

Council Minutes September 13, 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 13th day of September, 2016 with the following members present:

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

constituting a quorum.

Councilmember Sartor was absent from the meeting.

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
Don Henderson	Parks Superintendent
Meg Jakubik	Strategic Services Manager
Jill McAdams	Human Resources Director
Kenny Overstreet	Public Works Director
Emilio Sanchez	Planning Manager
Bill Syblon	Development Director

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, 7, 8, 10, 11, 12, 13, 14, 16, 17, 18, 19 and 20. Item #15 was pulled from the agenda.

Strategic Services Manager Meg Jakubik presented information regarding Item #7 and Item #8, which are for routine water and sewer rate adjustments. The previous year, based on a rate study, the City was required to raise base rates in order to meet revenue requirements. The base rates are now sufficient for next year's operational costs. Staff is recommending only the pass-through for the rate increases from the Trinity River Authority (TRA). The volume rate for water would increase from \$3.55 to \$3.74 per 1,000 gallons. The sewer rate increase would be from \$2.55 to \$2.68 per 1,000 gallons. Based on a summer bill, and the worst-case scenario on usage, the impact would be just under \$4.00 a month for both water

Council Minutes September 13, 2016

and sewer. In answer to questions from Council, Ms. Jakubik confirmed that last year there was volume, as well as base and operating increases based on the rate study, and that staff is only recommending the increased costs from TRA because those are actual costs that would otherwise have to be absorbed in operations.

Administrative Services Director Cliff Blackwell presented information regarding Item #10. The Public Funds Investment Act requires the City to annually review the Investment Policy. Typically, staff would meet first via the Investment Committee to go over any particular changes. The only change being recommended is to increase the maximum maturity for operating funds from two years to three years.

Ms. Jakubik presented information regarding Item #11, which is for the second year renewal of a three-year contract for the City's mass-notification system with Blackboard Connect. The system is used for emergency and weather events, by Utility Billing to notify of late payments, and by the Municipal Court to notify of unpaid citations. Blackboard Connect guaranteed a three-year price if the City entered into a three-year contract. There was discussion on efforts to increase awareness of the system. In answer to questions from Council, Ms. Jakubik stated that the contract is based on landline and household consumption, and there is no impact on how many people can enroll online; that the amount paid out of the Water Fund is from the Utility Billing side and Public Work notifications such as for water shutoffs and repairs; and that the remainder is split between the Court Security Fund and the General Fund, which uses it less frequently.

Human Resources Director Jill McAdams presented information regarding Item #12, which is for two Personnel Policy revisions. The first is an anti-discrimination and anti-harassment policy. There was a last minute addition to the policy for the legal definition of a reasonable person. She discussed attending a human resources conference where there was discussion on the effects of bullying in the work place and potential State legislation regarding the issue. Staff decided to examine and update the policy as this type of behavior could be occurring in the City's workplace. The provisions being added are to ensure that the City is providing a safe and comfortable working environment for employees. The newest reasonable person standard would be used in the investigative process. The policy has been approved by the City Attorney. The second policy is health and dental insurance and is a cleanup based on the United States Supreme Court decision that same-sex spouses be given all benefits associated with benefits for spouses of the opposite sex. There is no change in the policy but in discussion with the City Attorney, it was felt advisable to add common law spouses to that provision. Though there are no common law spouses currently using the City's insurance, the options are now available. They have to complete an affidavit and supply necessary proof that shows they are common law. The second addition to the policy is that, pursuant to the Affordable Care Act, dependent children are allowed to stay on the plan until age 26. In answer to questions from Council, Ms. McAdams stated that these policies would be pushed out to employees through the Relias Learning System, who must read the policy and acknowledge receipt, which is then stored electronically in the system. There was discussion on making a motion to approve the policies with the added amendment. In answer to questions from Council regarding the legal verbiage specifications of unlawful harassment and legally-protected characteristics, it was stated that it is language taken out of current legal cases that used those phrases; and that common law is defined by the State as one-year cohabitating, and spouses are required to show proof of joint tax filing, and joint accounts and bills. In answer to further questions from Council regarding exit interviews, Ms. McAdams stated that supervisors have been asked to contact exiting employees via email, with a carbon copy to the Benefits Administrator, to contact Human Resources for exit interviews, and that Human Resources staff will start tracking the notifications going out to employees. There was discussion on this requirement being codified in the personnel policies.

Parks Superintendent Don Henderson presented information regarding Item #13. He stated the Parks and Recreation Board decided to use their own funds to have two lights installed in the Bark Park, with one at the small dog park and one at the large dog park. He spec'd out exact copies of the new light poles at the Boys Ranch for uniformity. The company is on the Buy Board and the costs comes to \$16,590. He stated there is still a need to get permission from the School District.

Council Minutes September 13, 2016

Mr. Henderson presented information regarding Item #14, which is the mowing contract. It is a standard three-year contract with an option of an extension of one year. The company has been with the City for 12 years. There were formally known as Lawn Associates and have since changed their name to Vidascares. In all the years with the City, they have not raised their prices, and this is the first year they have done so, going from \$178,275 to \$194,775. The mowing of highway lots has been added, and extra mowing has been asked for along the trails, from every 15 days to every ten days. There was discussion on the number of employees that mow the area of the City land not mowed by Vidascares; that it would be \$106,000 more to turn over all mowing to Vidascares, as opposed to adding essentially two people and a mower to the Parks Department; and freeing up personnel to work full-time at the Boys Ranch. Mr. Henderson stated that properties are mowed once a week during the growing season, which works out to 33 times a year either by staff or the contractor; that Parks staff does the same amount of mowing in the parks, and when they are not mowing, they are doing special events or maintenance. There was discussion on adding to the contract that Vidascares mows the trails weekly instead of every ten days, which would increase the amount of the contract by approximately \$10,000. In answer to questions from Council, Mr. Henderson stated that there are 11 employees that more-or-less do nothing but mow during the growing season. There was discussion on Vidascares doing all the mowing saving money and allowing Parks employees to take care of the parks instead of mowing; the alternate bid from the contractor to all the parks is \$185,823 and for just the Boys Ranch is \$65,340; the mowing being done weekly; the cost to do all mowing being \$389,000; whether it is more beneficial for the contract to do all the mowing and allowing staff to take care of the things Council wants them to take care of; and eliminating people from the Parks Department to make up the difference. Mr. Henderson stated that the primary area of concern for Parks crews during the growing season is mowing and trimming, but that they also do tree trimming, marking and chalking ballfields, maintenance at the lake, pavilions and bathrooms, and other things at the parks, such as lighting and pools; that he has several staff members who work on special events such as BluesFest and the Crud Cruiser; and that he could not afford to get away with just five staff members. In answer to further questions from Council, he confirmed that the contractor will not assist with setting up and tearing down for events; that during the growing season, the employees spend approximately 60 percent of their time mowing and the rest of the time doing other things such as maintenance and clean-up. There was discussion on staff compiling information on what the Parks staff does; what the break-even would be if the City were to offload mowing, and at the same time maintaining services at a high level; and eliminating equipment and maintenance costs. In answer to questions from Council, Mr. Henderson stated that the vendor does not get paid if they do not mow, such as when it rains; that the area north of the gym was considered unimproved land and was mowed only every 30 days by the contractor until Council requested staff to take care of it once a week; that the BluesFest grounds are considered unimproved lands, but for the 30 days before the event, Parks crews put out the sprinkler system, and mow and trim it once a week. There was discussion on having a conversation that is contrary to someone else sitting in the room; the discussion not being a knock on the Parks Department; the goal of Council being to have the parks to look better; the discussion being a way to look to see if it can be done better; getting a lot more done if 11 people for 33 weeks were not mowing the grass all day long; figuring out ways to deliver the best looking project; and the responsibilities of the Parks Department being multi-faceted from the standpoint of services. In answer to questions from Council, Mr. Henderson confirmed that the Parks crews are operating at approximately 90 percent in regard to productivity; and that there is cross-training amongst employees; and that quite a lot could be accomplished of upgrading the parks if mowing was completely done by the contractor. Mr. Henderson clarified that he has two employees that work mainly on landscaping and one that works mainly on pools, bringing the total that do mowing to ten, which includes two crew leaders. There was discussion on improving efficiency and productivity; eliminating people to remain budget neutral if all of the mowing is given to the contractor; and the value to mowing the trails once a week.

Public Works Director Kenny Overstreet presented information on Item #16, which is a resolution to enter into a contract with Sabre Development to extend the waterline along FM 157 and the sewer along Renee Street to encourage business development. Further, it would improve water quality and flow in the area. This item would be paid through the 2011 Certificates of Obligation and the bid amount was \$224,725.

Council Minutes September 13, 2016

In answer to questions from Council, Mr. Overstreet stated that contractor did the Northwest Pressure Plane expansion, including the piping, pump station and booster pump, as well as other jobs, and they come highly recommended; and confirmed the contractor has a bid bond.

Public Works Director Kenny Overstreet presented information regarding Item #17, which is for a contract with Turner Signs to build two new monument signs, one at Cheek-Sparger Road and Highway 121, and a message board at Fire Station #3, which can show activities and event information. The message board will have a monochrome black-back with red lettering in LED. The cost is \$121,726, \$33,000 of which would be paid out of the Parks Department budget and \$87,973 for the Tourism Fund balance, as it relates to the advertising and promotional benefit.

Grant Administrator Brandi West presented information regarding Item #18, which is to enter into a Memorandum of Understanding with the cities of Fort Worth, Arlington, Hurst and North Richland Hills, and Tarrant County, for the purchase by the Police Department of six automated external defibrillators through a formulary grant with the Justice Assistance Grant branch. It is a follow-up to a resolution approved by Council in 2015. This item is to authorize the award and there is no cash match from the City.

Police Chief Jeff Gibson presented information regarding Item #19, which is for the amount of funding to complete the secondary weapons purchase. The first purchase was made at the beginning of the fiscal year and staff is requesting to move forward with the secondary purchase of handguns. This will complete the inventory of new handguns. He confirmed that the purchases were a budgeted item.

Public Information Officer Natalie Foster presented information regarding Item #20, which is a request to approve a resolution allowing the City to contact with Civic Plus to design and implement a new website for Bedford. The City's current primary website is a large site, containing 9,000 files and 13,000 folders. It is maintained by two people using Adobe Dreamweaver, which is a reliable product for smaller websites and for making specific edits to HTML code, but is difficult to use in managing a large web presence. With Civic Plus' content management system, more attention can be given to content. The system is template-driven and offers a higher-level of flexibility, so mobile users can see a version of the site that contains the same content but renders it in a format that is more friendly to the device. The cities of Irving, Grapevine and Flower Mound currently use Civic Plus, and they find it easier to use for both website visitors and staff members. The company's platform will better streamline the process by which staff can update and maintain the site, including doing so on mobile phones. The website would also better reflect the design aesthetics of the community and provide a better navigation system when people come to the site. In answer to questions from Council, Ms. Foster confirmed that the item is just to engage Civic Plus to start the process, and there has been nothing yet as far as content and design. She stated that the implementation would take approximately four-to-six months; that the City will have a dedicated account manager and team; that funding will be coming out of the budget surplus; that \$56,000 is to contract with Civic Plus and migrate the data from the old website, and then it will be \$10,000 a year after the second year to maintain the website; that after four years, Civic Plus will do a complete site redesign to keep it current and up-to-date. There was discussion on the cost to maintain the website currently; the uptime commitment from Civic Plus, including the need to have it in writing; that the contract had the uptime being at 99.7 percent; the City not being nickel-and-dimed every time a change is made to the website; the difficulty of using Dreamweaver and that few people in the City know how to use it; not being able to update the website remotely; the possibility to port to a different platform if the City decides to leave Civic Plus; making sure the contract has an exit policy allowing egress from the system so the City can extract its data; tabling this item to the next Council meeting until the City Attorney has reviewed the contract and Council's concerns are addressed; using the new website for economic development and retention of businesses; talking with the design team about shopbedfordfirst.com; making better use of B-TV programming; and having a strong economic development component to the website, including Geographical Information System layers and what is required to get a plat.

