



AGENDA

PRE-COUNCIL WORKSHOP

February 15, 2011

6:00 P.M.

Notice is hereby given that on the **15th day of February 2011**, the City Council of the City of Forest Hill will hold a **pre-council workshop** at **6:00 P.M.**, in the City of Forest Hill Building, 3219 California Parkway, 76119. The subjects are listed on the agenda which is attached to and made part of this notice.

Questions and answers regarding any item on the agenda.

- **City of Forest Hill, City Council Workshop with Planning and Zoning Commission**

AGENDA

REGULAR COUNCIL MEETING

February 15, 2011

7:00 P.M.

Notice is hereby given that on the **15th day of February 2011**, the City Council of the City of Forest Hill will hold a **regular council meeting** at **7:00 P.M.**, in the City of Forest Hill Building, 3219 California Parkway, 76119. The subjects are listed on the agenda which is attached to and made a part of this notice.

Opening Agenda:

A. Call to Order

B. Invocation

C. Pledge of Allegiance to Flags

D. Presentation: Sheran Goodspeed Keyton, Cultural Arts District

E. City Manager Report:

- **Update on the City of Forest Hill, City Council budget/expenditures**
- **Update on Goals and Strategies for the upcoming year**
- **Update on the City of Forest Hill I.S.O. Rating**

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.

Public Hearings

- 1) Case #PZ 2010-13 to receive citizen's comments regarding a request for a Specific Use Permit for a Motor Freight Terminal Facility to be located at 6629 Anglin Drive. The current zoning on the property is LI (Light Industrial) and the legal description is Tract 43B01 of the Shelby County School Land Survey, Abstract 1375 in the City of Forest Hill, Tarrant County, Texas as requested by Ted Kukic with H.E. Trans Inc.
- 2) To receive citizen's comments regarding an Ordinance Amending the Comprehensive Zoning Ordinance of the City of Forest Hill; Amending Section 2.201 to add an Adult Entertainment District; Amending Sections 2.214 to add a purpose for an Adult Entertainment District; Amending Section 3.100 to add definitions associated with an Adult Entertainment District; Amending Section 5.100 to add uses for the Adult Entertainment District to the Schedule of Uses; Amending Section 9.200 thru 9.900 to add lot and setback requirements for the Adult Entertainment District; Amending Section 11.103 to add parking requirements for the Adult Entertainment District; Providing a penalty and authorizing a publication date.
- 3) Case # PZ 2011-01 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 4, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5224 High Ridge with the registered owner listed as Charles M. Gatlin Tr with the Gatlin Family Trust. The zoning at the present time is "LI" (Light Industrial) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
- 4) Case #PZ 2011-02 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 5, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5228 High Ridge with the registered owner listed as Charles M. Gatlin Tr with the Gatlin Family Trust. The zoning at the present time is "LI" (Light Industrial) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
- 5) Case #PZ 2011-03 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 6, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5232 High Ridge with the registered owner listed as J.E. Bullard. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
- 6) Case # PZ 2011-04 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 7, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5236 High Ridge with the registered owner listed as J. E. Bullard. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
- 7) Case #PZ 2011-05 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 8, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5240 High Ridge with the registered owner listed as James H. Webb. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
- 8) Case #PZ 2011-06 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 9, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 6616 Oak Crest Drive W with the registered owner listed as James H. Webb. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.

- 9) Case #PZ 2011-07 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 10, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 6620 Oak Crest Drive W with the registered owner listed as James H. Webb. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
- 10) Case #PZ 2011-08 to receive citizen's comments regarding a City initiated zone change of a lot with the legal description being Lot 11, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 6624 Oak Crest Drive W with the registered owner listed as Charles D. Epps Est. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.
- 11) Case #PZ 2011-09 to receive citizen's comments regarding a City initiated zone change of the lots with the legal description being Lots 12A, 12B, & 13, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5201 SE Loop 820 with the registered owner listed as Bobby G. & Tammy K. Bryan. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill.

G. 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 18, 2011 regular council meeting.

H. Deliberation Agenda:

2. Discuss and consider possible action regarding the Annual Financial Audit Report for fiscal year ending September 30, 2010. (Sheyi Ipaye, City Manager)
3. Discuss and consider possible action regarding approving franchise agreement with Oncor Electric. (Sheyi Ipaye, City Manager)
4. Discuss and consider possible action regarding approving Oncor Electric rate change. (Sheyi Ipaye, City Manager)
5. Discuss and consider possible action regarding Atmos Energy's Franchise Fee Options. (Sheyi Ipaye, City Manager)
6. Discuss and consider possible action regarding Mayor's Wall in Council Chamber. (Dulani Masimini, Mayor Pro Tem)
7. Discuss and consider possible action regarding Resolution No. 02-2011, a Resolution ordering and providing notice of a general election on the 14th day of May 2011. (Dulani Masimini, Mayor Pro Tem)
8. Discuss the financial obligation to the City of Forest Hill Municipal Pound. (Gerald Joubert, Council Member)
9. Discuss Sexual Oriented Businesses (SOB), and Adult Entertainment District. (Gerald Joubert, Council Member)
10. Discuss and consider possible action regarding Case #PZ 2010-13 to consider approval of a request for a Specific Use Permit for a Motor Freight Terminal Facility to be located at 6629 Anglin Drive. The current zoning on the property is LI (Light Industrial) and the legal description is Tract 43B01 of the Shelby County School Land Survey, Abstract 1375 in the City of Forest Hill, Tarrant County, Texas as requested by Ted Kukic with H.E. Trans Inc. (Sheyi Ipaye, City Manager)
11. Discuss and consider possible action regarding a request for a Variance for a sign to be able to cover 75% of the lineal footage of the building located at 5020 S.E. Loop 820. The legal description of the property is Block Lot C of the Forestwood Industrial Addition in the City of Forest Hill, Tarrant County, Texas as requested by Global Signs, Inc. (Sheyi Ipaye, City Manager)

12. Discuss and consider possible action regarding authorizing the City Manager to submit a grant application for the sum of \$10,037.00 to the Department of Justice for Forest Hill Police Department. (Sheyi Ipaye, City Manager)
13. Discuss and consider possible action regarding the approval of Ordinance No. 2011-02-001, An Ordinance of the City Council of the City of Forest Hill, Texas, revoking chapter 110, Sexually Oriented Businesses, of the City's Code of Ordinances relative to the regulation of sexually oriented business; establishing chapter 110, adult entertainment industry businesses; establishing a purpose and intent, establishing definitions; establishing classifications; establishing license and application requirements; establishing issuance of license requirements; establishing fee's for the license; establishing inspection requirements; establishing expiration of license requirements; establishing suspension of license regulations; establishing revocation of license regulations; establishing an appeal process; establishing regulations regarding the transfer of licenses; establishing location requirements; establishing regulations for the exemption of location restrictions; establishing additional regulations for all adult entertainment industry businesses; establishing regulations for escort agencies; establishing regulations for nude model studios; establishing regulations for adult theaters, adult motion picture theaters, and adult arcades; establishing regulations for adult motels; establishing regulations pertaining to adult arcades and the exhibition of sexually explicit films or videos; establishing regulations for the display of sexually explicit material to minors; establishing regulations for adult entertainment cabarets; establishing enforcement requirements; providing a penalty and authorizing a publication date. (Sheyi Ipaye, City Manager)
14. Discuss and consider possible action regarding the approval of Ordinance No. 2011-02-002, Amending the Comprehensive Zoning Ordinance of the City of Forest Hill; Amending Section 2.201 to add an Adult Entertainment District; Amending Sections 2.214 to add a purpose for an Adult Entertainment District; Amending Section 3.100 to add definitions associated with an Adult Entertainment District; Amending Section 5.100 to add uses for the Adult Entertainment District to the Schedule of Uses; Amending Section 9.200 thru 9.900 to add lot and setback requirements for the Adult Entertainment District; Amending Section 11.103 to add parking requirements for the Adult Entertainment District; Providing a penalty and authorizing a publication date. (Sheyi Ipaye, City Manager)
15. Discuss and consider possible action regarding Case #PZ 2011-01 to consider approval of a City initiated zone change of a lot with the legal description being Lot 4, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5224 High Ridge with the registered owner listed as Charles M. Gatlin Tr with the Gatlin Family Trust. The zoning at the present time is "LI" (Light Industrial) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill. (Sheyi Ipaye, City Manager)
16. Discuss and consider possible action regarding Case #PZ 2011-02 to consider approval of a City initiated zone change of a lot with the legal description being Lot 5, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5228 High Ridge with the registered owner listed as Charles M. Gatlin Tr with the Gatlin Family Trust. The zoning at the present time is "LI" (Light Industrial) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill. (Sheyi Ipaye, City Manager)
17. Discuss and consider possible action regarding Case #PZ 2011-03 to consider approval of a City initiated zone change of a lot with the legal description being Lot 6, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5232 High Ridge with the registered owner listed as J.E. Bullard. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill. (Sheyi Ipaye, City Manager)
18. Discuss and consider possible action regarding Case #PZ 2011-04 to consider approval of a City initiated zone change of a lot with the legal description being Lot 7, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5236 High Ridge with the registered owner listed as J.E. Bullard. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill. (Sheyi Ipaye, City Manager)
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- City initiated zone change of a lot with the legal description being Lot 8, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5240 High Ridge with the registered owner listed as James H. Webb. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill. (Sheyi Ipaye, City Manager)
20. Discuss and consider possible action regarding Case #PZ 2011-06 to consider approval of the City initiated zone change of a lot with the legal description being Lot 9, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 6616 Oak Crest Drive W with the registered owner listed as James H. Webb. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill. (Sheyi Ipaye, City Manager)
 21. Discuss and consider possible action regarding Case #PZ 2011-07 to consider approval of a City initiated zone change of a lot with the legal description being Lot 10, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 6620 Oak Crest Drive W with the registered owner listed as James H. Webb. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill. (Sheyi Ipaye, City Manager)
 22. Discuss and consider possible action regarding Case #PZ 2011-08 to consider approval of a City initiated zone change of a lot with the legal description being Lot 11, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 6624 Oak Crest Drive W with the registered owner listed as Charles D. Epps Est. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill. (Sheyi Ipaye, City Manager)
 23. Discuss and consider possible action regarding Case #PZ 2011-09 to consider approval of a City initiated zone change of the lots with the legal description being Lots 12A, 12B, & 13, Block 1 of the Oak Crest Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5201 S.E. Loop 820 with the registered owner listed as Bobby G. & Tammy K. Bryan. The zoning at the present time is "GB" (General Business) and is proposed to rezone to "AE" (Adult Entertainment) as requested by the City of Forest Hill. (Sheyi Ipaye, City Manager)
 24. Discuss and consider possible action regarding a review of the Planning and Zoning Commission Attendance Records. (Sheyi Ipaye, City Manager)

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.

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

- 1) Report from city attorney on status of pending lawsuit; Gosey vs. Forest Hill City Council; including a discussion of settlement authority as required in federal court. (Dulani Masimini, Mayor Pro Tem)
- 2) Report from counsel and TML on status of Gosey and Miller lawsuits and EEOC claim by Wehle. (Sheyi Ipaye, City Manager)
- 3) Receive information from counsel regarding a complaint filed against the City of Forest Hill by Jonathan Banks. (Sheyi Ipaye, City Manager)

26. 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) City Secretary Evaluation (Dulani Masimini, Mayor Pro Tem)
- 2) City Manager Evaluation (Dulani Masimini, Mayor Pro Tem)
- 3) City Employee Anonymous Survey (Mustafa Sami, Council Member)
- 4) Discuss and consider possible action regarding personnel matter concerning

Officer Christy Dennis (Sheyi Ipaye, City Manager)

- I. Reconvene into regular session.**
- J. Take any action necessary pursuant to executive session.**
- K. Adjournment**

I, Grace Edwards, City Secretary, do hereby certify that notice of the above meeting was posted on a bulletin board, located in the front of the main entrance to City Hall of the City of Forest Hill, a place readily accessible to the public at all times, on the **11th day of February, 2011** on or before **6:00 P.M.** and remained continuously posted for at least 72 hours immediately preceding said meeting and that said notice was posted in accordance with Chapter 551 of the Texas Government Code.

Grace Edwards, City Secretary