

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. and regular session at 7:00 p.m. in the Council Chamber of City Hall, 2000 Forest Ridge Drive on the 9th day of December 2008 with the following members present:

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

Constituting a quorum.

Lori Nail was absent from tonight's meeting.

Staff present included:

Beverly Queen	City Manager
Steve Johnson	Deputy City Manager
Stan Lowry	City Attorney
Shanae Jennings	City Secretary
Bill Shelton	Superintendent of Public Works
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 6:30 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: 3, 4, 5, 6 and 7.

### **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, Deliberation regarding economic development negotiations relative to properties located north of Highway 183, south of Bedford Road, east of Highway 121, and west of Reliance Parkway.**

- b) **Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation –The Fitch property at 3737 Cummings Road, Bedford, TX and the Sanders property at 2709 Murphy Drive, Bedford, TX. \*\*\*Item requested by Councilman Turner**
- c) **Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation regarding the Oaks of Landera Apartments.**

Council convened into Executive Session pursuant to the Texas Government Code regarding Section 551.087, Deliberation regarding economic development negotiations relative to properties located north of Highway 183, south of Bedford Road, east of Highway 121, and west of Reliance Parkway, Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation –The Fitch property at 3737 Cummings Road, Bedford, TX and the Sanders property at 2709 Murphy Drive, Bedford, TX, and Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation regarding the Oaks of Landera Apartments at approximately 6:43 p.m.

Council reconvened from Executive Session at approximately 7:15 p.m. Council did not complete their discussion regarding executive session items and will therefore convene at the end of the regular session to continue discussions.

Council convened back into Executive Session at approximately 8:08 p.m.

Council reconvened from Executive Session at approximately 8:53 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 7:15 p.m.

**INVOCATION (Pastor Kevin Smith, Faith Christian Fellowship Church)**

Pastor Kevin Smith of Faith Christian Fellowship 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) 3, 4, 5, 6 and 7.

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

**PERSONS TO BE HEARD**

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

- a) **Steve Barnett, Bullard Regional Sales Manager, 1814 Bayou Breeze, Baytown TX 77523 - Requested to present to the Bedford Fire Department the Save the Life award to recognize the firefighters and the fire department for saving a life with a thermal imager at a house fire.**

Steve Barnett, Bullard Regional Sales Manager – Mr. Bullard presented awards to specific individuals of the Fire Department for saving the life of a handicapped individual through the use of thermal imaging. He recognized the members of the Fire Department that assisted in the rescue as well as the Chief for a job well done.

- b) **Jackie Parnell, 1231 Latigo Lane, Flower Mound, TX 75022 – Requested to speak to the Council regarding the city ordinance of the daytime curfew.**

Jackie Parnell, 1231 Latigo Lane, Flower Mound, TX – Ms. Parnell spoke to the Council regarding her discontent with the curfew ordinance passed by the Council and its impact on her and her ability to school her child in the manner she sees most fair and reasonable. She does not want her children harassed as a result of the ordinance and has great concerns regarding it. She requested that the Council consider rescinding the daytime curfew all together.

- c) **Denise Mills, 809 W. Cheryl Avenue, Hurst, TX 76053 – Requested to speak or have her daughter Amanda Mills speak to the Council regarding the Daytime Curfew issue.**

Denise Mills and Amanda Mills, 809 W. Cheryl Avenue, Hurst, TX – Denise Mills and Amanda Mills spoke to the Council regarding their discontent towards the daytime curfew ordinance. Amanda Mills, who is a home schooled teenager, outlined several reasons for opposition to the ordinance. She requested that Council consider the many home schoolers around the HEB area and please remain open to any considerations or reconsiderations to the ordinance if and when it comes up again. Denise Mills, Amanda’s mother, indicated that she feels the ordinance infringes upon their freedoms. She would like to suggest that the ordinance be amended to verbalize that the Council is not addressing or speaking to private schools in the State of Texas, which home schooling is classified as within the State.

### **APPROVAL OF THE MINUTES**

2. **Consider approval of the following City Council minutes:**  
a) **November 25, 2008 regular meeting**

Motioned by Councilman Savage, seconded by Councilman Brown to approve the November 25, 2008 regular meeting minutes.

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

Councilman Cason abstained due to being absent at both of these meetings

### **NEW BUSINESS**

3. **Consider and act upon an ordinance amending Chapter 22 of the City of Bedford Code of Ordinances entitled “Article IV Plumbing; Irrigation”, to include by reference the landscape irrigation rules promulgated by the Texas Commission on Environmental Quality and contained in Chapter 344, Subchapters E and F, §§344.50-344.65 TEXAS ADMINISTRATIVE CODE, in order to establish the minimum standards for installation of irrigation systems within the corporate limits of the City of Bedford.**

This item was approved by consent.

- 4. Consider and act upon an ordinance amending Chapter 22 of the City of Bedford Code of Ordinances entitled “Article IIIa International Residential Code For One And Two Family Dwellings”, to include by reference the landscape irrigation rules promulgated by the Texas Commission on Environmental Quality and contained in Chapter 344, Subchapters E and F, §§344.50-344.65 TEXAS ADMINISTRATIVE CODE, in order to establish the minimum standards for installation of irrigation systems within the corporate limits of the City of Bedford.**

This item was approved by consent.

- 5. Consider and act upon an ordinance amending Chapter 22 of The City of Bedford Code of Ordinances, “Building and Building Regulations” by repealing Ordinance No. 03-2710 entitled “Article VII Electrical Code” and all other ordinances or parts of ordinances in conflict therewith and creating a new “Article VII National Electrical Code” providing for the adoption of the National Electrical Code, 2008 Edition.**

This item was approved by consent.

- 6. Consider a resolution authorizing the City Manager to enter into a contract with Up Close Inspections for third party multi-family inspections for one year beginning January 1, 2009 in an amount not to exceed \$17,500.00.**

This item was approved by consent.

- 7. Consider a resolution authorizing the increase in cost for the rehabilitation of the parking lot at Meadowpark in the amount of \$19,908.21.**

This item was approved by consent.

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

(Any item on this posted agenda may be discussed in executive session provided it is within one of the permitted categories under Chapter 551 of the Texas Government Code.)

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

**OPEN FORUM**

Dave Gebhart, 625 Merrill Drive – Mr. Gebhart requested that Council consider amending the daytime curfew ordinance because there are already laws in place that allow police officers to respond to truancy issues within the public schools. He feels like liberty is lost a little at a time and that this ordinance infringes on his and his family’s liberty.

Andrew Holumbeck, 3008 Richwood Circle – Mr. Holumbeck indicated that he appreciates what the Council does for the citizens and the time they provide to the community. He stated he does have a concern with the daytime curfew ordinance and feels that there are many home school children who are better educated than those within the public schools and he would like to see this ordinance revisited.

Stuart Updike, 3309 Meadowood Lane – Mr. Updike indicated that just because a child is out during the day does not seem to amount to probable cause for stopping that child. He feels this ordinance goes against the idea that someone should be stopped unless there is probable cause to do so.

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Kim Cromer, 6309 Greencastle Court, North Richland Hills – Ms. Cromer indicated she does home school her children and while she knows the Council's intentions are excellent, she disagrees with the daytime curfew ordinance. She is both serious about her children's education and contributing to the community, but she feels the daytime curfew ordinance puts an unnecessary burden on law abiding teenagers and parents.

**ADJOURNMENT**

Mayor Story adjourned the meeting at 8:53 p.m.

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Jim Story, Mayor

ATTEST:

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Shanae Jennings, City Secretary