

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 14th day of October 2008 with the following members present:

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

Constituting a quorum.

Staff present included:

Beverly Queen	City Manager
Stan Lowry	City Attorney
Bill Cooper	Deputy Director of Information Services
David Flory	Police Chief
Shanae Jennings	City Secretary
Steve Johnson	Deputy City Manager
John Kubala	Director of Public Works
Jill McAdams	Human Resources Director
Bill Syblon	Development Director
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 5, 7, 8, 9, 10, 11 and 12.

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 8/121 Addition Block 1 Lot 1R.**
- c) **Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation on the Fitch property at 3737 Cummings Road, Bedford, TX.**

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, Section 551.087; deliberation regarding economic development negotiations relative to the Super 8/121 Addition Block 1 Lot 1R, and Section 551.071; and, consultation with City Attorney regarding pending or contemplated litigation on the Fitch property at 3737 Cummings Road, Bedford, TX. at approximately 6:15 p.m.

Council reconvened from Executive Session at approximately 6:59 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 7:00 p.m.

INVOCATION

Police Chief David Flory 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) 5, 7, 8, 9, 10, 11 and 12.

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

COUNCIL RECOGNITION

There was no Council recognition at tonight's meeting.

PERSONS TO BE HEARD

1. **The following individual(s) have requested to speak to the Council tonight under persons**

to be heard:

- a) **Joe D. Tolbert of Harris, Finley & Bogle, P.C. 777 Main, Suite 3600 Fort Worth, TX 76102 – Requested to speak to the Council regarding a request by Charley Miller for a refund of \$12,374.36 held in Escrow by the City of Bedford related to an unconstructed road adjacent to 4120 Harwood Road.**

Joe D. Tolbert, 7909 Forest Hills Court, North Richland Hills, TX – Mr. Tolbert indicated that he was speaking on behalf of his client, Charles Miller, regarding a request for a refund of \$12,374.36 that is being held in escrow by the City of Bedford for a road named Rene Drive that does not appear to be a road which will be constructed anytime in the near future, if at all. At the time Mr. Miller put up the escrow for the road he owned a small business and was told that the road would be built extending alongside his business. Mr. Miller no longer owns that business and is retired. Mr. Tolbert would like for his client to receive a full reimbursement for the escrow costs since that road is no longer planning to be built. He has requested that Council put this item on the next Council agenda and that Council consider refunding the escrow money.

City Manager Beverly Queen indicated that it does not appear the City will be doing road improvements on the street indicated by Mr. Tolbert, and she feels while there is still some research that needs to be conducted, this item could be placed on the first Council meeting in November for consideration.

APPROVAL OF THE MINUTES

2. **Consider approval of the following City Council minutes:**
 - a) **September 23, 2008 regular meeting**

Motioned by Councilman Brown, seconded by Councilman Turner to approve the minutes of the September 23, 2008 regular meeting.

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

Councilman Savage abstained due to being absent at that meeting.

OLD BUSINESS

There was no old business at tonight's meeting.

NEW BUSINESS

3. **Public hearing and first and final reading of an ordinance (Zoning Case Z-178, request of Nickie Smith for Just for Kidz) to rezone a portion of property known as Lot A, Harwood Village Shopping Center Addition, Ste. L, from Heavy Commercial to Heavy Commercial/Specific Use Permit/Children's Day Care. The property is generally located south of Harwood Road and West of Brown Trail.**

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

Mayor Story opened the public hearing at 7:11 p.m.

Robin Smith, Owner of Just for Kids – Ms. Smith responded to a question from the Mayor asking if there was adequate space for a play area and she indicated that the play space does have enough room to accommodate all children.

Mayor Story closed the public hearing at 7:11 p.m.

Motioned by Councilwoman Nail, seconded by Councilman Savage to approve the first and final reading of an ordinance (Zoning Case Z-178, request of Nickie Smith for Just for Kidz) to rezone a portion of property known as Lot A, Harwood Village Shopping Center Addition from Heavy Commercial to Heavy Commercial/Specific Use Permit/Children's Day Care.

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

4. **Public hearing and first and final reading of an ordinance (Zoning Case Z-179, request of George Wang) to rezone property known as Lot A, Block 15, Stonegate Addition from Light Commercial to Light Commercial/Specific Use Permit/Gasoline Service Station with Convenience Store. The property is generally located south State Highway 183 and east of Brown Trail.**

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

Mayor Story opened the public hearing at 7:16 p.m.

No one elected to speak at the public hearing.

Mayor Story closed the public hearing at 7:16 p.m.

Motioned by Councilman Savage, seconded by Councilman Champney to approve the first and final reading of an ordinance (Zoning Case Z-179, request of George Wanger for 7-11) to rezone property known as Lot A, Block 15, Stonegate Addition from Light Commercial to Light Commercial/Specific Use Permit/Gasoline Service Station with Convenience Store, subject to the following stipulations set forth by the Planning and Zoning Commission: 1) that staff approve the canopy color scheme; 2) the canopy masonry columns are to match the building; 3) grant relief to the canopy; and 4) the maximum size of the canopy signage is 10 percent.

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

5. **First and final reading of an ordinance (requested by the Planning and Zoning Commission) amending the City of Bedford Subdivision Regulations, Chapter 1 Plats and Section 4.9 Administrative Approval.**

This item was approved by consent.

6. **Consider approval of a resolution authorizing amendments to the employee personnel policies to include revision of the Holiday policy, Bereavement and Emergency Leave policy, Nepotism policy, Personal Leave policy and Education Reimbursement policy.**

Jill McAdams, Human Resources Director, presented information to Council regarding proposed revisions to the employee personnel policies and generally fielded questions.

Motioned by Councilman Cason, seconded by Councilman Turner to approve a resolution authorizing an amendment to the employee personnel policies handbook including the revisions to the Holiday policy, Bereavement and Emergency Leave policy, Nepotism policy, Personal Leave policy and Education Reimbursement policy, subject to changing the wording in the section regarding holiday pay, Exhibit B to

use the words “shall” instead of “may” and “will” instead of “could” to read: “Multiple episodes of calling in sick prior to or following a holiday **shall** be considered abuse of sick time. In this instance a doctor’s note **will** be requested.”

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

7. **Consider a resolution to accept bids and authorize the City Manager to enter into a contract with Humphrey & Morton Construction Company, Inc. for Patti Drive Street and Drainage Channel Improvements in the amount of \$64,058.40.**

This item was approved by Consent.

8. **Consider a resolution authorizing the purchase of eight 2009 replacement patrol vehicles in the amount of \$237,378.48 from Holiday Chevrolet through the Department of Public Safety state contract.**

This item was approved by consent.

9. **Consider a resolution authorizing the purchase of related emergency equipment to outfit eight Chevrolet Tahoes in the amount of \$19,432.50 from John Wright and Associates.**

This item was approved by consent.

10. **Consider a resolution authorizing the City Manager to extend the existing software maintenance contract with New World Systems.**

This item was approved by consent.

11. **Consider a resolution authorizing the City Manager to enter into a contract with Metro Fire Apparatus Specialists, Inc. through the Houston Galveston Area Conglomerate (HGAC), a cooperative purchasing network as per Texas Local Government Code 44-013, for the purchase of one 2008 Crimson Fire Spartan 4-door full tilt aluminum cab, tandem axel, 103’ rear mounted telescoping ladder truck in the amount of \$700,000.00.**

This item was approved by consent.

12. **Consider a resolution authorizing the City Manager to enter into contract with Dr. Roy Yamada, M.D., Fort Worth, Texas, to provide medical control services for the City’s emergency medical operations.**

This item was approved by consent.

COUNCIL MEMBER REPORTS

13. **Mayor Jim Story**
 - **Report on Tarrant County Mayor’s Council meeting of Oct. 6.**
 - **Upcoming Santa USA Training Session on Oct. 18.**
 - **Upcoming Miss HEB Pageant at Old Bedford School on Oct. 19.**
 - **Policy Work Session on Oct. 23.**
 - **Dedication of Civil War Memorial in Bedford Cemetery.**

Council Minutes October 14, 2008

Mayor Story indicated that he attended the Tarrant County Mayor's Council on October 6, 2008 and they discussed homeless census numbers, including returning Iraq veterans who were homeless. They also discussed that the Sheriff's Department is running the courtesy patrol that TxDOT used to run. Additionally, there is also a database through the Sheriff's Office that allows for the checking of fraudulent inspection stickers in case the Bedford Police Department wants to utilize this resource. Transportation issues were also discussed. Mayor Story announced that the December meeting is the holiday Christmas banquet for the Tarrant County Mayor's Council and all Council members are invited to attend on December 1 2008; It will be held at the Old Depot in Fort Worth.

There is an upcoming Santa USA training session on Saturday, October 18, 2008 for those interested in participating. The first portion of the training is recognition of all branches of the military, fire and police.

The Miss HEB Pageant will be held at Old Bedford School on October 19, 2008.

Reminder that the Policymaking work session will be held on October 23, 2008 in the Old Bedford School beginning at 5:00 p.m.

There will be a dedication of the Civil War Memorial in the Bedford Cemetery on October 25, 2008 at 10 a.m. at the Bedford Church of Christ.

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

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

OPEN FORUM

Roger Fisher, 2600 Woodson Circle – Mr. Fisher wanted to make public and thank the Bedford Police Department and Community Services for a very successful National Night Out. It was a fantastic event and he asked that the Council and City Staff consider doing whatever can be done to increase notoriety of the event.

ADJOURNMENT

Mayor Story adjourned the meeting at 8:00 p.m.

Jim Story, Mayor

ATTEST:

Shanae Jennings, City Secretary