

Council Minutes April 11, 2023

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 11th day of April, 2023 with the following members present:

Dan Cogan	Councilmembers
Nichelle D. Dawkins	
Steve Farco	
Rob Gagliardi	
Rich Steves	

constituting a quorum.

Mayor Boyter was absent from the meeting.

Mayor Pro Tem Sabol arrived at 6:05 p.m.

Staff present included:

Jimmy Stathatos	City Manager
Caryn Riggs	Assistant City Manager
Andrea Roy	Assistant City Manager
Bryn Meredith	City Attorney
Michael Wells	City Secretary
Wes Morrison	Community Development Manager
Cheryl Taylor	Public Works Director
Blake Williams	Purchasing Manager
Jeff Williams	Police Chief

REGULAR SESSION

The Regular Session began at 6:00 p.m.

CALL TO ORDER/GENERAL COMMENTS

Councilmember Cogan called the meeting to order. He stated that Mayor Boyter was absent from the meeting and that Mayor Pro Tem Sabol was running late.

INVOCATION

Pastor Robert White with My Freedom DFW gave the invocation.

PLEDGE OF ALLEGIANCE

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

Council Minutes April 11, 2023

COUNCIL RECOGNITION

- **Proclamation recognizing the month of April 2023 as Child Abuse Prevention Month in the City of Bedford.**

Councilmember Cogan read a proclamation recognizing the month of April 2023 as Child Abuse Prevention Month in the City of Bedford. Paige Wilkey and Monique Waggoner with the Alliance for Children accepted the proclamation.

PUBLIC COMMENTS

Nobody signed up to speak during Public Comments.

CONSIDER APPROVAL OF ITEMS BY CONSENT

City Manager Jimmy Stathatos presented an overview of items on the consent agenda. Motioned by Councilmember Cogan, seconded by Councilmember Farco, to approve the following items by consent: 1, 2, and 3.

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

- 1. Consider approval of the following City Council minutes:
a) March 28, 2023 regular meeting**

This item was approved by consent.

- 2. Consider a resolution authorizing the City Manager or his designee to establish an annual requirements contract for the purchase of office supplies and other as-needed goods from Office Depot Business Solutions, in an estimated amount of \$50,000, through the Texas Local Government Purchasing Cooperative, dba Omnia Public Sector.**

This item was approved by consent.

- 3. Consider a resolution of the City Council of Bedford, Texas authorizing the expending of funds from the City of Bedford Police Drug Enforcement Fund in the amount of \$22,028.41 in accordance with Chapter 59.06 of the Texas Code of Criminal Procedure.**

This item was approved by consent.

OLD BUSINESS

- 4. Public hearing and consider an ordinance regarding a Planned Unit Development Amendment for a hotel development on Lot 3A1 and Lot 3B, Block 1 Bedford Forum Addition. The 1.21 acres site is located northeast of Forum Parkway and Airport Freeway and commonly known as 3029 Airport Freeway. (PUD-22-2)**

Mayor Pro Tem Sabol asked the applicants if they would like to have action on the item or for the item to be tabled until the full Council is present. The applicants indicated they would like to move forward with action.

Council Minutes April 11, 2023

Community Development Manager Wes Morrison presented information regarding this item, which is for an amendment to the Bedford Forum Planned Unit Development (PUD) for a hotel site at the corner of Forum Drive and State Highway 121. The proposed plan is for an approximately 24,000 square foot independent hotel with 49 rooms. He stated the original PUD approved the use, and the purpose of this item is to determine if the site plan is compatible with the community's vision. Mr. Morrison presented an overview of the surrounding land uses. He stated staff received two responses in opposition to the request out of the four notices sent to adjoining properties within 200 feet of the site. Mr. Morrison explained this request would require a supermajority of Council to approve since there is greater than 20 percent land area opposition to the request. Staff also received nine other responses registering opposition to this request. Mr. Morrison stated the Planning and Zoning Commission unanimously recommended denial of this item, with their main concerns being the limited use of the hotel and their feeling that the site is too small for a hotel. He explained that the recommended denial by the Commission also triggered the supermajority requirement.

The applicant stated the project was mislabeled as a different brand at the Planning and Zoning Commission meeting and felt that was one of the reasons it was denied. He presented an overview of the project, stating it would be a boutique hotel with 49 interior corridor rooms, with the interior inspired by modern architecture to attract young, business, and/or airport travelers. Amenities would include a hot breakfast and a fitness center. He stated that as a boutique hotel, they would be able to design it and the rooms unique to the area. Their goal is to offer a luxurious experience on a budget by controlling overhead costs that are unavoidable with national chains. The applicant explained they have developed many franchised hotels in the Dallas-Fort Worth area, though this is their first attempt in the boutique segment. He discussed the potential impact of the hotel, including the creation of 11 full-time and three part-time positions and \$140,000 in annual tax revenue, as well as indirect benefits to the local community. The applicant explained the hotel was mislabeled as a Scottish Inn at the Commission meeting.

Motioned by Councilmember Dawkins, seconded by Councilmember Steves, to deny an ordinance regarding a Planned Unit Development Amendment for a hotel development on Lot 3A1 and Lot 3B, Block 1 Bedford Forum Addition. The 1.21 acres site is located northeast of Forum Parkway and Airport Freeway and commonly known as 3029 Airport Freeway. (PUD-22-2)

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

NEW BUSINESS

5. Public hearing and consider an ordinance to rezone the property described as Lot 3 Block 1 Parkwood Village Addition, located at 201 Harwood Road, Suite 130, from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/Banquet and Meeting Facilities. (SUP-23-1)

Mr. Morrison presented information regarding this item, which is for a specific use permit (SUP) for an event center and banquet facility, which requires an SUP in every zoning district. The site is approximately 6,000 square feet and the applicants plan on hosting events on the weekend, limited to midnight on Saturdays and 8:00 p.m. on Sundays. Mr. Morrison stated staff received one response in opposition to the request, which was related to existing or potential criminal activity in the alleyway between the commercial area and the adjoining residential properties; however, he believes that has been clarified with the Police Department. The Planning and Zoning Commission unanimously recommended approval of this request with the condition that there be two licensed peace officers on site during any rentals. Mr. Morrison explained the main reason

Council Minutes April 11, 2023

for the stipulation was concerns regarding alcohol.

Steven Todd, the applicant, stated they have operated in Dallas for 12 years and there is a growing need in communities for such facilities. He gave examples of the types of events they would host, including birthday parties and baby showers. He stated they utilize armed security guards at their Dallas location. They use only mid-range speakers at events so the sound does not travel past the walls. In response to questions from Council, Mr. Todd stated they would use a commercial cleaning service and would have people on site before and after events to ensure the community and common areas are cleaned up. He asked Council if they would consider not requiring the two peace officers at events held from 11:00 to 4:00 p.m. on Saturdays and on Sunday afternoons.

Mayor Pro Tem Sabol opened the public hearing at 6:23 p.m.

Nobody chose to speak during the public hearing. There was discussion regarding the concerns regarding vagrancy behind the building, the events that would be held at the facility, the security employed at the applicant's current facility in Dallas, the stipulation added by the Planning and Zoning Commission for the two peace officers, and Texas Alcoholic Beverage Commission (TABC) requirements. Mr. Todd stated they would only have wine and beer onsite. There was further discussion regarding exempting events that have no alcohol from the stipulation and requiring a TABC-licensed bartender for events with alcohol. In response to questions from Council, Police Chief Jeff Williams stated that one officer is usually adequate for events with up to 80 attendees and that he would prefer that his officers be present as someone from the outside would not have the same commitment to the community that the Police Department would.

Mayor Pro Tem Sabol closed the public hearing at 6:37 p.m.

Motioned by Councilmember Dawkins, seconded by Councilmember Cogan, to approve an ordinance to rezone the property described as Lot 3 Block 1 Parkwood Village Addition, located at 201 Harwood Road, Suite 130, from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/Banquet and Meeting Facilities (SUP-23-1) with the following conditions: that one licensed peace officer be on site and a licensed bartender for activities with alcohol.

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

6. Consider a resolution authorizing the City Manager or his designee enter into an agreement with Andale Construction Inc., utilizing the City of Hurst's High Density Mineral Bond contract through the Master Interlocal Cooperative Purchasing Agreement, in an estimated amount of \$300,000.

Public Works Director Cheryl Taylor presented information regarding this item, which is for an interlocal agreement with the City of Hurst for high density mineral bond as a street preservation treatment. She stated that one of the long-term goals of the Street Improvement Economic Development Corporation's Strategic Plan was to expand the menu of treatments for street maintenance. The City did a trial application of the high density material bond in several neighborhoods the previous year and another round of neighborhoods was included in the current budget. The streets chosen for the treatment have Pavement Condition Indexes between 65 and 86, and the treatment would preserve the good to excellent condition of the streets by slowing down deterioration. Ms. Taylor stated the treatment is planned for the months of May and June, and that Public Works would work with the Communications staff to disseminate information regarding the project, mainly through the City's website and social media platforms. She discussed the contractor's communication plan, including a website dedicated to Bedford, text

Council Minutes April 11, 2023

boards, text alerts, and door hangers. Further, they would reach out to emergency services, Republic Services, and the Postmaster regarding the project's schedule. Ms. Taylor discussed the timeframe for the application of the material and road closures and stated the project would take approximately four weeks to complete.

There was discussion regarding the previous year's application and concerns about parking when streets are closed for the project. In response to questions from Council, Ms. Taylor stated the contractor provides a five-year warranty, and that the material helps with the asphalt's flexibility and pulls out moisture that starts the cracking of the roads. The reason the particular streets were chosen was due to their PCIs and the ability to do several streets at the same time. Ms. Taylor discussed Public Works staff fixing potholes and rutting on certain streets prior to the material being applied.

Motioned by Councilmember Cogan, seconded by Councilmember Farco, to approve a resolution authorizing the City Manager or his designee enter into an agreement with Andale Construction Inc., utilizing the City of Hurst's High Density Mineral Bond contract through the Master Interlocal Cooperative Purchasing Agreement, in an estimated amount of \$300,000.

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

7. Mayor/Council Member Reports

Councilmember Dawkins reported the Beautification Advisory Board met on March 20, 2023. They will be working on Clean Up Bedford Day and Chunk Your Junk the following Saturday and are currently accepting nominations for the Beautification Awards Program.

Councilmember Gagliardi reported he attended the Electric! light art festival at Generations Park the previous Saturday and thanked Cultural Arts Manager Krissi Oden and Cultural Arts Assistant Jess Green.

8. City Manager/Staff Reports

a) Update on code enforcement staffing and OpenGov Software. ****This item requested by Councilmember Dawkins.**

Community Development Manager Wes Morrison presented a report on code enforcement staffing and the OpenGov software. He stated Neighborhood Services is divided up into five districts, mirroring those of the Police Department. There are currently seven Neighborhood Services Officers and one Administrative Assistant. Two multi-family inspectors were recently moved over to Neighborhood Services and they would also inspect short and long-term rentals. Mr. Morrison stated their policies have been fine-tuned for consistency on enforcement of code violations. He discussed options for reporting code violations, including through the City's website, email, or by phone.

Mr. Morrison presented an overview of the OpenGov website, which tracks such items as building permits, code violations, and planning and registration processes. He stated the goal of the website is to increase transparency. He reported that in the fourth quarter of the previous calendar year, there were 1,346 violations found and abated, and the property owner abatement rate was 97 percent. Mr. Morrison explained that registered short-term rentals would be included on OpenGov, but not whether a property has a lien. He stated that code violations are tied to a parcel, so one would need to enter an individual address to see if they have a violation. In response to questions from Council, Mr. Morrison stated he did not feel that staff was being stretched thin and that existing staff was being utilized well. He further stated that multifamily has not yet been

Council Minutes April 11, 2023

entered into OpenGov but that is being worked on. There was discussion on code being a priority of Council.

EXECUTIVE SESSION

- a) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease, or value of real property – property acquisition for recreation purposes.

Executive Session was not held.

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

Executive Session was not held.

ADJOURNMENT

Mayor Pro Tem Sabol adjourned the meeting at 7:05 p.m.

Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary