

Council Minutes August 13, 2019

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 13th day of August, 2019 with the following members present:

Michael Boyter	Mayor Pro Tem
Dan Cogan	Council Members
Ruth Culver	
Roger Fisher	
Amy Sabol	
Rusty Sartor	

constituting a quorum.

Mayor Griffin was absent from the meeting.

Staff present included:

Brian Bosshardt	City Manager
Cliff Blackwell	Assistant City Manager
Michael Wells	City Secretary
Matt Butler	City Attorney
Stephanie Ayers	Human Resources Director
Sean Fay	Fire Chief
Natalie Foster	Public Information Officer
Jeff Gibson	Police Chief
Wendy Hartnett	Special Events Manager
Meg Jakubik	Strategic Services Manager
Maria Joyner	Finance Director
Kenny Overstreet	Public Works Director
David Smyth	Field Operations Manager
Bill Syblon	Development Director
Brian TenEyck	Recreation Manager

WORK SESSION

Mayor Pro Tem Boyter called the Work Session to order at 5:30 p.m. He wished Mayor Griffin a speedy and healthy recovery.

• Quarterly Financial Status Report

Strategic Services Manager Meg Jakubik gave a financial report on the third quarter of the City's fiscal year. She presented information on the General Fund, including a comparison of actual, budgeted and projected revenue and expenditures, and a comparison of revenues and expenditures from Fiscal Year 2018 and 2019. She presented information on the Water and Sewer Fund, including three-year histories of revenue and expenditures. She presented information on other funds, including Tourism, Stormwater, and the Street Improvement

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Economic Development Corporation (SIEDC). There was discussion on a rebate from the Trinity River Authority and legal proceedings to collect delinquent hotel occupancy taxes. In response to questions from Council, Ms. Jakubik confirmed sales tax is tracking to exceed budget and property tax revenues are in line with projections.

- **Development of an Art and Cultural Grant Program.**

City Manager Brian Bosshardt stated a representative from ONSTAGE requested funding assistance from the City's hotel occupancy tax (HOT) funds at the Council meeting on May 14, 2019. Council was of the consensus to develop a grant program for art and cultural non-profits. Staff researched state law and reviewed other cities' grant programs, and developed the outline of guidelines for such a program. He requested input from Council regarding the entity that would oversee the application process and make recommendations to Council, which could be a City board or commission, a group of Councilmembers and staff, or an outside group. He stated approximately \$75,000 was identified in the Tourism Fund for the program, which came from the move of the Communications Division to the General Fund, and funds previously granted to Arts Council Northeast. There was discussion on the criteria for the program; how programs operate in other cities; using a third party to manage the program; the size of the grants; developing a separate public art program; and creating a cultural development plan. There was a consensus of Council to earmark funds for local art and cultural programs. There was discussion on the next steps for developing the program; painting the City's utility boxes; using the funds for multiple purposes; earmarking a percentage of HOT funds instead of a set amount; and the role of the Cultural Commission, including oversight of public art. A majority of Council were in favor of the grant program being managed in-house. There was further discussion on Council representation on the entity overseeing the program.

Mayor Pro Tem Boyter adjourned the Work Session at 6:18 p.m.

REGULAR SESSION

The Regular Session began at 6:30 p.m.

CALL TO ORDER/GENERAL COMMENTS

Mayor Pro Tem Boyter called the meeting to order. He stated Item #11 was pulled from the agenda.

INVOCATION (Jim Pack, CityLife Church DFW)

Jim Pack with CityLife Church DFW gave the invocation.

PLEDGE OF ALLEGIANCE

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

ANNOUNCEMENTS/UPCOMING EVENTS

Public Information Officer Natalie Foster reported on upcoming events, including the Bedford Blues and BBQ Festival from August 30 through September 1, 2019. She stated City offices will be closed on September 2, 2019 for Labor Day, and September is Library Card Sign-up Month.

OPEN FORUM

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Tom Jacobsen, 1632 Bedfordshire Street, Bedford – Mr. Jacobsen, chairperson of the Cultural Commission, signed up to speak on Item # 6. He discussed the arts making people feel good and being an economic engine to benefit communities. He stated the Commission is concerned that if nothing dramatic is done by Council, ONSTAGE and the Trinity Arts Guild (TAG) might disappear or go elsewhere because of the Phase Next construction. He suggested helping the non-profits through economic redevelopment, diverting HOT funds towards the non-profits, developing new art facilities in parallel with Phase Next, and using a citizen task force to look at properties and developing ideas.

Josh Santillan, 3120 Meadow Wood, Bedford – Mr. Santillan signed up to speak on Item #6. He discussed TAG, which is currently located at the Boys Ranch in the Arts Council Northeast Building. He stated they needed to be kept under consideration and he feared they would be overlooked during the Phase Next project.

Patty Jasper, 657 Lakeside, Bedford – Ms. Jasper with TAG stated they are concerned about where they will be placed in the interim and that it is difficult for them to perceive having to pay a full retail rent and storage as a non-profit. She stated they are an integral part of the community and it would be a shame to see them disband or move out of Bedford. She discussed their art programs.

CONSIDER APPROVAL OF ITEMS BY CONSENT

City Manager Brian Bosshardt presented an overview of items on the consent agenda.

Motioned by Councilmember Fisher, seconded by Councilmember Sartor, to approve the following items by consent: 1, 2, 3, 4 and 5.

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

- 1. Consider approval of the following City Council minutes:**
 - a) July 9, 2019 regular meeting**
 - b) July 23, 2019 work session**
 - c) July 23, 2019 joint work session**

This item was approved by consent.

- 2. Call a public hearing on the proposed FY 2019-2020 budget to be held on August 27, 2019 at 6:30 p.m. in the City Hall Council Chambers.**

This item was approved by consent.

- 3. Receive the 2019 Ad Valorem Tax Roll from the Tarrant Appraisal District as certified by the Chief Appraiser Jeff Law.**

This item was approved by consent.

- 4. Receive the certified anticipated collection rate from the Tarrant County Tax Assessor Collector for the City of Bedford, Texas.**

This item was approved by consent.

- 5. Consider a resolution authorizing the City Manager to enter into a contract with Wendy Burgess, Tarrant County Tax Assessor-Collector and Tarrant County, for the**

assessment and collection services of ad valorem taxes levied by the City of Bedford; and providing an effective date.

This item was approved by consent.

PERSONS TO BE HEARD

6. **The following individuals have requested to speak to the Council tonight under Persons to be Heard:**
- a) **Tom Culbert, 1925 Charleston Drive, Bedford, Texas 76022 - Request to speak to Council regarding the Senior Center.**

Mr. Culbert was not in attendance at the meeting.

- b) **Carol Berry, 2309 Mesquite Court West, Bedford, Texas 76021 - Request to speak to Council regarding senior housing.**

Carol Berry, 2309 Mesquite Court West, Bedford, Texas 76021 – Ms. Berry stated on behalf of senior citizens, she would like to see better and more affordable housing in the City, such as a small scale one or two-bedroom townhouse. She has done research and spoken to seniors regarding this matter, who agree with her.

- c) **Mike Hathaway, 2821 Forest Ridge Drive, Bedford, Texas 76021 - Request to speak to Council regarding the future of ONSTAGE.**

Mike Hathaway, 2821 Forest Ridge Drive, Bedford, Texas 76021 – Mr. Hathaway with ONSTAGE stated he was asked what it would take to modify the auditorium at the OBS to produce shows. He presented the results of a survey put on their Facebook page and email newsletter, which showed most of the 86 respondents felt the Old Bedford School (OBS) is a historically valued building but should be repurposed for whatever the City sees fit, followed by those that felt it should continue to remain a historic building. He stated most respondents, including non-Bedford residents, know where the OBS is located. Regarding renovating the OBS for the arts center, most respondents said Council should examine any location that fits within the announced budget. He discussed plans to temporarily house the Senior Center at the OBS during the Phase Next construction and stated it could not be renovated while its being used. He presented an overview of additional comments that were made on the survey.

Mr. Hathaway recommended that during the construction, the Senior Center be moved to the downstairs of the OBS, and the upstairs be renovated and made exclusive for ONSTAGE. After construction, it could then be opened to other arts groups. The arts center could be built behind and connected to the OBS. After the arts center opens, the downstairs could be modified for rehearsal and box office space. He presented an overview of the renovations needed for the OBS for ONSTAGE. He proposed ONSTAGE pay \$12,000 a year in rent including utilities, which could be paid from a HOT funds grant, and that they produce a summer musical using HOT funds. He discussed the new Coppell Arts Center as an example of an arts center. He asked Council to make a decision as ONSTAGE is running out of time. He stated they do not have the money to rent their own space and will not survive, and without a major commitment from the City, they will not be able to obtain grant funds from anybody else.

COUNCIL RECOGNITION

7. **Employee Service Recognition**

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

John Ripley, Police Department - 35 years of service
Clifford Box, Fire Department - 25 years of service
Noel Scott, Police Department - 15 years of service
Jason Richer, Police Department - 15 years of service
Christopher Conner, Fire Department - 15 years of service

- 8. Consider a resolution authorizing the Beautification Commission to recognize Brown Trail Animal Hospital and Pizza Hut as recipients of the Business Recognition Award and 876 Lee Drive and 61 Coffee Tavern Road as recipients of the Residential Recognition Award, for maintaining, improving, and /or keeping their property visually attractive to the community.**

Beautification Commission Chairperson Marty Geer presented information on the awards. The awards will be presented on August 24, 2019 starting at 10:00 a.m.

Motioned by Councilmember Sabol, seconded by Councilmember Cogan, to approve a resolution authorizing the Beautification Commission to recognize Brown Trail Animal Hospital and Pizza Hut as recipients of the Business Recognition Award and 876 Lee Drive and 61 Coffee Tavern Road as recipients of the Residential Recognition Award, for maintaining, improving, and /or keeping their property visually attractive to the community.

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

OLD BUSINESS

- 9. Public hearing and consider an ordinance to amend the City of Bedford Zoning Ordinance Number 2275, specific to Section 5.13.A., Clothing Donation Containers; declaring that this ordinance be cumulative of all other ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. This item tabled at the July 9, 2019 regular Council meeting. (PZ-ZONING AMEND-2019-50044)**

Council convened into Executive Session 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 to discuss this item at 7:31 p.m.

Council reconvened from Executive Session at 8:13 p.m. Any necessary action to be taken as a result of the Executive Session will occur during the Regular Session.

Mayor Pro Tem Boyter opened the public hearing at 8:15 p.m.

Nobody chose to speak during the public hearing.

Mayor Pro Tem Boyter closed the public hearing at 8:15 p.m.

Motioned by Councilmember Culver, seconded by Councilmember Sabol, to table an ordinance to amend the City of Bedford Zoning Ordinance Number 2275, specific to Section 5.13.A., Clothing Donation Containers; declaring that this ordinance be cumulative of all other

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ordinances; providing for a severability clause; providing for a penalty clause; and declaring an effective date. (PZ-ZONING AMEND-2019-50044)

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

10. Discussion and possible action regarding median curb painting in the City of Bedford. This item tabled at the July 9, 2019 regular Council meeting. **This item requested by Councilmembers Boyter and Cogan.

Councilmember Cogan stated this item came from discussions with a concerned resident and is not meant as a criticism of what the City is currently doing, but that it is beneficial to look at what is currently being done to see if it can be improved. He presented examples of painted median curbs in Hurst and stated he has seen examples in many other cities in the metroplex, and that it is primarily a safety issue. Public Works Director Kenny Overstreet stated the City does not paint the medians because they would have to be repainted every two years and it is not required in the uniform traffic control manuals. Staff received a quote for approximately \$8,000 to paint the medians on Harwood Road to the City limits. He stated another option is to use reflective triangles at a cost of \$3,000 to \$4,000, which would last ten years. In response to questions from Council, he stated staff does not intend to paint the medians, but there are reflective materials installed at certain intersections in the City. There was discussion on the names of streets being painted on the curbs, different options for reflective materials, opportunities to improve safety, and bringing this item to the Street Improvement Economic Development Corporation board.

NEW BUSINESS

11. Public hearing and consider a resolution approving a site plan for Lot 14, Block 4, Loma Verde Addition located at 2105 El Campo Street, Bedford, Texas, allowing Lynette Baptiste with Sylvan Meadows HCS LLC to operate a community home specific to Section 3.2.C.1.n of the City of Bedford Zoning Ordinance. The property is zoned Planned Unit Development (PUD). The subject property is generally located south of El Campo Street and west of Loma Verde Drive. (PZ-SP-2019-50021)

This item was pulled from the agenda.

12. Consider a proposed tax rate and set two public hearings on the proposed tax rate, if required.

Ms. Jakubik presented information regarding this item, which is to set the maximum tax rate the Council would consider on September 10, 2019. She stated the effective tax rate is \$0.524732 per \$100 valuation. The rollback rate is \$0.543844 per \$100 valuation and was used to calculate the revenue in the proposed budget. The current tax rate is \$0.561862 per \$100 valuation. Two public hearings on the tax rate will be held on August 27 and September 3, 2019 in the Council Chambers.

Mayor Pro Tem Boyter discussed the state of the City's finances and changes in budgetary needs over time; projected budget deficits; increases in costs to hire and retain employees, and conduct business; the increased draw on emergency services and the impact of the senior tax freeze on revenue; the impact of increased traffic and crime on Police services; the impact of the City's history of lowering taxes and limiting City services; the impact of state legislation on the budget; economic cost stability in the budget; new approaches to economic development to create new sources of revenue; and the City's strategic plan.

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Motioned by Mayor Pro Tem Boyter, seconded by Councilmember Sabol, to consider a tax rate of \$0.569 per \$100 assessed valuation to be voted on the September 10, 2019 agenda, and schedule a public hearing to discuss the tax rate on Tuesday, August 27, 2019 at 6:30 p.m. at Bedford City Hall and a second public hearing to discuss the tax rate on Tuesday, September 3, 2019 at 6:30 p.m. at Bedford City Hall.

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

13. Consider a resolution authorizing the City Manager to enter into an agreement with AETNA for the City's employee dental benefits effective October 1, 2019.

Andrew Weegar with HUB, the City's benefits consultant, stated request for proposals were only issued for dental insurance, as the other line of the benefits were in rate guarantees. He presented an overview and strategy for the City's benefits. The City offers three health plans through Cigna, and during the previous year's renewal process, a two-year rate guarantee was secured. Plan design changes were implemented to align benefits with municipal benchmarks and contributions were made to employees' Health Savings Account to drive migration to the less expensive high-deductible health plans. City funding is 82.6 of total healthcare spent, which is line with benchmarks. The City contracted with Texas Health Resources for the employee health clinic. Mr. Weegar presented an overview of the City's medical plans and stated through May, the loss ratio between claims and premiums was 59 percent. The loss ratio for dental was at 100 percent and therefore, an increase in cost was anticipated. Aetna's proposal came in at a four percent increase, along with a two-year rate guarantee and a \$17,000 premium credit. The increase from Cigna was seven percent and therefore, staff is recommending contracting with Aetna. He stated Cigna will provide a wellness program at no additional charge, which will be rolled out on October 1, 2019. He presented an overview of other benefits offered by the City. There was discussion on the premium credit offered by Aetna and the trend in medical insurance rates.

Motioned by Councilmember Sartor, seconded by Councilmember Culver, to approve a resolution authorizing the City Manager to enter into an agreement with AETNA for the City's employee dental benefits effective October 1, 2019.

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

14. Consider a resolution authorizing the City Manager to enter into a professional services agreement with Schrickel Rollins/PSC, in the amount of \$43,500 for the design of the 45th Year Community Development Block Grant (CDBG) Bedford Court East Paving Improvements (Brown Trail to Hurst City Limits) project.

Public Works Director Kenny Overstreet presented information regarding this item. He stated the City can file for a grant from Tarrant County Community Development every two years. The City's project for Bedford Court East was approved by the Tarrant County Commissioner's Court for up to \$155,000. The County had three engineering firms from which the City could select to do the project's design work, and staff is recommending Schrickel Rollins, who has done work for the City previously. The road work will consist of replacing the old asphalt with six inches of concrete, and replacing the curbs and gutters. In response to questions from Council, Mr. Overstreet stated he hoped to have everything submitted to the CDBG board by October.

Motioned by Councilmember Fisher, seconded by Councilmember Culver, to approve a resolution authorizing the City Manager to enter into a professional services agreement with Schrickel Rollins/PSC, in the amount of \$43,500 for the design of the 45th Year Community

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Development Block Grant (CDBG) Bedford Court East Paving Improvements (Brown Trail to Hurst City Limits) project.

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

15. Consider a resolution authorizing the City of Bedford Public Works Department to submit a detailed application for grant funding through the 2019 Transportation Alternatives and Safe Routes to School Program call for projects.

Mr. Overstreet presented information regarding this item. He stated staff was notified in April about the opportunity to seek zero-match funding for safe routes to school. Staff submitted a preliminary application to the Texas Department of Transportation (TxDOT) and received notification that they would like the City to submit a formalized application packet, which requires Council's approval. Several locations in the City were identified to add sidewalks and handicap ramps, as well as to connect sidewalks and trail extensions. Field Operations Manager David Smyth stated the City initially applied for approximately \$847,000 in grant funding, which was reduced to approximately \$645,000 as the application process was refined. He stated low-to-moderate income areas would get preference. He presented an overview of the locations being recommended by staff for the program. There was discussion on the City's previous application for the program, including why it was not approved; the application process; the reasons the project locations were chosen by staff; and safer crosswalks discussed by the SIEDC board.

Motioned by Councilmember Cogan, seconded by Councilmember Sartor, to approve a resolution authorizing the City of Bedford Public Works Department to submit a detailed application for grant funding through the 2019 Transportation Alternatives and Safe Routes to School Program call for projects.

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

16. Mayor/Council Member Reports

Councilmember Sartor praised the Fire Department's C-Shift at Fire Station 1, with whom he recently spent time, and stated the City is blessed to have their professionalism.

17. Report on most recent meeting of the following Boards and Commissions:

✓ Animal Shelter Advisory Board

Councilmember Fisher reported the "Clear the Shelter" event will be held during the weekend at the Animal Shelter.

✓ Beautification Commission

Mayor Pro Tem Boyter reported the Commission continues to challenge themselves to have a bigger impact in the City.

✓ Community Affairs Commission

No report was given.

✓ Cultural Commission

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No report was given.

✓ **Library Advisory Board**

No report was given.

✓ **Parks and Recreation Board**

No report was given.

✓ **Teen Court Advisory Board**

No report was given.

18. City Manager/Staff Reports

Mr. Bosshardt stated there were issues with a mill and overlay project on Mayfair Hill Courts due to a subgrade failure; however, the contractor completed the work that day. Moving forward, Public Works will perform core sampling before starting any mill and overlay work. In response to questions from Council, Mr. Overstreet stated in the past, the City did not want to pay to haul off old materials, which were instead milled to the middle of the road and then paved over. He discussed core sampling, the Fugro street rating assessment, and upcoming road projects.

19. 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 Boyter adjourned the meeting at 9:12 p.m.

Jim Griffin, Mayor

ATTEST:

Michael Wells, City Secretary