

Council Minutes June 26, 2012

STATE OF TEXAS §

COUNTY OF TARRANT §

CITY OF BEDFORD §

The City Council of the City of Bedford, Texas, met in Work Session at 5:30 p.m. and Regular Session at 6:30 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 26th day of June, 2012 with the following members present:

Jim Griffin	Mayor
Michael Boyter	Council Members
Chris Brown	
Jim Davisson	
Sherri Olsen	
Patricia Nolan	
Roy W. Turner	

constituting a quorum.

Staff present included:

Beverly Griffith	City Manager
David Miller	Deputy City Manager
Stan Lowry	City Attorney
Michael Wells	City Secretary
Roger Gibson	Police Chief
John Kubala	Public Works Director
Mirenda McQuagge-Walden	Managing Director of Community Services
Jacquelyn Reyff	Planning Manager
Bill Syblon	Development Director

WORK SESSION

Mayor Griffin called the Work Session to order at 5:30 p.m.

- **Review and discuss items on the regular agenda and consider placing items for approval by consent.**

Council discussed placing the following items on consent: 3, tabling 5, 6, 7 and 8.

Public Works Director John Kubala presented information on Item #7. He stated this item was an attempt to remove the backlog of repairs to sidewalks and concrete drive approaches that are broken, uplifted and/or present safety hazards. The funding will come from funds designated for installing new sidewalks. In answer to questions from Council, Mr. Kubala stated that the City has done work with this company before and that they do good work. In regards to installing sidewalks, he stated that the Council has the final say so, not the homeowners. The sidewalks and driveway approaches being repaired with this contract were at the request of the homeowners.

Mr. Kubala presented information on Item #8. He stated that over the years, the foundation of the Public Works Service Center has settled and the surrounding pavement is higher than the foundation. When there is a heavy rain, water gets into the building. This item is to build a drain that will intercept the rain before it gets into the building. In answer to a question from Council, Mr. Kubala stated that this would solve the problem long-term.

- **Presentation by the Parks and Recreation Board regarding building a Dog Park at Meadow Park.**

Parks and Recreation Board Chairperson Jeannette Cook stated that in 2010, the Board held a joint work session with Council and made an initial presentation regarding a dog park. Over the last two years, they have been looking at site selection; however, they were waylaid by the Boys Ranch Master Plan. She listed the reasons for having a dog park including that it has been on the Parks Master Plan wish list for several years, citizen interest and complaints from citizens about the use of existing parks for off-leash issues. The Board looked at all of the parks in the City and they believe that Meadow Park is the best location. It already has existing amenities including being fenced on many sides, a parking lot, is pretty flat, is in walking distance from neighborhoods and is at end of the Bedford Trails. The property is owned by HEBISD; however, even if a dog park is installed and they eventually have to move, it would just mean moving benches and water fountains. She stated that a survey was held in 2010 regarding the Parks Master Plan and the number two most desired item was a dog park. A smaller survey was held last year and 96% of respondents wanted a dog park.

Lisa McMillan of the Parks and Recreation Board reported on the basic needs for a dog park, which include: at least one or more acres (with three to five being optimum); a six-foot high fence; separate small and large dog areas; double gated at the entries to keep dogs from running out; shade, water and seating; garbage cans and pet waste bags; rules signs; parking; lighting; and an off-leash ordinance. Necessary start-up items for the dog park include: additional fencing and gates for \$11,000; a concrete border around the fence to prevent dig-outs for \$5,300; cement pad areas at the entrances for \$700; pet waste stations for \$1,100; and water fountains for \$6,000. The total estimated start-up costs are \$25,000. Additional amenities for the dog park include: benches and picnic tables for \$2,000; shade structures for \$15,000; park lighting for \$10,000; and sidewalks from the parking lot to the park for \$5,400. The total estimated costs for these amenities are \$32,400. Other amenities that could be added as funding allows include: signage for rules, sponsors, naming rights and directions; trash receptacles; wash down stations; play activity areas; leash holders; and trees and other landscaping. The expected maintenance for the park includes: grass care to include mowing weekly, over seeding in winter and the use of organic fertilizer; aerating the turf at least monthly during the growing season; ongoing maintenance including emptying the trash receptacles, refilling the waste bags and picking up trash; and periodic repairs including the water stations, filling in dig out holes and gate/fence repair. Ms. McMillan stated that many of the other dog parks in the area close down once a week for this maintenance. Overall, the costs for maintenance are approximately \$10,000 a year; however, many of these items are currently being done so the estimated additional hard costs would be \$5,000 a year.

Policy items to consider include: coordinating an amendment to the lease for the park with HEBISD as this would be putting a different use on the leased land; amendments to the leash law; the development of dog park rules and regulations; and the consideration of funding sources and a sponsorship/donation program. The source of funding for the \$25,000 initial start-up would come through corporate sponsorships and charter community supporters; any deficiencies would be made up through the Parks Donation Fund. The \$32,400 in additional amenities would come from sponsorships, community supporters and the Parks Donation Fund. The \$5,000 in maintenance funds would come from the City's general fund. In regards to corporate sponsorships, this would include funding a "piece of the park". Different levels of sponsorship would be established to encourage companies to fund an item and a plaque on the item would indicate who sponsored it. The breakdown is as follows: pet station - \$1,000; bench - \$1,500; picnic table - \$2,000; water fountain - \$3,500; and a shade structure - \$10,000. In regards to naming rights, it would help to sustain the maintenance of the park. Naming rights for the park would be \$50,000 for 10 years and naming rights for the large and small dog areas would be \$10,000 for five years. Charter community sponsorships would be a two-year fundraising campaign to encourage people to support the initial start-up of the park. Different levels of support from \$50 to \$1000 would be established and supporters' names would be listed on a "supporter wall". Sustained fundraising efforts would come through the establishment of a "friends" of the dog park group, holding an annual 5K event and selling engraved brick pavers.

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The proposed timeline for the dog park is as follows: obtaining approval of the implementation plan from the City Council at tonight's meeting; in July, begin marketing and fundraising activities; in July and August, making amendments to ordinances and the lease with HEBISD and establishing rules for the dog park; and in September, getting funding in next year's budget for maintenance. Actions needed by Council include approval of the implementation plan, authorizing fundraising efforts and moving forward with policy changes.

Council discussed with Ms. Cook, Ms. McMillan and staff the following items: the Parks Donation Fund; current and future maintenance of the park; the drainage from the concrete border of the fence; renderings of what the park would look like; meeting with representatives of HEBISD regarding the dog park and the City's lease for Meadow Park including obtaining assurances of what the School District will be doing with the property; the park's proximity to ball fields and directing staff to ask surrounding cities that have dog parks next to ball fields if there have been any issues; the parks proximity to apartments; why the Boys Ranch Park was not chosen as the site of the dog park; and whether other cities have had success with sponsorships or naming rights.

Council was of the consensus for staff to move forward with discussions with the School District. If these discussions are successful, then staff may move onto the other steps.

Council was of the consensus to move the Executive Session to the end of the Regular Session.

Mayor Griffin adjourned the Work Session at 6:33 p.m.

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:

- **Pursuant to Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments.**
- **Pursuant to Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1Rb, Bedford Meadows Shopping Center.**
- **Pursuant to Section 551.071(2), consultation with the City Attorney on matters in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code – Rental Property Ordinance.**

Council was unable to convene into Executive Session prior to the start of the Regular Session.

Council convened into Executive Session pursuant to Texas Government Code Section 551.071, consultation with City Attorney regarding pending or contemplated litigation – The Oaks of Landera Apartments, Section 551.087, deliberation regarding economic development negotiations relative to Block 1, Lot 1Rb, Bedford Meadows Shopping Center and Section 551.071(2), consultation with the City Attorney on matters in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code – Rental Property Ordinance at 7:37 p.m.

Council reconvened from Executive Session at approximately 8:54 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 6:30 P.M.

The Regular Session began at 6:41 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Griffin called the meeting to order.

INVOCATION (Pastor Nosa Onaiwu - Arise and Shine International Ministries)

Pastor Nosa Onaiwu of Arise and Shine International Ministries gave tonight's invocation.

PLEDGE OF ALLEGIANCE (Cub Scout Pack 0307, Leader – Karen Painter)

Cub Scout Pack 0307, lead by Karen Painter, Mary Hanningan and Deborah Gonzales, and Cub Scouts Sean Hannigan, Dominic Dominguez, Jon Hoenich, Anthony Gonzales and Micah Garth, lead the Pledge of Allegiance.

OPEN FORUM

Karen Killian, 1608 Circle Lane, Bedford, TX – Ms. Killian spoke on the Work Session item regarding the Dog Park presentation. She is against a dog park and questioned the cost of insurance for the park. She does not want to see another cent or dime spent in the City until the employees are given a well-deserved pay raise. She does not want to see this community short by 19 police officers as it was several years ago. She said that people should be thankful that the employees do the job that they do.

CONSIDER APPROVAL OF ITEMS BY CONSENT

Motioned by Councilmember Nolan, seconded by Councilmember Brown, to approve the following items by consent: 3, 6, 7 and 8.

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

COUNCIL RECOGNITION

1. Employee Service Recognition

The following employees received recognition for dedicated service and commitment to the City of Bedford:

- Bradley Deautsch, Police Department – 5 years of service
- Jeffrey Pruett, Police Department – 5 years of service
- Maria Zimmerman, Police Department – 5 years of service
- Emily Hilbish, Library – 15 years of service
- Amy James, Police Department – 25 years of service
- Jerry Buford, Police Department – 30 years of service
- Virginia Chamblee, Community Services – 40 years of service

PERSONS TO BE HEARD

2. The following individual has requested to speak to the Council tonight under Persons to be Heard.

- a) **Myretta Bell, 1117 Belmont Court, Bedford, TX – Requested to speak to the Council regarding Oncor.**

Myretta Bell, 1117 Belmont Court – Ms. Bell requested that the City Council do everything possible to exempt the City from the installation of smart meters. She stated that there have been issues with damages to appliances and homes because of the new meters. She was not notified by Oncor of the

installation of the meter and they said they would not remove it when she requested that they do so. She asked if these were the actions of a reputable company. She stated that the cost for the smart meter is \$2.19 a month, and with these meters, Oncor can tell what electrical equipment is working and they can turn off the equipment if she asks them to. She expects higher costs during peak hours since her electrical company can monitor her usage every 15 minutes. She questioned how much money Oncor was making from these new meters. She asked the City Council to get out of any contracts the City has with Oncor and to have the meters already installed removed. Council stated that the City does not have contracts with Oncor. The State Legislature is looking at a bill that would allow people to opt out of the meters and have them removed if already installed. Council recommended she contact her State representatives.

APPROVAL OF THE MINUTES

- 3. Consider approval of the following City Council minutes:**
a) June 12, 2012 regular meeting

This item was approved by consent.

NEW BUSINESS

- 4. Public hearing and consideration of an ordinance to rezone properties from Single-Family Residential Detached District (R-15) to Heavy Commercial (H). The properties are known as Lots 1, 2, 3, Block 1, Administrative Development Center, and are located at 1841, 1845, and 1849 Central Drive, Bedford Texas. The properties are generally located south of Airport Freeway and west of Central Drive. (Z-223)**

Planning Manager Jacquelyn Reyff presented information regarding this ordinance. The applicant for this request is the City of Bedford and it is for the rezoning of three HEBISD properties south of HW 183 and west of Central Drive. It is a straight rezoning from (R-15) Single Family Residential to (H) Heavy Commercial. HEBISD is in the process of building a new career center and it was found in the review process that the underlying zoning was residential. To bring the parcels of land into conformance with the City's Comprehensive Plan and to facilitate the construction of the career center, it is necessary to do this rezoning. If the School District decides to do any development changes to this property in the future, they will be in compliance with the City's Zoning Ordinance and Comprehensive Plan. The surrounding properties are mostly commercial, which will make the School District's property contiguous with those. There is a site plan, which was included in the Council's packets; however, because the school district is a governmental entity, the site plan is not the purview of the City Council.

Tony Mansel, Huckabee, the architectural firm representing HEBISD, 4521 S. Hulen Drive, Fort Worth and Josh Minor, Maintenance Director and Operations for HEBISD, 1849 Central Drive, Bedford presented information on the new facility. Mr. Mansel stated that the center will be 142,000 square feet with two stories and will house 1,500 students at full capacity. The center will not start at full capacity as there have been allowances made for expansion of the School District. Programs to be included at the facility include design and construction, A/V and technology, management and administration, education, health sciences, hospitality, human services, information technology, law and security enforcement, marketing and finance, engineering and mathematics, and logistics and transportation. The location of the facility is behind the existing administration complex. One of its design elements is that the front façade of the building faces the highway as much as possible. New parking has been added. In regards to construction phasing, the existing technology building will remain open during construction; once construction of the new facility is complete, the old center can be demolished. Mr. Mansel stated that construction of the facility is set to be completed by the spring of 2014.

In response to questions for Council, Mr. Mansel stated that besides Council approval of the rezoning tonight, they are also awaiting approvals from the Fire Department, Building Official Russell Hines and the Engineering Department. They have submitted all revisions and comment responses and are just

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awaiting final permit approval. In regards to HVAC, they have performed site-line studies and are fairly confident that all rooftop units will be screened and isolated from view.

Mayor Griffin opened the public hearing at 7:25 p.m.

Jason Sinisi, 720 Spring Lake Drive, Bedford, TX – Mr. Sinisi stated that having spent three years in the current technology building, he is very excited and happy for this project.

Mayor Griffin closed the public hearing at 7:26 p.m.

Motioned by Councilmember Turner, seconded by Councilmember Davisson, to approve an ordinance to rezone properties from Single-Family Residential Detached District (R-15) to Heavy Commercial (H). The properties are known as Lots 1, 2, 3, Block 1, Administrative Development Center, and are located at 1841, 1845, and 1849 Central Drive, Bedford Texas. The properties are generally located south of Airport Freeway and west of Central Drive.

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

- 5. Consider an ordinance amending Chapter 2 “Administration”, Article IV. “Boards, Commissions and Committees”, Division 1. “Generally” of the City of Bedford Code of Ordinances; repealing all ordinances in conflict herewith; providing a severability clause; and declaring an effective date.**

Motioned by Councilmember Brown, seconded by Councilmember Turner, to table an ordinance amending Chapter 2 “Administration”, Article IV. “Boards, Commissions and Committees”, Division 1. “Generally” of the City of Bedford Code of Ordinances, to an upcoming Council meeting.

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

- 6. Consider a resolution authorizing the purchase of Automotive, Truck and Equipment Tires from Blagg Tire & Service through the Tarrant County Cooperative Purchase Agreement and from Republic Tire & Supply, Inc. at the per unit price listed.**

This item was approved by consent.

- 7. Consider a resolution authorizing the City Manager to enter into a contract with Estrada Concrete Company, LLC in the amount of \$39,023.75 for the Concrete Sidewalk/Driveway Reconstruction at Various Locations.**

This item was approved by consent.

- 8. Consider a resolution authorizing the City Manager to enter into a contract with Ziegler Construction, Inc. in the amount of \$39,317 for the Service Center Storm Drainage Improvements.**

This item was approved by consent.

- 9. Report on most recent meeting of the following Boards and Commissions:**
✓ **Animal Control Board – Councilmember Olsen**

No report was given.

- ✓ **Animal Shelter Advisory Board - Councilmember Olsen**

No report was given.

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✓ **Beautification Commission – Councilmember Turner**

No report was given.

✓ **Community Affairs Commission - Councilmember Boyter**

Councilmember Boyter reported that the Commission had a very energetic meeting last week. They have made a commitment to rededicate themselves to the Shop Bedford First program and to encourage more residents to look at the program in order to interact with local businesses. They are looking ahead to promoting themselves and other activities including the possibility of setting up a tent at 4Fest.

✓ **Cultural Commission - Councilmember Nolan**

Councilmember Nolan reported that the Commission held a meeting the previous night. They are going down the road with surveys and finding out from various different arts groups in the area how best to utilize the Commission. Other reports will be coming down the line.

✓ **Library Board – Councilmember Brown**

Councilmember Brown reported that the Board met last week and that they are finishing up with their focus groups. Everybody has been doing a SWOT analysis and soliciting feedback from residents. The Board is working on updating the Library policy manual and the five-year plan.

✓ **Parks & Recreation Board - Councilmember Davisson**

No report was given.

✓ **Senior Citizen Advisory Board - Councilmember Turner**

No report was given.

✓ **Teen Court Advisory Board - Councilmember Olsen**

No report was given.

10. Council member reports

Mayor Griffin recognized Councilmember Brown on his birthday. He also reported that the Bedford Amateur Radio Club held a training exercise from 1:00 p.m. Saturday to 1:00 p.m. on Sunday at the Law Enforcement Center. They utilized equipment from the Emergency Operations Center and made contact with other states and Canada as part of their process. A number of Council members stopped by and he thanked Chief Gibson for the use of the LEC.

11. City Manager/Staff Reports

City Manager Beverly Griffith extended congratulations to Human Resources Director Jill McAdams. Ms. McAdams attended a fit-friendly company symposium in Fort Worth sponsored by the American Red Cross and the City received two awards. The first was gold-level recognition for being a Tarrant County company that has made significant strides in the area of employee wellness programming. The second award is an American Red Cross Worksite Innovation Award for the employee clinic.

Ms. Griffith invited everybody to join the City next Wednesday for 4thFest. Activities will start at noon with the opening of SPLASH, with other activities starting at 4:00 p.m. There will be a live performance of “The Tortoise and the Hare” by Onstage. The Trinity Arts gallery will be open from 2:00 p.m. to 9:00 p.m. The musical group will be Supermega and of course, there will be the best fireworks in North Texas

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once the sun goes down. The City will be celebrating heroes with a salute to soldiers at 6:30 p.m. There is parking and shuttle service from Pennington Field for \$4.00. There is limited on-site parking for \$15.00 and parking at the Library for \$10.00, with the proceeds benefitting the Friends of the Library. Admission to 4thFest is free.

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

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

ADJOURNMENT

Mayor Griffin adjourned the meeting at 8:56 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary