

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 6:30 p.m. in the Council Chamber of City Hall, 2000 Forest Ridge Drive on the 8th day of September 2009 with the following members present:

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

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
Maria Redburn	Library Director
Tom Ross	Director of Administrative Services
Bill Syblon	Development Director
James Tindell	Fire Chief
Mirenda McQuagge-Walden	Managing Director of Community Services

### **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, 5, 6, 8, 9, 10, 11, 12 and 13.

### **EXECUTIVE SESSION**

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

- **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 convened into Executive Session pursuant to the Texas Government Code regarding 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 6:07 p.m.

Council reconvened from Executive Session at approximately 6:25 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 6:30 p.m.

### **INVOCATION (Pastor Larry Dailey, Harwood Terrace Baptist Church)**

Police Chief David Flory gave tonight’s invocation.

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was given.

### **OPEN FORUM**

Robert Whistler, 1516 Wimberly Court, Bedford, TX – Mr. Whistler requested to speak on the executive session as well as items 4 and 5 on the agenda. Mr. Whistler spoke about Texas Code 3060, which pertains to exemptions to property taxes and he stated that if people would like more information on this they can contact him and he will put them in contact with the correct individuals. In speaking about the executive session he suggested that if this pertains to alcohol ratios that he would like Council to look at the law and make sure that when establishments are coming into the City that they can stay in compliance with the regulation or reconsider rewriting the regulation so that bar and grills don’t exceed the amount allowed for alcohol sales. He also spoke regarding the water rate increase. He mentioned that the water meter reading contract was being rebid at possibly a lower rate and is that rate included in the budget.

It was commented by the City Manager that the water meter reading services have been rebid and that the proper price is included in the proposed budget.

### **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, 5, 6, 8, 9, 10, 11, 12 and 13.

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

**COUNCIL RECOGNITION**

**1. Proclamation declaring September 2009 as Living with Low Vision Month.**

Mayor Story read and presented a proclamation declaring September 2009 as Living with Low Vision Month.

**APPROVAL OF THE MINUTES**

**2. Consider approval of the following City Council minutes:**

**a) August 25, 2009 regular meeting**

Motioned by Councilman Savage, seconded by Councilman Fisher to approve the August 25, 2009 regular meeting minutes.

Motion approved 5-0-2. Mayor Story declared the motion carried.

Councilwoman Nail and Councilman Turner abstained due to being absent during this meeting.

**NEW BUSINESS**

**3. Public hearing and consider and act upon an ordinance to rezone property known as Lot 2, Block 1, Bedford Crossing Addition, Suite 800 from Light Commercial to Light Commercial/Specific Use Permit/Children's Daycare Center. The property is generally located south of Bedford Road and west of Industrial Boulevard/FM157. (Z-197)**

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

Mayor Story opened the public hearing at 6:50 p.m.

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

Mayor Story closed the public hearing at 6:50 p.m.

Motioned by Councilman Brown, seconded by Councilman Champney to approve an ordinance to rezone property known as Lot 2, Block 1, Bedford Crossing Addition, Suite 800 from Light Commercial to Light Commercial/Specific Use Permit/Children's Daycare Center.

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

**4. Consider and act upon an ordinance adopting the annual budget for the City of Bedford, Texas for the fiscal period of October 1, 2009 through September 30, 2010; levying taxes for 2009; providing for intra-fund and/or intra-departmental transfers; providing for investment of idle funds; and declaring an effective date.**

This item was approved by consent.

- 5. Consider and act upon an ordinance amending the schedule of water rates by amendment of Section 1., Ordinance No. 08-2898; providing a repealing clause, providing a severability clause; and declaring an effective date.**

This item was approved by consent.

- 6. Consider and act upon an ordinance amending the schedule of sewer rates by amendment of Section 1., Ordinance No. 08-2899; providing a repealing clause, providing a severability clause; and declaring an effective date.**

This item was approved by consent.

- 7. Consider and act upon an ordinance providing for the participation in the Texas Municipal Retirement System by the City of Bedford, Texas; and to make current service and prior service contributions to the City's account in the municipal accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensation.**

City Manager Beverly Queen presented an ordinance to Council providing for the participation in the Texas Municipal Retirement System by the City of Bedford and generally fielded questions. She also indicated that the contributions for employees and funding will begin on November 1, 2009. The funding that the City is putting into the retirement system is cost neutral, therefore the city is not putting any more money into this retirement system as they were in the ICMA system.

Motioned by Councilman Brown, seconded by Councilman Champney to approve an ordinance providing for the participation in the Texas Municipal Retirement System and to decline the supplemental death benefits by the City of Bedford, Texas; and to make current service and prior service contributions to the City's account in the municipal accumulation fund of the Texas Municipal Retirement System at the actuarially determined rate of total employee compensations.

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

- 8. Consider a resolution to ratify the property tax increase as reflected in the 2009/2010 City of Bedford Program of Services (Budget).**

This item was approved by consent.

- 9. Consider a resolution authorizing the City Manager to enter into Change Orders #2 through #5 with RKM Utility Services, Inc. in the amount of \$65,308.48 for the Shady Brook Addition and Commerce Place Water Distribution System Improvements Program.**

This item was approved by consent.

- 10. Consider a resolution authorizing the City Manager to rescind the change order with Insituform Technologies, Inc. for sanitary sewer rehabilitations in the Belle Hurst / Bellvue area in the amount of \$150,000.**

This item was approved by consent.

- 11. Consider a resolution authorizing the City Manager to enter into a three year contract with TruGreen ChemLawn for chemical application at the parks and municipal facilities in the amount of \$33,309 annually for a three year total of \$99,927.**

This item was approved by consent.

- 12. Consider a resolution authorizing the purchase of a replacement Toro Grounds Master 72 mower in the amount of \$17,208.86 through the Buy Board Cooperative Purchasing Program.**

This item was approved by consent.

- 13. Consider a resolution authorizing the purchase of a replacement one-ton truck in the amount of \$26,571 through the Tarrant County Interlocal Agreement.**

This item was approved by consent.

- 14. Consider a resolution authorizing the City Manager to enter into an interim lease agreement with ONSTAGE relative to the Trinity Arts Theater.**

City Manager Beverly Queen indicated that she met with ONSTAGE and an interim agreement was reached. The terms of the agreement are very similar to the terms of the agreement that the City has with ARTSNET. The contract provides that ONSTAGE will reimburse the City for all utility expenses, and that the City will bill them and they will reimburse the City. Additionally, ONSTAGE is responsible for daily maintenance of the building; however, the City will maintain all large maintenance items such as air conditioning, heat, etc.

Motioned by Councilman Champney, seconded by Councilman Turner to approve a resolution authorizing the City Manager to enter into an interim lease agreement with ONSTAGE in the amount of \$10.00 for a period ending December 31, 2009 relative to the Trinity Arts Theater provided the tenant is not in default of any terms or condition of the lease agreement.

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

- 15. Consider approval of the action plan as presented to include beginning the RFP process for re-branding the City of Bedford. \*\*\*Item requested by Councilman Fisher**

Councilman Fisher requested that this item be placed on the agenda. He indicated that as discussed at the strategic planning workshop back in June he has been working with staff on the rebranding issue. He has proposed a plan to begin evaluating this process through developing a new logo for the City of Bedford that is more reflective of the City. Overall, he would like to reinvent the City and make it more marketable so that the logo can go on City buildings, cars, street signs, etc. Councilman Fisher would like to establish a Creative Committee that consists of himself as the Chair, Councilman Turner as the Vice Chair and staff members designated by the City Manager to be City Secretary Shanae Jennings and Managing Director of Community Services Mirenda Walden. The Committee would then audit and analyze everything the logo is to go on, create a timeline, estimate design costs, review and discuss design firms, designate designs and then form another committee for design selection. The design would then be unveiled with the opening of the new City Library. The action plan submitted by Councilman Fisher is on file in the Office of the City Secretary and can be received via an open records request.

Mr. Champney indicated that he is in favor of this concept but wants to be careful about the approach. He indicated the most important goal is to consider who we are, what we want to look like and what a future Bedford would look like from the Council's perspective from where they sit today when considering

a new logo. In general he would like to tie in all events presented by Bedford as well as what occurs within surrounding cities. Mr. Champney suggested a half day work session be held to identify who Bedford is and where we are going in order to get a good focus and direction.

The Mayor directed staff to look for dates for a work session to discuss this issue.

Motioned by Councilman Champney, seconded by Councilman Savage, that there is consensus from the standpoint of moving forward on the action plan subject to further modifications on the basis of the outcome of the work session.

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

**16. Council member reports**

Chris Brown – Mr. Brown congratulated Scott Fisher for being appointed to head the Texas Youth Commission by Governor Perry. He thanked everyone who came out to his meet and greet and reminded everyone he will be at the Library the first Saturday of every month for those who would like to come out and talk. He thanked everyone for their work at Bluesfest.

Ray Champney – Mr. Champney thanked everyone for their work at the Blues and BBQ festival.

Roy Savage – Mr. Savage thanked the City Manager and her staff for very hard work on the Bluesfest.

Roy Turner – Dr. Turner thanked staff for all of their hard work and the fun BBQ cook off.

**17. City Manager/Staff reports**

The City Manager had no report at tonight's meeting.

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

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

**ADJOURNMENT**

Mayor Story adjourned the meeting at 7:36 p.m.

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Jim Story, Mayor

ATTEST:

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Shanae Jennings, City Secretary