

Council Minutes March 25, 2020

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Special Session at 1:00 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 25th 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 (Via Telephone)	City Attorney
Michael Wells	City Secretary
Sean Fay	Fire Chief
Jeff Gibson	Police Chief

CALL TO ORDER

Mayor Boyter called the Special Session to order at 1:00 p.m.

OPEN FORUM

City Secretary Michael Wells read the emails from the following individuals:

Cyndy Lay – Ms. Lay asked why code violations were considered an essential service. She stated she received a second warning regarding her lawn following an extended period of rain. She was confused why the City would issue warnings on lawns when everybody is pulling together and wondered why the City thought it was an appropriate use of resources. She asked if it occurred to the City that some people may be required to self-isolate due to COVID-19.

Ana Chinchilla – Ms. Chinchilla stated that both the Coronavirus and rats attack the respiratory system, and that her neighborhood, along with 12 other cases, are suffering with the problem. She begged the City to follow-up on her case as well as the 12 others. She stated she pays taxes so that City employees have a salary and do their job and asked why they are not doing it accordingly.

Dave Kirkham – Mr. Kirkham stated he is a local business owner and asked for clarification on the definition of a necessary business, would there be any additional support measures to

Council Minutes March 25, 2020

businesses from the City and if so, what they would be, and if the City is open for additional means of marketing and advertising, including rental boards, window lights, flags and pennants.

Jessica Quick – Ms. Quick, representing Euleess Vapor, stated they are determined to help stop the spread of the COVID-19 virus and provide essential services to the citizens. They feel they fall under a unique circumstance as it relates to essential businesses. She discussed the measures they have taken regarding the virus, the effect on their customers who would be at risk with health conditions caused by combustible cigarettes, and their ability to make and bottle hand sanitizer. She asked that the City consider them an essential business.

1. Consider a resolution approving an executive order of Mayor Michael Boyter in response to the COVID-19 pandemic.

Mayor Boyter discussed the communication between Tarrant County and the mayors of the municipalities, which helps bring uniformity in the messages going out and the direction needed to go forward. He presented an overview of the various declarations and orders made by the county, state and Bedford. He stated this item is an executive order mirroring the one made by Tarrant County Judge Glenn Whitley on March 24, 2020 and presented an overview of the main tenants and definitions contained within the order.

There was discussion regarding area hospitals asking for “stay-at-home” measures; the benefits of the City issuing its own disaster declarations and orders; budgetary implications; clarifying what are essential businesses, including the vapor store mentioned during Open Forum; the City’s plans to communicate this order to residents and the business community; the tenant of the order allowing the City to commandeer any private property, including removing the section entirely, adding an explanation of how and when such action would take place, adding language that any action would be subject to Council discussing it in advance, and adding back the provision at a later time; employees in essential businesses having documentation to prove where they work; voluntary compliance from the business community; enforcement of violations of the order; posting the order on the front page of the City’s webpage; educating the public about the order; and uniformity amongst the various entities maintaining consistency with the County’s language.

Councilmember Sabol stated that striking the language in Item #4 goes against trying to do everything uniformly, and prefers consistency with messaging and the order, and to stay with what the County has written.

Motioned by Councilmember Cogan, seconded by Councilmember Fisher, to approve a resolution approving an executive order of Mayor Michael Boyter in response to the COVID-19 pandemic with the exception that Item #4 be struck.

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

Voting in favor of the motion: Mayor Boyter, Councilmember Sartor, Councilmember Cogan, Councilmember Burnett and Councilmember Fisher

Voting in opposition to the motion: Councilmember Sabol and Councilmember Culver

There was discussion on including the expiration date of the order.

Council Minutes March 25, 2020

Motioned by Councilmember Cogan, seconded by Councilmember Burnett, to approve a resolution approving an executive order of Mayor Michael Boyter in response to the COVID-19 pandemic with the exception that Item #4 be struck and it taking effect until April 7, 2020.

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

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

- 2. Consider a resolution of the City of Bedford, Texas postponing the special election scheduled to be held on Saturday, May 2, 2020 to allow the voters to consider voting for or against the following proposition: the legal sale of all alcoholic beverages including mixed beverages, to Tuesday, November 3, 2020 or an earlier date as authorized by the Governor of the State of Texas; and providing an effective date.**

City Secretary Michael Wells presented information regarding this item. He stated in response to the COVID-19 pandemic, Governor Greg Abbott issued a proclamation on March 18, 2020 to suspend sections of the Texas Election Code allowing political subdivisions to move their elections to the November 3, 2020 uniform election date, which requires action by the governing body. The language in the resolution is such that the special election would be postponed until November, unless an earlier date is authorized by the Governor. He stated there has been a push amongst municipalities that these local elections be held in conjunction with the primary runoffs, which were postponed to July. In response to questions from Council, Mr. Wells stated if postponed, the next actions would be to order the election for November or the earlier date if authorized by the Governor. Mayor Boyter stated there have been discussions amongst neighboring cities about issuing a proclamation to the Governor to move the elections to July.

Motioned by Councilmember Fisher, seconded by Councilmember Sartor, to approve of a resolution of the City of Bedford, Texas postponing the special election scheduled to be held on Saturday, May 2, 2020 to allow the voters to consider voting for or against the following proposition: the legal sale of all alcoholic beverages including mixed beverages, to Tuesday, November 3, 2020 or an earlier date as authorized by the Governor of the State of Texas; and providing an effective date.

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

- 3. Discussion regarding conducting future City Council meetings.**

Mayor Boyter presented information on this item. Mayor Boyter stated that it is necessary to do business differently moving forward to honor the social distancing rules. There was discussion regarding video or telephone conferencing, utilizing Teams or ZOOM; staff presentations; managing the conversation through teleconferencing; keeping the meetings to just business; holding face-to-face meetings. Council was of the consensus to hold face-to-face meetings with the ability to conference in if necessary.

- 4. Staff report on COVID-19 mitigation efforts.**

Interim City Manager Cliff Blackwell presented the City's action plan to go into effect the following day. He presented an overview of what was determined to be essential versus non-

Council Minutes March 25, 2020

essential functions and services. He stated that a frequently asked questions document is being developed to be shared amongst staff so they would be prepared to answer questions from the public. He presented an overview of time-sensitive agenda items that needed to be brought to Council in April. He stated certain staff members would be asked to remain at home if they fall within the non-essential function role, while the department heads are being allowed to establish a flexible schedule for their employees who fall within the essential function role, including having the ability to work remotely from home. All staff would be treated from the following day to April 7, 2020 as if they were physically working at the City. Mr. Blackwell recommended that all remaining City facilities be closed public access, except for the detention center lobby at the Law Enforcement Center. He further recommended the closure of the parks so as not to encourage social gatherings. He stated citizens would be directed to online services, such as paying for court tickets and water bills. Mr. Blackwell presented an overview of the City's efforts in keeping residents and the business community informed. He asked Council their expectations with respect to City services.

There was discussion on posting the frequently asked questions document to the website; moving the Phase Next budget pro forma agenda item from April to later in the year; how citizens are to file police reports; options for paying court tickets and water bills over the phone; the status of Phase Next, including design documents, and the Arts and Entertainment facility; enforcing high grass and weed regulations; not amending the Sign Ordinance; closing the parks, keeping the bathroom and trash facilities open and maintained, and putting up signage that the playground equipment is not sanitized; and voluntary compliance from residents. In response to questions from Council, Mr. Blackwell stated water disconnections for non-payment have been postponed for at least 30 days.

Mayor Boyter read a speech discussing the effects of COVID-19 virus and the measures having to be taken by the Tarrant County and the City of Bedford to get out ahead of the potential impact to the community. He stated the City issued an executive order asking all residents in non-essential businesses to stay home. He stated it was not to impugn civil liberties but to protect the health and welfare of the entire community. He provided an overview of the essential services the City would still provide and discussed the City's evolving priorities. He implored citizens to use common sense, to take steps to limit their exposure and not to panic and hoard supplies. He stated he has been encouraged by the actions of the community and thanked Council and staff for their response to the situation; Tarrant County Judge Whitley, Tarrant County Public Health and the other area mayors for their leadership; and Steve Chapman with the Hurst-Euless-Bedford Independent School District, Fraser Hay with HEB Mid-Cities, and all local health care professionals.

ADJOURNMENT

Mayor Boyter adjourned the meeting at 3:02 p.m.

Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary