

Council Minutes March 10, 2020

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 7:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 10th day of March, 2020 with the following members present:

Michael Boyter	Mayor
Tom Burnett	Councilmembers
Dan Cogan	
Ruth Culver	
Roger Fisher	
Amy Sabol	
Rusty Sartor	

constituting a quorum.

Staff present included:

Cliff Blackwell	Interim City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Andrew Kloefkorn	Neighborhood Services Manager
Maria Joyner	Finance Director
Paula McPartlin	Assistant Finance Director
Bill Syblon	Development Director
Brandi West	Grants Administrator

COUNCIL CHAMBER WORK SESSION

- **Discussion on the Quarterly Investment Report for the Quarter ending December 31, 2019.**

Assistant Finance Director Paula McPartlin stated normally the Councilmember that serves on the Investment Committee would report to the Council on the Quarterly Investment Report; however, with the increase in the size of the portfolio, it was advisable for Council to hear the report firsthand. Tom Ross with Valley View Consulting, the City's investment advisors, presented an overview of the report. He stated the portfolio increased from \$131,870,000 to \$150,971,000, for a net increase of approximately \$19,100,000. The yield on the operating funds was 1.99 percent and on the Texas Water Development Board portion was 1.64 percent, for an overall yield of 1.91 percent. He presented an overview of the City's investment holdings, the composition of the portfolio, a comparison to the previous quarter, and the allocation of the investments across various City funds. In response to a question from Council regarding investing in something more aggressive, Mr. Ross stated state law prevents it. He felt the City had an appropriate investment policy that protects the City's funds and gives it the ability to invest. There was discussion on the impact of the Coronavirus on the City's investments.

Council Minutes March 10, 2020

- **Update on the Business Town Hall Meeting held February 24, 2020.**

Community Affairs Commission Chairperson Sal Caruso presented an overview of the Business Town Hall Meeting. He stated five business owners attended the meeting, including from PostalAnnex, What's Poppin Texas, Wood & Grain Bistro, Colossal Sandwich Shop and Turning Point Brewery. He presented comments from those businesses, including praise for the permit employees and the Development Department, issues with landlords, and ideas, including welcome packets for new businesses about available City services; making it less expensive to participate in City events, including BluesFest; early registration for businesses at events; assistance with marketing; events focused on Bedford restaurants, similar to the Chamber of Commerce expo; reward and frequent shopper programs; and better communication on existing City resources. Mr. Caruso discussed reactions from the businesses and Commission members to the Town Hall. There was discussion regarding supporting and engaging with businesses; reward and couponing programs for businesses; reinstating a physical Bedford Connection; giving favorable status to Bedford businesses to participate in City events; promotional ideas; informational packages for new businesses; following up on the ideas and comments from the meeting; and the businesses invited to the meeting.

- **Presentation of Neighborhood Services Division: practices, strategies, and goals.**

Development Director Bill Syblon stated Council approved the new Neighborhood Services Division (NSD) under the Economic Development Department as part of the previous year's budget process. The creation of the NSD involved transitioning Code Compliance from the Police Department to Development and moving the entire department to the former library building to offer better customer service and increase collaboration amongst the various divisions.

Neighborhood Services Manager Andrew Kloefkorn presented an overview of the historical view of code compliance, the mission and values statements of the NSD, the new approach to code compliance under the NSD, the values of the NSD, and working a code compliance case. He discussed the community engagement component of the NSD and its impact to residents. Mr. Kloefkorn gave an overview of the data driven approach taken by the NSD and presented data on cases, violations and compliance by district as well as violations per 1,000 residents compared to benchmark cities. He discussed future goals for the NSD, including a Bedford Urban Revitalization Program, a Bedford Helping Bedford Program, a Community Service Program, block parties and a Bedford Neighborhood Coalition.