Mayor Griffin adjourned the Work Session at 6:38 p.m.

Council Minutes September 13, 2016

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 Williams, TW Survey A1735 Tr 6C02, also known as, 1805 L. Don Dodson Drive.

Executive Session was not held.

REGULAR SESSION

The Regular Session began at 6:46 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order. He stated that Councilmember Sartor was out of town and welcomed Councilmember Champney back.

Councilmember Champney thanked everybody for the cards, phone calls and visits from staff he received while in the hospital.

INVOCATION

Councilmember Turner gave the invocation.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS/UPCOMING EVENTS

Ms. Foster reminded residents of the Crud Cruiser Day on Saturday from 9:00 a.m. to 11:00 a.m. at Meadow Park. Household hazardous waste items will be recycled, such as batteries, pool chemicals, paint supplies, as well as electronic items. The capacity of the cruiser is limited so the event may end earlier than advertised. If that happens she urged residents not to leave their items in the parking lot. She reminded residents to RSVP for the Residential Roundtable scheduled for September 22, 2016 at the former Library building. Refreshments will be served at 6:30 p.m. and at 7:00 p.m., updates will be given on City happenings by Chief Gibson, Mayor Griffin and other City staff.

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, 7, 8, 10, 11, 12 with the language as amended, 13, 14 including adding to the mowing of the trails for approximately \$10,000, pulling Item #15, 16, 17, 18, 19, and tabling Item #20.

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

COUNCIL RECOGNITION

1. Presentation of the Katie Savage Resident of the Year Award.

Council Minutes September 13, 2016

Roy Savage, Chairperson of the Community Affairs Commission, stated the purpose of the evening is to introduce a new project for the continuing efforts of the Commission and Council to garner community interest in participating in the welfare of the community. The Commission has a very good group, who work hard to keep community outreach as strong as possible. The Commission feels the new program will enhance community ongoing outreach projects. He introduced Sal Caruso, the project manager for the awards program. Mr. Caruso stated that the Commission worked with residents and businesses in the City, through residential and business outreaches, the City Expo and block parties. They have come across the very best who are committed to make Bedford a better place to live and work. The Commission has decided to recognize those individuals and businesses that make Bedford what it is. An award will be presented to the Resident of the Year at this meeting, and the Business of the Year in October. Both awards will be presented on an annual basis. He stated that approximately 20 years ago, Katie Savage was instrumental in starting the Commission, and her vision and guidance set the course and gives the present-day Commission its mission statement. The Resident of the Year Award is named in her honor. The award will be presented to a 51-year resident who has volunteered for many years through selfless acts of charity. She has worked with 6Stones CERT program, and has helped ill neighbors by bringing food and comfort, and mowing and tidying their lawns. She serves as the Firehouse mom for the Fire Department, including sewing uniforms and patches. She is an alumna for the Police and Fire Citizen Academies, and has placed blue ribbons in a dozen neighbors' homes to "back the blue." He stated that at a time that people seem to be moving in different directions, it is comforting to know she is a neighborhood mom that has projected a positive influence and has been a true backer of Bedford. He presented the 2016 Katie Savage Resident of the Year Award to Faye Brooks.

APPROVAL OF THE MINUTES

2. Consider approval of the following City Council minutes:
 - a) August 23, 2016 regular meeting

This item was approved by consent.

PERSONS TO BE HEARD

3. The following individuals have requested to speak to the Council tonight under Persons to be Heard:
 - a) Dorothy McWhorter, 1600 Martha Drive, Bedford, Texas 76022 – Request to speak to the Council regarding, comparison of tax rates and facts concerning Bedford's tax rollback election.

Dorothy McWhorter, 1600 Martha Drive, Bedford – Ms. McWhorter stated that during the August 23, 2016 Council meeting, the door was opened by referencing the proposed City of Hurst tax rate of \$0.589 per \$100 valuation being compared to Bedford's paltry tax rate of \$0.495 per \$100 valuation. She discussed the 20 percent general homestead exemption, with the example that a \$100,000 house in Euless with the exemption for those under the age of 65, the owner of the property would only be taxed on \$80,000. The average price of a single family home in Bedford is \$168,000, with no discounts for homeowners under the age 65; at the proposed tax rate of \$0.495, the city taxes on the house would be \$831. The average price of a home in Hurst is \$161,000 and with the 20 percent general homestead exemption, reduces the taxable amount to \$129,000; at their proposed tax rate of \$0.589, the city taxes would be \$759. The average price of a home in Euless is \$171,000, with the 20 percent general homestead exemption reduces the taxable amount to \$137,000; with the proposed tax rate of \$0.4625, city taxes would be \$633 a year. In Colleyville, the average price of a house is \$406,000 with no exemptions for homeowners under the age of 65; at their proposed tax rate of \$0.3599, city taxes would be \$1,461 a year. Taking Colleyville out of the equation, and based on the average value a home, Bedford has the highest property taxes, followed by Hurst and then Euless. She stated it was clear evidence that one cannot throw out a lone tax rate to make one's case, and that all factors must be considered in the equation. In order to keep up with the

Council Minutes September 13, 2016

Jones, one must identify who is Jones. She stated that liberals believe that Bedford is Jones because they pay the more city taxes than the other two cities and want the trend to continue. Conservatives believe that Eules is Jones because they pay the least in city taxes.

