

**Council Minutes January 25, 2022**

**STATE OF TEXAS §**

**COUNTY OF TARRANT §**

**CITY OF BEDFORD §**

**The City Council of the City of Bedford, Texas, met in Regular Session at 6:00 p.m. in the Council Chambers of City Hall, 2000 Forest Ridge Drive, on the 25th day of January, 2022 with the following members present:**

Michael Boyter  
Amy Sabol  
Cindy Almendarez  
Dan Cogan  
Ruth Culver  
Rob Gagliardi  
Rich Steves

Mayor  
Mayor Pro Tem  
Councilmembers

constituting a quorum.

Staff present included:

Jimmy Stathatos  
Bryn Meredith  
Michael Wells  
Stephanie Ayers  
Meg Jakubik  
Krissi Oden  
Cheryl Taylor  
Todd Murphree

City Manager  
City Attorney  
City Secretary  
Human Resources Director  
Strategic Services Manager  
Cultural Arts Manager  
Public Works Director  
Deputy Police Chief

**REGULAR SESSION**

The Regular Session began at 6:00 p.m.

**CALL TO ORDER/GENERAL COMMENTS**

Mayor Boyter called the meeting to order.

**INVOCATION**

Councilmember Steves gave the invocation.

**PLEDGE OF ALLEGIANCE**

The Pledges of Allegiance to the flags of the United States and Texas were given.

**COUNCIL RECOGNITION**

- **Award Presentation to the winners of the Traffic Signal Box Contest and the Painted Crosswalk Contest.**

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Cultural Arts Manager Krissi Oden presented the following with awards for the Traffic Signal Box Contest: Midcities Montessori, Kynlee Jarrett, Jodi Pope, Joseline Rowley, and Daniele Teagarden. Clif Beck and Jacob Wiant were also winners but unable to attend.

Ms. Oden presented Axel Reynolds the award as the winner of the Painted Crosswalk Contest.

- **Employee Service Recognition**

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

Wesley Layfield, Public Works - 10 years of service  
Andrew Crump, Police Department - 25 years of service  
David Smith, Police Department - 30 years of service

Mayor Boyter announced that City Manager Jimmy Stathatos and Communications Director Molly Fox were recognized by Engaging Local Government Leaders.

### **PRESENTATIONS**

- **Presentation by the Charter Review Commission and receive Council direction on ordering a special election for amendments to the City Charter.**

Charter Review Chairperson Tony Comparin presented a report from the Commission on proposed amendments to the Charter. The first amendment would remove language in Section 2.04 requiring City Council members not receive compensation and add language that the Mayor would receive a stipend of \$300 per month and Council members would receive a stipend of \$200 per month. He discussed the reasoning behind the amendment, including helping to offset the personal expenses of potential candidates, thereby expanding the candidate pool, as well as legal reasons, including governmental immunity for Council members. The second amendment would add language to Section 3.04 that the City Attorney shall be appointed or removed from office by a minimum of four affirmative votes. The third amendment would add language to Section 8.02 that the Municipal Judge shall be a competent practicing lawyer who is either a resident of Bedford or one that maintains or is employed by a law office with a physical street address in Tarrant County. The fourth amendment would add language to Section 8.02 that would allow the City Council to remove the Municipal Court Judge, if appointed, after a public hearing. The fifth amendment would remove language from Section 9.04 requiring approval by the Planning and Zoning Commission to widen, narrow, relocate, vacate, or change the use of street, alley or public way, or ground or the sale of any public building or real property. The sixth amendment would add language to Section 2.03 that Council members be a resident of Bedford for one continuous year prior to being elected. The seventh amendment would add a new section that would require a Council member forfeit their office if they are convicted of a Class A or B misdemeanor, or a crime involving moral turpitude, or missing three consecutive regular Council meetings without first being excused. The final amendment would add procedures for the expulsion or forfeiture of office of Council members.

Commissioner Dorothy McWhorter presented the minority report for the first recommended amendment as it was not unanimously approved by the Commission. She stated the City is in the business of providing services, including fire, police, streets and sewers, and felt that putting Council on the payroll would be a waste of tax dollars. She felt this item is not a need but a desire and does not support her tax dollars going to members of Council that are not part of her political party. She felt that it was a ploy to eventually have Council on a yearly salary. She discussed

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Commissioners Nichelle Dawkins and Yvonne Garcia, who were able to bring forth the procedures for expulsion or forfeiture of office after discussions were earlier closed by the Commission.

There was discussion on bringing action on the recommendations at the next Council meeting; Council compensation in other cities; Mr. Comparin's overall experience serving on the Commission; whether the Commission had enough time to achieve their purpose, specifically on the item regarding the expulsion and forfeiture of office; the number of Commissioners; whether there is a better way for the Commission to operate, including starting the process earlier; the Council having the authority to put forward amendments without appointing a Commission; the requirement in the Charter for Council to decide whether to appoint a Commission five years after a change to the Charter; and the various recommended amendments, including the eligibility of the Municipal Court Judge, allowing Council to remove an appointed Municipal Court Judge after a public hearing, the forfeiture procedures, Council compensation, and Council members forfeiting their office after missing three consecutive meetings.

### **OPEN FORUM**

Nobody signed up to speak during Open Forum.

### **CONSIDER APPROVAL OF ITEMS BY CONSENT**

City Manager Jimmy Stathatos presented an overview of the items on the consent agenda.

Motioned by Councilmember Culver, seconded by Councilmember Gagliardi, to approve the following items by consent: 1 and 2.

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

- 1. Consider approval of the following City Council minutes:**
  - a) January 11, 2022 regular meeting**

This item was approved by consent.

- 2. Consider a resolution authorizing City Manager to enter into a two-year agreement with HUB International (HUB) in the amount of \$45,000 annually to provide benefit brokerage and consulting services for employee benefits.**

This item was approved by consent.

### **NEW BUSINESS**

- 3. Consider an ordinance authorizing amendments to the adopted annual budget of the City of Bedford, Texas for the fiscal period of October 1, 2021 through September 30, 2022; providing for intra-fund and/or intra-departmental transfers; providing for investment of idle funds; and declaring an effective date.**

Strategic Services Manager Meg Jakubik and Public Works Director Cheryl Taylor presented information regarding this item, which are amendments to the budget recommended by the Street Improvement Economic Development Corporation board at their meeting the previous Tuesday. Amendments include \$600,000 for residential street paving; \$350,000 for the engineering for reconstructing Deuce Drive and the Gregory Addition; \$100,000 for a street assessment; and \$520,000 for the design and construction of Walter Street. In response to questions from Council,

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Ms. Taylor confirmed that no projects are being taken off the list in order to add the above items.

Motioned by Councilmember Culver seconded by Councilmember Gagliardi, to approve an ordinance authorizing amendments to the adopted annual budget of the City of Bedford, Texas for the fiscal period of October 1, 2021 through September 30, 2022; providing for intra-fund and/or intra-departmental transfers; providing for investment of idle funds; and declaring an effective date.

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

**4. Consider a resolution authorizing the City Manager to utilize the City of Grand Prairie's contract with Reynolds Asphalt and Construction Company in the amount of \$1,050,000 for the 2022 Pavement Resurfacing Services Project through the Master Interlocal Cooperative Purchasing Agreement.**

Public Works Director Cheryl Taylor presented information regarding this item, which is for paving of residential streets for Fiscal Year 2021-22 as approved by the Street Improvement Economic Development Corporation board per the five-year plan.

Motioned by Councilmember Gagliardi, seconded by Councilmember Almendarez, to approve a resolution authorizing the City Manager to utilize the City of Grand Prairie's contract with Reynolds Asphalt and Construction Company in the amount of \$1,050,000 for the 2022 Pavement Resurfacing Services Project through the Master Interlocal Cooperative Purchasing Agreement.

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

**5. Consider a resolution authorizing the City Manager to utilize the City of North Richland Hills Water and Wastewater Repair Material Contract with Atlas Utility Supply Company in an amount not to exceed \$111,000 through the Master Interlocal Cooperative Purchasing Agreement.**

Ms. Taylor presented information regarding this item, which would allow staff to water and wastewater supplies from Atlas Utility Supply Company at bid prices instead of retail. Staff is planning to stock a small amount of inventory, including wastewater pipes, valve boxes, gate valves, manholes, and fire hydrants for daily work or necessary repairs.

Motioned by Councilmember Cogan, seconded by Councilmember Gagliardi, to approve a resolution authorizing the City Manager to utilize the City of North Richland Hills Water and Wastewater Repair Material Contract with Atlas Utility Supply Company in an amount not to exceed \$111,000 through the Master Interlocal Cooperative Purchasing Agreement.

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

**6. Consider a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Appropriation Plan; and recognizing and appropriating expenditures within the Fiscal Year 2022 Coronavirus Local Fiscal Recovery Fund Budget.**

City Manager Jimmy Stathatos presented information regarding this item. The three primary items to be funded with this request are a \$50,000 for the replacement of the City's network firewall as the City does not have an adequate amount of protection; \$100,200 for Econolite Cobalt Controllers, which would allow synchronization of the City's traffic signals; and \$14,000 for a statistically valid survey service. There was discussion of the purpose and scope of the American

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Rescue Plan Act Appropriation Plan funding.

Motioned by Councilmember Culver, seconded by Councilmember Gagliardi, to approve a resolution of the City of Bedford, Texas approving the American Rescue Plan Act Appropriation Plan; and recognizing and appropriating expenditures within the Fiscal Year 2022 Coronavirus Local Fiscal Recovery Fund Budget.

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

- 7. Consider a resolution of the City Council of the City of Bedford, Texas, ordering a general election to be held on Saturday, May 7, 2022 for the purpose of electing persons to City Council, Place 3 and Place 5, with a term to expire May 2025; authorizing a contract for election services with Tarrant County; and establishing the dates and times for early voting for such election.**

City Secretary Michael Wells presented information regarding this item, which is to order the General Election for Places 3 and 5 on the City Council for May 7, 2022. He stated the filing period is January 19 through February 18, 2022. Early voting begins April 25 and ends on May 2, 2022. The early voting location in Bedford is the Library and staff is recommending the Election Day voting location to be the Pat May Center; however, voters can vote at any Tarrant County early voting and election day location. He stated staff explored moving Election Day voting to the Library; however, the Hurst-Euless-Bedford Independent School District was not amendable to that change. There is a possibility the Library could serve as an Election Day location regardless as there are state constitutional amendments on the ballot for May and Tarrant County may open up more vote center locations.

Motioned by Councilmember Gagliardi, seconded by Councilmember Culver, to approve a resolution of the City Council of the City of Bedford, Texas, ordering a general election to be held on Saturday, May 7, 2022 for the purpose of electing persons to City Council, Place 3 and Place 5, with a term to expire May 2025; authorizing a contract for election services with Tarrant County; and establishing the dates and times for early voting for such election.

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

### **8. Mayor/Council Member Reports**

Mayor Boyter reported on upcoming events, including Coffee with a Cop on January 26 at Wood & Grain Bistro, Mornings with the Mayor on February 5, Smooches with Pooches on February 12, and murder mystery dinners at Turning Point Beer on February 26 and 27.

### **9. City Manager/Staff Reports**

Mr. Stathatos reported on three upcoming opportunities to engage with the public, including a town hall meeting on the operations of Generations Park on January 27, a town hall meeting to gather feedback on the performing arts center on February 15, and a citizen's survey, that should be made available on Friday.

#### **a) Update and feedback on the proposed Master Drainage Plan.**

Mr. Stathatos discussed a drainage study that was proposed as part of the previous discussions on the drainage impact fee and concerns regarding drainage in the Rustic Woods subdivision.

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Public Works Director Cheryl Taylor discussed a study performed in 2002 which determined that the capacity of the channel through Rustic Woods was sufficient for the development in the area. Further, it was sized appropriately with enough capacity that a 100-year storm would stay within its banks; however, feedback from the residents in Rustic Woods indicated that erosion is the primary issue. She stated an assessment could be made to determine if erosion is indeed an issue, and if so, potential options for reducing it. She stated the Army Corps of Engineers would not allow for the current natural channel to be replaced by a concrete channel.

In response to questions from Council, Ms. Taylor confirmed that no action was taken from the 2002 study. There was discussion regarding an overall drainage assessment scheduled in the future, the impact preliminary FEMA drainage maps are having on the timing of several Public Works projects, and having a third-party assessment of the drainage in the Rustic Woods subdivision. Council was of the consensus to move forward with the third-party assessment.

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

Executive Session was not held.

### **ADJOURNMENT**

Mayor Boyter adjourned the meeting at 7:44 p.m.

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Michael Boyter, Mayor

ATTEST:

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Michael Wells, City Secretary