

**Council Minutes February 23, 2021**

**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 7:00 p.m. via videoconference on the 23rd day of February, 2021 with the following members present:**

Michael Boyter  
Tom Burnett  
Dan Cogan  
Ruth Culver  
Amy Sabol  
Rusty Sartor

Mayor  
Councilmembers

constituting a quorum.

Councilmember Gagliardi arrived at 5:34 p.m.

Staff present included:

Jimmy Stathatos  
Cliff Blackwell  
Michael Wells  
Sean Fay  
Gary Johnson  
Andrea Roy  
Kelly Snook  
Mark Williams

City Manager  
Assistant City Manager  
City Secretary  
Fire Chief  
Interim Police Chief  
Development Director  
Interim Capital Projects Director  
Deputy Fire Chief

**WORK SESSION**

Mayor Boyter called the Work Session to order at 5:30 p.m.

City Manager Jimmy Stathatos introduced the newly hired Police Chief Jeff Williams and thanked Interim Police Chief Gary Johnson for his work with the Department and the City.

- **Presentation and discussion regarding the Police Department's staffing analysis, conducted by Texas Police Chiefs Association.**

Chief Johnson presented information on the staffing analysis study performed by Texas Police Chiefs Association (TPCA), including its determination that the Department was too top-heavy in supervision and administration, the need for more patrol officers during the peak times, and the amount of available time officers have for officer-initiated activities. He presented an overview of the changes to the Department's organizational chart based on the study. He stated the staffing changes will result in savings of approximately \$950,000 and that there are plans to address the Police Department pay plan to bring salaries in line with surrounding cities.

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In response to questions from Council, Chief Johnson stated the staffing changes would lead to more officers on the street at peak times, as well as better service levels and efficiency. There was discussion on open positions and officers in the Police Academy and in training; the Criminal Investigations Division, including staffing and training; the starting pay for police officers compared to other cities; the new organizational chart; the Traffic Division, including staffing and traffic enforcement for the two highways running through Bedford; the data on which the analysis was based; and the clearance rate for criminal investigations.

- **Presentation and discussion regarding the Fire Department's calls for service in 2020.**

Fire Chief Sean Fay presented an overview of the Fire Department's calls for service in 2020, including comparisons to 2018 and 2019 and the impact of COVID-19 on operations and call response. The Department responded to 8,675 calls for service, a 6.1 decrease from the previous year. There were 81 structure fire calls, including 11 for working structure fire incidents, 289 motor vehicle accidents, and 29 rescues. There were 4,874 Emergency Medical Services (EMS) calls for service, with 69 percent being transportation incidents. The average response times for Priority 1 fire and EMS calls were 4:37 and 4:25 respectively. A breakdown of calls by fire station shows a slight shift of calls from Station 1 to the other two stations due to new protocols on how the new ladder truck responds to EMS calls.

There was discussion on the increase in total calls for service over the previous 20 years; the possible impact of COVID-19 on operations and statistics; EMS calls for service and response times; EMS training; and response times in neighboring cities.

- **Report on recent Fire Department activities for Fiscal Year 2019-2020.**

Chief Fay presented a report on Fire Department activities for 2020, including information on the Department's organizational structure; fire and EMS calls for service; the total value in property saved being \$57,518,713; training; statistics from the Fire Marshal's office; the Department's budget of \$7,971,667, with a majority of costs being for personnel; and notable achievements, including the hiring of seven firefighters, the promotion of two medical officers, the retirement of Leo Warren, and the dedication of a new truck and engine.

In response to questions from Council, Chief Fay stated the Fire Department is fully staffed, with five employees currently in paramedic school. There was discussion on screening for COVID-19 patients.

- **Presentation and discussion regarding the City's upgraded Public Protection Classification (PPC) rating with the Insurance Services Office (ISO).**

Chief Fay stated the Insurance Services Office (ISO) creates the Public Protection Classification (PPC) ratings for fire departments based on how well equipped they are to put out fires in their respective communities. Insurers use the PPC ratings to help set homeowner insurance rates. He stated the PPC rating ranges from Class 1 to Class 10, with a score of Class 1 being superior. The four main critical rating areas are the quality of a fire department's staffing levels, training, and the proximity of stations; the availability of water supply, including hydrants; the quality of the area's emergency communications systems; and community outreach activities. He stated the ISO's rating program provides an objective nationwide standard to assist fire departments and cities in budgeting and planning for facilities, equipment, and training, and

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further provides incentives and rewards for communities that choose to improve their firefighting by securing lower fire insurance premiums for communities with better public protection.

Chief Fay announced the Bedford Fire Department was awarded an ISO PPC rating of Class 1, which will go into service on June 1, 2021. He thanked Deputy Chief James Richardson and Public Works Director Kenny Overstreet for their work on the project. Regarding loss of water during the recent winter storm event, Chief Fay stated the Department was able to respond to multiple fire incidents and was able to rely on the City's water system.

- **Presentation and award of Best Practices Designation to the Bedford Fire Department from the Texas Fire Chiefs Association (TFCA).**

Chief Fay stated the fire service should always look for ways to improve services and better protect lives and property in the communities they serve and that the goal to obtain the Best Practices Designation from the Texas Fire Chief's Association (TFCA) has been achieved. He thanked the Fire Department staff who helped with the achievement and the TFCA in creating the best practices program to help increase quality services offered to citizens. He introduced and thanked the members of the TFCA's Best Practices Executive Committee and the co-chairs of the Best Practices Review Committee. Fire Chief Neil Howard of the Rowlett Fire Department, one of the co-chairs of the Review Committee, discussed the criteria and goals of the best practices program and stated the Bedford Fire Department joins 24 other departments across the state that have received this recognition. He presented Chief Fay and the Bedford Fire Department the Best Practices recognition.

Chief Fay recognized Deputy Fire Chief Mark Williams and volunteer Kim Brown for their work on achieving the designation.

City Manager Jimmy Stathatos and members of the Council thanked Chief Fay on his service and congratulated him on his retirement. Chief Fay stated it was a privilege to serve the City of Bedford and he will cherish his time with the City.

- **Presentation and discussion regarding the Police Department's calls for service and crime stats in 2020.**

Chief Johnson presented crime statistics on 2020, with comparisons to 2018 and 2019. He stated there were two homicides in 2020, one of which was solved and another of which an arrest has been made. Sexual assaults and robberies were down from 2019. He stated aggravated assaults are higher than in neighboring cities based on intimate partner violence incidents due to the number of multifamily properties in Bedford; however, officers have also received training on how to look for evidence of strangulation in such incidents that allows a higher charge to be filed. Burglaries remain the same and thefts were up due to COVID-19 related unemployment. There was a ten percent increase in auto thefts due to the ease of stealing certain types of vehicles. There was a decrease in calls for service and traffic stops due to COVID-19, as officers were instructed to only enforce egregious traffic violations; however, officers are back to enforcing all traffic laws. There was discussion on crime statistics in neighboring cities. In response to questions from Council, Chief Johnson stated the City has higher violent crime than neighboring cities due to the aggravated assaults discussed previously and is average in regard to other crimes.

- **Discussion regarding the ballfields at Generations Park.**

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City Manager Jimmy Stathatos asked Council's interest on making the ballfields at Generations Park more suitable for older age groups. Interim Capital Projects Director Kelly Snook stated the three ballfields as designed have 275-foot outfields, with 230-foot foul lines. Increasing the size of the fields would eliminate 91 parking spaces and reduce a major drive-in entry to the park, with a cost of approximately \$300,000. Increasing the height of the outfield fences to 30 feet on all three fields would cost over \$800,000.

Councilmember Sartor stated Council previously decided on fields to accommodate players 12 and under and therefore eliminate 14-under play. He presented information on revenues, expenditures, and net profits from the Texas Star complex in the City of Euless as discussed at a previous Council meeting. He stated his goal was to provide accurate financial information and discuss any solution to make the ballfields play larger. John Hurst and Celeste Wilson with the Tri-Cities Baseball and Softball Association discussed the number of games scheduled in the Metroplex and the revenue from games; accommodating a 60-foot pitching distance and a 90-foot base path on the infields and the shortage of such fields in the Metroplex; opportunities for showcase tournaments; attendance at games; older children having to leave Tri-Cities due to the lack of the necessary ballfields and the impact on high school teams; changing the dimensions on only one ballfield; Tri-Cities' needs; and ballfields in other cities.

There was discussion regarding the economic impact of baseball games; the projected employee and maintenance costs of the ballfields at Generations Park; the costs for expanding the ballfields, the debt service for the Phase Next bond package, and the Center's operations; amenities that have been removed from the park, including tennis courts, the skating rink, a dedicated senior center, and pavilions; an earlier plan presented to Council that did not include baseball fields and the opinion of the consultant that they did not make money for the City; the costs for including the ballfields in the design; the costs for raising the fences; revenue from the Boys Ranch ballfields from previous years and the ballfields at Texas Star; and potential revenue from tournaments.

Dennis Haar with Halff Associates stated the infields are set up for variable play depths. The proposed increase of the fences is based on the mathematics to make the 230-foot foul lines play equal 270-foot foul lines, with the estimated costs being based on a similar project on which they worked. There was discussion on the effect higher fences would have on the visibility of the park; the history of the park design and bond package; the limited funding for the park; the lack of revenue from previous uses of ballfields; and the business model for the future ballfields.

- **Review of monument sign design and berm design options at Generations Park.**

This item was moved after Item # 6 in the Regular Session.

Interim Capital Projects Director Kelly Snook presented information regarding the west berm at Generations Park. The original design increases the height of the existing berm by two feet, increases the height of the parking lot, maintains the drainage patterns while improving the drainage adjacent to the residents, and provides landscaping. It was determined that a more substantial and robust screening is needed between the park and residents. Ms. Snook presented four screening options, including wooden fencing and evergreen vegetations, ranging in cost from \$19,600 to \$43,000. She stated the budget for the landscaping as originally designed is \$20,000. There is another option for a six-foot masonry fence; however, the costs for that have yet to be determined.

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There was discussion on the visibility of the homes from the berm; potential issues with installing fencing on the berm; the wooden fence option, including the maintenance costs and issues with people potentially climbing the fence; the masonry fence option, including higher upfront costs, less maintenance costs, the ability to reduce the amount of greenery, and examples of slatwall masonry wall systems around the City; potential crime prevention issues with fencing; mitigating noise for residents at the west end of park; installing breaks along the fencing for safety and resident access to the park; and putting murals on the masonry fence. Council requested Ms. Snook return at the next meeting with information on the masonry fence option, including input from the Police Chief on any concerns.

Ms. Snook presented information on monument signs at the park. The current design includes a monument digital sign at the main Forest Ridge Drive entrance, a smaller monument digital sign at the entry for the ballfields, and a sign at the Center. The current monument sign could remain at its current location at what would be a pedestrian entrance or be moved at a cost of approximately \$12,000. She presented renderings of the signs and stated they could incorporate reclaimed stone from the Trinity Arts Building. There was discussion on ensuring the signage incorporates the Generations Park branding. Council was of the consensus to agree on the following: incorporating reclaimed stone into the signs; the location of the signs as presented; the shape and design of the signs as presented as long as the logo can be incorporated into them; and that the historical sign not be moved.

Mayor Boyter adjourned the Work Session at 8:07 p.m.

### **REGULAR SESSION**

The Regular Session began at 8:18 p.m.

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

Mayor Boyter called the meeting to order.

### **INVOCATION**

Councilmember Sartor gave the invocation.

### **PLEDGE OF ALLEGIANCE**

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

### **OPEN FORUM**

Nobody signed up to speak during Open Forum.

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

City Manager Jimmy Stathatos presented an overview of the items on the consent agenda.

Motioned by Councilmember Culver, seconded by Councilmember Sabol, to approve the following items by consent: 1, 2, and 3.

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

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1. **Consider approval of the following City Council minutes:**
  - a) **February 9, 2021 regular meeting**

This item was approved by consent.

2. **Consider a resolution authorizing the City Manager to enter an agreement with Houston Forensic Science Center, Inc., for the purchase of forensic laboratory testing in the amount of \$3,500.**

This item was approved by consent.

3. **Consider a resolution authorizing the City Manager relinquish ownership of Police K9 Darco to a 501(c)(3) organization, Mission K9 Rescue.**

This item was approved by consent.

### **PERSONS TO BE HEARD**

4. **The following individuals have requested to speak to the Council tonight under Persons to be Heard:**

- a) **Ellie Pitts, 2132 Shady Brook Drive, Bedford, Texas 76021 – Request to speak to Council regarding a petition for the extension of sidewalks on a portion of Shady Brook Drive from property numbers 2012 to 2148 and the Methodist Church.**

Ms. Pitts was unable to attend the Council meeting. This item will be moved to the following Council meeting.

### **NEW BUSINESS**

5. **Consider a resolution authorizing the City Manager to enter into an agreement with Kimley Horn for a Risk and Resilience Assessment and Emergency Response Plan, in an amount not to exceed \$65,000.**

This item was withdrawn.

6. **Consider a resolution authorizing the waiver of building and construction permit fees for repairs to properties damaged by adverse winter weather conditions the week of February 14, 2021; declaring a public purpose; and authorizing the waiver of said fees for applications received between February 22, 2021 and May 24, 2021.**

Development Director Andrea Roy presented information regarding this item, which would allow the Building Official to waive permit fees for repairs from the winter storm event so residents would not face an additional financial burden. The waiver would be in place for a three-month period. She stated the Building Official assured that it would be obvious to which permits the waiver would apply. There was discussion on expanding the timeframe for the waiver in the future if needed.

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Motioned by Councilmember Burnett, seconded by Councilmember Cogan, to approve a resolution authorizing the waiver of building and construction permit fees for repairs to properties damaged by adverse winter weather conditions the week of February 14, 2021; declaring a public purpose; and authorizing the waiver of said fees for applications received between February 22, 2021 and May 24, 2021.

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

Mayor Boyter suspended the Regular Session to discuss the last item in the Work Session.

### **EXECUTIVE SESSION**

- a) **Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3009 Glenwood Court, also described as Lot 3, Block 2 of the CANTERBURY ADDITION, in the City of Bedford.**
- b) **Section 551.071, consultation with City Attorney regarding pending or contemplated litigation - Bedford Hotels, LLC.**
- c) **Pursuant to Section 551.074, personnel matters - City Attorney**

Council convened into Executive Session pursuant to Texas Government Code Section 551.071, consultation with City Attorney regarding pending or contemplated litigation for the enforcement of city ordinances relative to the real property located at 3009 Glenwood Court, also described as Lot 3, Block 2 of the CANTERBURY ADDITION, in the City of Bedford; Section 551.071, consultation with City Attorney regarding pending or contemplated litigation - Bedford Hotels, LLC.; and Section 551.074, personnel matters – City Attorney, at 9:16 p.m..

Council reconvened from Executive Session at 9:41 p.m. Any necessary action to be taken as a result of the Executive Session will be during the Regular Session.

### **7. Mayor/Council Member Reports**

No reports were given.

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

No reports were given.

### **9. Take any action necessary as a result of the Executive Session.**

Motioned by Councilmember Culver, seconded by Councilmember Sabol, to appoint Taylor Olsen to the position of City Attorney effective immediately.

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

### **ADJOURNMENT**

Mayor Boyer adjourned the meeting at 9:45 p.m.

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Michael Boyter, Mayor

ATTEST:

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Michael Wells, City Secretary