Ms. McWhorter stated that a reference was made at a recent Council meeting to the property tax rollback held 12 years ago and that the City was still paying for that. She stated her purpose to speaking on that item was to merely to lay out the facts. The rollback, the closing of facilities, and tearing apart the community apart were unnecessary. All of the turmoil happened because the Mayor refused to accept a majority vote by the Council approving the senior tax freeze. A \$0.38 tax rate was in affect at the time of the tax freeze was approved on June 8, 2004, and no closures were threatened. A \$0.44 tax rate was proposed in the forthcoming budget, and a \$0.44 tax rate was offered as a compromise to the Council and if accepted, there would have been no rollback; however, it was rejected. The \$0.49 rate was what the Mayor wanted to apply to the tax freeze before it became effective. The adopted rollback rate was \$0.40 and was applied to the tax freeze. In the spring of 2004, information became available that the Texas Constitution allowed governmental bodies to establish an ad valorem tax limitation on residents' homesteads of the disabled, and the elderly and their spouses; if adopted, it would keep the taxes of the disabled and over 65 homestead owners from exceeding the amount of tax they would pay when disabled or reach the age of 65. If adopted, the law would be irrevocable. In May of 2004, four members of the Council let it be known they would not support the tax freeze, one of whom drew an opponent and was defeated at the next election. On June 8, 2004, by a vote of four to three, Council approved the tax freeze at the existing tax rate of \$0.39. She stated the Mayor was livid and retaliation against the tax freeze began. Unable to kill the freeze, he could raise the tax rate from \$0.38 to \$0.49 before the tax freeze became effective. If the \$0.49 tax rate was adopted, it was subject to a rollback election that would set the tax rate to \$0.40. Attempts were made to work with the Council, who were informed that the \$0.44 tax rate proposed in the budget was agreeable but if they approved the \$0.49 tax rate, a rollback would be pursued. Council rejected that offer and the vote to raise the tax rate from \$0.38 to \$0.49 resulted in the birth of a Political Action Committee and the process of collecting signatures on a rollback petition began. She stated the vindictive attitude of the Mayor escalated to the point that the Fire Department hit the streets calling to kill the rollback election and used scare tactics such as saying City facilities would be closed if it was successful. The PAC group gathered 5,200 signatures on the petition, which was delivered to City Hall. A full-page ad was placed in the Star-Telegram stating that petition signers could have their names removed by notifying City Hall, 11 or 12 of which did so. The rollback election was held and voters approved the rollback; the Mayor requested a recount but lost again. The rollback prevailed and the tax rate went from \$0.49 to \$0.40, which was four cents less than the offer that was rejected. Seniors' taxes were frozen at \$0.40, not \$0.49, but did give the City an eight percent increase in spending revenue. With the election over, scare tactics came into play and the facility closings took place. The \$0.49 tax rate was finally needed and adopted in 2011. The facilities did not need to be closed and the City did not need to be torn apart. Those voters that wanted to vote in a tax rate increase failed to ask the question if the City had been operating at \$0.38 with no closings, why did they want \$0.49 to operate the City, and if they did not get that, there would be closings. She stated the budget called for a tax rate of \$0.44 and the \$0.49 was aimed at catching he seniors before their tax rate became effective. She asked why scare tactics were used. At the next election, the Mayor lost two more allies. He had underestimated the voters and lost, and was unable to accept their will. He resigned from office and moved on 12 years ago and she asked if it is time for those that emerge at budget time to move on.

NEW BUSINESS

- 4. Public hearing and consider an ordinance to rezone Lot D, Block 2, International Square Addition, located at 807 Forest Ridge Drive, Bedford, Texas from Planned Unit Development (PUD) to amended Planned Unit Development/Specific Use Permit/Indoor Amusement Center (PUD/SUP), specific to 3.2.C(13)g of the City of Bedford Zoning Ordinance, allowing for Conundrum Escape Adventures to operate an indoor amusement center. The property is generally located north of E. Pipeline Road and west of Forest Ridge Drive. (PZ-SUP-2016-50030)**

Council Minutes September 13, 2016

Planning Manager Emilio Sanchez presented information regarding this item, which is to consider rezoning 807 Forest Ridge Drive. The applicant is requesting an amendment to their Planned Unit Development (PUD) to allow for a Specific Use Permit to allow for an indoor amusement center, specifically to operate an escape room, Conundrum Escape Adventures. The Planning and Zoning Commission recommended approval of this item by a vote of 4-2 at their August 24, 2016 meeting. There were members of the audience opposed to the case. The Commission did stipulate changes to the times that are allowed for the operation of the business. Since that meeting, staff has not fielded any new calls of support or opposition on this item.

