

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in work session at 6:00 p.m. and regular session at 7:00 p.m. in the Council Chamber of City Hall, 2000 Forest Ridge Drive on the 23rd day of September 2008 with the following members present:

Jim Story	Mayor
Chris Brown	Council Members
Jeff Cason	
Ray Champney	
Lori Nail	
Roy Turner	

Constituting a quorum.

Roy Savage was absent at tonight's meeting.

Staff present included:

Beverly Queen	City Manager
Steve Johnson	Deputy City Manager
Michael Kallas	City Attorney
David Flory	Police Chief
Shanae Jennings	City Secretary
Bill Shelton	Superintendent of Public Works
Tom Ross	Director of Administrative Services
Maria Redburn	Library Manager
Bill Syblon	Development Director
Mirenda McQuagge-Walden	Communications/Special Projects Manager
James Tindell	Fire Chief

WORK SESSION

Mayor Story called the work session to order at 6:00 p.m.

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed approving the following items by consent: 4, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

- **Discuss proposed Water/Sewer rates.**

Tom Ross, Director of Administrative Services, discussed proposed water and sewer rates with the Council and requested feedback concerning whether or not to increase water and sewer rates.

- **Discuss setting dates for future City Council work sessions.**

City Manager Beverly Queen requested that Council consider setting work session dates for issues which need to be discussed as a result of annual City business or the Council goals set for FY 08/09. The work sessions and dates as suggested are as follows:

Code Enforcement and Capital Projects – Council elected to meet on Monday, November 10, 2008 at 5:00 p.m.

Policymaking – Council discussed meeting on Thursday, October 23, 2008 at 5:00 p.m.

Annual Board and Commission appointments – Council decided to hold interviews on Monday, December 8, 2008 at 6:00 p.m.

EXECUTIVE SESSION:

To convene before 7:00 p.m., if time permits, in the conference room in compliance with Section 551.001 et. seq. Texas Government Code, to discuss the following:

- a) **Section 551.087, and Section 551.072, Deliberation regarding economic development negotiations, purchase, exchange, lease, or sale of real property relative to properties located north of Highway 183, south of Bedford Road, east of Highway 121, and west of Reliance Parkway.**
- b) **Section 551.087, Deliberation regarding economic development negotiations relative to the Super 8 Motel/121 Addition Block 1 Lot 1R.**

Council convened into Executive Session pursuant to the Texas Government Code regarding Section 551.087 and Section 551.072, Deliberation regarding economic development negotiations, purchase, exchange, lease, or sale of real property relative to properties located north of Highway 183, south of Bedford Road, east of Highway 121, and west of Reliance Parkway, and Section 551.087, Deliberation regarding economic development negotiations relative to the Super 8 Motel/121 Addition Block 1 Lot 1R approximately 6:35 p.m.

Council reconvened from Executive Session at approximately 7:04 p.m.

Any necessary action to be taken as a result of the Executive Session will occur during the regular session of the Bedford City Council Meeting.

REGULAR SESSION 7:00 P.M.

Mayor Story called the meeting to order.

CALL TO ORDER/GENERAL COMMENTS

Regular session began at 7:05 p.m.

INVOCATION (Pastor Barney Hudson, St. Timothy Presbyterian Church)

Pastor Barney Hudson, St. Timothy Presbyterian Church gave tonight's invocation.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was given.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilman Champney, seconded by Councilman Turner to approve the following item(s) by consent: Item(s) 4, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16.

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

COUNCIL RECOGNITION

1. Proclamations

a) Proclamation in observance of Crime Prevention Month.

Mayor Story read and presented a proclamation in observance of Crime Prevention Month.

b) Proclamation in observance of National Night Out.

Mayor Story read and presented a proclamation in observance of National Night Out.

c) Proclamation proclaiming the month of October 2008 to be Fire Prevention Month in Bedford.

Mayor Story read and presented a proclamation proclaiming the month of October 2008 to be Fire Prevention Month in Bedford.

2. Employee Recognition

The following employee(s) received recognition for dedicated service and commitment to the City of Bedford:

Sam Delaney, Public Works – 25 years of service

PERSONS TO BE HEARD

3. The following individuals have requested to speak to the Council tonight under persons to be heard:

a) Deborah Chaney, 3053 Richwood Circle – Requested to speak to the Council regarding ongoing service issues with Time Warner Cable.

Deborah Chaney, 3053 Richwood Circle – Ms. Chaney spoke to the Council regarding the poor service and runaround that she received from Time Warner Cable over a duration of a couple of months in which she has attempted to get help from them regarding pixels, sound quality, customer service issues, etc. None of the reported complaints, which were numerous and in the area of at least eight in number have been linked to each other and each complaint has been treated as a new one. The process has been time consuming and frustrating.

Clem Maddox, Director of Franchise and Government Affairs with Time Warner Cable spoke and apologized, indicating the line technician and line extender problem should have been recognized early on in the process. He stated he would have a sweep of the Bedford area done so that he can ensure the types of issues that Ms. Chaney has dealt with will not occur again. Mr. Maddox indicated he would update the City during a future Council meeting regarding the progress made by Time Warner to ensure its systems are up to par.

APPROVAL OF THE MINUTES

4. Consider approval of the following City Council minutes:
 - a) September 9, 2008 regular meeting

This item was approved by consent.

OLD BUSINESS

5. **First and final reading of an ordinance (Amendment Case A-016, requested by the Planning and Zoning Commission) amending the City of Bedford Zoning Ordinance, Chapter 3. Permitted Uses, Section 3.1 Schedule of Permitted Uses, and Section 3.2 Explanation of Uses and Specific Use Permit Requirements.**

Bill Syblon, Development Director, presented the proposed zoning ordinance to Council and generally fielded questions. This item was originally brought to Council at their September 9, 2008 meeting and was tabled until the City Attorney could provide the Council with some additional information.

Mr. Champney indicated that he asked that this be tabled at the last meeting so that a provision could be added to the ordinance that protects the City as best it can by conducting its due diligence regarding terms and conditions as well as locations for businesses such as this. He would like to add a provision to the recommended motion as listed below.

Motioned by Councilman Champney, seconded by Councilman Brown to approve the first and final reading of an ordinance amending the City of Bedford Zoning Ordinance, Chapter 3, Permitted Uses, Section 3.1 Schedule of Permitted Uses, and Section 3.2 Explanation of Uses and Specific Use Permit Requirements, subject to adding under minimum specific use permit conditions that a 1,000 foot distance as measured in a straight line without regard to intervening structures or objects to the closest exterior point of any school, church, multi family, or private residence, property line to property line as defined by existing city ordinances be included.

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

NEW BUSINESS

6. **Public hearing and first and final reading of an ordinance (Zoning Case Z-177, request of Steven Smith for Chase Hospitality) to rezone properties known as Lot A, Block 1, Bedford Forum Addition, Abstract 1641, Tract 2, and Abstract 860 Tract 3A2, AJ Woodson Survey from Planned Unit Development to Planned Unit Development Hotel/Motel, Amended Development Plan. The property is generally located north of State Highway 183 and east of State Highway 121.**

Bill Syblon, Development Director, presented the proposed zoning ordinance to Council and generally fielded questions.

Tom Hoover, Thomas Hoover Engineering – They are assisting Chase Hospitality with the renderings for the hotels. Both products that they want to install are Marriot products.

Don Evenson, 8530 Esthers, Irving, TX – Mr. Evenson is with Chase Hospitality and they are eager to add a Marriot, which in this case will be a Residence Inn by Marriot DFW West to Bedford. It will likely be the first of next year before they begin building on it.

Mayor Story opened the public hearing at 8:23 p.m.

No one elected to speak at the public hearing.

Mayor Story closed the public hearing at 8:23 p.m.

Motioned by Councilman Brown, seconded by Councilman Champney to approve the first and final reading of an ordinance to rezone properties know as Lot A, Block 1, Bedford Forum Addition, Abstract 1641, Tract 2, and Abstract 860 Tract 3 A2, AJ Woodson Survey from Planned Unit Development to Planned Unit Development Hotel/Motel, Amended Development Plan.

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

7. **First and final reading of an ordinance approving a resolution authorizing the issuance, sale, and delivery of Trinity River Authority of Texas (Tarrant County Water Supply Project) improvement and refunding revenue bonds, and approving and authorizing instruments and procedures relating thereto.**

This item was approved by consent.

8. **First and final reading of an ordinance amending the schedule of water rates by amendment of Section 1., Ordinance No. 07-2868; providing a repealing clause, providing a severability clause; and declaring an effective date.**

This item was approved by consent.

9. **First and final reading of an ordinance amending the schedule of sewer rates by amendment of Section 1., Ordinance No. 07-2867; providing a repealing clause, providing a severability clause; and declaring an effective date.**

This item was approved by consent.

10. **First and final reading of an ordinance amending the City of Bedford Code of Ordinances Appendix A, Schedule of fees by updating fees imposed by the City for the issuance of licenses and permits, the provision of certain services and inspections; containing a savings clause; repealing all ordinances in conflict herewith; and providing for an effective date.**

This item was approved by consent.

11. **First and final reading of an ordinance amending Article IV Chapter 82, "Offenses and Miscellaneous Law Enforcement Regulations," of the Code of Ordinances of the City of Bedford, relating to curfews; making this ordinance cumulative; providing for penalties; providing a severability clause, providing for publication and naming an effective date.**

This item was approved by consent.

12. **Consider a resolution authorizing the City Manager to enter into a contract with Buy Board Cooperative Purchasing for the purchase of one Type I Modular replacement ambulance in the amount of \$166,500.00.**

This item was approved by consent.

13. **Consider a resolution authorizing the City Manager to enter into an agreement between the City of Bedford, Texas and Motorola, Inc.**

This item was approved by consent.

14. **Consider a resolution authorizing the City Manager to enter into an agreement between the City of Bedford, Texas and the North Richland Hills Radio Frequency (RF) Consortium.**

This item was approved by consent.

15. **Consider a resolution authorizing the City Manager to enter into a contract with the Trinity River Authority of Texas (TRA) to perform water and wastewater analytical services and to conduct industrial inspection and sampling services.**

This item was approved by consent.

16. **Consider a resolution authorizing the Mayor to enter into an Interlocal Agreement between the City of Euless and the City of Bedford for construction of paving, drainage, and traffic signalization improvements at Cheek-Sparger Road and the proposed Rio Grande Boulevard.**

This item was approved by consent.

17. **Consider a resolution authorizing the City Manager to enter into a lease agreement with ARTSNET relative to the Trinity Arts Building and the Onstage Theater.**

Steve Johnson, Deputy City Manager, presented information to Council regarding a lease agreement with ARTSNET relative to the Trinity Arts Building and the Onstage Theater and generally fielded questions.

Motioned by Councilman Cason, seconded by Councilwoman Nail to approve a resolution authorizing the City Manager to enter into a one-year lease agreement with ARTSNET, relative to the Trinity Arts Building and the Onstage Theater, with the option to renew the lease hereafter for one year, for three consecutive years provided however, that the Tenant not be in default of any term or condition of the lease, subject to deleting under Section 1 of General Provisions (h) (ii), the section that provides for 25 tickets to the annual Taste of Northeast.

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

COUNCIL MEMBER REPORTS

18. **a) Chris Brown**
- **Report on Library Advisory Board Meeting**

Chris Brown stated that the Library Advisory Board held a special meeting on September 10, 2008 to review the latest library plans for the new library and met at their regularly scheduled meeting on September 17, 2008 and reviewed new goals for the board. On October 25, 2008 there will be a dedication of the Matthews Journey sculpture.

CITY MANAGER REPORT

19. **Beverly Queen**
- **Update regarding Hurricane Ike**

City Manager Beverly Queen reported on efforts of Bedford Emergency Services Officials to assist with Hurricane Ike relief efforts and recognized personnel involved in this effort, to include Lt. Joey Lankford, Lt. Kiki Box, Patrol Officer Butch Lindsay and volunteer Frank Knox. Engineer Walt Greenway and Firefighter Mark

Mertins are still there assisting in the efforts. Greg Qualls from the Fire Department was there for over a week assisting with initial search and rescue of individuals trapped in homes.

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

No action was necessary as a result of the executive session.

OPEN FORUM

Dorothy McWhorter, 1600 Martha Drive – Ms. McWhorter indicated that she agrees with Ms. Chaney and that Time Warner is not training their people. She also discussed grass clippings and indicated she doesn't think the majority of people living in the city recognize they should not blow their grass clippings out into the streets. The most frequent violators are located east of Cimmaron Trail and are hotels. She commented on the Ethics Ordinance and indicated that City Attorney Michael Kallas was wrong regarding gifts being provided to Council as discussed in item 17.

Mike Collins, 1806 Summit Ridge, Euless, Texas – Mr. Collins is the current Chair of the ARTSNET Board of Directors and wanted to tell the Council three things. 1) On behalf of the Board of Directors, thank you for approving the lease. 2) Thanks to Ms. Queen and Mr. Johnson regarding the lease negotiations; they were done with great integrity and good faith. 3) In regard to budgeting, ARTSNET is totally transparent with their budgeting and they plan to be open in order to create that deep trust.

ADJOURNMENT

Mayor Story adjourned the meeting at 9:01 p.m.

Jim Story, Mayor

ATTEST:

Shanae Jennings, City Secretary