" program. The program's goal is to get the community together for training on such things as CPR and AEDs, which will have an impact on a person's welfare in the event they have a heart attack. Other

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accomplishments included refurbishing a 2008 medic unit with a 2015 chassis; updating the EMS protocols with Dr. Yamada; purchasing a new pumper truck; and purchasing a new thermal imaging camera. Overall, Fire Station #1 had 1,812 calls, Fire Station #2 had 1,016 calls, and Fire Station #3 had 959 calls.

In regards to the Inspections Division, Chief Tindell stated that they issue permits and look at plans to ensure a building is built in compliance with all the codes. This ultimately helps the Fire Department since they would be the ones going into buildings deteriorating due to fire and, if they are built right, are going to better withstand the fire. They issued 1,559 residential permits, 175 commercial permits, and 307 Certificates of Occupancy, and performed 3,531 inspections. In regards to multi-family inspections, for the first time they were able to inspect every apartment complex twice in a year. There are 35 complexes in the City with a total of 8,385 units. They found 2,339 violations, several of which resulted in citations, and performed 233 return inspections.

In answer to questions from Council, Chief Tindell stated that arching can also be from power lines; that this is the first time he has heard of nursing facilities not accepting liability but that he is working on something to resolve this issue; that they are looking at going into multi-family areas to check their smoke detectors; and that people that are transported to the hospital may be admitted, or seen and released.

Mayor Griffin adjourned the Work Session at 6:53 p.m.

### **REGULAR SESSION**

The Regular Session began at 7:00 p.m.

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

Mayor Griffin called the meeting to order.

### **INVOCATION (Pastor Kevin Henson, St. Timothy Cumberland Presbyterian Church)**

Pastor Kevin Henson of St. Timothy Cumberland Presbyterian 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 reported that Simple Recycling is a free new service that the City is offering. It allows residents to recycle unwanted household items and clothing with curbside pick-up on the regular Monday or Tuesday trash collection day. Participation is voluntary. The HEB Teen Court is holding a fundraiser on Thursday from 5:00 p.m. to 9:00 p.m. at the new Chik-fil-A store on Grapevine Highway in Hurst. The money raised will help the teen volunteers apply for scholarships and, by mentioning HEB Teen Court, twenty percent of sales will go towards a college of the teens' choice. The Library will be having their Tenth Annual Seuss Festival on Sunday, March 6 beginning at 1:00 p.m. The event is free and there will be cake, crafts, face painting and a costume contest.

Ms. Foster presented an updated on the Boys Ranch construction. The decorative rock formation and landscaping near the bridges has been completed. All of the picnic tables, barbecue grillers, water fountains, and benches have been placed. The sidewalks are almost complete, except for the joint sealing. The green space in front of Splash has been reshaped and will be hydro mulched in April. The large fountain in the middle of the lake and the lighting structures around the park are being wired. The following week, crews will begin construction on the nine-hole disc golf course that will be on the south end of the park. After the previous rain, the lake is approximately 40 percent full.

**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: 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 16, 17, 19, 20 and 21, with Items 13 and 18 being pulled from the agenda.

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

**COUNCIL RECOGNITION**

**1. Employee Service Recognition**

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

Mary Woodward, Library - 5 years of service

**APPROVAL OF THE MINUTES**

**2. Consider approval of the following City Council minutes:**

**a) February 9, 2016 regular session**

This item was approved by consent.

**PERSONS TO BE HEARD**

**3. The following individual has requested to speak to the Council tonight under Persons to be Heard:**

**a) Barbara Blalock, 1116 Timber View, Bedford, Texas 76021 – Requested to speak to the Council regarding the proposed ordinance eliminating parking cars and boats on driveways.**

Ms. Blalock was unable to attend the meeting.

**b) Bill McFadden, 1108 Hialeah Path, Bedford, Texas 76022 – Requested to speak to the Council regarding clarification on fines and “court” for code violations; City Council’s attitude towards speakers; update request and explain that he has never demanded a response; to respond to some of the points that the Council brought up, such as senior citizens; lawn maintenance companies violating code; and to request that when the City looks at other cities as a reference that they do not use cities that employ the same city attorney or firm as Bedford.**

Bill McFadden, 1108 Hialeah Path, Bedford, Texas - Mr. McFadden stated that at the previous Council meeting, he discussed citations for code compliance and that nobody seems to be receiving them. He now knows the amount of the fees for these violations and that they can be paid online or with the clerk. He discussed Council looking at other cities, such as Irving, Keller, Vernon, Westlake, and Grapevine, as far as codes or how they do things and stated that are all represented by the same law firm. He stated that if the Council is always looking at those cities, things are always going to be the same look and suggested looking at other states or going beyond 30 miles from Bedford. He stated that several cities in Florida have similar stipulations as Bedford in regards to parking trailers on the street; however, the trailers have to move a certain amount. Currently in Bedford, he can park a trailer on the street and move it a little

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bit every three days and technically follow code. He suggested a regulation from a Florida city where the trailer has to leave the area would help with the complaints from a previous speaker regarding trailers, but has not seen that type of language in any of the cities near Bedford. He stated that he never demanded an update from Council but asked that they continue to look at Code Compliance issues. He stated that there are streets near him where every house keeps out their garbage bins, which started happening after people received the large green containers, and estimated that 40 percent of houses are like this. Part of Code Compliance is keeping the area beautiful to keep property values better. He stated the mission of the Code Compliance Division is to ensure ordinances of the City as set forth by the Council are complied with by all citizens but he does not see that happening. He has been using the Better It app to document what is going on and asked Council if they have driven around the City and seen what is going on. He would like to see some enforcement or for the City to do an education campaign like was done with the Distracted Driving Ordinance. There was discussion on the City's emphasis being on compliance before issuing fines; Code Compliance working on issues identified by Mr. McFadden, including scheduling follow-ups; and the limited number of staff working the entire City. Mr. McFadden asked how much is too much as far as warnings; that based on information from Police Department records, 211 citations were issued for Code Compliance in 2015; and that 20 percent of complaints received citations. There was discussion on doing fewer warnings and more fining because there is a mechanism for paying, and it leading to more compliance. Mr. McFadden stated that he has spoken to 30 people since the previous meeting, and most of the people in his neighborhood are renters; that renters do not care so much for maintaining the property; that if the City keeps giving warnings, they become useless; that Code Compliance is a joke in some regards; that homeowners need to hold their lawn contractors accountable; and that his issue is people putting out trash and recycling several days before pickup. He asked for clarification on whether recycling bins need to be in by 7:00 p.m. on the pickup day or 24 hours afterwards and there was discussion between Council and staff regarding that issue. Mr. McFadden asked why have these codes if they are not being enforced. He discussed managing the City correctly; Code Compliance going out when people are not in compliance; eliminating two Code Compliance officers if their time was better managed; wasting resources; not going out multiple times where a neighborhood is having a problem; that there are five people, including himself, that report on each other and nothing has happened. City Manager Roger Gibson stated that he disagrees with the statement that Code Compliance is a joke; that two weeks ago, there was discussion on Mr. McFadden's concerns that there is a tendency to offer warnings without proceeding to citations; that they try to get compliance through cooperation and then proceed to citations; that when they get to a situation where there are multiple violations at for the same offence for the the same residence, warnings have lost their effectiveness; that Mr. McFadden's statement that moving a trailer a foot every 72 hours being in compliance is incorrect as the magistrate ruled that it does not meet spirit of the ordinance; that if the City sees something in another municipality that is working, they will copy it; that they started the Neighborhood Revitalization Program several years ago whereby members of Code Compliance and Animal Control sweep neighborhoods every Wednesday for three to four hours; that Code Compliance officers are out driving every day; and that both Code Compliance and Patrol have district assignments, which they drive every day and are not waiting for a call. Mr. McFadden stated that the City is wasting resources; that there are times that Code will respond to one complaint but not the other ones in the area; that they are tracking these things and they see it all the time; that they are building a database; and that it is false to say that Code is continually inspecting. Mayor Griffin stated that Mr. McFadden has a right to speak and ask questions but is over the edge with stating things are being done incorrectly and making false accusations about staff and operations. There was discussion on Mr. McFadden making 102 complaints in 26 days; taking Mr. McFadden's criticisms under advisement; trash can violations not being the biggest issue going on in the City; the parking of trailers in driveways now being an issue; tax paying citizens not wanting to see trash cans out all the time; the codes for trash; raising taxes to pay for more Code officers; looking at ways to handle this issue more efficiently; wasting time and resources; improving how the City does its job in regards to Code; the processes the City does for these violations; getting people to comply voluntarily; communicating better to the citizens; the Neighborhood Revitalization Program; and Clean Up Bedford Day. Mr. McFadden stated that most of the issues are with people that are renting; that there are not these problems north of Highway 183; that there are a large number of rental houses south of the highway; and that the owner of the houses need to be held accountable. In answer to a question from Council, City Attorney Cathy Cunningham stated that either the owner of the property or the occupant can be cited. There was discussion on Council members having both a job that provides for their families and a job serving on Council at no pay; coming up with

ideas to help with Mr. McFadden's issue; creating a sense of pride in the community; putting liens against properties for not paying fines; bringing issues up to Council; that 67 out of the Mr. McFadden's 102 complaints have been completed; emailing what is taking place to concerned residents; creating a list of top ten violations to hand out to residents; and taking care of violations other than trashcans.

**NEW BUSINESS**

- 4. Consider an ordinance amending Chapter 22 "Building and Building Regulations" of the City of Bedford Code of Ordinances by repealing Article IV. "National Electrical Code", and replacing it with Article IV. "National Electrical Code/Amendments"; providing for the adoption of the National Electrical Code 2014 Edition; providing for the adoption of annex chapters; providing for the adoption of regional amendments to the National Electrical Code; providing a penalty of up to \$2,000 per day for violations; providing a severability clause; providing a savings clause; and providing an effective date.**

This item was approved by consent.

- 5. Consider an ordinance amending Chapter 22 "Building and Building Regulations" of the City of Bedford Code of Ordinances by repealing Article III. "International Codes/Amendments" and replacing it with Article III. "International Codes/Amendments" inclusive of the International Building Code 2015 Edition, International Residential Code 2015 Edition, International Mechanical Code 2015 Edition, International Plumbing Code 2015 Edition, International Fuel Gas Code 2015 Edition, International Energy Conservation Code 2015 Edition; making regional amendments to each of the International Codes adopted hereby; providing a penalty of up to \$2,000 per day for violations; providing a severability clause; providing a savings clause; and providing an effective date.**

This item was approved by consent.

- 6. Consider an ordinance amending Chapter 58 - "International Fire Code" of the City of Bedford Code of Ordinances by deleting Sections 58-97 and 58-99 and adding the revised Sections 58-97 and 58-99 through 58-104 thereby adopting the International Fire Code 2015 Edition; providing certain amendments and deletions thereto; providing for a severability clause; providing for a savings clause; and declaring an effective date.**

This item was approved by consent.

- 7. Consider an ordinance approving a resolution authorizing the issuance, sale, and delivery of Trinity River Authority of Texas (Tarrant County Water Project) revenue bonds, and approving and authorizing instruments and procedures relating thereto.**

This item was approved by consent.

- 8. Consider a resolution authorizing the City Manager to execute an emergency purchase and installation of 47 linear feet of bridge railing in the 2900 block of Harwood Road from 2L Construction, LLC in the amount of \$23,750.**

This item was approved by consent.

- 9. Consider a resolution authorizing the City Manager to enter into a Professional Services Agreement with Pacheco Koch, LLC in the amount of \$89,075 for design services for Bedford Road Paving Improvements from Somerset Terrace to Brown Trail.**

This item was approved by consent.

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- 10. Consider a resolution authorizing the City Manager to enter into a contract utilizing the Tarrant County Interlocal Agreement in the amount of \$54,225.67 with TexOp Construction, L.P. for asphalt milling on Bedford Road from SH 121 to FM 157 (Industrial Boulevard) and SH 121 to 460 feet west of Martin Drive.**

This item was approved by consent.

- 11. Consider a resolution authorizing the City Manager to purchase two Power-LOAD Cot Fastener Systems from Stryker Medical in the amount of \$48,175.64.**

This item was approved by consent.

- 12. Consider a resolution authorizing the City Manager to enter into a contract with TaylorMade Company for the replacement of rubber pads at Bedford Splash Family Aquatic Center in the amount of \$29,700.**

This item was approved by consent.

- 13. Consider a resolution authorizing the sale of beer and wine at 4thFEST held at the Boys Ranch Park.**

No discussion or action took place on this item.

- 14. Consider a resolution authorizing the sale of alcoholic beverages at ArtsFest held at the Boys Ranch Park on April 2, 2016.**

Cultural Coordinator Jeff Florey presented information regarding this item. He stated that on behalf of the Cultural Commission, he is asking Council to authorize the sale of beer and wine at ArtsFest. There was discussion on reservations regarding promoting the sale of alcohol; and the sale of alcoholic beverages evolving into other venues outside of ArtsFest.

Motioned by Councilmember Fisher, seconded by Councilmember Champney, to approve a resolution authorizing the sale of alcoholic beverages at ArtsFest held at the Boys Ranch Park on April 2, 2016.

Motion approved 5-2-0. Mayor Griffin declared the motion carried.

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

Voting in opposition to the motion: Councilmember Sartor and Councilmember Gebhart

- 15. Consider a resolution authorizing the City Manager to enter into a contract with ByWater Solutions to migrate, install, customize, host, train staff and support the Koha Open Source Integrated Library System (ILS) in the amount of \$17,100.**

This item was approved by consent.

- 16. Consider a resolution accepting the report from the independent auditor and the audited financial statements for the fiscal year ending September 30, 2015 and providing an effective date.**

This item was approved by consent.

- 17. Consider a resolution authorizing the City Manager to negotiate and enter into an agreement with Wells Fargo Bank to provide Depository Bank and related banking services to the City of Bedford from April 1, 2016 through March 31, 2018, with an option for three one-year term**

extensions.

This item was approved by consent.

**18. Consider a resolution authorizing the City Manager to purchase a new Mobile Message Switch and related components from Tyler Technologies, Inc., in the amount of \$15,750.**

No discussion or action took place on this item.

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

This item was approved by consent.

**20. Consider a resolution authorizing the City Manager to enter into an agreement with Reynolds Asphalt and Construction Company utilizing the City of Grand Prairie Interlocal Agreement for the milling and two inch asphalt overlay on Shady Lake Drive in the amount of \$67,792.**

This item was approved by consent.

**21. Consider a resolution authorizing the City Manager to enter into an agreement with Reynolds Asphalt and Construction Company, utilizing the City of Grand Prairie Interlocal Agreement, for paving improvements to the Trinity Arts Building parking lot in the amount of \$44,546.**

This item was approved by consent.

**22. Report on most recent meeting of the following Boards and Commissions:**

✓ **Animal Shelter Advisory Board - Councilmember Fisher**

Councilmember Fisher reminded everybody that domestic animals are required to be registered with the City.

✓ **Beautification Commission - Councilmember Turner**

Councilmember Turner reported that the Commission met on February 16. He discussed upcoming events including Clean Up Bedford Day/Chunk Your Junk Day on April 11, the Crud Cruiser on April 25, and the Paper Shred Day on October 10. He displayed a handout designed by the Commission concerning Clean Up Bedford Day.

✓ **Community Affairs Commission - Councilmember Farco**

Councilmember Farco recognized Commission Members in attendance, including Doug White, Steve Grubbs, Gary Morlock and Roy Savage. On Thursday at 7:00 p.m. at the Old Bedford School there will be a residential roundtable, which will feature the Mayor, the Police Chief and Development Director Bill Syblon.

✓ **Cultural Commission - Councilmember Champney**

Councilmember Champney reported that Arts Council Northeast has agreed to support the City's efforts regarding the cultural district designation and to serve as the 501(c)3 for grants and funding. There were concerns from other cities, but those have been resolved. It is still subject to the City Attorney drawing up a letter of agreement.

✓ **Library Advisory Board - Councilmember Farco**

Councilmember Farco reported that SeussFest will be held on Sunday, March 6. He reminded everybody to fill out the Library Satisfaction Survey, which is available online until March 15.

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

No report was given.

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

Councilmember Gebhart reported on the last Board meeting. Scott Kim is the newest appointed member from Bedford. Kathleen Toms was elected chairperson, Janet Key was elected vice-chairperson, and Phoebe Soward was elected secretary. He reminded everybody about the fundraiser on Thursday at Chik-fil-A from 5:00 p.m. to 9:00 p.m., and by mentioning teen court, 20 percent of the purchase will go to the kids. These kids are helping themselves become better by participating in court to practice law and alleviating the legal system by giving people the opportunity to work off problems as opposed to burdening the normal legal system. The Teen Court Scholarship Gala will be held April 28 at the Hurst Conference Center and is to help raise funds for the scholarship pool. There will be a silent auction featuring fine jewelry, signed memorabilia, and trips.

✓ **Senior Citizen Liaison - Councilmember Turner**

Councilmember Turner presented an update on Senior Center activity. In Fiscal Year 15-16, the average monthly membership increased from 682 to 746 compared to the previous fiscal year. Average monthly participants increased from 1,837 to 2,191. Average weekly dance attendance increased from 50 to 60. At the recent Valentine's dance, there were 124 people in attendance. Total Senior Center attendance increased from 5,511 to 6,572, the total number of programs increased from 338 to 365, and the number of seminars increased from one to nine.

**23. Council member Reports**

Mayor Griffin reported that the Bedford Fire Alumni Association is doing a fundraiser at Texas Roadhouse on Thursday from 3:00 p.m. to 10:00 p.m.

Councilmember Fisher thanked staff for their work painting the corridor at City Hall and he is looking forward to other changes.

**24. City Manager/Staff Reports**

No report was given.

**EXECUTIVE SESSION**

**To convene in the conference room 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 1D, Shops at Central Park.
- b) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Bedford Commons.
- c) Pursuant to Section 551.087, deliberation regarding economic development negotiations

- relative to “Project Mockingbird.”
- d) Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to “Project Orchard.”
  - e) Pursuant to Section 551.074, personnel matters – performance review of the City Manager.

Council convened into Executive Session pursuant to Texas Government Code Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1D, Shops at Central Park; Section 551.087, deliberation regarding economic development negotiations relative to Bedford Commons; Section 551.087, deliberation regarding economic development negotiations relative to “Project Mockingbird”; Section 551.087, deliberation regarding economic development negotiations relative to “Project Orchard”; and Section 551.074, personnel matters – performance review of the City Manager, at 8:29 p.m.

Council reconvened from Executive Session at 9:14 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.

**25. 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 9:15 p.m.

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Jim Griffin, Mayor

ATTEST:

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Michael Wells, City Secretary