There was discussion on data collection; the status of the proposed NSD programs; an ordinance to give the municipal court judge the authority to help expedite the abatement of violations; NSD staffing and the impact of the move under Development; community engagement; identifying and adapting programs to work in Bedford; the impact of code violations to neighboring properties; the number of resident-initiated cases versus staff-initiated cases and the NSD being more proactive; the cycle for NSD officers to cover their entire district; educating residents on code violations; follow-up and monitoring of cases, including those that have come into compliance; hoarding cases, including the mental-health aspect of such cases; the process for issuing citations; issues with the Better It app; residents serving as points-of-contact for their neighborhoods; staff working with residents to mitigate violations; placing liens on properties; updating ordinances and policies; progress made on the issues with donation bins; benchmarks and timeframes for success; updating software; staff utilizing the Nextdoor app; working with 6Stones on various programs; educating new businesses on codes, including

Council Minutes March 10, 2020

the Sign Ordinance; the effect of code violations on businesses; the importance of personalproperty rights; scheduling NSD officers on weekends and off-hours; incentivizing residents to tear down old houses and build new ones in their place; regular updates to Council on the NSD; bringing ordinance updates and programs to Council; measuring non-compliance; the average day of a NSD officer; challenges and goals for the NSD; and staffing.

- **Council discussion regarding the City's plans, including, but not limited to, the Comprehensive Land Use Plan.**

This item will be discussed at a future work session.

Mayor Boyter adjourned the Work Session at 7:33 p.m.

REGULAR SESSION

The Regular Session began at 7:41 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.

ANNOUNCEMENTS/UPCOMING EVENTS

Interim City Manager Cliff Blackwell reported on upcoming events, including the Wild About Reading event at the Library on March 29, 2020; a residential outreach meeting at the Movie Tavern on March 30, 2020; and the ArtsFest and Pet Fair event at the Boys Ranch Park on April 4, 2020. He reported the Library would be closed from March 30 to April 3, 2020 for a makeover.

OPEN FORUM

Nobody chose to speak during Open Forum.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Council discussed moving Item # 5, 6 and 7 to the consent agenda. Mr. Blackwell presented an overview of items on the consent agenda.

Motioned by Councilmember Cogan, seconded by Councilmember Culver, to approve the following items by consent: 1, 2, 5, 6 and 7.

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

Council Minutes March 10, 2020

1. **Consider approval of the following City Council minutes:**
 - a) **February 18, 2020 work session**
 - b) **February 25, 2020 regular meeting**

This item was approved by consent.

2. **Consider a resolution authorizing the sale and consumption of alcoholic beverages at the Boys Ranch Park during the Twilight Concert Series (May 8, May 15, May 22, and May 29).**

This item was approved by consent.

NEW BUSINESS

3. **Public hearing and consider an ordinance to rezone Lots 2 and 3, Block 2, Grubbs Enterprises Addition from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/New and Used Cars and Truck Sales and Service (H/SUP), specific to Section 3.2.C(8)d of the City of Bedford Zoning Ordinance, allowing for the operation of motor vehicle sales and rental service. The property is located in the Master Highway Corridor (MHC) Overlay District specific to Section 4.18 of the City of Bedford Zoning Ordinance. The property is generally located south of Airport Freeway and west of Brown Trail. (PZ-SUP-2020-50007)**

Jayashree Narayana with Livable Plans and Codes, the City's interim planner, stated the application is for a specific use permit (SUP) to operate a used car dealership. Grubbs is vacating one building on their property and getting a new tenant named Uptown New and Used Car. The Planning and Zoning Commission recommended approval of this application at their last meeting. She stated there was a SUP approved for Grubbs in 2005, and everything is being kept the same on the property, including parking and landscaping. In response to questions from Council, Ms. Narayana confirmed there were no concerns from the Commission meeting and stated she believed there were variances given with the SUP in 2005, which run with the property.

Mayor Boyter opened the public hearing at 7:52 p.m.

Nobody chose to speak during the public hearing.

Mayor Boyter closed the public hearing at 7:52 p.m.

Motioned by Councilmember Culver, seconded by Councilmember Burnett, to approve an ordinance to rezone Lots 2 and 3, Block 2, Grubbs Enterprises Addition from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/New and Used Cars and Truck Sales and Service (H/SUP), specific to Section 3.2.C(8)d of the City of Bedford Zoning Ordinance, allowing for the operation of motor vehicle sales and rental service. The property is located in the Master Highway Corridor (MHC) Overlay District specific to Section 4.18 of the City of Bedford Zoning Ordinance. The property is generally located south of Airport Freeway and west of Brown Trail. (PZ-SUP-2020-50007)

Motion approved 6-1-0. Mayor Boyter declared the motion carried.

Council Minutes March 10, 2020

Voting in favor of the motion: Mayor Boyter, Councilmember Sartor, Councilmember Cogan, Councilmember Sabol, Councilmember Burnett and Councilmember Culver.

Voting in opposition to the motion: Councilmember Fisher

- 4. Public hearing and consider an ordinance to rezone Lot 1, Block 1, Christian Life Tabernacle Addition and James M. Matson Survey, Abstract 1090, Tract 6A, located at 1104 Central Drive, Bedford, Texas, from (R15) Residential 15,000 SF Detached to (R15/SUP) Residential 15,000 SF Detached/Specific Use Permit, specific to Section 3.2.C.2.a, Churches, Temples and Synagogues, of the City of Bedford Zoning Ordinance, allowing for Christian Life Tabernacle Church to operate a church. The subject property is generally located east of Central Drive and north of Gettysburg Place. (PZ-SUP- 2018-50060)**

Ms. Narayana stated the applicant is an existing church on Central Drive. The site is zoned R-15,000 and the existing church is approximately 5,400 square feet. The church is expanding and building a new 11,300 square foot structure along with additional parking. She stated an unplatted piece of property is being incorporated into the site, which will have to be re-platted prior to occupation of the building. The Planning and Zoning Commission recommended approval of this item at their meeting on February 13, 2020. She stated it was the second time the case was heard by the Commission, as the first time there were concerns about drainage issues on the property, which were resolved by the applicant to the satisfaction of the Commission. In response to questions from Council, Ms. Narayana stated the applicant is required to do screening and there is an existing fence along the property. Regarding concerns expressed at the first Commission meeting, she stated the applicant added a detention pond on the southwest corner of the site and more evergreen trees along the perimeter. Further, a lighting plan was included that dictates the lights would be turned off at a certain time and would be directed more towards Central Drive. In response to further questions from Council, she stated the City's engineer reviewed the concept plan for the drainage, which would be finalized during the platting process.

Mayor Boyter opened the public hearing at 7:59 p.m.

Nobody chose to speak during the public hearing.

Mayor Boyter closed the public hearing at 8:00 p.m.

Motioned by Councilmember Burnett, seconded by Councilmember Fisher, to approve an ordinance to rezone Lot 1, Block 1, Christian Life Tabernacle Addition and James M. Matson Survey, Abstract 1090, Tract 6A, located at 1104 Central Drive, Bedford, Texas, from (R15) Residential 15,000 SF Detached to (R15/SUP) Residential 15,000 SF Detached/Specific Use Permit, specific to Section 3.2.C.2.a, Churches, Temples and Synagogues, of the City of Bedford Zoning Ordinance, allowing for Christian Life Tabernacle Church to operate a church. The subject property is generally located east of Central Drive and north of Gettysburg Place. (PZ-SUP- 2018-50060)

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

- 5. Consider a resolution of the City Council of Bedford, Texas, authorizing the submission of a grant application to the Assistance to Firefighters Grant (AFG) administered by the Department of Homeland Security, Federal Emergency Management Agency's Grant Programs Directorate.**

Council Minutes March 10, 2020

This item was approved by consent.

6. **Consider a resolution of the City Council of Bedford, Texas authorizing the submission of the Fiscal Year 2021 grant application for a pole camera system for the Police Department to the Office of the Governor, Criminal Justice Division.**

This item was approved by consent.

7. **Consider a resolution authorizing the Interim City Manager to accept the contract proposal from NewGen Strategies & Solution, LLC for Utility Rate Study Services and Stormwater Fee Study for the City of Bedford, Texas.**

This item was approved by consent.

8. **Mayor/Council Member Reports**
 - a) **Report on Phase Next branding**

Councilmember Sabol reported the subcommittee sent information to Torch regarding what the park and building meant to everybody in the City, and what residents felt about Bedford. She stated Torch came up with approximately 50 names to brand the park.

- b) **Report on arts and entertainment facility at the Old Bedford School**

Councilmember Culver reported this item would be discussed at an upcoming work session.

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

- ✓ **Animal Shelter Advisory Board**

Councilmember Fisher reported the Animal Shelter had a 100 percent live release rate for February.

- ✓ **Beautification Commission**

Mayor Boyer reported on the Crud Cruiser event held the previous weekend.

- ✓ **Community Affairs Commission**

No report was given.

- ✓ **Cultural Commission**

Councilmember Sabol reported the Commission was happy to be able to form committees on their own, and they have one working on a mural concept, possibly at Roy Savage Pool.

- ✓ **Economic Development Foundation**

No report was given.

- ✓ **Library Advisory Board**

Council Minutes March 10, 2020

No report was given.

✓ Parks and Recreation Board

Councilmember Sartor reported he and a member of the Board participated in the Crud Cruiser event the previous weekend.

✓ Teen Court Advisory Board

No report was given.

✓ Senior Center Representative

Councilmember Cogan reported he plans to attend the Senior Center dance the following Monday. He invited Councilmember Burnett to discuss the future of the Center as well as programming.

10. City Manager/Staff Reports

Interim City Manager Cliff Blackwell reported the City posted information on its mitigation efforts regarding the Coronavirus on the website and social media pages. He stated Fire Chief Sean Fay would be participate in a conference call the following morning regarding the virus.

Councilmember Fisher advised people that believed they may have the virus to first go to their medical provider and not flood hospital emergency rooms.

EXECUTIVE SESSION

- a) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Block 1, Lot 1, Bedford School Addition.
- b) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Abstract 1607 Tract 11e01 William Wallace Survey.
- c) Pursuant to Section 551.074, personnel matters - City Manager search.
- d) Pursuant to Section 551.074, personnel matters - evaluation of the Interim City Manager.

Council convened into Executive Session pursuant to Texas Government Code Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Block 1, Lot 1, Bedford School Addition; Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Abstract 1607 Tract 11e01 William Wallace Survey; Section 551.074, personnel matters - City Manager search; and Section 551.074, personnel matters - evaluation of the Interim City Manager, at 8:08 p.m.

Council reconvened from Executive Session at 9:09 p.m. Any necessary action to be taken as a result of the Executive Session will be during the Regular Session.

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

Motioned by Councilmember Sabol, seconded by Councilmember Burnett, to lease the second floor of the Old Bedford School to ONSTAGE for \$10.00 a year for 18 months to two years, and

Council Minutes March 10, 2020

included in that lease \$6,000 for miscellaneous changes made to the Old Bedford School facility that cannot be recouped.

Councilmember Fisher stated he was going to vote no on this option, not to be against ONSTAGE or any other arts group, but because he felt the terms of the deal were technically negotiated back and forth and he does not agree with the proposal. He wished ONSTAGE luck and apologized for the inconvenience.

Councilmember Sartor stated he wished ONSTAGE the best and has great admiration for the arts and ONSTAGE, which he wishes to see flourish. He stated the proposal was brought to him without prior knowledge and he did not have time to think through the proposal and its merits. He stated due to the expediency in which it was brought to him, he would vote no.

Councilmember Culver stated regarding the proposal, the motion was made and has been discussed ad nauseum. She stated Council discussed the amount of money, including the \$10.00 and the \$6,000 for the construction changes needed to the upstairs of the Old Bedford School. She stated it was nothing new to Council and she would be voting yes. She stated she was not fully in agreement that it is the best of financial arrangements, but it has been proposed and presented.

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

Voting in favor of the motion: Mayor Boyter, Councilmember Cogan, Councilmember Sabol, Councilmember Burnett and Councilmember Culver.

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

ADJOURNMENT

Mayor Boyter adjourned the meeting at 9:13 p.m.

Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary