



**MINUTES
REGULAR COUNCIL MEETING
January 18, 2011
7:00 P.M.**

The City Council of the City of Forest Hill met on the above date at **7:00** P.M. with Mayor Pro Tem Dulani Masimini presiding. The following Council Members and officials were present: Damian Dalcour, Lyndia Thomas, Gerald Joubert, Andrew Sanders, Mustafa Sami, City Manager Sheyi I. Ipaye, City Secretary Grace Edwards, Police Chief Robert Herbert, Fire Chief Ed Henderson, and City Attorney Warren Spencer. The following Council Members and officials were absent: James Gosey, Mayor.

Opening Agenda:

A. Call to Order

With a quorum present Mayor Pro Tem Masimini called the meeting to order at 7:00 P.M.

B. Invocation

Invocation was delivered by Sheyi Ipaye, City Manager.

C. Pledge of Allegiance to Flags

Pledge to the United States and Texas flags were recited.

D. Proclamation: Mrs. Shirley Fowkes (Dulani Masimini, Mayor Pro Tem)

A proclamation was presented to Shirley Fowkes by Mayor Pro Tem Dulani Masimini for her humanitarian efforts.

E. Presentation: Award Presentation for the City of Forest Hill Department's "Employee of the Year 2010" (Public Works, Administration, Police and Fire)

Sheyi Ipaye, City Manager and Mayor Pro Tem Dulani Masimini presented the following recipients Cecile Yancey, Public Works, Bobbie Spence, Administration, Janice Humphrey, Police Department, and Robert Chapman, Fire Department with a plaque and all but Cecile Yancey with a \$50 gift card for their employee of the year nomination. Mrs. Yancey received a \$100 gift card and a plaque, she was the individual chosen as the 2010 Employee of the Year. Congratulations to Mrs. Cecile Yancey, and all of the 2010 Employee of the Year Nominees.

Presentation: Award Presentation for the Forest Hill Library District's "Employee of the Year 2010" (Sheyi Ipaye, City Manager)

Sheyi Ipaye, City Manager and Daniel Berdaner, Director, and Library Board Members Bonnie Winkfield, and Charlotte Hogan Price presented Alicia Driver, Children's Librarian, Forest Hill

Library District, with a plaque and a \$50 gift card for her nomination as the Forest Hill Library Districts Employee of the year. Congratulations to Ms. Alicia Driver.

Presentation: National League of Cities Conference, Denver, Colorado (Lyndia Thomas, Council Member)

Mrs. Lyndia Thomas, Council Member and Mr. Damian Dalcour, Council Member gave an informative and enlightening PowerPoint presentation about their recently attended National League of Cities Conference in Denver, Colorado. Both Council Members thanked the residents of Forest Hill for allowing them to attend this training conference.

F. City Manager's Report:

- **Update on FY 2009-2010 Annual Financial Audit Report**

The Annual Financial Audit Report was moved to the February 1, 2011 meeting.

- **Update on the City of Forest Hill Home Rehabilitation Program**

The City of Forest Hill Home Rehabilitation Program and Tarrant County are currently working on fourteen (14) projects. Currently five (5) homes have been completed. The addresses are listed as follows: 7316 Falmouth Drive, 6921 Stonewall Road, 6840 Wanda Drive, 4732 Richard Street, 7305 Fredericksburg Drive. The City of Forest Hill received \$128,000.00 from Tarrant County to complete the five properties, and the City of Forest Hill contributed \$31,842.50. Two permits have been pulled for 6629 Plantation Drive and 6412 Saddlehorse Lane. Rehabilitation efforts have begun on these two properties as we speak. All of the aforementioned properties have been on the waiting list for the last three years.

- **Update on the City of Forest Hill, Texas local park grants**

Sheyi Ipaye, City Manager shared a report from the Texas Department of Wildlife. The City of Forest Hill received a grant for Griggs Park from the Texas Department of Wildlife. Due to problems associated with the appraisal of the three (3) acres donated to the City of Forest Hill. There is a substantial difference between the estimated value and the appraised value of this property. Texas Department of Wildlife will re-grade the City of Forest Hill's application for grant monies. If the City of Forest Hill scores high enough to win any award, they will inform us of the determination in the near future. Sheyi Ipaye informed the City Council and citizens that the Griggs Park Project has been placed on hold.

G. Boards and Commissions Report:

- **Update from Chair of all Boards and Commissions**

Berniece Taylor Johnson, Chair, Planning and Zoning Commission – Mrs. Johnson has been the Chair of the Planning and Zoning Commission for twelve plus (12+) years. She encourages all members to attend all Planning and Zoning Meetings. Mrs. Johnson informs the City Council that the Planning and Zoning Board has one member that has three (3) unexcused absences from meetings, and currently has not been sworn in. Mrs. Johnson asked the City Council for an approval for a replacement member. Thanks you Mrs. Johnson.

Ozell Birks, Commissioner, Civil Service Commission – Mr. Birks sends his apologies for not being able to attend tonight's meeting, however, he stated that the Civil Service Commission has what they need and all is well. The Civil Service Commission does not need any assistance from the City Council at this time. Thank you Commissioner Birks.

Pearl Jones, Chair, Parks and Clean City Commission – Mrs. Jones was unable to

attend the meeting tonight due to illness, however, she submitted a report to Mayor Pro Tem Masimini for which he read aloud. Mrs. Jones gave several suggestions that she felt would encourage individuals to volunteer and support the Parks and Clean City Commission as well as other City of Forest Hill Boards and Commissions. Mrs. Jones suggested marketing the positive and cultural aspects of the City of Forest Hill. Thank you Mrs. Jones.

Shirley Fowkes, Secretary, Celebration Committee – Mrs. Fowkes handed out a schedule of activities/events for FY 2011 and a thoughtful party kit (bag of treats). Mrs. Fowkes stated that the Celebration Committee likes to see the City of Forest Hill and its residents have fun, she, and the Celebration Committee work very hard to promote this special process. The Celebration Committee has adopted a new motto “Celebrate Everything!”. Mrs. Fowkes stated that the Celebration Committee’s mission is to please. Thank you Mrs. Fowkes.

Jerline Harvey, Board Director, Forest Hill Library District – Mrs. Harvey stated that the Forest Hill Library District has received \$4,000.00 in grant monies, and is currently working on a \$75,000.00 grant in conjunction with the North Texas Library Assistance Program. The Library District has eleven (11) new computers that will be available for use in the library; which brings the total public access computers to twenty-three (23). Three laptop computers were donated by Atmos Energy, and new furniture was delivered to the City of Forest Hill Public Library yesterday. Additionally, Mrs. Harvey informed the City Council that the Library is receiving new books every day. Mrs. Harvey acknowledged the Library Districts hard working staff. The Forest Hill Library’s Black History Program is scheduled for February 26, 2011, which will include renowned artists, musicians and authors. Moreover, a warm welcome was extended to all visitors of the Forest Hill Library. Thank you Mrs. Harvey.

Clara Faulkner, Chair, Zoning Board of Adjustments – Mrs. Faulkner shared with the City Council that she does not have a report, she has questions. The last meeting that the Zoning Board of Adjustments had was February 22, 2010 for which both the Board of Adjustments Liaison, Lisa Cabrera and the City Secretary, Grace Edwards have worked very diligently to provide her with a copy of the minutes from that particular meeting. Mrs. Faulkner informed the City Council that she does not have contact information for the other members of the Zoning Board of Adjustments because it has been sometime since the last meeting. She has several questions about the process for retrieving information to share with the other members of the Board, and additional questions were mentioned with regard to scheduling of future meetings. Mrs. Faulkner asked for clarity from the City Council. Conclusively, Mrs. Faulkner welcomes the necessary information to move the Board of Adjustments forward in an effective and positive direction. Thank you Mrs. Faulkner.

H. Citizens Presentation: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

Loretta Muldrew, 3300 Valley Forge Trail – Mrs. Muldrew stated that she had concerns about Deliberation Agenda Item #2, and #3 being on the agenda. She stated that if deliberation agenda item #2 has been placed on the agenda; the City Council would need to refer back to the items listed on the second agenda from the December 9, 2010 special council meeting. Those items should also be placed on the agenda and heard as well. Mrs. Muldrew stated that the residents should hear all of the issues or none of the issues. Mrs. Muldrew feels that the City Council Members are behaving unprofessionally, and are becoming progressively worse.

I. Consent Agenda: - All consent agenda items are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Council Member so requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Consider the minutes of January 4, 2011 regular council meeting.

Council Member Sami made a motion to accept consent agenda item #1, seconded by Council Member Joubert, which *passed* as follows:

Ayes: Mayor Pro Tem Masimini and Council Members: Dalcour, Thomas, Joubert, Sanders, and Sami

Nays: None

Absent: Mayor, James Gosey

J. Deliberation Agenda:

2. Discuss and consider possible action authorizing an investigation into the allegation of sexual harassment against Damian Dalcour, Council Member. (Lyndia Thomas, Council Member)

Council Member Thomas made a motion to authorize the City Manager and City Attorney to investigate the allegation of sexual harassment against Council Member Dalcour, the authorization shall include the option to hire a third party investigator to assist with an investigation, seconded by Council Member Dalcour which *did not pass* as follows:

Ayes: Council Members: Dalcour, Thomas, and Joubert

Nays: Mayor Pro Tem Masimini and Council Member Sanders

Council Member Sami asked to speak with regard to this issue. After an extensive discussion ensued between several City Council Members. The vote screen was cleared, and a second vote was recorded. Council Member Sami had several concerns about a fair and impartial investigation, and costs to the City. Council Member Thomas stated that ordinarily she would not have brought this issue to the City Council, however, after listening to Council Member Dalcour's concerns about his image as well as him wanting an investigation to clear his name, she felt compelled to bring this issue forward. Council Member Joubert stated that the bleeding must stop. Mayor Pro Tem Masimini stated that this item should be addressed as a civil matter and not a city matter. The final recorded vote is as follows:

Ayes: Council Members: Dalcour, Thomas

Nays: Mayor Pro Tem Masimini and Council Members: Joubert, Sanders, and Sami

Absent: Mayor, James Gosey

3. Discuss and consider possible action regarding allegations of unethical conduct (credit card abuse), by Mustafa Sami, Council Member. (Sheyi Ipaye, City Manager)

Council Member Sami briefly spoke before the City Council and the residents of Forest Hill; he addressed his concerns with how this matter has been handled, thus far. An extensive discussion ensued.

Council Member Thomas made a motion to suspend Council Member Sami for four (4) months for allegations of unethical conduct, seconded by Council Member Dalcour which *did not pass* as follows:

Ayes: Council Members: Dalcour, Thomas, Sanders

Nays: Mayor Pro Tem Masimini and Council Members: Joubert, Sami

Absent: Mayor, James Gosey

4. Discuss and consider possible action to include all auditor(s) are hired and receive instructions directly from the City Council, and reflect this change on the City of Forest Hill organizational chart. (Dulani Masimini, Mayor Pro Tem)

No action was taken on Deliberation Item #4.

5. Discuss and consider possible action regarding Board of Adjustments appointments. (Dulani Masimini, Mayor Pro Tem)

Deliberation Item #5 was pulled by Mayor Pro Tem Masimini.

6. Discuss and consider possible action regarding Parks and Clean City Committee appointments. (Dulani Masimini, Mayor Pro Tem)

Council Member Thomas made a motion to appoint Armando Villareal to the Parks and Clean City Committee, seconded by Council Member Joubert which *passed* as follows:

Ayes: Mayor Pro Tem Masimini and Council Members: Dalcour, Thomas, Joubert, Sanders, and Sami

Nays: None

Absent: Mayor, James Gosey

Council Member Dalcour left the meeting during executive session at 9:20 P.M.

RECESS INTO EXECUTIVE SESSION - Pursuant to Section 551.071, Texas Government Code, the Council reserves the right to convene in Executive Session(s) from time to time as deemed necessary during this meeting for any posted agenda item, to receive advice from its attorney as permitted by law.

7. **Section 551.074, Texas Government Code: Personnel Matters (a)(1) to deliberate the appointment, employment, employment evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee:**

1. Discuss and consider possible action regarding goals/duties, evaluation tools, and performance of City Manager, and City Secretary. (Dulani Masimini, Mayor Pro Tem)
2. Discuss and define the duties and responsibilities of the City Secretary. (Dulani Masimini, Mayor Pro Tem)

- K. Reconvene into regular session.**

Council reconvened into regular session at 10:47 P.M.

- L. Take any action necessary pursuant to executive session.**

Council Member Sami made a motion to accept the changes that were made to the city secretary goals and objectives that were discussed in executive session, seconded by Council Member Sanders which *passed* as follows:

Ayes: Mayor Pro Tem Masimini and Council Members: Thomas, Joubert, Sanders, and Sami

Nays: None

Absent: Mayor, James Gosey and Council Member: Dalcour

M. Adjournment

With no further business to discuss the meeting was adjourned at 10:51 P.M.

Grace Edwards, City Secretary

Dulani Masimini, Mayor Pro Tem