

Council Minutes June 16, 2020

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Special Session at 5:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 16th day of June, 2020 with the following members present:

Michael Boyter
Tom Burnett
Dan Cogan
Ruth Culver
Amy Sabol

Mayor
Councilmembers

constituting a quorum.

Councilmember Sartor arrived at 5:57 p.m. Councilmember Gagliardi was absent from the meeting.

Staff present included:

Cliff Blackwell
Matt Butler
Michael Wells
Andrew Kloefkorn
Kenny Overstreet
Bill Syblon

Interim City Manager
City Attorney
City Secretary
Neighborhood Services Manager
Public Works Director
Development Director

SPECIAL SESSION

The Special Session began at 5:30 p.m.

CALL TO ORDER

Mayor Boyter called the meeting to order.

EXECUTIVE SESSION

a) Pursuant to Section 551.072, to deliberate the purchase, exchange, lease or value of real property - Block 2, Lot 1, Bedford Baptist Temple Sub.

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 2, Lot 1, Bedford Baptist Temple Sub., at 5:31 p.m.

Council reconvened from Executive Session at 5:42 p.m. Any necessary action to be taken as a result of the Executive Session will be during the Special Session.

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OPEN FORUM

Nobody signed up to speak under Open Forum.

- 1. Consider an ordinance of the City of Bedford amending Chapter 42, Court by amending and replacing Section 42-67 relative to the jurisdiction of the municipal court authorizing the municipal court to issue search warrants for the purpose of investigating nuisances and seizure warrants for the purpose of removing offending property; providing a cumulative clause; providing a severability clause; and establishing an effective date.**

Neighborhood Services Manager Andrew Kloefkorn stated Council directed staff to bring an ordinance to expedite the abatement process by allowing the Municipal Court to issue warrants to search and seize health and safety nuisances at their meeting on March 10, 2020. He presented an overview of the of the Neighborhood Services Division (NSD), including their mission and values statements, the new approach to code compliance under the NSD, the values of the NSD, and the process of building a code case. He discussed various types of code cases and processes and procedures related to each, including high grass and weeds, accumulation of debris, green pool and stagnant water, and junked motor vehicles. In response to questions from Council, Mr. Kloefkorn stated a vehicle needs current tags, inflated tires, no broken windows or run on its own to be considered operable, and the City must give the vehicle owner 30 days to move a junk motor vehicle. He presented information on the estimated cost to the City to abate these violations and a map of residents on fixed incomes. There was discussion on where the information on the map was derived. Mr. Kloefkorn presented an overview of legal considerations when working code violations, the current abatement process, the effects of the COVID-19 shutdown, and a recent reorganization of the NSD.

There was discussion on the status of various residential code issues throughout the City; the current abatement process, including the length of time it takes to abate a property; underlying causes for code violations; staff's daily procedures and tracking code cases; issues related to evicting renters; communication between the NSD and the Police Department; codification of procedures; issues with parking on grass and illegal structures; issues with contacting property owners; time limits on obtaining permits; and updating the City's codes. There was discussion on donation bins throughout the City, including their proliferation; the process and cost for removing the bins; the timeframe for due process; and the effect of the shutdown on contacting property owners regarding removal of the bins. Mr. Kloefkorn stated there should be progress on donation bins by the end of the month or the middle of July. There was discussion on parking of tractor trailers; NSD officers working on Saturdays; the goal of no complaints going to Council in the future; increasing budget for abatements; communication between the Police Department and the NSD; and Volunteers in Police Service working on vehicle issues.

There was discussion on the proposed ordinance, including its purpose and the types of cases currently heard by the Building and Standards Commission. City Attorney Matt Butler stated that state law allows City officials to abate public nuisances without a warrant and the proposed ordinance provides another layer of protection for property owners by not allowing a City official to come on their property without a warrant. He further stated the Municipal Court Judge would ensure probable cause exists before signing a warrant. There was further discussion on the Judge's opinion on the ordinance; how nuisances and violations are defined; ensuring property owners have due process; other cities moving away for that type of ordinance; and property rights. Mayor Boyter stated in review that Council and staff need to perform an extensive review of ordinances; discuss issues related to donation bins; enhance the ability to deal with repeat

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offenders; review enforcement procedures; review communication regarding ordinances and expectations; find new ways to utilize City assets for abatement; discuss NSD officers working on Saturdays; increase communication in following up with residents; discuss a better partnership between the Police Department and the NSD; and discuss Council priorities regarding their expectations of the NSD.

Motioned by Councilmember Sartor, seconded by Councilmember Cogan, to deny an ordinance of the City of Bedford amending Chapter 42, Court by amending and replacing Section 42-67 relative to the jurisdiction of the municipal court authorizing the municipal court to issue search warrants for the purpose of investigating nuisances and seizure warrants for the purpose of removing offending property; providing a cumulative clause; providing a severability clause; and establishing an effective date.

Motion approved 5-1-0. Mayor Boyter declared the motion carried.

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

Voting in opposition to the motion: Councilmember Sabol

2. Consider a resolution regarding the City of Bedford's participation in Tarrant County's Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grant Consortium funding for the three-program year period, Fiscal Year 2021 through Fiscal Year 2023.

Public Works Director Kenny Overstreet presented information regarding this item, which is to allow the City of Bedford to continue to participate in the Community Development Block Grant (CDBG), the HOME investment, and the Emergency Solutions Grant Consortium programs for the next three fiscal years. He presented examples of CDBG projects.

Motioned by Councilmember Cogan, seconded by Councilmember Sabol, to approve a resolution regarding the City of Bedford's participation in Tarrant County's Community Development Block Grant, HOME Investment Partnership and Emergency Solutions Grant Consortium funding for the three-program year period, Fiscal Year 2021 through Fiscal Year 2023.

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

3. Conduct a charrette for the central Bedford City Hall area.

Development Director Bill Syblon stated the Council approved a contract with David Pettit Economic Development to create a Tax Increment Reinvestment Zone (TIRZ) for the central Bedford City Hall area to leverage and promote development within the defined zone. A visioning process, or charrette, is part of the TIRZ process, and a draft master plan for the zone is a requirement of the application to Tarrant County.

David Pettit with David Pettit Economic Development stated the visioning process helps them prepare their taxable value analysis and project and financing plan. The purpose of the charrette exercise is to receive Council's thoughts and direction regarding the type of development they wish to see in the zone. Brian Moore with GFF Architects presented an overview of previous Bedford Common plans. He stated they want to ensure that thought is given to the types of uses

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and densities that are both market-driven and compatible with previous plans and Council's interests as they go through the master planning process. There was discussion on the negative impact to office, retail and the hospitality industry of COVID-19 and the stability of ad valorem taxation produced from high-quality residential development compared to sales tax.

There was discussion on residential uses in TIRZ, including single family, townhomes and multifamily; the previous Bedford Commons vision and plans; the possibility of a new city hall; vertical mixed-use development compared to horizontal mixed-use development, with multifamily and/or townhomes serving as a buffer between single family residential and commercial uses; new development coexisting with redevelopment; incorporating the property south of the Library; finding something unique to give people a reason to come to Bedford; technology, including making Bedford a "smart" city; a concert venue; a retail-restaurant experiential concept; food trucks; an outdoor gathering space; projects in other cities; the TIRZ not being located on a hard corner; park space; connecting Generations Park, the Library, the Old Bedford School and the TIRZ; creating a place for people to socialize; creating a visually entertaining place; water features programmed to music; creating something to keep residents in Bedford; projecting movies; creating a destination; attracting younger people to the City; creating a draw that increases the value of the property around it; focusing on higher-end single family residential as opposed to multi-family; making the area golf cart friendly; and spurring redevelopment.

Councilmember Sabol left the meeting at 9:49 p.m.

Mr. Moore discussed assets already in the area, including a highpoint, trees, and creek that could be used to tie pedestrian strands together. He further discussed surrounding the highpoint, trees and creek with small scale commercial; putting something between the commercial uses to tie into the greenspace; and the rest of the TIRZ being residential development. There was discussion on City regulations regarding density and removing multifamily as an option; townhomes; pricing the land so the City can get the use it wants; room in the TIRZ for traditional single family; Council's desire for high-end residential ownership versus renting; the geography and topography of the area; making the TIRZ unique and family-oriented; the importance of home ownership; keeping property values on the higher end; and getting interest from developers before finalizing the TIRZ. There was discussion on the next steps, including that Mr. Pettit and Mr. Moore will bring back master plan concepts at a future Council meeting.

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

No action was necessary as a result of the Executive Session.

ADJOURNMENT

Mayor Boyter adjourned the meeting at 10:11 p.m.

Michael Boyter, Mayor

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ATTEST:

Michael Wells, City Secretary