

Council Minutes March 22, 2022

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Regular Session at 6:00 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 22nd day of March, 2022 with the following members present:

Michael Boyter	Mayor
Amy Sabol	Mayor Pro Tem
Cindy Almendarez	Councilmembers
Dan Cogan	
Ruth Culver	
Rob Gagliardi	
Rich Steves	

constituting a quorum.

Staff present included:

Jimmy Stathatos	City Manager
Bryn Meredith	City Attorney
Michael Wells	City Secretary
Maria Joyner	Finance Director
Wes Morrison	Neighborhood Svcs./Planning Mgr.
Andrea Roy	Development Director
Cheryl Taylor	Public Works Director
Jeff Williams	Police Chief

REGULAR SESSION

The Regular Session began at 6:01 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Boyter called the meeting to order.

INVOCATION

Joe Cartwright with Reimagine Men DFW gave the invocation.

PLEDGE OF ALLEGIANCE

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

COUNCIL RECOGNITION

- **Employee Service Recognition**

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

Ramon Villarreal, Public Works Department – 5 years of service
Joey Gauger, Police Department – 25 years of service

- **Proclamation recognizing the week of April 10-16, 2022 as National Public Safety Telecommunicators Week.**

Mayor Boyter read a proclamation recognizing the week of April 10-16, 2022 as National Public Safety Telecommunicators Week. Police Chief Jeff Williams and Dispatch Supervisor Amy James accepted the proclamation.

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 Gagliardi, to approve the following items by consent: 1, 2, and 3.

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

1. **Consider approval of the following City Council minutes:**
 - a) **March 8, 2022 regular meeting**

This item was approved by consent.

2. **Consider a resolution approving an amendment to the interlocal agreement between the cities of Bedford, Eules, and Hurst for combining efforts for the provision of a teen court program in municipal court.**

This item was approved by consent.

3. **Consider a resolution authorizing the City Manager to enter into a professional services agreement with Teague Nall & Perkins, Inc. in the amount of \$122,210 for the design of the Deuce Drive Water, Sewer, and Street Reconstruction project.**

This item was approved by consent.

NEW BUSINESS

4. **Public hearing and consider an ordinance amending Chapter 6 of Appendix B of the City of Bedford Zoning Ordinance by amending Section 6.4.A regarding the composition of the Board of Adjustment members; and by amending Section 22-31 of the Code of Ordinances regarding the composition of the Building and Standards Commission.**

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Planning Manager Wes Morrison presented information regarding this item, which was a request from Council that amends the Zoning Ordinance by altering the composition of alternates for the Zoning Board of Adjustment and Section 22-31 of the Code of Ordinance by altering the membership of the Building and Standards Commission. The Planning and Zoning Commission recommended approval of the requested amendments. In response to a question from Council, Mr. Morrison stated the reasoning behind the amendments is to make more efficient use of the City's Boards and Commissions.

Mayor Boyter opened the public hearing at 6:19 p.m.

Nobody chose to speak during the public hearing.

Motioned by Councilmember Cogan, seconded by Mayor Pro Tem Sabol, to approve an ordinance amending Chapter 6 of Appendix B of the City of Bedford Zoning Ordinance by amending Section 6.4.A regarding the composition of the Board of Adjustment members; and by amending Section 22-31 of the Code of Ordinances regarding the composition of the Building and Standards Commission.

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

5. Consider a resolution authorizing the City Manager to enter into an agreement with Andale Construction, Inc. in an amount not to exceed \$275,000 for High Density Mineral Bond (HA5TM) through an interlocal agreement with the City of Hurst.

Public Works Director Cheryl Taylor presented information regarding this item. She stated one of the items in the Street Improvement Economic Development Corporation (SIEDC) five-year strategic plan was to consider expanding maintenance options for the street maintenance program. She stated the HA5TM high density mineral bond is durable and performs longer than other conventional treatments and can extend the design life of the existing streets. She discussed other cities that have used the product, including Hurst, and presented examples of streets in Hurst where the products were used. Ms. Taylor stated the SIEDC Board approved a trial application of HA5TM and presented an overview of the streets that would be slated for the application. She presented the communication plan from both the City and Andale Construction, including websites, social media, signage, door hangers, and fliers as well as contacting the necessary City Departments, Republic Services, and the Post Office. She further presented an overview of the timing and process for applying HA5TM, including the closure of streets.

There was discussion on previous products used in the City; the communication plan; and issues related to people driving on the product before it is complete, including damage to vehicles. In response to questions from Council, Ms. Taylor stated staff did not go out to bid but are utilizing an interlocal agreement with Hurst. They further reached out to other cities that used the product. There was discussion on products made by Polycoat located in Bedford. Ms. Taylor stated the HA5TM product has a five-year warranty. There was further discussion on using the product on streets that have only one access point, phasing of the project, and the contractor agreeing to do work on Saturdays for a street adjacent to a school.

Motioned by Councilmember Culver, seconded by Councilmember Gagliardi, to approve a resolution authorizing the City Manager to enter into an agreement with Andale Construction, Inc. in an amount not to exceed \$275,000 for High Density Mineral Bond (HA5TM) through an interlocal agreement with the City of Hurst.

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

6. Consider a resolution authorizing the City Manager to enter into a professional services agreement with Freese and Nichols, Inc. in the amount of \$22,756 for the Forest Drive geomorphic channel assessment.

Ms. Taylor presented information regarding this item, which is for a channel assessment along the first three phases of the Rustic Woods subdivision from Forest Drive to Cummings Drive. A previous hydraulic analysis of the channel was performed in the City's 2002 master drainage study, which concluded that the hydraulic capacity was adequate and reported relatively higher flow velocities within the channel. The recommendation was that the City continue to monitor the channel for erosion. Ms. Taylor stated the scope of the project assessment includes acquiring topography of the existing channel, photographic documentation of the channel conditions, and field documentation of soils to estimate erodibility in the channel. The project deliverables will be an assessment report detailing erodibility of the channel, any permitting requirements for stabilization alternatives, and conceptual alternatives with preliminary cost estimates as appropriate. The time frame for the work is approximately three to four months, beginning in April or May, with a final report to the City in August. Ms. Taylor stated this item came about due to concerns from residents regarding drainage issues and erosion during discussions about a new development close to the subdivision.

In response to questions from Council, Ms. Taylor stated a master drainage study should be performed every five or ten years, but it is unusual to see a recommendation for just monitoring. There was discussion on the scope of the assessment.

Motioned by Councilmember Steves, seconded by Councilmember Gagliardi, to approve a resolution authorizing the City Manager to enter into a professional services agreement with Freese and Nichols, Inc. in the amount of \$22,756 for the Forest Drive geomorphic channel assessment.

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

7. Consider a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Appropriation Plan; and recognizing and appropriating expenditures within the Fiscal Year 2022 Coronavirus Local Fiscal Recovery Fund Budget.

City Manager Jimmy Stathatos presented information regarding this item. The items to be funded include \$85,000 for a vehicle lift for the Public Works Fleet Division to accommodate vehicles up to 30,000 pounds, including emergency vehicles; \$500,000 for an emergency generator and equipment as part of the state required emergency preparedness plan; \$135,000 for a hydro-excavating vacuum trailer; \$30,000 Supervisory Control and Data Acquisition (SCADA) system; \$23,000 for a confined space entry equipment to inspect and repair manholes; \$21,000 for WinCan sewer televising software and equipment upgrades; \$15,000 for a hydraulic trench shield for completion of utility repairs; \$10,000 for Keytrak Guardian key management system; \$90,000 for a water well chemical feed pump replacement; and \$32,000 for online chlorine analyzers for water distribution facilities. The total amount of the funded items would be \$941,000.

Motioned by Councilmember Gagliardi, seconded by Councilmember Almendarez, to approve a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Appropriation Plan; and recognizing and appropriating expenditures within the Fiscal Year 2022 Coronavirus Local Fiscal Recovery Fund Budget.

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

8. Mayor/Council Member Reports

Mayor Boyter reported that he and Councilmember Steves attended a ceremony on March 19 at American Legion Post 379 where they received a historical marker in their honor. He congratulated everyone at Post 379 and hoped Council could recognize them soon.

9. City Manager/Staff Reports

a) Smoking Ordinance

Mr. Stathatos stated the current smoking ordinance allows a business that derives more than 50 percent of its revenue from alcohol sales to have smoking. He asked for Council direction on tightening those regulations in terms of removing the exemption to where only certain areas can have smoking. He stated that the ordinance also allows smoking within ten feet of a building, including for those that do not allow smoking inside. He discussed whether to make the changes retroactive and other cities that have established timeframes for businesses to come into compliance. He felt the intent of the previous changes to the smoking ordinance were to grandfather certain places, but it also removed many regulations. He discussed surveying regulations in other cities.

There was discussion on the number of establishments in Bedford that exceed the 50 percent alcohol revenue and allow smoking; allowing Council a few weeks to contemplate and coming back for a follow-up discussion; the stipulations that were in place prior to the changes to the smoking ordinance, including ventilation; and the impact to establishment's revenue and the financial impact of changes to the smoking ordinance. Development Director Andrea Roy stated that a restaurant or bar can also sell tobacco products in their establishments under the current smoking ordinance, while cigar shops require a specific use permit.

b) Bike the Blue

Mr. Stathatos reported the City is partnering with Bike the Blue, on who's board both Councilmember Culver and her daughter Stephanie serve. He stated Police Chief Jeff Williams has put a heavier emphasis on community policing and one of the easiest and best ways to enter communities and neighborhoods is on bikes. Bike the Blue will provide ten bikes for the Department for use by the officers and volunteers.

Councilmember Culver stated the program was started by her daughter five years ago, and she has partnered with Tarrant County in numerous communities and cities. They are excited to bring the program to Bedford and the goal is to have some of the bikes ready for the opening of Generations Park at the Boys Ranch.

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

Executive Session was not held.

ADJOURNMENT

Mayor Boyter adjourned the meeting at 7:05 p.m.

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Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary