

Council Minutes March 8, 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 8th day of March, 2022 with the following members present:

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

Mayor Pro Tem
Councilmembers

constituting a quorum.

Mayor Boyter was absent from the meeting.

Staff present included:

Jimmy Stathatos
Bryn Meredith
Michael Wells
Maria Joyner
Wes Morrison
Andrea Roy
Cheryl Taylor
Bill Walker

City Manager
City Attorney
City Secretary
Finance Director
Neighborhood Svcs./Planning Mgr.
Development Director
Public Works Director
Fire Chief

REGULAR SESSION

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

CALL TO ORDER/GENERAL COMMENTS

Mayor Pro Tem Sabol 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.

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COUNCIL RECOGNITION

- **Proclamation recognizing March 8, 2022 as Texas Health Harris Methodist Hospital Hurst-Euleless-Bedford Appreciation Day.**

Mayor Pro Tem Sabol read a proclamation recognizing March 8, 2022 as Texas Health Harris Methodist Hospital Hurst-Euleless-Bedford Appreciation Day. Frazer Hay, President of Texas Health HEB Hospital, accepted the proclamation.

PRESENTATIONS

- **Presentation on the Quarterly Investment Report for the Fiscal 1st Quarter ending December 31, 2021.**

Finance Director Maria Joyner stated the City's total portfolio as of December 31, 2021 was \$116,411,909 compared to \$142,333,802 at the same time the previous fiscal year, representing a decrease of 18.2 percent. The decrease was mainly due to payments for the Phase Next project and a property purchase. The City has spent \$41,586,166 on the Phase Next Project and \$49,585 on the Bedford Performing Arts Center. Further, the City has earned approximately \$3,500,000 in accumulated interest earnings for the Phase Next project over the life of the project.

Tim Pinion with Valley View Consulting, the City's investment advisors, stated the decrease in the City Funds was due to the capital projects and the land purchase mentioned previously. He discussed interest rates and stated the decline from the previous quarter was due to longer term investments that had been earning a higher rate rolled off and funds being spent on projects and therefore not being reinvested at higher rates. The City's total portfolio earned approximately \$76,000 in interest at a rate of 0.22 percent, which compared favorably to benchmarks, all of which were under 0.10 percent. Mr. Pinion discussed dramatic increases in interest rates since the previous December. He presented an overview of market highlights, including improving production, strong consumer spending, the continuous increase in housing prices, growth in employment, the number of unfilled job openings, the Russia-Ukraine situation, inflation, and the probable interest rate increases by the Federal Reserve. He discussed the City's investment strategy, including laddering maturities and estimating capital improvement program spending and laddering appropriately. There was discussion on the impact of the Federal Reserve raising interest rates on the City's interest earnings.

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 Cogan, seconded by Councilmember Gagliardi, to approve the following items by consent: 1, 2, 3, 4, and 5.

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

1. **Consider approval of the following City Council minutes:**
 - a) **February 17, 2022 town hall meeting**
 - b) **February 22, 2022 regular meeting**

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This item was approved by consent.

- 2. Consider a resolution authorizing the City Manager to execute Global Opioid Settlement documents relating to the Teva Pharmaceutical Companies and the Endo Pharmaceutical Companies.**

This item was approved by consent.

- 3. Consider a resolution authorizing the City Manager to enter into an interlocal agreement with Tarrant County in an amount not to exceed \$1,651,000 for street improvements on Harwood Road from east of Oak Valley Drive to the Hurst city limits and Forest Ridge Drive from Harwood Road to Bedford Road.**

This item was approved by consent.

- 4. Consider a resolution authorizing the expenditure of funds for asphalt milling with TexOp Construction, LP in an amount not to exceed \$220,000 for asphalt milling on Harwood Road from the Hurst city limits to Oak Valley Drive and Forest Ridge Drive from Harwood Road to Bedford Road, utilizing the Tarrant County Cooperative Purchasing Agreement.**

This item was approved by consent.

- 5. Consider an ordinance of the City of Bedford approving the 2022 Street Improvement Costs for use in administering the escrow provisions of Chapter 5 – Subdivision Design Standards and Chapter 6 – Public Services Development Policies of the City’s codified subdivision regulations.**

This item was approved by consent.

PERSONS TO BE HEARD

- 6. The following individual has requested to speak to the Council tonight under Persons to be Heard:**

- a) Trasa Cobern, 6 Stones – requests to present a thank you to the Bedford City Council.**

Trasa Cobern, 6 Stones – Ms. Cobern thanked the City for participating in the Dashing for Hope event the previous December. She discussed their Night of Hope event, which supports 3,400 Hurst-Eules-Bedford Independent School District students and their families with presents and a Christmas dinner. She stated the Dashing for Hope event raised approximately \$104,000, which helped sponsor 1,600 students. She presented Council a thank you card from a student at Bellaire Elementary School.

NEW BUSINESS

- 7. Public hearing and consider an ordinance for an extension of a Specific Use Permit (SUP) PZ-SUP-2018-50060 for the Christian Life Tabernacle Church to allow additional time prior to the expiration of the SUP originally granted on March 10, 2020, per Section 5.3.C (Duration of Specific Use Permit) of the City of Bedford Zoning Ordinance. (PZ-SUP-EXT2-2018-50060)**

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Planning Manager Wes Morrison presented information regarding this item. The property is on the east side of Central Drive between Gettysburg Place and Nottingham Drive and is zoned R-15. A specific use permit for an approximately 11,000 square foot expansion of the church was approved in March 2020, with a one-year extension granted in March 2021. The applicant is requesting a second extension until March 2023. The site is 3.5 acres, the maximum building height is 30 feet, and the applicant is proposing 510 parking spaces, with landscaping along the perimeter and Central Drive. Mr. Morrison stated the Planning and Zoning Commission recommended approval of this item by a vote of 4-0-0, with the primary discussion being the holdup of the project, which was related to the engineering plans for the infrastructure improvements. He stated those plans have now been approved and the permit is currently under review, and another extension is not anticipated.

Mayor Pro Tem Sabol opened the public hearing at 6:29 p.m.

Nobody chose to speak during the public hearing.

Mayor Pro Tem Sabol closed the public hearing at 6:29 p.m.

There was discussion on the issue with the engineering plans. In response to a question from Council, Mr. Morrison stated the Zoning Ordinance does not specify a maximum number of extensions for SUPs.

Motioned by Councilmember Steves, seconded by Councilmember Culver, to approve an ordinance for an extension of a Specific Use Permit (SUP) PZ-SUP-2018-50060 for the Christian Life Tabernacle Church to allow additional time prior to the expiration of the SUP originally granted on March 10, 2020, per Section 5.3.C (Duration of Specific Use Permit) of the City of Bedford Zoning Ordinance. (PZ-SUP-EXT2-2018-50060)

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

8. Public hearing and consider an ordinance to rezone the property described as Lot 1A Block 1 The Oaks Addition, located at 1705 Airport Freeway #1809, Bedford, Texas 76021, from Planned Unit Development to Planned Unit Development/Specific Use Permit for a tattoo and piercing shop. (PZ-SUP-2022-50002) (Item was recommended for approval by the Planning and Zoning Commission by a vote of 3-1-0)

Mr. Morrison presented information regarding this item. He stated the property is located within the Bedford Commons Planned Unit Development (PUD) in a shopping center with a variety of uses. The PUD requires a specific use permit (SUP) for the proposed use of a tattoo and body piercing shop. He presented an overview of the surrounding land uses and stated that staff received no responses to the legally required notices. The Planning and Zoning Commission recommended approval of this item by a vote of 3-1-0, with most of the discussion being about the overall vision of the area and the mixed-use development of Bedford Commons, which accounted for the one negative vote.

Mayor Pro Tem Sabol opened the public hearing at 6:33 p.m.

Kat Slagle – Ms. Slagle, the applicant for this item, stated she owns two tattoo shops, one in the Fort Worth/Keller area which opened in 2013 and the other in Richland Hills. She plans to take the artists currently at the Richland Hills location and move them to the Bedford site. She stated her business would not do cheap tattoos and she charges between \$150 to \$200 an hour. The business would not stay open late and they would not tattoo intoxicated people. She stated she

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has a good reputation with the Health Department and her current locations are clean and professional businesses. She further stated her tattoo artists have won awards for their work.

Eric Coe – Mr. Coe, one of Ms. Slagle’s tattoo artists, stated he has over 30 years of experience in tattooing, and stated the industry has changed a lot over those years. He told a story of tattooing both a grandmother and granddaughter and discussed the intimacy in tattooing and touching people’s lives.

Trey English – Mr. English, one of Ms. Slagle’s tattoo artists, discussed young artists struggling to make their mark in the world and that he likes to see young artists come into good shops, good places, and good communities to work.

Alannah Brown – Ms. Brown discussed the positive experience she had going to one of Ms. Slagle’s tattoo shops and the impact her tattoos have had on her life. She further discussed the other people she knows that have gotten tattoos at Ms. Slagle’s shops.

Steve Carra – Mr. Carra discussed his positive experience with two of Ms. Slagle’s tattoo artists, and stated their values are character, community, and concern.

Mayor Pro Tem Sabol closed the public hearing at 6:48 p.m.

There was discussion on the Bedford Commons PUD, including its size, location, and requirements of an SUP for the proposed use. In response to questions from Council, Mr. Morrison stated that tattoo shops are now allowed anywhere in the City without a SUP, and there are currently no known tattoo shops in Bedford. There was further discussion on the development of the Bedford Commons property, whether the proposed use was appropriate for the property, and the quality of the work done by Ms. Slagle’s tattoo artists.

Motioned by Councilmember Culver, seconded by Councilmember Steves, to deny an ordinance to rezone the property described as Lot 1A Block 1 The Oaks Addition, located at 1705 Airport Freeway #1809, Bedford, Texas 76021, from Planned Unit Development to Planned Unit Development/Specific Use Permit for a tattoo and piercing shop. (PZ-SUP-2022-50002)

Voting in favor of the motion: Mayor Pro Tem Sabol, Councilmember Almendarez, Councilmember Cogan, Councilmember Steves, and Councilmember Culver

Voting in opposition to the motion: Councilmember Gagliardi

Motion approved 5-1-0. Mayor Pro Tem Sabol declared the motion carried.

9. Consider a resolution accepting the report from the independent auditor and the audited financial statements and the single audit report for the fiscal year ending September 30, 2021 and providing an effective date.

Finance Director Maria Joyner stated this item is for the acceptance of the Annual Comprehensive Finance Report for the fiscal year ending September 30, 2021. The audit report was presented by the auditing firm of Weaver and Tidwell, L.L.P. to the City’s Audit Committee on February 18, 2022. Weaver and Tidwell found the City’s financial statements for the fiscal year presented fairly in all material respects without any material misstatements. Further, the single audit for the Coronavirus Aid, Relief, and Economic Security (CARES) Act funding complied with all necessary requirements. The City received an unmodified on both audits, which is the highest level of opinion the auditors are allowed to give. The City is required to go out for a request for proposals for

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auditing services as this is the fifth year using Weaver and Tidwell.

Sara Dempsey with Weaver and Tidwell presented information on the audit team as well as the audit cycle and process. She stated the single audit was initiated due to the City spending more than \$750,000 in federal funding through the CARES Act. She discussed the audit results, including that they issued an unmodified opinion on the financial statements and that there were no material weaknesses or significant deficiencies. Ms. Dempsey stated the City is not considered low risk, which is due to the single audits the previous two years. She presented an overview of the City's finances, including a current year versus prior year analysis. She stated the ending governmental fund balance showed a \$19,600,000 decrease from the previous year, mostly in the capital projects fund due to the spending on capital projects as discussed during the quarterly investment report. There was an increase of approximately \$1,000,000 in the net position of the City's enterprise funds. She stated the biggest change from the previous year is the net pension liability and benefits. Ms. Dempsey stated the budget had a favorable variance, due to better-than-expected sales tax revenue, CARES Act funding, and expenditures coming in approximately \$951,000 under budget. She further discussed increases in the tax levy, tax collections, and net taxable value

In response to questions from Council, Ms. Dempsey stated the reason for the single audit was due to the expenditure of more than \$750,000 in federal funds. She confirmed the City has internal controls in place to help prevent an issue like fraudulent purchases that occurred in another area city. She stated state law requires municipalities to perform an audit each year, which must be submitted within 180 days of the end of the fiscal year and which would be used to help determine a municipality's bond ratings. There was discussion on the increase in pension liability, including the increase in the retirement fund and recent retirements.

Motioned by Councilmember Gagliardi, seconded by Councilmember Almendarez, to approve a resolution accepting the report from the independent auditor and the audited financial statements and the single audit report for the fiscal year ending September 30, 2021 and providing an effective date.

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

10. Consider a resolution authorizing the City Manager to purchase upgraded software to improve command, response, ease of use, and safety while responding to calls for service, from Tablet Command and the required interface with Central Square in the amount of \$74,201.13.

Fire Chief Bill Walker presented information regarding this item. He stated the Fire Department established a technology committee, which developed a strategic plan to determine the most critical needs of the Department. He stated they use the same computer-aided dispatch (CAD) system as the Police Department, and there is a challenge with the interface for the Fire Department. Tablet Command was determined to be the best fit for the Department. The software is cloud-based and would have a two-way interface built by Central Square. It would use cheaper iPads as opposed to the current laptops and would come with call routing and better call management, the ability for units to see each other live, and pre-incident plans. The software further would allow staff to perform multiple tasks without changing screens.

There was discussion on funding for this item. Chief Walker stated the initial costs as well as those for the next two years would come from American Rescue Plan Act funds, with costs in future years being included in the budget. He further stated that training is simple and included in the contract. He estimated the timeframe for implementation to be a few months, with the biggest

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issue being the integration with the CAD system. There was discussion on maintenance of the system and Chief Walker stated there was no cap on the number of maintenance hours. He further stated they would receive the most current version of the software whenever it is updated. There was further discussion on the potential impact to the Department's response time, including the call routing function.

Motioned by Councilmember Almendarez, seconded by Councilmember Cogan, to approve a resolution authorizing the City Manager to purchase upgraded software to improve command, response, ease of use, and safety while responding to calls for service, from Tablet Command and the required interface with Central Square in the amount of \$74,201.13.

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

11. Discussion and action on appointing a chairperson to the Parks and Trails Master Plan Committee.

There was discussion regarding the need for a chairperson for the Parks and Trails Master Plan Committee.

Motioned by Councilmember Culver, seconded by Councilmember Almendarez, to appoint Councilmember Gagliardi as the chairperson of the Parks and Trails Master Plan Committee.

Motion approved 6-0-0. Mayor Pro Tem Sabol declared the motion carried.

12. Mayor/Council Member Reports

No reports were given.

13. City Manager/Staff Reports

City Manager Jimmy Stathatos introduced new Chief Finance Officer Caryn Riggs. He reported that the requests for proposals for both the management of The Center and a developer for the Bedford Commons project have been advertised and should be brought to Council at their meeting on April 26, 2022.

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

Executive Session was not held.

ADJOURNMENT

Mayor Pro Tem Sabol adjourned the meeting at 7:27 p.m.

Michael Boyter, Mayor

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ATTEST:

Michael Wells, City Secretary