Meredith Vogel, 14028 Rodeo Daze Drive, Haslet, Texas, the applicant, made a presentation to Council. The business is run by her and her husband. and she discussed the reasons they are wanting to do an escape room. An escape room is a group of family, coworkers or strangers working together to solve a series of puzzles in a themed room to achieve a common goal within one hour, which promotes teamwork, communication and cooperation. Nobody would actually be locked in a room and it would be a very safe and welcoming space. Each room will have an emergency exit and there would be handicap accessible rooms, as all of the rooms are on one level. It is not an extreme activity and is similar to playing puzzles at, or searching for something, at one's home. Escape rooms are a great team-building activity, can make for a unique date night, and for fun with the family. Corporate team building is a huge aspect of the business and average sixty percent of business at other escape rooms. The business also attracts young professionals and families. Anybody under the age of 18 must sign a waiver and be accompanied by a parent or guardian. The average demographic of players is 28 to 40 years old. She stated that groups tend to book together and ride together. The concept of an escape room is similar to a murder mystery theater or board game times at comic book stores. The rooms themselves are only playable one time. One hundred percent of bookings are on-line and a majority of the advertising would be through social media, and street traffic is not what makes this room work. Walk-ins would not be accepted as the rooms are booked ahead of time. With the average bookings, the capacity would be 30 to 50 percent. The average price per person is \$25 to \$30 per ticket. She discussed a sample booking and the projected capacity at a full booking, and what the escape room experience is like. This type of business is a platform to interact with the community, including youth groups, high school organizations, fundraising groups and local charities. They would serve as a team building facility for Bedford businesses and bring in businesses from surrounding areas, which would be great for sales tax revenue. They want to build partnerships with other Bedford businesses and do cross-promotion. The location at 807 Forest Ridge Drive has space for up to six rooms with little buildout, so much of the cost to start-up is decorating the rooms. There is no additional signage needed and they will use the existing signage. There would be security cameras in the rooms as well as outside the space. There are nine lights in the parking lot, recessed lighting on every building, and a flood light on the building across from their intended space. There are floodlights on the back of the building that are illuminated at night. They agreed to amend the hours at the Commission meeting in order to accommodate the people around them. They would be closed to the public by 8:00 p.m. Monday through Thursday, and by 11:00 p.m. Friday to Sunday.

In answer to questions from Council, Ms. Vogel stated there are a variety of puzzles, some of which may have magnetic relays to open boxes or doors for example, as well as word and physical puzzles; that they have a long list of ideas and themes; that the trend in the industry is that when bookings start falling for a particular room, a revamp is done; that their intention is to create a fun and exciting time; that depending on where a groups was in the puzzle when their time was up, staff would provide a walkthrough; that there would be game masters to watch players and give them clues; that there were concerns expressed at the Commission meeting about the business being disruptive to the neighbors close by since a majority of escape rooms in the area are open until midnight; that the change in hours would negatively affect the business but it is worth it to be in the space; that the concept came from overseas seven years ago, made its way to Canada five years ago, and then started trickling down into the United States; and that 90 percent of escape rooms are "mom and pop" shops, but there are a few franchises. There was discussion regarding experiences at other escape rooms; and the area where the business would be going having been unoccupied for years.

Council Minutes September 13, 2016

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

Lisa Atutis, 808 Chaparral Court, Bedford – Ms. Atutis stated that she and her husband were opposed to the indoor entertainment center. They do not want cars and people coming in and out of the office building at the late hours during the week and especially during the weekend. They purchased their home the previous September, thinking they will have a relaxing and quiet backyard, which, along with the neighborhood, was what sold them on the house. If Council allows this retail business in the office space, their dreams of having a quiet backyard will be shattered. They also did not want all the time and money they put into their home to be wasted and their property values to plummet. She asked that Council not vote in favor of the item to allow a retail business in the neighborhood.

Mark Smith, 25 Linderhof Circle, Bedford - Mr. Smith asked that Council deny the request. He asked how many members of Council had been to the location and stated that people would probably not be able to find it. As it is a primarily nighttime activity and with no additional signage, it would be difficult to find the location. He disagreed on the applicants' points concerning the lighting, as the parking lot is not at all lit. There would be a traffic increase on Forest Ridge Drive and Pipeline Road as people drive around trying to find the location, which would be detrimental. The lighting at the location is inadequate and he asked if there were spotlights shining over into the residents' backyards, would they not have already addressed that with Council. It is a retail operation going into a commercial setting, which is why it is zoned as it is now. He is not sure what the business would do to the valuation of their properties, nor was he sure if it is a fit for a retail operation to go into a commercial setting. The only thing across the street from the location is a 7-11, and he doubted that families would go there afterwards for dinner and bring money into the City.

Michael Robinson, 5 Linderhof Circle, Bedford – Mr. Robinson stated the proposed retail business is going to be on the opposite side of his backyard, and he does not want the business going in there. The neighbors all have children who would be trying to go to sleep, and even on the weekends when the business would be open to 11:00 p.m., it would affect their lives. He bought his house in 1999 because it is on a circle that does not have a lot of traffic, or loud, rowdy neighbors behind him. If this business goes in, he does not know what is going to happen with property values, but he is concerned that they will go down.

Bill Galley, 9 Linderhof Circle, Bedford – Mr. Galley stated that he strongly opposes a retail business going into a professional office park. These types of businesses are always located in heavy retail shopping centers or warehouse districts, removed from residential areas because of the hours of operation and traffic. At the proposed capacity discussed by the applicant, it would mean 80 cars per hour coming in and out of the neighborhood as late as 11:00 p.m. on weekends. There is an escape room 29 minutes away in the center of a business complex, and most of these types of businesses are located in those areas because of the hours of operation and the traffic. From the front door of the business to the front door of his home is 31 yards. At 11:00 p.m. on weekends or 8:00 p.m. on weeknights, people making noise as they leave that close to his backyard would be completely unacceptable. If there are 39 vehicles coming and leaving every hour, there is a limited amount of parking, especially for the business, which would probably require some overflow into the neighborhood. The area has always been a professional business park and if a retail business is allowed to come in, it would completely change the nature of the neighborhood. There would be traffic entering their street as there is no signage or directions to get to the business. There are many more places suitable for this type of business in Bedford. He stated that at the Planning and Zoning Commission meeting, both the current and former chairpersons voted against the item for the same reasons he mentioned.

Jeannette Cook, 1707 Indian Oaks Court, Bedford – Ms. Cook stated the business sounds like a neat opportunity to bring new and different people into the City and businesses, and she hoped Council would approve it.

Council Minutes September 13, 2016

Harold Wright, 37 Linderhof Circle, Bedford – Mr. Wright stated that he built his house in 1996 because it is a quiet neighborhood. The circle backs up to the site and people will be turning into the circle instead of the office complex. The business should be in an industrial site or shopping center, not in a neighborhood of residences, and he opposes the item.

Deborah Jenkins, 828 Chaparral Court, Bedford – Ms. Jenkins stated she is also opposed to this item. She bought her house in 2008 because the neighborhood was peaceful and quiet, and she has kids. She loves the idea of the business but there are many other locations it could go besides in the middle of a residential area. Children want to loiter when they are having fun and will be noisy. She felt that the business would not be quiet and would be disruptive.

Shiraz Kahn, 807 Forest Ridge Drive, Suite 105, Bedford – Mr. Kahn runs the CPA firm in the adjoining suite of the proposed use. He stated that the wall between the suites is thin and having that type of business next-door would be loud and cause disturbances to his firm. In regard to the parking lot situation, there would not be many spaces available for the people coming in, which will impact his business. The hours of operation would conflict with their timing, especially if the rooms are making noise. He asked that Council deny the request. The rest of the businesses in the office park are professional businesses, and are not retail. The proposed business would not be easy to find without good signage.

Aaron Sheffield, 10 Linderhof Circle, Bedford – Mr. Sheffield hoped that there would be an escape room in Bedford soon and he frequents the one in Southlake, which takes approximately 12 minutes to get to. He asked if they rezoned in the future, does it open it up for other businesses to come in like pool halls or other retail establishments that do not have a one hour in, one-hour out type of crowd. Escape rooms seem like a fad, and if this escape room were to close, would new businesses come in or would the location be vacant. There is nothing to for people to do in the area when they are done. They would have to go north of Highway 183 to find anything food-wise, and there is plenty of business space up there. He requested that Council deny the item; he hoped the business landed in Bedford, just not in an area not zoned for it.

Mr. Sanchez stated the SUP was specific to Conundrum Escape Adventures and the particular office space layout, so if another business were to come in, they would have to go through the SUP process; and that the parking requirement is one space per 100 square feet, so at 3,000 square feet, 30 spaces are required.

Bill Galley, 9 Linderhof Circle, Bedford – Mr. Galley stated the permit is for Section 3.2.C(13)g and the definition of the zoning code does not fit the description of the business, which has that the primary source of revenue would be from coin-operated machines or batting cages. He stated that this business does not fit into what is allowed under the definition.

Mr. Sanchez stated that there is another sentence under the definition that speaks to other equipment, and in meeting with the City Attorney, the business would fall under this use. The applicant would prefer that it not be considered an indoor amusement, which therefore would not require a SUP and would be allowed by right. Staff felt met the qualifications for indoor amusement, which requires the SUP and public hearings. Without the SUP, the business would only have required a certificate of occupancy.

Mayor Griffin closed the public hearing at 8:15 p.m.

In answer to a question from Council regarding the occupancy of the location, Michael Tran, 6001 Siltstone Lane, Fort Worth, who works at Vision Commercial, stated that he is not the not listing agent for the property but did help the applicant. He only knows about the one specific building and there is a vacancy in the end cap. There are spaces in other buildings in the office park but he does not know the occupancy level. He stated that when he was there, it looked pretty empty. He walked the space with the applicant, and they made sure there would be rooms in-between them and neighboring businesses, and there would be no activity on the external perimeter of the space.

Council Minutes September 13, 2016

In answer to questions from Council, Mr. Sanchez stated that the fence separating the houses and the office park is an eight-foot wooden fence; that the fencing was a compromise between the residents and business owners to the fencing requirement in 2004 that required masonry; and that the PUD includes both the residential and commercial areas at the corner, but did not specify only office uses. In answer to questions from Council, Ms. Vogel stated that they have been looking in Bedford for three months, including in the same shopping center as Moxley Manor; that one of the reasons they chose the space n Forest Ridge Drive is that they do not need to be front and center, or pay shopping center prices for rent that will not have a return for them; that she has seen many escape rooms in similar spaces; that office parks lend themselves to this type of business because there are multiple offices that can be split up into the rooms; and that the location by Moxley Manor would have cost them \$50,000 to modify the space.

Motioned by Councilmember Fisher, seconded by Councilmember Champney, to deny an ordinance to rezone Lot D, Block 2, International Square Addition, located at 807 Forest Ridge Drive, Bedford, Texas from Planned Unit Development (PUD) to amended Planned Unit Development/Specific Use Permit/Indoor Amusement Center (PUD/SUP), specific to 3.2.C(13)g of the City of Bedford Zoning Ordinance, allowing for Conundrum Escape Adventures to operate an indoor amusement center. The property is generally located north of E. Pipeline Road and west of Forest Ridge Drive. (PZ-SUP-2016-50030)

There was discussion on being sympathetic to the residents; and residents being aware of the potential of a use they are not happy with going in next to them.

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

Voting in favor of the motion: Councilmember Gebhart, Councilmember Champney, Councilmember Farco, Councilmember Turner and Councilmember Fisher

Voting in opposition to the motion: Mayor Griffin

- 5. Public hearing and consider an ordinance to rezone Lot 1, Block 1, Harwood Village North Addition, located at 605 Harwood Road (2926 Brown Trail), Bedford, Texas, from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/Dog Kennels (H/SUP), specific to Section 3.2.C.(9)n, Dog Kennels (Breeding, Training, or Boarding), of the City of Bedford Zoning Ordinance, allowing for Furever Love – Pet Boarding and Daycare to operate a pet boarding/pet daycare facility. The subject property is generally located north of Harwood Road and east of Brown Trail. (PZ-SUP- 2016-50031)**

The applicant withdrew their application on this case. No discussion or voting took place.

- 6. Public hearing and consider an ordinance to rezone Lot 4R, Block 1, Wal-Mart Addition, located at 3720 Cheek-Sparger Road, Bedford, Texas from Heavy Commercial/Master Highway Corridor Overlay District (H/MHC) to Heavy Commercial/Master Highway Corridor Overlay District/Specific Use Permit/Animal Hospital (H/MHC/SUP), specific to Section 3.2.C.10.g, Animal Hospitals and Clinics for the care and temporary boarding of domestic household pets, vet offices, clinics, of the City of Bedford Zoning Ordinance, allowing for City Vet to operate a veterinary clinic with boarding facilities. The subject property is generally located south of Cheek-Sparger Road and west of State Highway 121. (Z-297)**

Mr. Sanchez presented information regarding this item, which is a zoning request for 3720 Cheek-Sparger Road to allow City Vet to construct and operate a veterinarian clinic and grooming facility, along with a portion of retail. The area is currently vacant land. The Planning and Zoning Commission recommended approval of this request at their August 25, 2016 meeting. The Comprehensive Land Use Plan has the area designated as commercial, and the proposed use fits within that designation.

Council Minutes September 13, 2016

Austin Neely, 2512 Morningside Drive, Bedford – Mr. Neely stated that the vet practice will have a large boarding facility and a large retail footprint, along with grooming and potentially other services. Their philosophy is that they are a corporation, but most of their clinics are veterinarian-owned as well. They also make their owners and clients part of the decision making process. They are generally open 7:00 a.m. to 7:00 p.m. on weekdays and 9:00 a.m. to 6:00 p.m. on Saturday for retail, boarding and grooming. The veterinarian hours are 9:00 a.m. to 6:00 p.m. on weekdays, and 9:00 a.m. to 1:00 p.m. on Saturdays. There was discussion on the piece of property having been difficult to develop.

Mayor Griffin opened the public hearing at 8:31 p.m.

Nobody chose to speak during the public hearing.

Mayor Griffin closed the public hearing at 8:31 p.m.

Motioned by Councilmember Champney, seconded by Councilmember Gebhart, to approve an ordinance to rezone Lot 4R, Block 1, Wal-Mart Addition, located at 3720 Cheek-Sparger Road, Bedford, Texas from Heavy Commercial/Master Highway Corridor Overlay District (H/MHC) to Heavy Commercial/Master Highway Corridor Overlay District/Specific Use Permit/Animal Hospital (H/MHC/SUP), specific to Section 3.2.C.10.g, Animal Hospitals and Clinics for the care and temporary boarding of domestic household pets, vet offices, clinics, of the City of Bedford Zoning Ordinance, allowing for City Vet to operate a veterinary clinic with boarding facilities. The subject property is generally located south of Cheek-Sparger Road and west of State Highway 121. (Z-297)

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

7. Consider an ordinance amending the schedule of water rates by amendment of Section 1., Ordinance No. 15-3135; providing a repealing clause; providing a severability clause; and declaring an effective date.

This item was approved by consent.

8. Consider an ordinance amending the schedule of sewer rates by amendment of Section 1., Ordinance No. 15-3136; providing a repealing clause; providing a severability clause; and declaring an effective date.

This item was approved by consent.

9. Discussion and consideration of all matters incident and related to the issuance and sale of "City of Bedford, Texas, Tax Notes, Series 2016," including the adoption of an ordinance authorizing the issuance of such tax notes.

Administrative Services Director Cliff Blackwell presented information regarding this item. At the August 5, 2016 budget work session, there was discussion on capital outlay items to purchase for Fiscal Year 16/17. Those items totaled \$1,076,003 and included an ambulance replacement at \$239,000; City monument signs at \$15,000; in-car cameras and body cams for the Police Department at \$249,791; a Ford F-250 pick-up truck at \$33,640, a Toro Ground Master mower at \$19,290, and a turf aerator at \$8,122, all for the Parks Department; a Ford transit van at \$39,500; a scissor lift at \$21,900; a network switch upgrade at \$300,000; cardiac monitors and defibrillators at \$116,095; and fitness equipment for the Fire Department at \$33,725.

Since that meeting, staff along with Council's approval at that time, moved forward and with help of David Medanich with HilltopSecurities, the City's financial advisor, the City began the process of doing a private placement bid. The City contacted nine financial institutes and received seven responses for the issuance

Council Minutes September 13, 2016

of \$1.1M in tax notes financed over a five-year term. The smallest interest rate was from Chase Bank at 1.3 percent, with the most expensive from Regents at 1.719 percent. Since that time period, many Council meetings and public hearings were held, and opinions have been expressed by Council about the item. To effectively propose a tax rate, staff had to estimate the dollar amount to be paid in debt service to adequately prepare a total property tax rate to submit the budget. If Council approves the tax note, there is no need to change the proposed debt side of the tax rate. If Council denies the tax note, the debt side needs to be reduced by 7/10 of a penny. Mr. Blackwell stated that staff is neither for or against the tax note, and are only stating the facts. There has been discussion on the effectiveness of going this route as opposed to putting the \$1.1M on the General Fund. Staff felt that the tax note was the most effective way to issue the debt. The last time the City issued tax notes was in 2005 based on the conclusions of an energy audit by Siemens, whereby the City identified \$1M worth of improvements to public facilities, such as retrofitting lighting, work on the boiler at City Hall, and retrofitting HVAC units. It was financed over a seven-year term and has since been paid off. In 2014, the City issued Public Property Finance Contractual Obligations (PPFCOs) in the amount of \$2.3M for a customer pumper for the Fire Department, software and buying out the City's portion of the Motorola lease. These are the only two times that the City has issued short-term debt obligations.

In answer to questions from Council, Mr. Blackwell confirmed that the 1.3 percent rate is a very beneficial rate for a short-term obligation; that the net interest cost of the tax note issued 2005 was 3.4 percent; that according to the debt schedule, the initial payment is \$230,000 for the first year starting February 1, 2017, with the yearly payment schedule being approximately \$200,000; that there is no provision to call the debt early; that the amortization on the \$2.3M in PPFCOs is 10 years; that the \$29,000 difference in the amount of capital outlay and the bond sale includes fees and a more finite amount for the network switch; that the unassigned portion of the fund balance has to be around 20 percent according to the City's fiscal policy, and the City was slightly below that figure for the General Fund at the beginning of the fiscal year; and that the overall debt rate is going down by 2.3 cents.

There was discussion on a convergence of circumstances with the tax rate and sales tax; options regarding the tax rate; obligations including insurance and salaries; the interest rate on the tax note; items included in the tax note; and paying for the items in the tax note out of the General Fund.

Motioned by Councilmember Champney, seconded by Councilmember Turner, to approve an ordinance and all matters incident and related to the issuance and sale of "City of Bedford, Texas, Tax Notes, Series 2016," dated September 13, 2016.

Motion approved 4-2-0. Mayor Griffin declared the motion carried.

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

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

10. Consider a resolution approving the City of Bedford Investment Policy.

This item was approved by consent.

11. Consider a resolution authorizing the City Manager to enter into a contract with Blackboard, Inc., to provide a mass notification system for the City of Bedford, in the amount of \$18,926.70.

This item was approved by consent.

12. Consider a resolution authorizing amendments to the Employee Handbook by adding the following personnel policies: Anti-Discrimination and Anti-Harassment and Health and Dental Insurance to the Employee Handbook.

Council Minutes September 13, 2016

This item was approved by consent.

- 13. Consider a resolution authorizing the City Manager to purchase lighting structures for the Bedford Bark Park from Elliott Electric Supply in the amount of \$16,590, utilizing the Buyboard Cooperative Purchasing Contract.**

This item was approved by consent.

- 14. Consider a resolution authorizing the City Manager to enter into a contract with Vidascaapes for City-wide mowing services in the amount of \$203,404.**

This item was approved by consent with the addition to the contract for mowing the trails every week in the amount of approximately \$10,000.

- 15. Consider a resolution authorizing the City Manager to enter into the first year of a five-year contract with Siemens Industry, Inc. to service and maintain the City's HVAC mechanical, monitoring, and building automation systems in 17 facilities throughout the City, in the amount of \$70,115.**

This item was pulled from the agenda.

- 16. Consider a resolution authorizing the City Manager to enter into a contract with Saber Development Corporation in the amount of \$224,725 for the FM 157 Water System Improvements and Renee Street Sewer System Improvements Project.**

This item was approved by consent.

- 17. Consider a resolution authorizing the City Manager to enter into a contract with Turner Sign Systems in the amount of \$121,726 for the Cheek-Sparger Road and SH 121, and Fire Station #3 Monument Sign Projects.**

This item was approved by consent.

- 18. Consider a resolution authorizing the City Manager to enter into a Memorandum of Understanding (MOU) between the City of Bedford and the cities of Fort Worth, Arlington, Hurst, North Richland Hills and the County of Tarrant, Texas for the Fiscal Year 2015 Byrne Justice Assistance Grant (JAG) Formula Program Award.**

This item was approved by consent.

- 19. Consider a resolution authorizing the City Manager to purchase 42 replacement duty weapons and related accessories for the Police Department from Gulf States Distributors in the amount of \$33,000.**

This item was approved by consent.

- 20. Consider a resolution authorizing the City Manager to enter into a contract with Civic Plus in the amount of \$56,560 for the redesign, conversion and implementation of a new City website.**

This item was tabled until the September 27, 2016 Council meeting.

- 21. Report on most recent meeting of the following Boards and Commissions:**
 - ✓ Animal Shelter Advisory Board - Councilmember Fisher

Council Minutes September 13, 2016

No report was given.

✓ **Beautification Commission - Councilmember Turner**

Councilmember Turner reminded everybody about the Crud Cruiser event on Saturday.

✓ **Community Affairs Commission - Councilmember Farco**

Councilmember Farco reported that the Residential Roundtable scheduled for September 22, 2016 at 6:30 p.m. has been moved from the Old Bedford School to the old Library building. He thanked the Commission for coming up with the Resident and Business of the Year Awards, and specifically thanked Mr. Savage and Mr. Caruso.

✓ **Cultural Commission - Councilmember Champney**

Councilmember Champney reported that the Danny Wright performance went over very well.

✓ **Library Advisory Board - Councilmember Farco**

Councilmember Farco reported that the Library now has six universal device charging stations. He stated that Governor Abbott has proclaimed September 15, 2016 as "Power Up at Your Library Day," which is to showcase the diverse range of programs and activities at the Library. The Library will offer do-it-yourself crafts and learning stations for children. He stated that the Library Friends' Open House has been rescheduled to Saturday, October 15, 2016. The Koha server will go live on Saturday, October 3, 2016, and the Library will be closed the day before for the migration of the data.

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

No report was given.

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

Councilmember Gebhart reported that the Board met on September 1, 2016 but he was unable to attend because of his anniversary.

✓ **Senior Citizen Liaison - Councilmember Turner**

No report was given.

22. Council member Reports

Councilmember Farco thanked staff, and specifically Special Events Manager Wendy Hartnett and Cultural Coordinator Jeff Florey, for an outstanding BluesFest. He loved that the vendors and performers all stated that Bedford is the only city where the Council, Mayor and staff visit with them.

Councilmember Gebhart stated that the past weekend marked the fifteenth anniversary of September 11. He voiced his support for first responders and stated he holds them in high esteem. His family visited the Quarter Lounge, one of the businesses recently approved by Council, and it was a lot of fun playing classic arcade games.

23. City Manager/Staff Reports

No report was given.

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

Council Minutes September 13, 2016

No Executive Session was held.

ADJOURNMENT

Mayor Griffin adjourned the meeting at 8:55 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary