



MINUTES

REGULAR COUNCIL MEETING

February 3, 2009

The City Council of the City of Forest Hill met on the above date at 7:02 p.m. with Mayor James Gosey presiding. The following council members and officials were present: Council Members Damian Dalcour, Lyndia Thomas, Gerald Joubert, Dulani Masimini, Andrew Sanders, Mayor Pro Tem Mustafa Sami, City Manager David Miller, City Secretary Debra Maness, Police Chief Rex Phelps, Acting Public Works Director Roberto Duenes, Economic Development and Community Relations Director Venus Wehle and Finance Director Clifford Blackwell, III.

Opening Agenda:

A. Call to Order

With a quorum present, Mayor Gosey called the meeting to order at 7.02 p.m.

B. Invocation

Invocation was delivered by Council Member Lyndia Thomas.

C. Pledge of Allegiance to Flags

Pledge to the United States and Texas flags were recited.

D. Proclamation

Mayor Gosey proclaimed the Month of February as “Black History Month” in the City of Forest Hill and urged all citizens of Forest Hill to be cognizant of the progress of our black citizens.

E. Public Hearing

Case #PZ 2009-01 to receive citizen’s comments regarding a request for a Specific Use Permit for permission to sell packaged alcoholic beverages within the facility of Foodland Grocery Store. The zoning for this property is GB (General Business). The legal description being Lot 1, Block 1 of the Forest Hill Village Addition in the City of Forest Hill, Tarrant County, Texas and the address being 3320 Mansfield Highway as requested by Daniel McCann for GE Foodland 53, LLC.

Mayor Gosey opened the public hearing at 7:25 p.m. Mr. Scott Baxter, representing Foodland spoke and informed the Council and citizens that Foodland would be selling package beer only, no single bottles. Ms. Berniece Johnson, Chairperson of the Planning and Zoning Commission stated that P & Z had held their public hearing on this item and had approved the SUP with the following stipulations 1) packaged alcoholic beverage (beer only) 2) business owner will ensure parking lot stays clean and 3) if business is sold, new owner shall reapply for a SUP.

With no one else to speak, Mayor Gosey closed the public hearing at 7:31 p.m.

- F. 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.

Blanca Heinz of 6844 Griggs Street, Forest Hill, spoke before the Council. Ms. Heinz spoke on code enforcement methods and rules.

Opal McIntosh of 6505 Evonshire, Forest Hill, spoke before the Council and asked that Evonshire to be placed on the list of streets to be repaired.

- 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 January 22, 2009 special council meeting.
2. Consider Resolution 03-2009, calling an election to elect officers of the City Council: Mayor, Places 4, 5 and 6 to serve until May 2011.
3. Consider Ordinance No. 2009002, an ordinance amending Chapter 126 "Traffic," Article VII, "Stopping, Standing, Parking," Division 2 "Prohibited, Restricted Parking on Certain Streets" to establish a new section 126-349 entitled "Restricted Parking Zones Specified."
4. Consider IESI rate increase, pursuant to contract, effective March 1, 2009.

Item #3 was removed from the consent agenda.

Council Member Joubert made a motion to approve consent agenda items 1, 2 and 4. Seconded by Mayor Pro Tem Sami and **passed** as follows:

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

Nays: None

H. Deliberation Agenda

3. Consider Ordinance No. 2009002, an ordinance amending Chapter 126 "Traffic," Article VII, "Stopping, Standing, Parking," Division 2 "Prohibited, Restricted Parking on Certain Streets" to establish a new section 126-349 entitled "Restricted Parking Zones Specified."

There was discussion among the council that they would like to see an item before it actually came before the Council for a vote. The Council would like to understand what the concerns were that would require a change in ordinance.

Council Member Joubert made motion to table this item until the first meeting in March.

City Manager, David Miller, made the recommendation that the item be table until the second meeting in March.

Council Member Joubert amended his motion to table Ordinance No. 2009002 until the March 17th meeting. Seconded by Mayor Pro Tem Sami and **passed** as follows:

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

Nays: None

5. Discuss and consider Case #PZ 2009-01 to consider approval of Ordinance No. 2009003, regarding a request for a Specific Use Permit for permission sell packaged alcoholic beverages with the facility of Foodland Grocery Store. The zoning for this property is GB (General Business). The legal description being Lot 1, Block 1 of the Forest Hill Village Addition in the City of Forest Hill, Tarrant County, Texas and the address being 3320 Mansfield Highway as requested by Daniel McCann for GE Foodland 53, LLC. (Barbara Koerble)

City Manager, David Miller, went over the stipulations of the SUP and again and reiterated that Foodland had no objections to the stipulations.

Council Member Joubert made the motion to accept agenda item 5. Seconded by Council Member Masimini and **passed** as follows:

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

Nays: Council Member Thomas

6. Discuss and consider authorizing the city staff and financial advisor to begin work on a financing plan for street improvements, park improvements, building improvements, utility system improvements and the purchase of equipment. (Clifford Blackwell)

Discussion was led by Finance Director Clifford Blackwell and Mark McLiney, financial advisor with Southwest Securities. Mr. McLiney explained to the Council that they would be able to issue additional debt without increasing the tax rate.

Mayor Pro Tem Sami made a motion to authorize the city staff and financial advisors to prepare a financial plan for street improvements, park improvements, building improvements and purchase of equipment. Seconded by Council Member Sanders

There was further discussion and it was decided by the Council that they would like to hold a workshop so that they would be able to have input with the direction of the CO.

Mayor Pro Tem Sami pulled his motion; Council Member Sanders pulled his second.

Mayor Pro Tem Sami made a motion to authorize the city staff and financial advisors to work on a financing plan for street improvements, park improvements, building improvements, and purchase of equipment to be presented to the Council at a workshop. Seconded by Council Member Thomas and **passed** as follows;

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

Nays: None

I. Mayor and Council Reports

Mayor – Report on Housing Summit – Mayor Gosey reported on a Housing Summit Workshop that he had attended. The workshop explained how important housing is to our communities and was to

educate the leaders of the communities the importance of the phases of housing. There should be a shelter for the homeless in every community, there should be public housing for people who are not ready or not able to own their own houses, there should be a housing market for first time home buyers and a step-up neighborhood. There should be a spot for everyone in our community.

J. 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. 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

Progress Report on Completion of Recommendations and Opportunities for Improvement

Forest Hill Police Department

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

Progress Report on Completion of Recommendations and Opportunities for Improvement

Forest Hill Police Department, as it relates to goals and objectives for Police Chief, Rex

Phelps

Council recessed into executive session at 8:33 p.m.

K. Reconvene into regular session.

Council reconvened into regular session at 11:21 p.m.

L. Take any action necessary pursuant to executive session.

No action taken.

M. Adjournment

With no further business to discuss, council adjourned at 11:21 p.m.

Respectfully submitted

Approved:

Debra W. Maness, City Secretary

James Gosey, Mayor