



MINUTES

SPECIAL COUNCIL MEETING

January 22, 2009

The City Council of the City of Forest Hill met on the above date at 7:03 p.m. with Mayor James Gosey presiding. The following council members and officials were present: Council Members Damian Dalcour, Gerald Joubert, Dulani Masimini, Mayor Pro Tem Mustafa Sami, City Manager David Miller, City Secretary Debra Maness, Fire Chief Pat Ekiss, Police Chief Rex Phelps, Acting Public Works Director Roberto Duenes, Economic Development and Community Relations Director Venus Wehle and Finance Director Clifford Blackwell, III. Council Members Lyndia Thomas and Andrew Sanders—Excused Absence

Opening Agenda:

A. Call to Order

With a quorum present, Mayor Gosey called the meeting to order at 7:03 p.m.

B. Invocation

Invocation was delivered by Mayor Pro Tem Sami.

C. Pledge of Allegiance to Flags

Pledge to the United States and Texas flags were recited.

D. Citizen's 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.

No one signed up for citizen's Presentation

E. Staff Reports

City Manager's Report

- Update on approved street projects for 2008-2009 fiscal year – Banbury, Bowlinggreen, Manordale, Grady, Burly, Chimney Rock, Anmar Court, Appletree Court, Matthews Court, Shady Hill, Chatham, High Ridge, and West Lane.
- Update on Chevron meter replacement program.

Fire Chief's Report

- Training emphasis on "back to the basics"
- Mutual Aid Agreements
- Burn and live fire training dates

Acting Public Works Director

- Public Works training and certifications – Roberto Duenes, Acting Public Works Director gave an update on the training being received by the employees of the Public Works Department.

Police Chief's Report

- Activity report for police department, animal control officer and code enforcement
- Commendations for Officer Carter and Officer Downey
- Officers Pimpton, Humphreys, East, Carter and Dennis submitted for the coveted life saving award

Economic Development and Community Relations Director's Report

- Update on Parks Master Plan – the grant application will be completed and delivered to the Texas Parks and Wildlife Department by Friday, January 30, 2009. At this time the City has receive in-kind donations from Horton Tree Service, Lions Club of Forest Hill, Boy Scout Troup #515, Youth Advisory Council, Girl Scout Troop #3908 and South Tarrant Chamber.
- Update on Hampton Inn & Suites – work continues.
- Update on LaQuinta – update was given under Deliberation Agenda, Item #4.
- Update on Tree Lighting and Holiday events – approximately 300 attendees saw Santa arrive to fireworks, snow and a 4x8 lighted “Happy Holidays” sign, very successful for a chilly night
- Forest Hill News – the February edition will be delivered Wednesday, February 4th. The City has contracted with another company to deliver the newspaper. If you do not receive one, please advise Venus Wehle, Economic Development and Community Relations Director.

Finance Director's Report

- General Fund – Revenues and Expenditures
- Water and Sewer Operating Account– Revenues and Expenditures
- Street Sales Tax Operating Account – Revenues and Expenditures
- Community Development Corporation – Revenues and Expenditures

F. 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 January 6, 2009 council meeting.
2. Consider contract for the collection of delinquent municipal court fines and fees with McCreary, Veselka, Bragg and Allen, P.C.
3. Consider Ordinance No. 2009001, an ordinance amending Chapter 90 “Parks and Recreation,” Article I, “In General” to establish a new section 90-3 entitled “Park Hours of Operation.”

Item #2 was removed from consent agenda. City Staff will be preparing Request for Proposals for collection of delinquent municipal court fines and fees.

A motion was made by Council Member Gerald Joubert to accept Consent Agenda Items #1 and #3. Motion was seconded by Mayor Pro Tem Sami and **passed** as follows:

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

Nays: None

Absent: Council Members Thomas and Sanders

G. Deliberation Agenda

4. Discuss and consider appeal of LaQuinta Inn & Suites request for a building design change order. (David Miller, City Manager)

City Manager, David Miller, explained to the Council that LaQuinta had approached the City regarding changing the design of the roof pitch of their new building. The new design was shown at the last Council meeting and did not receive a favorable response from the majority of the Council. Therefore, the builder was denied the change order by City Staff. Because of the denial, the builder is appealing the decision to the City Council for consideration.

Zivota Nikolic, with Tiza Construction Management, LLC, informed the council the flat roof is a new design for LaQuinta Inn & Suites. The City of Forest Hill would be the first built with the new roof design. The building will still meet the requirements that were set out in the Specific Use Permit.

Anne Frost, 3708 Grady, Forest Hill, stated that she did not like the flat roof and felt that the flat roof would contribute to drainage problems. City Manager, David Miller, explained the roof was not actually flat and with the new design that it would be possible for some of the air conditioning units to be placed on the roof.

Council Member Dalcour made a motion to approve the new building design change order with the parapets in front of the air condition units that are placed on the roof. Motion was seconded by Mayor Pro Tem Sami and **passed** as follows:

Ayes: Council Members Dalcour, Joubert, Mayor Pro Tem Sami and Mayor Gosey

Nays: Council Member Masimini

Absent: Council Members Thomas and Sanders

Council Member Joubert was excused from the meeting at 7:25 p.m.

5. Discuss the design for the expansion of City Hall. (David Miller, City Manager)

GSBS Architects presented to the Council, the finished preliminary design for the City Hall expansion/remodel.

No action was taken on this item.

H. 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.

6. Pending or Contemplated Litigation or to seek the advice of the City Attorney pursuant to Section 551.071.

City of Forest Hill vs. David Vestal and Charles Gardner

David Vestal vs. City of Forest Hill

Destructors, Inc. vs. City of Forest Hill

Elizabeth Elam, State Bar Grievance

Council recessed into Executive Session at 8:09 p.m. Bonnie Goldstein, City Attorney was not present, but was available via telephone conference.

I. Reconvene into regular session.

Council reconvened into regular session at 8:23 p.m.

J. Take any action necessary pursuant to executive session.

No action taken.

K. Adjournment

With no further business to discuss, council adjourned at 8:23 p.m.

Respectfully submitted,

Approval:

Debra W. Maness, City Secretary

James Gosey, Mayor