

Council Minutes June 14, 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 14th day of June, 2022 with the following members present:

Amy Sabol
Dan Cogan
Steve Farco
Rob Gagliardi
Rich Steves

Mayor Pro Tem
Councilmembers

constituting a quorum.

Mayor Boyter was absent from the meeting.

Staff present included:

Jimmy Stathatos
Andrea Roy
Bryn Meredith
Michael Wells
Meg Jakubik
Wes Morrison
Krissi Oden
Cheryl Taylor
Jeff Williams

City Manager
Assistant City Manager
City Attorney
City Secretary
Strategic Services Manager
Planning Manager
Cultural Arts Manager
Public Works Director
Police 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. She stated Mayor Boyter was not feeling well and was not able to attend the meeting.

INAUGURATION OF NEWLY ELECTED OFFICIALS

- **Administer Statement of Elected Officer and Oath of Office to newly elected Council Members Place 3 and Place 5 and presentation of the Certificates of Election.**

City Secretary Michael Wells administered the Statement of Elected Official and Oath of Office to newly elected Council Members Amy Sabol, Place 3 and Steve Farco, Place 5.

INVOCATION

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Pastor Nosa Onaiwu with Arise & Shine Ministries gave the invocation.

PLEDGE OF ALLEGIANCE

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

OPEN FORUM

Tom Culbert, 1925 Charleston Drive, Bedford – Mr. Culbert signed up to speak on Item #12. He stated the employees at the Old Bedford School were concerned about their jobs with the YMCA taking over operations of The Center. City Manager Jimmy Stathatos stated the employees have been told multiple times their jobs would not be impacted. Further, if in the future the City decides to scale back senior operations, they would be guaranteed employment with the YMCA. Mr. Culbert complained that there was no mention of senior dances in the June edition of the Bedford Connection.

CONSIDER APPROVAL OF ITEMS BY CONSENT

City Manager Jimmy Stathatos presented an overview of the items on the consent agenda. In response to a question from Council regarding Item #7, Mr. Stathatos stated funding would come from the money set aside from TXI in escrow and that the purchases were done through an authorized bidding process.

Motioned by Councilmember Cogan, seconded by Councilmember Farco, to approve the following items by consent: 1, 2, 3, 4, 5, 6 and 7.

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

- 1. Consider approval of the following City Council minutes:**
 - a) May 10, 2022 regular meeting**
 - b) May 17, 2022 special meeting**

This item was approved by consent.

- 2. Consider a resolution of the City Council of Bedford, Texas authorizing the submission and acceptance of the FY23 grant application for a FARO 3D Laser Scanner system for the Police Department to the Office of the Governor, Criminal Justice Division. Should the grant be awarded, the City Council authorizes the purchase of the FARO 3D Laser Scanner and for the City Manager to enter into an agreement with FARO.**

This item was approved by consent.

- 3. Consider appointment of Theresa Parsons (Tarrant County) and Susan Alanis (Tarrant County College District) to the Bedford Tax Increment Reinvestment Zone #1 Board of Directors.**

This item was approved by consent.

- 4. Consider a resolution of the City of Bedford suspending the June 17, 2022 effective date of Oncor Electric Delivery Company's requested rate change to permit the City time to study the request and to establish reasonable rates; approving cooperation with the Steering Committee of Cities served by Oncor to hire legal and consulting**

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services and to negotiate with the company and direct any necessary litigation and appeals; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the Company and legal counsel for the Steering Committee.

This item was approved by consent.

- 5. Consider a resolution authorizing the City Manager to enter into a professional services agreement with Infrastructure Management Services in the amount of \$59,747 for pavement data collection services.**

This item was approved by consent.

- 6. Consider a resolution amending the Public Art Policy to further clarify the selection process for winning art submissions.**

This item was approved by consent.

- 7. Consider a resolution authorizing the City Manager, or his designee, to execute contracts and all necessary documents related to the purchase of cubicles and associated office furniture for City Hall, Building C from WRG through a purchasing cooperative or interlocal agreement in an amount not to exceed \$185,000 and the construction of building modifications by DFW Double D Contracting in an amount not to exceed \$4,500.**

This item was approved by consent.

NEW BUSINESS

- 8. Public hearing and consider an ordinance to rezone the property described as Lot 10R1 Block 6 Bedford Meadows Addition, located at 2815 Central Drive, from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/Indoor Amusement Center. (PZ-SUP-2022-500031)**

Planning Manager Wes Morrison presented information regarding this item. He stated the applicant is requesting a specific use permit (SUP) for an indoor amusement center, which would include a party room and other rooms for splattering paint on canvasses and breaking glass and electronics. The proposed location is the Central and Harwood Shopping Center and he presented an overview of the surrounding uses. Mr. Morrison stated the purpose of the SUP is to determine if the use and design are appropriate for the area and if the use is compatible with the surrounding uses and explained that the property is already built and that there would be no exterior changes to the site. He further stated there were no responses to any of the required public notifications. There was discussion at the Planning and Zoning Commission meeting about noise protection, disposal of the electronics and glass, and food or alcohol being served in the party room. Possible conditions for approval were discussed such as requiring sound proofing and limiting hours of operations, though none were added.

There was discussion about adding stipulations regarding soundproofing. Susan and Philip Linter, the applicants, stated the smash room would not be on the same side as the neighboring restaurant and the walls of the room would not touch existing walls. They described how the room would be arranged and soundproofed and stated there should not be any noises to affect surrounding business, inside or out. Regarding the location, they stated they looked for a building

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with suitable square footage and had good visibility and felt they would bring people to the shopping center as it is a destination as opposed to a walk-in type of business. Further, items would primarily be broken on a table in the middle of the room or on a floating wall design, not along common walls of neighboring businesses. Regarding the disposition of electronic equipment, they stated it would not go into the general trash dumpster, that they will have their own dedicated dumpster, and they are pursuing a recycling system for the electronics. They would not be providing food or beverage, though people could bring in their own for such events as parties.

Mayor Pro Tem Sabol opened the public hearing at 6:26 p.m.

Nobody chose to speak during the public hearing.

Mayor Pro Tem Sabol closed the public hearing at 6:26 p.m.

There was discussion on adding stipulations for the applicant to provide staff a solid waste plan at the time of their application for a certificate of occupancy and for soundproofing; recycling electronics and soundproofing in general; and tabling the item until the proper wording could be developed for a stipulation regarding soundproofing.

In response to questions from Council, the Linters stated they intend to hiring professional contractors for the tenant improvements, including soundproofing of the smash room. They would provide protective equipment to people using the smash room. They discussed how they would obtain electronics and stated they would accept donations only during business hours.

Motioned by Councilmember Cogan, seconded by Councilmember Gagliardi, to table an ordinance to rezone the property described as Lot 10R1 Block 6 Bedford Meadows Addition, located at 2815 Central Drive, from Heavy Commercial (H) to Heavy Commercial/Specific Use Permit/Indoor Amusement Center. (PZ-SUP-2022-500031)

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

9. Consider an ordinance amending Chapter 2 – Administration, Article IV. – Boards, Commissions and Committees of the City of Bedford Code of Ordinances; and seek Council direction on appointment process for advisory boards.

City Secretary Michael Wells presented information regarding this item. He stated changes in the ordinance include the deletion of the section regarding the Community Affairs Commission, renaming the Beautification Commission to the Beautification Advisory Board, and updating the number of meetings for the Parks and Recreation Advisory Board and the Beautification Advisory Board to a minimum of six per year. Other changes recommended by staff including reducing the number of both boards to nine to make them the same number as the Library Advisory Board and to all the members of each to sit up on the Council dais if their meetings are eventually moved into the Council Chambers. Further, staff recommended that the chairperson of each board serve as an ex-officio member of the other to help with collaboration.

Mr. Wells stated there was discussion at the previous meeting about possibly updating the purpose of each board. Specifically concerns were previously raised regarding the Beautification Commission serving in a more advisory capacity; however, the language as currently written has them as strictly an advisory board in the development of a beautification program so staff did not see a reason to update the purpose.

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There was discussion regarding the appointment process for the advisory boards. Council was of the consensus to have the appointment process during the normal timeframe in September, to use the standard application form but to limit choices to just two selections, to interview the current members, and to interview applicants in small groups of two to three. There was discussion on appointments to the Animal Shelter Advisory Board and the Ethics Commission, including the loss of a member of the Ethics Commission with the dissolution of the Community Affairs Commission.

Motioned by Councilmember Farco, seconded by Councilmember Gagliardi, to approve an ordinance amending Chapter 2 – Administration, Article IV. – Boards, Commissions and Committees of the City of Bedford Code of Ordinances.

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

10. Consider a resolution authorizing the City Manager to enter into a Professional Services Agreement with TranSystems Corporation Consultants (TranSystems) in the amount of \$251,657.60 for the design of the Gregory and Bedford Court Additions Street and Utility Improvement Project.

Public Works Director Cheryl Taylor presented information regarding this item. She stated the Street Improvement Economic Development Corporation's (SIEDC) five-year Capital Improvement Plan includes the design of several streets in the Gregory and Bedford Court additions. She stated Gregory Avenue was replaced in 2016 so was not included in the project. Water lines were recently replaced in the neighborhoods but there is a need to replace sanitary sewer lines, which is included in the scope of the design contract. Funding in the amount of \$251,657,60 would come from the SIEDC budget for street reconstruction and the Utility Maintenance Fund. The estimated schedule for the design is nine to 12 months, with construction beginning the following summer or early fall.

There was discussion on the SIEDC CIP, the water lines being replaced with State Water Implementation Fund for Texas funding, the sanitary sewer line portion being paid out of the Utility Maintenance Fund, and the previous replacement of Gregory Avenue.

Motioned by Councilmember Cogan, seconded by Councilmember Gagliardi, to approve a resolution authorizing the City Manager to enter into a Professional Services Agreement with TranSystems Corporation Consultants (TranSystems) in the amount of \$251,657.60 for the design of the Gregory and Bedford Court Additions Street and Utility Improvement Project.

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

11. Consider a resolution of the City Council of the City of Bedford, Texas, ordering a special election to be held on Saturday, August 20, 2022 for the purpose of electing a person to City Council, Place 1, with a term to expire May 2024; 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 formally order a special election for Saturday, August 20 to fill the vacancy in Place 1 on the City Council with a term to expire in May 2024. Filing for the election would begin Wednesday, June 15 and run through Monday, July 11. Early voting would begin Wednesday, August 3 and run through Tuesday, August 16. He stated staff recommends holding both early voting and Election Day voting at the Bedford Public Library. Staff further recommended early voting be held in the Technology Center, with Election Day being held in the south meeting room, in order to not

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interfere with summer programming at the Library. The estimated cost of the special election is \$24,000 based on the previous year's costs; however, there are savings from the May election that will help mitigate those costs.

Motioned by Councilmember Gagliardi, seconded by Councilmember Cogan, to approve a resolution of the City Council of the City of Bedford, Texas, ordering a special election to be held on Saturday, August 20, 2022 for the purpose of electing a person to City Council, Place 1, with a term to expire May 2024; authorizing a contract for election services with Tarrant County; and establishing the dates and times for early voting for such election.

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

12. Update and discussion of Bedford's signature festival. **This item requested by Councilmember Cogan.

Councilmember Cogan stated Council discussed at their strategic planning session the previous year determining how the signature festival may look and what it might include, and he asked for an update.

City Manager Jimmy Stathatos stated Council would discuss the festival at their upcoming strategic planning session as well. The City is scheduled to take possession of Generations Park on October 22 and staff has been planning on a celebration for the new park. The signature event is something staff was looking at doing the following year because they want Council feedback. He discussed the time needed for coordination, scheduling, and logistics for such an event.

13. Mayor/Council Member Reports

No reports were given.

14. City Manager/Staff Reports **a) Garage Sale Permits**

Mr. Stathatos stated Bedford is one of the few cities in the area that requires a garage sale permit. Residents are charged \$10.00 and have pick up the signs from the City. He discussed the amount of staff time to process the permits and the lack of return-on-investment. He asked for Council feedback on eliminating the permit and the fee. He stated residents would use their own signs and staff would still have the ability to control the frequency and duration of sales. There was discussion on how to control the frequency and duration of garage sales. Assistant City Manager Andrea Roy stated a lot of enforcement would be complaint-driven and that Neighborhood Services is working on a flex schedule that would allow for enforcement on Saturdays. Council was of the consensus to still require a permit to be able to track garage sales but to eliminate the fee and the requirement of City-issued signs. Further, the requirements regarding number and placement of signs would remain in place. Ms. Roy stated staff would move forward with the change when their new online permit system is implemented.

EXECUTIVE SESSION

- a) Pursuant to Section 551.071. Consultation with City Attorney regarding:
 - Drainage issue
 - A contract with A&M Construction and Utilities-Harwood Road Hurst City Limits to Bedfordshire Water System Improvements
- b) Pursuant to Section 551.087. Deliberations regarding economic development

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negotiations – Tax Increment Reinvestment Zones

Council convened into Executive Session pursuant to Texas Government Code Section 551.071. Consultation with City Attorney regarding a drainage issue and a contract with A&M Construction and Utilities-Harwood Road Hurst City Limits to Bedfordshire Water System Improvements; and Section 551.087. Deliberations regarding economic development negotiations – Tax Increment Reinvestment Zones, at 7:07 p.m.

Council reconvened from Executive Session at 7:51 p.m.

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

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

ADJOURNMENT

Mayor Pro Tem Sabol adjourned the meeting at 7:53 p.m.

Michael Boyter, Mayor

ATTEST:

Michael Wells, City Secretary