

Council Minutes August 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 6:30 p.m. at City Hall Building C, 1805 L. Don Dodson, Bedford, on the 10th day of August, 2020, with the following members present:

Michael Boyter
Amy Sabol
Tom Burnett
Ruth Culver
Rusty Sartor
Rob Gagliardi

Mayor
Councilmembers

constituting a quorum.

Council present via videoconference included:

Dan Cogan

Staff present included:

Cliff Blackwell
Amanda Jacobs
Natalie Foster
Andrew Kloefkorn
Bill Syblon

Interim City Manager
Assistant City Secretary
Public Information Officer
Neighborhood Services Manager
Development Director

CALL TO ORDER/GENERAL COMMENTS

Mayor Boyter called the Work Session to order at 6:30 p.m.

WORK SESSION

Discussion regarding the Neighborhood Services Division and code enforcement, including policies and procedures, conducting business, training, enforcement of laws, and a review of codes and ordinances that govern their actions.

Interim City Manager Cliff Blackwell stated the purpose of the work session was to discuss a comprehensive view of code as it relates to the City's ordinances, policies and procedures, staffing levels, efficiency practices, ways to enhance service levels, and possible code changes.

Neighborhood Services Manager Andrew Kloefkorn stated the mission of the Division is to protect the public health and safety, while preserving neighborhood integrity. The Division's vision is to be proactive, look at the problems that affect the livability, health, and safety of the community and find solutions while protecting residents' due process and property rights. He stated staff developed guiding principles, including professionalism, integrity, courtesy, respect, and compassion. Staff wants to engage, educate, and empower residents.

Council Minutes August 10, 2020

There was discussion on the Division's organizational chart; the four enforcement districts, residential and commercial enforcement; using a GIS database to track all cases and complaints; using data to determine hot spots to educate residents of codes; penalties for chronic violators; continued education for officers; that only certified code officers can write citations; leaving notices; follow-up calls; clarifying the definition of an all-weather surface; and writing the Code in a simpler format.

Mr. Kloefkorn stated the City has the authority under the Health and Safety Code of Texas to issue a Notice of Abatement to abate violations. Once a Notice of Abatement is issued, residents have 10 days to fix the issue themselves, the City can fix it, or the resident can appeal to the Building and Standards Commission. If there is no appeal, the City will pay to abate the violation and an invoice is sent to the homeowner. If the invoice is not paid, a lien is filed against the property.

There was discussion on the daily duties of the officers; violations being reported by other City Departments; technology resources issued to staff; procedures for issuing notice of violations; nuisances; health and safety issues related to pools; the amount of discretion code officers have; the lack of consistency with compliance timelines; hardship cases; chronic violators; social media communication; and donation bin removal and permitting.

Mr. Kloefkorn stated that the donation bins located at the former Twin Peaks parking lot were abated at \$150 each. Staff has contacted the companies associated with unpermitted bins and abatement bills will go to property owners. He stated it is cost prohibitive for staff to remove and store bins. There was discussion on implementing a City impound for bins. Staff will do a cost analysis and report back to Council.

There was discussion on over-night parking; installing "No Parking" signs on private property with permission of the property owner; improving communication with Council through a monthly report; communicating with residents through social media and on the water bill; and speeding up the timeline for policy updates.

Mayor Boyter stated the goal is to create an action plan for staff to look for opportunities to tweak what currently exists either procedurally, in policy, or in code.

There was discussion regarding high grass and weeds; including that seven days are given to correct the violation; 50 percent +1 is considered "majority of the lawn"; and if the issue persists, a second notice is issued, with an additional seven days to correct.

Council was of the consensus to define "majority of lawn"; eliminate the second seven-day extension; that if there is a second violation within 45 days, a citation will be issued; and that Neighborhood Services Officers will not mow lawns.

There was discussion regarding trash containers out; including that seven days are given to correct the violation; recycle bins and cans being placed in front of garage doors; notices of violation are issued; and the code states that cans are to be out of view.

Council was of the consensus to issue a citation to chronic offenders after three violations within 45 days.

There was discussion regarding sidewalk obstruction; including seven days are given to clear the obstruction; and if the issue persists, a second notice is issued with an additional seven days to correct.

Council Minutes August 10, 2020

Council was of the consensus to eliminate the second seven-day extension; and if there is no attempt to remedy after seven days a citation will be issued.

There was discussion regarding low limbs; including limbs are to be 14' over the street and 12' over sidewalks; seven days are given to correct the violation, with an additional seven days if a tree service needs to be hired; and, adding that it is a public safety concern due to fire apparatus on the Notice of Violation.

Council was of the consensus to give 14 days to correct a violation, to issue a citation if the violation is not corrected, and to add that it is a public safety concern due to fire apparatus on the Notice of Violation.

There was discussion regarding swimming pools; including staff is not legally allowed to enter backyards unless they know there is a violation and evidence has to be collected in order to obtain an administrative search warrant. If a notice of violation is issued, the resident has seven days to correct the violation; if officers cannot see the bottom of the pool, a seven day extension is not given; the City cleaning the pool immediately after initial seven day period; and draining vs. cleaning.

Council was of the consensus to eliminate the seven-day extension, the City will abate, invoice the resident, and file a lien if necessary.

There was discussion regarding fences; including if a permit is required for repairs it can take longer than seven days to come into compliance; and if a permit is not required, violators have seven days to make repairs.

Council was of the consensus to allow fourteen days to get a permit and to mirror code language to match permit language with respect to the timeline to complete the repairs.

There was discussion regarding junk motor vehicles; including the Transportation Code mandates 30 days to remove and extensions can and have been given.

Council was of the consensus to allow 30 days with no extension and staff was tasked to define junk motor vehicle and return to Council.

There was discussion regarding minimum housing; including 30 days are given for repairs; health and safety concerns are handled sooner and can be completed by the City; non-health and safety violations are given additional time to complete repairs; and Commercial properties.

Council was of the consensus to have a follow up conversation on minimum housing.

There was discussion regarding nuisances; including top nuisance violations are collection of debris; what staff can and cannot enforce; taking action on health and safety issues; seven days are given with a possible seven-day extension; if the property remains noncompliant a notice of abatement is issued; and the abatement procedures.

Council was of the consensus to maintain the current procedures.

There was discussion regarding storage bins; including staff is working with property owners and bin owners to remove bins; the City is offering a one-time removal for free; owners have seven days after issued a notice to remove bins; issuing citations; and an impound program.

Council Minutes August 10, 2020

Council was of the consensus to allow seven days to remove bins and if bins remain, a citation will be issued.

There was discussion regarding yard art and the amended ordinance.

Council was of the consensus to allow 14 days to come into compliance.

Mayor Boyter stated staff is to return to Council with a definition of all-weather surface; handing a copy of the code to residents as violations are being addressed; issuing smart phones with wi-fi capabilities to staff; adding citations to statistical data; providing a monthly overview of the Division's activities to Council; working on communication with the public and complainants; adding communication to vision and mission statements; "No Parking" signage on private property with owner approval at City cost; determining if signatures are required on a citation; defining exceptions and hardships; progressively higher fines for chronic violators; and donation bin impound cost recovery. Council requests staff to return to a meeting at the end of September.

ADJOURNMENT

Mayor Boyter adjourned the Work Session at 10:41 p.m.

Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary