

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 April 2009 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
David Flory	Police Chief
Shanae Jennings	City Secretary
John Kubala	Director of Public Works
Bill Syblon	Development Director
Mirenda McQuagge-Walden	Communications/Special Projects Manager

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 item(s) by consent: 6, 8, 9, 10, 11 and 12.

- **Presentation of the Buxton Retail Study.**

Bill Syblon, Development Director, presented information to Council regarding the retail study conducted by Buxton. They analyzed the retail industry in Bedford and determined its relative viability to recruit the interest of retailers and restaurants.

Amy Wetzal, Senior Vice President of Buxton – Ms. Wetzal spoke to the Council and informed them about the progress they have made on the study. She stated that the Central Drive/Harwood Road area was selected for complete analysis and retail matching. She described the different types of consumers in this trade area that are differentiated by their lifestyles, media habits and purchase behavior. She went

on to describe the process of identifying the retailers and restaurants that are looking for these consumers.

- **Discuss term limits for boards and commission members as stipulated within the Council Rules of Order and Procedure. ***Item requested by Councilman Brown**

Councilman Brown requested that this item be placed on the agenda. He would like Council to reconsider the term limits placed on board and commission members. If term limits remain it will effectively turn over the membership of each board and commission by the year 2014. He'd like Council's input on the issue.

Council discussed this issue and after discussion requested that staff keep term limits but bring back more specific policies which will address partial terms and specialty positions on specific boards and commissions.

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:

- **Section 551.074, Annual performance evaluation of the City Manager. ***Item requested by Mayor Story**
- **Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation – Bedford Forum Addition Block 1 Lot 2 and Abstract 1641 Tract 2B1.**
- **Section 551.087, and Section 551.072, Deliberation regarding economic development negotiations, purchase, exchange, lease, or sale of real property relative to the Sotogrande Addition Tract 22Ar1, Lot 22R1B, and Lot 14R1.**
- **Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation – Duke's Original Roadhouse, 2250 Airport Freeway #300; Toadies Bar and Grill, 1705B Airport Freeway; and Papa G's Sports Bar and Grill, 2900 Highway 121.**

Council recessed from Open Forum and convened into Executive Session at 10:05 p.m. so that Council could discuss necessary City business before proceeding with comments from the public.

Council convened into Executive Session pursuant to the Texas Government Code regarding 551.074, Annual performance evaluation of the City Manager, Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation – Bedford Forum Addition Block 1 Lot 2 and Abstract 1641 Tract 2B1, Section 551.087, and Section 551.072, Deliberation regarding economic development negotiations, purchase, exchange, lease, or sale of real property relative to the Sotogrande Addition Tract 22Ar1, Lot 22R1B, and Lot 14R1 and Section 551.071, Consultation with City Attorney regarding pending or contemplated litigation – Duke's Original Roadhouse, 2250 Airport Freeway #300; Toadies Bar and Grill, 1705B Airport Freeway; and Papa G's Sports Bar and Grill, 2900 Highway 121 at approximately 10:05 p.m.

Council reconvened from Executive Session at approximately 10:42 p.m.

After Council reconvened from Executive Session, Councilman Turner left the meeting at approximately 10:42 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

Mayor Story called the meeting to order.

CALL TO ORDER/GENERAL COMMENTS

Regular session began at 7:05 p.m.

INVOCATION

Pastor Stan Hare of Embracing His Grace 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 Savage to approve the following item(s) by consent: Item(s): 6, 8, 9, 10, 11 and 12.

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

COUNCIL RECOGNITION

1. Proclamation in observance of Public Safety Telecommunicator's Week and National 9-1-1 Education Month.

Mayor Story read and presented a proclamation proclaiming Public Safety Telecommunicator's Week and National 9-1-1 Education Month.

2. Proclamation in observance of National Crime Victims' Rights Week.

Mayor Story read and presented a proclamation in observance of National Crime Victims' Rights Week.

3. Presentation from Community Affairs Commission regarding the new BRACE brochure.

Rochelle Ross of the Community Affairs Commission presented information to Council regarding the BRACE brochure, which stands for Bedford Resource Awareness and Community Enrichment. She indicated that the Commission loves doing work for the Council and they hope the BRACE brochure meets the Council's liking.

GENERAL COMMENTS

4. Comments and possible discussion of Council rules and procedures concerning "Persons to be Heard" and "Open Forum." *Item requested by Mayor Story**

Mayor Story requested that this item be placed on the agenda.

He spoke about the Council Rules and Procedures that needed to be followed during the Council meeting. The Mayor spoke about the order in which items are placed on the agenda and explained that

there was a process in which they are placed on the agenda; items are not simply placed at random. He also discussed the process for individuals being placed on the agenda under persons to be heard. In order to speak on the agenda under persons to be heard you must request to be placed on the agenda to the City Secretary no later than noon the Wednesday before the Council meeting. A guideline of rules and procedures must be signed stating the speaker will not attack any person, staff or council member.

Open forum is the same as persons to be heard except anyone can speak and the Council cannot respond. The same decorum of rules must be followed during open forum that exists under persons to be heard.

During the past couple of meetings the Mayor suggested he has felt that some attacks have occurred on council and staff and this will not be tolerated into the future.

PERSONS TO BE HEARD

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

- a) James H. Lindsey, 1100 Brown Trail, Bedford, TX 76022 – Requested to speak to the Council regarding a code enforcement issue.**

Mr. Lindsey was not present at tonight's meeting.

APPROVAL OF THE MINUTES

6. Consider approval of the following City Council minutes:

- a) March 24, 2009 regular meeting**

This item was approved by consent.

NEW BUSINESS

7. Public hearing and consider and act upon an ordinance to rezone property known as Lot 2RB, Block 1, Bedford Meadows Shopping Center Addition, Suite 470 from Heavy Commercial/Specific Use Permit/Daycare to Amended Heavy Commercial/Specific Use Permit/Daycare. The property is generally located south of Harwood Road and east of Central Drive. (Z-186)

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

Mayor Story opened the public hearing at 7:22 p.m.

No one elected to speak at tonight's public hearing.

Mayor Story closed the public hearing at 7:24 p.m.

Motioned by Councilman Champney, seconded by Councilwoman Nail to approve an ordinance to rezone property know as Lot 2RB, Block 1, Bedford Meadows Shopping Center Addition, suite 470 from Heavy Commercial/Specific Use Permit/Daycare to Amended Heavy Commercial/Specific Use Permit/Daycare.

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

8. **Consider an ordinance amending Chapter 118 “Utilities”, Article IV “Restrictions on Outdoor Use of Water” of the City of Bedford Code of Ordinances, as amended in its entirety by the adoption of the revised Water Resource Management Ordinance to promote responsible use of water; providing for a fine of \$500.00 for each offense in violation of the ordinance and/or disconnection of water service for noncompliance with the provisions of the Water Resource Management Ordinance; providing a repealing clause; providing a severability clause; and declaring an effective date.**

This item was approved by consent, subject to stating within the ordinance that the “fine is up to \$500.”

9. **Consider an ordinance amending portions of Ordinances No. 02-2663 and 01-2627 amending the structures of various boards and commissions; amending Ordinance No. 02-2663, Article IV. Division 3, Beautification Commission, Section 2-206, Composition.; amending Ordinance No. 02-2663, Chapter 86, Parks and Recreation, Article II. Park and Recreation Board, Section 86-46, Created; composition.; and amending Ordinance No. 01-2627, Chapter 74. Library, Article II. Library Board, Section 74-31, Created, composition, appointment, terms.**

This item was approved by consent.

10. **Consider a resolution authorizing the City Manager to enter into a contract with Planet Ford through the Tarrant County Interlocal Agreement in the amount of \$18,940 for the purchase of a replacement $\frac{3}{4}$ ton truck.**

This item was approved by consent.

11. **Consider a resolution authorizing the purchase of one 2009 replacement patrol vehicle in the amount of \$26,362 from Holiday Chevrolet through the Department of Public Safety state contract.**

This item was approved by consent.

12. **Consider a resolution authorizing the City Manager to enter into an agreement with Betsy Price, Tarrant County Tax Assessor-Collector, and Tarrant County for assessment and collection services of ad valorem taxes levied by the City of Bedford.**

This item was approved by consent.

13. **Consider enhancements to city wide communication programs including but not limited to Bedford's website and cable channel. ***Item requested by Councilman Brown**

Councilman Brown requested that this item be placed on the agenda.

Councilman Brown would like to see improvements to the cable channel and website. He suggested having the Council meetings be streamed online. He would also like to see if the meetings can be streamlined live on television. Finally, he would like to see videos placed on YouTube so that residents can watch which either recap the Council meetings and/or promote important things occurring within the City.

Staff will review options such as these and report back to Council as to the feasibility of those options.

14. Report and discussion of the Tarrant County Mayor's Council meeting held April 6, especially concerning the information received that had to do with federal stimulus funds. *Item requested by Mayor Story**

Mayor Story requested that this item be placed on the agenda for discussion.

The Mayor indicated that he learned from his Tarrant County Mayor's Council meeting that the DFW region is the fastest growing region in the State and it constitutes 34% of the economy. There is a need to partner between land use and transportation. Also, there is a lot of stimulus money available and it is questionable as to who can get it right now; however, cities will continue to be informed of the availability and ability to receive and distribute it. There are also funds available for mixed use development and that is something Bedford might want to look into.

15. Discussion and possible action regarding the Daytime Curfew. *Item requested by Councilman Cason**

Councilman Cason requested that this item be placed on the agenda for discussion.

Mr. Cason indicated he has put a lot of thought into this issue over the past few months. Lately he has been thinking about how he feels the Council has made decisions based on lack of facts and evidence. He has questioned what this issue is really about and at this time feels that no one can really answer whether this is about truancy, safety, juvenile crime, unexcused absences, money to the school district, etc.

Mr. Cason presented a power point presentation to Council and to the public regarding why he thinks the Daytime Curfew Ordinance is a poor one. The presentation is on file in the City Secretary's Office.

During the discussion on the Daytime Curfew Ordinance, Councilman Turner requested that the following press release be made part of the record:

On Tuesday, September 23, 2008, the Bedford City Council amended the City's existing curfew ordinance originally adopted in 1994. The amendment was designed in a partnership with the H-E-B ISD in order to reduce truancy among public school children within the district. A child under 17 years of age, who is absent from his/her public school without parental or guardian permission, is subject to this amended ordinance.

This ordinance supplements existing state law regarding truancy. Under the amendment, a truant student is subject to a citation on the first incident of truancy. Existing state law with or without the City's amended ordinance, makes it illegal to be truant from public school, but limits the enforcement of the law until a student has been absent ten or more days or parts of days in a six-month period, or three or more days or parts of days within a four week period.

The City of Bedford is aware of concerns from the public over the constitutionality of this amendment to the existing curfew ordinance. In 1993, the United States 5th Circuit Court of Appeals, ruled in *Qutb vs. Straus* that curfew ordinances are constitutional, clearing the way for many cities, including the City of Bedford, to enact a nighttime curfew ordinance as a means by which to reduce juvenile related crime and most importantly, victimization of juveniles. According to the City of Bedford legal counsel, this ordinance amendment is constitutional based on *Qutb vs. Straus* and is similar to other daytime curfew ordinances passed by municipalities across Texas and the United States. Local municipalities with existing daytime curfew ordinances include, Euless, Desoto, Watauga, Haltom City and others.

The City of Bedford is also aware of concerns by parents or guardians of home school and/or private school children who feel that this ordinance amendment may unfairly affect them. The City of Bedford

and its employees greatly respect the rights of parents to home school their children and respect the long-established laws that protect those rights.

The City of Bedford has taken great steps to include specific ordinance language and specific Police Department enforcement policy language to protect the rights of home school and/or private school children and their parents or guardians, to include: requiring Bedford Police Officers to "...before taking any enforcement action under this [amendment], a police officer shall ask the apparent offender's age and reason for being in the public place. The officer shall not issue a citation or make an arrest under this [amendment] unless the officer reasonably believes that an offense has occurred and that, based on any response and circumstances, no defense is present."

Existing state law allows for a parent or guardian to be charged for intentionally or knowingly allowing their child to be truant, even if the parent is with the child at the time of the truancy. In contrast, the City of Bedford amendment to the existing curfew ordinance does not allow any circumstance in which a parent or guardian can be charged as long as they are accompanying the minor. As a practical example, a parent or guardian who took their child to a daytime sporting event would be in violation of state law but NOT in violation of this amendment to the City of Bedford curfew ordinance. Additionally, neither state law nor this amendment to the City of Bedford curfew ordinance restricts or imposes legal ramifications to a parent or guardian taking their child out of school for doctor's appointments, emergencies, or other excused absences.

The City of Bedford has created several exemptions/ exceptions, in the form of *defenses to prosecution*.

These defenses include:

- Accompanied by the minor's parent or guardian;
- On an errand at the direction of the minor's parent or guardian, without any detour or stop;
- In a motor vehicle involved in interstate travel;
- Engaged in an employment activity, or going to or returning home from an employment activity, without any detour or stop;
- Involved in an emergency;
- Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the City of Bedford, a civic organization, or another similar entity that takes responsibility for the minor;
- Exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the right of assembly;
- Married or had been married, or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code;
- The school the minor attends is not in session;
- The minor is a high school graduate or has an equivalent certification;
- The minor is on an excused absence from the minor's school, which in the case of a child being home schooled includes permission or absence from a parent;
- The minor is on a lunch break from a school that permits an open campus lunch;
- The minor is off campus on a work study program.

Further, the Police Chief has the procedural ability to make a request to the Municipal Judge for dismissal of a citation prior to the affected child and/or parent going to court if it can be shown that the citation was issued in error such as being issued to a home schooled child.

In summary, current state law makes it a violation to be truant from public school. Also, the enforcement actions under current state law are in place with or without the City of Bedford's amendment to the current curfew ordinance. The City of Bedford's amendment to the existing curfew ordinance does allow

for the immediate issuance of a citation, but does not otherwise expand on the state law definition of truancy.

Considerable amount of feedback from H.E.B.I.S.D. administrators, teachers, students, and school resource police officers, coupled with specific district statistics regarding truancy reduction, indicate that this ordinance is having a deterrent effect.

The City of Bedford respects the rights of all of our citizens. The purpose of this amendment is to work in partnership with the H.E.B.I.S.D. in a cooperative effort by utilizing the most effective means available to keep our public school children in school, and to limit juvenile-related crime and juvenile victimization.

FAQ

- Current State Truancy Law (Texas Education Code)
 - o (Can be found at <http://tlo2.tlc.state.tx.us/statutes/ed.toc.htm>)
- Who is required to attend public schools, Chapter 25
 - o A minor who is at least 6 years of age or who is younger than 6 years of age and has previously been enrolled in first grade, and who has not yet reached the minor's 18th birthday, is required to attend
- Those also required to attend school include:
 - o A minor enrolled in pre-kindergarten or kindergarten;
 - o A person in an extended year program for students identified as likely not to be promoted, or in required tutorial class, Chapter 29;
 - o A person assigned to an accelerated reading instruction program, Chapter 28;
 - o A minor assigned to an accelerated instruction program, Chapter 29;
 - o A minor assigned to basic skills program, Chapter 29;
 - o A minor in a summer program, Chapter 37
- Attendance of 18-21 year old student, Chapter 25
 - o A person who voluntarily enrolls in school or voluntarily attends school after the person's 18th birthday shall attend school each school day for the entire period of the program. Enrollment may be revoked after the person has more than 5 unexcused absences in a semester
- Compulsory Attendance Exceptions, Chapter 25
 - o A minor attending a private or parochial school with a course in good citizenship;
 - o A minor eligible to participate in a school district's special education program under Chapter 29 who cannot be appropriately served by the resident district;
 - o A minor who has a physical or mental condition of a temporary and remediable nature that makes attendance infeasible, holding a certificate from a qualified physician;
 - o A minor who is expelled in a district without a mandatory juvenile justice alternative education program;
 - o A minor who is at least 17 years old and attending a course in preparation for the high school equivalency examination, and;
 - _ Has the permission of the minor's parent;
 - _ Is under court order;
 - _ Has established a separate residence; or
 - _ Is homeless
 - o A minor who is at least 17 years old and has a high school diploma or high school equivalency certificate
 - o A minor who is at least 16 years old and is attending a course in preparation for the high school equivalency examination if:

Council Minutes April 14, 2009

- _ A public agency has recommended, or a court has ordered the course; or
 - _ The minor is enrolled in a Job Corps training program.
 - o A minor is enrolled in the Texas Academy of Mathematics, Science, Leadership in Humanities, International Studies, and
 - o A minor who is exempt under another law.
- Before a minor or parent can be prosecuted for truancy under current state law
 - o That minor must fail to attend school on 10 or more days or parts of ten or more days within a six month period in the same school year or on three or more days or parts of three or more days within a four week period, Chapter 25
 - o Further, warning notices to parents regarding truancy laws are required at the beginning of the school year and again when a student has accumulated three absences
- When did the City of Bedford pass a curfew ordinance:
 - o In 1994 the City passed a nighttime curfew ordinance and since that time has complied with the legal requirement to hold public hearings every three years in order to renew the ordinance.
 - o Several Texas cities passed similar nighttime ordinances including most DFW Metroplex cities.
 - o On September 23, 2008 the City amended the existing ordinance to include the hours of 9:00 am to 2:30 pm on Monday, Tuesday, Wednesday, Thursday and Friday when public school is in session.
- Has the nighttime ordinance been useful to the City of Bedford and other cities?
 - o Yes, many cities, including Bedford have praised the ordinance as a means by which to reduce juvenile related crime and victimization during the late nighttime hours
- Why did the City of Bedford pass an amendment to the current nighttime ordinance creating a daytime provision?
 - o In September of 2008, members of the HEB Independent School District approached the cities of Hurst, Euless and Bedford and asked that they each consider the amendment in order to help curb truancy among the public school students that attend H-E-B schools. H.E.B.I.S.D. administrators, teachers, and counselors strongly support the daytime curfew as they feel it helps keep at-risk youth in school where the school can concentrate on providing the child with an education that ultimately benefits the child and the community.
- Why did the City of Bedford not rely on existing State Law for the enforcement of truancy instead of creating a daytime curfew ordinance?
 - o Existing state law is cumbersome and only provides for enforcement of compulsory school attendance laws after a public school student has been truant on ten or more days or parts of ten or more days in a six month period or three or more days, or parts of three days within in a four week period. This amendment allows an opportunity to immediately address a truancy problem as it occurs; specifically on the first incident of truancy.
- What enforcement can an officer typically be expected to take under current state law regarding public school truancy?
 1. Stop and question a child why they are not in school, when public school is in session.
 2. Detain a child absent from a public school that is in session and release the child to their designated public school, parent, guardian, or truancy officer, juvenile detention facility, or release the child at the scene.
- What enforcement can an officer typically be expected to take under this amendment regarding public school truancy?

Council Minutes April 14, 2009

1. Issue a citation immediately upon discovering the child is absent from a public school that is in session.
2. Detain a child absent from a public school that is in session and release the child to their designated public school, parent, guardian, truancy officer, juvenile detention facility, or release the child at the scene.

- Since passage of the daytime curfew ordinance in September of 2008 what enforcement action has the Bedford Police Department taken under this ordinance?
 - o Since the amendment took effect, two citations have been issued under the daytime curfew ordinance; both for students that were truant from public school.
- Since inception of the daytime curfew ordinance have any home schooled children or their parents been detained and/or cited for violation of the ordinance?
 - o No home schooled children or their parents have been detained, cited or arrested for a violation of this ordinance since its inception.
- I have heard that under the daytime curfew ordinance, a parent of a child could be cited or arrested if stopped while taking the child to the doctor, eating at a restaurant, studying at the library, playing in a city park, etc. Is this true?
 - o No, the ordinance specifically protects home schooled children accompanied by their parent or guardian and makes it a defense if a child is with their parent or guardian. Further, Police Department policy clearly defines that a child accompanied by a parent or guardian is an exemption to prosecution under both the nighttime and daytime curfew provisions

Following comments made from other Council members, Mr. Cason wanted on record that he did indicate that the revenue stream is the lifeblood of the school district and knows it to be important. He also wanted the record to reflect that Ms. Tribble pointed out necessary funds for computers and other materials of the school district, not him. He also wants on the record that he thinks highly of the HEB ISD. His kids graduated from the district and his wife worked for the district. It isn't about the district being bad. He just wants to be fair to everyone living in Bedford.

Motioned by Councilman Cason, seconded by Councilwoman Nail to amend Ordinance No. 08-2901 by deleting Section 1. (a) (1)(c) and sections 1. (c) (2) and (3).

Motion denied. Mayor Story indicated the motion did not carry.

Council members voting in favor of the motion include: Councilman Cason and Councilwoman Nail.

Council members voting in opposition to the motion include: Mayor Story, Councilman Brown, Councilman Champney, Councilman Savage and Councilman Turner.

COUNCIL MEMBER REPORTS

16. a) Councilman Champney

- **Update on Business Roundtable.**
- **Report on Senator Wendy Davis Town Hall meeting.**
- **Report on Regional Transportation Council Meeting.**

Councilman Champney attended the Business Roundtable and there was a great exchange of ideas. He attended the town hall meeting for Senator Wendy Davis who now represents Bedford. She discussed various items, including transportation, franchise taxes, etc. He also attended the Regional Transportation Council Meeting and he indicated it was interesting that last year alone there was an

increase of 150,000 people with a projection of over a million and a half people over the next 15 years, so transportation will be a real issue.

b) Councilman Turner

- **Report on Beautification Commission Crud Collection Day in Bedford.**
- **Report on the canned goods collection for Metroplex Meals on Wheels.**

Councilman Turner announced that Crud Collection Day in Bedford will be sponsored by the Beautification Commission and held on May 2, 2009 from 9 am to 11 am at Meadowpark for the purpose of allowing Bedford residents to bring paint, turpentine, etc. and throw it away. Residents are being asked to bring canned goods to help support the Metroplex Meals on Wheels organization.

17. 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

Jackie Parnell, 1231 Latigo Lane, Flower Mound – Ms. Parnell indicated the press release on the City website is incorrect regarding the Daytime Curfew Ordinance. She spoke about the court rulings regarding daytime curfews versus nighttime curfews.

Kim Cromer, 6309 Grand Castle Court, North Richland Hills, TX – Ms. Cromer is concerned about the impact of the Daytime Curfew in the City of Bedford.

Dave Gebhart, 625 Merrill Drive, Bedford, TX – Mr. Gebhart had thoughts on the streaming of Council sessions and recommends that Council not edit them so that people won't jump to the wrong conclusions in thinking that the City is attempting to edit information released to the public. He also disagrees that truancy is not germane to the discussion of the debate at hand regarding the Curfew Ordinance. If the issue is not identified how can the parties have a genuine debate? He also feels you can't take information from the school district as gospel for an honest assessment of information regarding the Ordinance.

Daniel Cutforth, 3012 Pilgrim Place, Bedford, TX – Mr. Cutforth indicated that the Curfew Ordinance has at the least affected positive change in the sense of discussion within the community. He also said he doesn't feel the statement that "this ordinance is not hurting anyone" is a fair statement.

Anne Gebhart, 625 Merrill Drive, Bedford, TX – Ms. Gebhart believes a committee mentioned by Mr. Gebhart to review the issue of the Daytime Curfew Ordinance would be a great idea. She also stated that teachers within the HEB ISD could possibly adopt a truant kid to mentor in assisting with the truancy issue. Overall she feels there are many other solutions other than the Daytime Curfew Ordinance.

Bill Ellis, 1004 Monterrey Street, Bedford, TX – Mr. Ellis believes the Council has not truly found the problem as it relates to the Daytime Curfew Ordinance yet. He feels the problem must be found before the solution can be identified. He also feels the communities need to get much more involved in the government's problems.

Brandon Moore, 816 Warwick Street, Bedford, TX – Mr. Moore addressed an article written in the Wall Street Journal which stated there is little evidence that curfew ordinances reduce crime. He believes the Curfew Ordinance is duplicative, unnecessary and burdensome.

Karen Moore, 816 Warwick Street, Bedford, TX – Ms. Moore believes the Curfew Ordinance is about

Council Minutes April 14, 2009

money and the impact it is having on HEB ISD. She believes this issue should be about parental rights issues, liberties, supporting our troops and what they have done for us in our past for our freedom. She believes there is no need for the Daytime Curfew Ordinance.

Dorothy McWhorter, 1600 Martha Drive, Bedford, TX – Ms. McWhorter stated that Council never asked for input from the residents of the City prior to adopting the Daytime Curfew Ordinance She also stated that there were no town hall meetings held on the subject when there were two held on the Gas Drilling issue. She suggested holding town hall meetings to discuss this issue following the election.

ADJOURNMENT

Mayor Story adjourned the meeting at 11:21 p.m.

Jim Story, Mayor

ATTEST:

Shanae Jennings, City Secretary