



MINUTES
REGULAR COUNCIL MEETING
January 19, 2010
7:00 p.m.

The City Council of the City of Forest Hill met on the above date at 7:19 p.m. with Mayor James Gosey presiding. The following Council Members and officials were present: Council Members Damian Dalcour, Gerald Joubert, Dulani Masimini, Andrew Sanders, Mayor Pro Tem Mustafa Sami, Interim City Manager Debra Maness, Acting City Secretary Grace Edwards, Fire Chief Pat Ekiss, Interim Police Chief Robert Herbert, Acting Public Works Director Roberto Duenes, Finance Director Clifford Blackwell, III. Council Member Lyndia Thomas – absent.

Opening Agenda:

A. Call to Order

With a quorum present, Mayor James Gosey called the meeting to order at 7:19 p.m.

B. Invocation

Invocation was delivered by Pastor Smith of Berea Baptist Church.

C. Pledge of Allegiance to Flags

Pledge to the United States and Texas flags were recited.

D. Proclamation - 2010 Census

Maria Gomez and Brandi Curtis – U.S. Census Bureau employees briefly introduced themselves to the council, officials and others in attendance. Mayor Gosey read the Proclamation.

E. 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.

Nancy Stowe, 3643 Cardinal Ridge – addressed the council stating that Mr. and Mrs. Hunt owned property until it was sold to the City to be used as the Public Works Building. Ms. Stowe would like for the City to place a memorial on the property.

Ann Frost, 3708 Grady Street – addressed the council stating that she would like to see Robert Herbert Interim Police Chief promoted to Police Chief. Robert Herbert knows the community well and would make a great Police Chief.

F. Staff Report

Director of Economic Development and Community Relations – Venus Wehle

- Update on Parks Grant Application – Outdoor Grant Application submitted for Griggs Park improvements, scored 90 out of 100 points, 1 of 4 cities to receive money. City of Forest Hill will receive \$491,000.00, that amount must be matched by city; matching

shares are as follows; \$100,000.00 cash from city, \$360,000.00- 3 acre land donation-Mr. Metiff, Rose Crest Estates, \$31,000.00 donation equaling- labor, equipment, materials.

G. Consent Agenda:- All consent agenda items listed 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 minutes of the January 5, 2009 regular council meeting.

Council Member Joubert made the motion to accept the consent agenda as presented. Seconded by Council Member Masimini; which **passed** as follows:

Ayes: Council Members Dalcour, Joubert, Masimini, Sanders, Mayor Pro Tem Sami,
Mayor Gosey
Nays: None
Absent: Council Member Thomas

H. Deliberation Agenda

2. **Discuss and consider possible action on Resolution 20-2009, a resolution of the City of Forest Hill granting approval of project of the Forest Hill Community Development Corporation. (Clifford Blackwell, Finance Director)**

Council Member Masimini made the motion to accept Resolution 20-2009 of the City of Forest Hill granting approval of the Forest Hill Community Development Corporation as presented. Seconded by Council Member Sanders; which **passed** as follows:

Ayes: Council Members Dalcour, Joubert, Masimini, Sanders, Mayor Pro Tem Sami,
Mayor Gosey
Nays: None
Absent: Council Member Thomas

3. **Discuss and consider possible action; amendment to Appendix A of the Parks Ordinance #2009026, adding a \$15 per hour fee for "coordinated organizations" and \$20 per hour fee for "non-coordinated organizations". (Pearl Jones, Parks and Clean City Committee)**

Council Member Masimini made the motion to accept the amendment to Appendix A of the Parks Ordinance. Seconded by Mayor Gosey; which **failed** as follows:

Ayes: Council Members Dalcour, Masimini, Mayor Gosey
Nays: Council Members Joubert, Mayor Pro Tem Sami
Abstained: Council Member Sanders
Absent: Council Member Thomas

4. **Discuss and consider possible action on the update of the Public Works building located at 3101 Horton. (Pat Ekiss, Fire Chief)**

This item was tabled until the next scheduled council meeting, February 2, 2010.

Council Member Dalcour was excused from council meeting at 8:00 p.m.

5. Discuss and consider possible action on the update of the City Hall building located at 3219 California Parkway. (Pat Ekiss, Fire Chief)

Council Member Joubert motioned to table item until Fire Chief Pat Ekiss provides some figures for the redesign.

Motion **died** due to a lack of second.

Mayor James Gosey encouraged all to view the new city hall building. Council Member Joubert suggested that Fire Chief Pat Ekiss have the redesign drawn up to help provide figures for redesign.

Council Member Masimini motioned to redesign the city hall building to include a larger council chamber, additional offices; also bring back the redesign, as well as the cost to the Council. Seconded by Council Member Sanders; which **passed** as follows:

Ayes: Council Members Masimini, Sanders, Mayor Pro Tem Sami, Mayor Gosey

Nays: Council Member Joubert

Absent: Council Members Dalcour, Thomas

6. Discuss and consider possible action on the waiver of building and inspection fees for the Forest Hill Medical Clinic to be located in the shopping center at Forest Hill Drive and Forest Hill Circle. (Venus Wehle, Director of Economic Development and Community Relations)

Council Member Masimini made the motion to waive the building and inspection fees for the Forest Hill Medical Clinic to be located in the shopping center at Forest Hill Drive and Forest Hill Circle, not to exceed \$250.00. Seconded by Mayor Gosey; which **passed** as follows:

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

Nays: None

Absent: Council Member Dalcour, Thomas

7. Discuss and consider possible action on expanding the City's "Adopt-A-Median" project. (Damian Dalcour, Council Member)

Council Member Masimini made the motion to create a schedule for Valley Forge Trail at Forest Hill Drive and Heritage at Forest Hill Drive, "Adopt-A-Median" project. Seconded by Council Member Sanders; which **passed** as follows:

Ayes: Council Members Masimini, Sanders, Mayor Pro Tem Sami, Mayor Gosey

Nays: Council Member Joubert

Absent: Council Members Dalcour, Thomas

8. Discuss and consider possible action on Revenue/Expenditure Reports for all City Funds through December 31, 2009. (Clifford Blackwell, Finance Director)

Finance Director Clifford Blackwell reviewed the city financial reports. No action taken on this item.

- 9. Discuss and consider possible action on the update of the Municipal Court progress. (Clifford Blackwell, Finance Director).**

Finance Director Clifford Blackwell reviewed the progress reports of the Municipal Court. No action taken on this item.

- 10. Discuss and consider possible action on the City issuing cell phones to Council Members. (Gerald Joubert, Council Member)**

This item was pulled from the agenda by Council Member Joubert.

- 11. Discuss and consider possible action on a re-organizational plan. (Lyndia Thomas, Dulani Masimini, Council Members)**

Council Member Masimini discussed his ideas for a re-organizational plan – Phase I-City Manager is charged with cutting cost of employee payroll budget by 10%; Phase II-City Manager is charged with developing a re-organizational plan. The re-organization should be based on efficiency and effectiveness. Phase III-City Manager will be responsible for setting new salaries based on the new responsibilities. The salaries should be based on the current revenue the city is receiving and the promise of the Council to reduce the ad valorem tax rate in steps for the next 5 years.

No action taken on this item.

- 12. Discuss and consider possible action on revising the personnel policy for payment of unused sick time for non-civil service employees at the time they leave the City's employment. (Dulani Masimini, Council Member)**

Council Member Joubert made the motion to revise the personnel policy for payment of unused sick time to 160 hours of accrued sick time for non-civil service employees at the time they leave the City's employment. Seconded by Council Member Masimini; which **passed** as follows:

Ayes: Council Members Joubert, Masimini, Mayor Pro Tem Sami, Mayor Gosey

Nays: Council Member Sanders

Absent: Council Members Dalcour, Thomas

- 13. Discuss and consider possible action, Boards and Commission membership and appointment. (James Gosey, Mayor)**

This item pulled from the agenda by Mayor James Gosey.

- I. 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.

- 14. Pending or Contemplated Litigation or to seek the advice of the City Attorney pursuant to Section 551.071.**

- a) Destructors, Inc. vs. City of Forest Hill
- b) David Miller

15. 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:

- a) Interim City Manager
- b) Interim Chief of Police
- c) Acting City Secretary
- d) City Attorney
- e) Interim Finance Director

16. Section 551.074, Texas Government Code: Personnel Matters (a)(2) to hear a complaint or charge against an officer or employee

- a) David Miller Grievance dated November 30, 2009

Council recessed into executive session at 9:49 p.m.

J. Reconvene into regular session.

Council reconvened into regular session at 11:27 p.m.

K. Take any action necessary pursuant to executive session.

Item 14B-Council Member Masimini made a motion to pay David Miller contractual severance pay in the lump sum of \$94,675.53; upon pick up, the City will send TMRS a check for \$18,395.46; and will pay COBRA for the duration permitted by law or until he obtains alternative coverage. Seconded by Council Member Sanders; which **passed** as follows:

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

Nays: None

Absent: Council Members Thomas, Dalcour

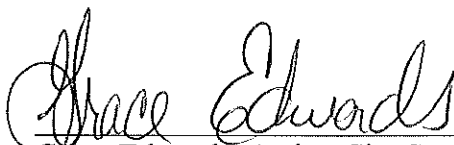
There was no action on any other executive session items.

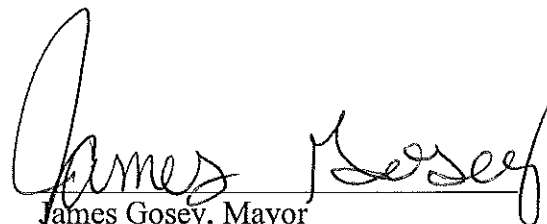
L. Adjournment

With no further business to discuss, council adjourned at 11:31 p.m.

Respectfully Submitted:

Approval:


Grace Edwards, Acting City Secretary


James Gosey, Mayor