

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 12th day of May 2009 with the following members present:

Jim Story	Mayor
Roy Savage	Mayor Pro Tem
Chris Brown	Council Members
Jeff Cason	
Ray Champney	
Lori Nail (arrived at 6:12 p.m.)	
Roy Turner	

Constituting a quorum.

Staff present included:

Beverly Queen	City Manager
Steve Johnson	Deputy City Manager
Stan Lowry	City Attorney
David Flory	Police Chief
Shanae Jennings	City Secretary
John Kubala	Director of Public Works
Bill Syblon	Development Director
James Tindell	Fire Chief
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: 4, 6, 7, 8, 9 and 10.

- **Report on the Household Hazardous Waste Drop-off Day.**

James Hughes, Parks and Recreation Director and Deborah Chaney, Beautification Commission Chairperson, updated the Council on the successful Household Hazardous Waste Drop-off Day that was held on May 2, 2009. The Crud Cruiser Day was so successful that the Beautification Commission is going to attempt to hold another one in September.

- **Report on the Clean Up Bedford Day and Chunk Your Junk Day.**

James Hughes, Parks and Recreation Director and Deborah Chaney, Beautification Commission Chairperson, updated the Council on the third annual Chunk Your Junk Day and announced that they almost doubled the number of participants with 248, as compared to previous years.

**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 551.072, Deliberation regarding the purchase, exchange, lease, or sale of real property relative to Sotogrande.
- b) Section 551.072, Deliberation regarding the purchase, exchange, lease, or sale of real property relative to Barr Road.
- c) Section 551.071, Consultation with City Attorney regarding pending, contemplated or threatened litigation regarding Eric Austin.

Council convened into Executive Session pursuant to the Texas Government Code regarding Section 551.072, Deliberation regarding the purchase, exchange, lease, or sale of real property relative to Sotogrande, Section 551.072, Deliberation regarding the purchase, exchange, lease, or sale of real property relative to Barr Road, and Section 551.071, Consultation with City Attorney regarding pending, contemplated or threatened litigation regarding Eric Austin at approximately 6:27 p.m.

Council reconvened from Executive Session at approximately 7:02 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 7:03 p.m.

**INVOCATION (Pastor Stephen Rosser, Mid Cities Bible Church)**

Pastor Stephen Rosser of Mid Cities Bible 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, 6, 7, 8, 9 and 10

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

**COUNCIL RECOGNITION**

1. **Consider a resolution authorizing the Beautification Commission to recognize three Bedford businesses, The Village at Central Park apartments, The Arbors of Central Park apartments and The Arbors on Forest Ridge apartments, for maintaining, improving, and/or keeping their property visually attractive to the community.**

Deborah Chaney, Beautification Commission Chairperson, recognized The Village at Central Park, The Arbors of Central Park and The Arbors on Forest Ridge for maintaining, improving and/or keeping their property visually attractive to the community. Presentations will be on Saturday, May 30, 2009 beginning with the Arbors on Forest Ridge at 9:30.

Motioned by Councilman Brown, seconded by Councilman Turner to approve a resolution authorizing the Beautification Commission to recognize three Bedford businesses, The Village at Central Park apartments, The Arbors of Central Park apartments and The Arbors on Forest Ridge apartments for maintaining, improving, and/or keeping their property visually attractive to the community.

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

2. **The following proclamations will be presented at tonight's meeting:**

- a) **Proclamation recognizing the month of May 2009 as Motorcycle Safety and Awareness Month.**

Mayor Story read and presented a proclamation recognizing the month of May 2009 as Motorcycle Safety and Awareness Month.

- b) **Proclamation recognizing the week of May 17-23, 2009 as Emergency Medical Services Week in Bedford, Texas.**

Mayor Story read and presented a proclamation recognizing the week of May 17-23, 2009 as Emergency Medical Services Week in Bedford.

- c) **Proclamation in observance of National Police Week and Police Officers' Memorial Day.**

Mayor Story read and presented a proclamation in observance of National Police Week and Police Officers' Memorial Day.

- d) **Proclamation recognizing the week of May 17-23, 2009 as National Public Works Week.**

Mayor Story read and presented a proclamation recognizing the week of May 17-23, 2009 as National Public Works Week.

**PERSONS TO BE HEARD**

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

- a) **Tom Bresnahan, 3401 Derby Circle, Bedford, TX 76021 – Requested to speak to the Council to express his appreciation to the Council and to all city employees of Bedford.**

Tom Bresnahan, 3401 Derby Circle, Bedford, TX – Mr. Bresnahan expressed his appreciation for the job

the Council has done as well as for the job that the City Manager and Deputy City Manager have done. He also thanked the staff for all of their diligent work and each of the functions they serve for the City of Bedford.

**APPROVAL OF THE MINUTES**

4. Consider approval of the following City Council minutes:  
a) April 28, 2009 regular meeting

This item was approved by consent.

**NEW BUSINESS**

5. Public hearing and consider and act upon an ordinance to rezone property known as Lot 2, Stonegate Shopping Center Addition, Ste. J from Heavy Commercial/Specific Use Permit/Church to Amended Heavy Commercial/Specific Use Permit/Church. The property is generally located north of Bedford Road and west of Brown Trail. (Z-187)

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

Mayor Story opened the public hearing at 7:30 p.m.

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

Mayor Story closed the public hearing at 7:30 p.m.

Motioned by Councilman Champney, seconded by Councilman Savage to approve an ordinance to rezone property know as Lot 2, Stonegate Shopping Center Addition, Ste. J from Heavy Commercial/Specific Use Permit/Church to Amended Heavy Commercial/Specific Use Permit/Church.

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

6. Consider a resolution accepting bids and authorizing the City Manager to proceed with Harrison, Walker and Harper to perform Phase II of the Demolition Package on the former Food Lion structure in the amount of \$114,301 to be included as a part of the guaranteed maximum price.

This item was approved by consent.

7. Consider a resolution authorizing the City Manager and/or her designee(s) to begin negotiations with CareHere to create a potential contract to provide future medical services for an employee health clinic.

This item was approved by consent.

8. Consider a resolution authorizing the City Manager to enter into a professional services contract with Espey Consultants, Inc. in the amount of \$51,100 for the design of the Sulphur Branch Trunk Sewer Rehab/Replacement (TWDB).

This item was approved by consent.

- 9. Consider a resolution authorizing the City Manager to implement the Energy Efficiency and Conservation Block Grant Program and to receive grant funds from the United States Department of Energy in the amount of \$201,200.**

This item was approved by consent.

- 10. Consider a resolution authorizing the City Manager to enter into a professional services letter agreement with Kimley-Horn and Associates, Inc. in the amount of \$58,800 for the analysis of low water pressure issues located in the northwest area of the City.**

This item was approved by consent.

- 11. Consider a resolution endorsing certain legislative changes to enhance the competitive electric market. \*\*\*Item requested by Councilman Brown**

Councilman Brown requested that this item be placed on the agenda for discussion and consideration. He indicated that the City of Bedford as well as other cities around Bedford have been approached to support certain legislation in regard to competitive electric markets.

Mirenda McQuagge-Walden, Communications/Special Projects Manager stated that this legislation has been put forward in the Senate and the House to allow cities to participate in opt-out aggregation programs. In the past, cities could participate in opt-in aggregation programs; but, they could not opt-out. This new legislation would allow them to opt-out, which could result in savings for consumers as has occurred in other states. Approving this resolution does not approve a certain program; it only allows for the exploration of opt-out programs.

Motioned by Councilman Brown, seconded by Councilman Champney to approve a resolution endorsing certain legislative changes to enhance the competitive electric market.

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

- 12. Discussion regarding Bedford as a destination. \*\*\*Item requested by Councilman Champney**

Councilman Champney requested that this item be placed on the agenda for discussion. He listed things happening in the City that would position Bedford as a destination in the Metroplex and Mid-Cities. Mr. Champney indicated that the Bedford Hotel Association is working with local businesses to promote Bedford as the place to stay for the Southwest Classic game between Arkansas and Texas A&M. Additionally, they are looking into bring new businesses into the City such as the Gordon Phillips Art Gallery. A contingency is also attending the ICSC conference in Vegas in May and this will assist in bringing new retail and restaurants into the City. He is proud to create the awareness and visibility to Bedford.

### **COUNCIL MEMBER REPORTS**

- 13. a) Mayor Jim Story**

- **Acknowledge the donation of a "Share the Road" sign from the Third Tradition Motor Cycle Club.**
- **Acknowledge the thank-you letter from the City of Jacksboro for Bedford's response to a request for assistance.**

Mayor Story acknowledged the Share the Road signs that were donated to the City in an effort to encourage vehicles to be aware of and careful while driving the roads with motorcycles on them.

He also read a letter from the City of Jacksboro thanking the Bedford Fire Department for their assistance during the wildfires that occurred a month ago. Without them, Jack County would have lost more than the approximately 61,000 acres and 17 homes which were lost during the three-day firestorm.

**b) Councilman Cason**

- **Departing comments regarding the council, staff and city.**

Councilman Cason made a few comments and parting remarks as this is his last Council meeting in serving his term. He congratulated the winners and wished luck to those who are continuing to run in the run-off election. Mr. Cason expressed it has been an honor to serve his City and that it has been an eye-opening experience. He indicated that no one can know how much is done by Council and staff behind the scenes. Mr. Cason also mentioned all the successes that have occurred and businesses that have opened in the past three years, and suggested that Council likely loses track of how much occurs in such a short amount of time as well.

**CITY MANAGER REPORT**

**14. Beverly Queen**

- **Reminder of the Police Department Open House on May 16, 2009.**
- **Report on the Pet Fair held on May 2, 2009.**
- **Holiday closures and schedules.**

Beverly Queen reminded everyone to attend the Open House of the Bedford Police Department on May 16 from noon to 4 p.m. She indicated that the Pet Fair held on May 2 went very well, yielding eight adoptions plus \$500 in donations.

Ms. Queen also announced that the City of Bedford offices and the Library will be closed on Monday, May 25 for the Memorial Day Holiday. However the BRAC, Boys Ranch Park and Splash will be open Memorial Day weekend. Trash and recycling services will have their normal Monday schedule.

**15. 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 tonight's Executive Session.

**OPEN FORUM**

Brandon Moore, 816 Warwick Street, Bedford, TX – Mr. Moore encouraged the City Council to hold off on making any changes to red light cameras until the current legislation occurring in Austin in regard to the red light cameras is determined. He also indicated he is still in opposition to the Daytime Curfew Ordinance. He is concerned about random individuals posing as police officers when it comes to this Ordinance. Mr. Moore thanked Mr. Cason for his service to the City and he thanked the Council as a whole for doing more with less.

**ADJOURNMENT**

Mayor Story adjourned the meeting at 8:08 p.m.

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Jim Story, Mayor

ATTEST:

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Shanae Jennings, City Secretary