



**MINUTES
REGULAR COUNCIL MEETING
April 20, 2010
7:00 p.m.**

The City Council of the City of Forest Hill met on the above date at **7:10 p.m.** with Mayor James Gosey presiding. The following Council Members and officials were present: Council Members Damian Dalcour, Lyndia Thomas, Dulani Masimini, Andrew Sanders, City Manager Sheyi I. Ipaye, Acting City Secretary Grace Edwards, Interim Police Chief Robert Herbert, Fire Chief Pat Ekiss, Public Works Supervisor Roberto Duenes, Director of Economic Development & Community Relations Venus Wehle, and Acting City Attorney Alicia Johnson, Absent: Mayor Pro Tem Mustafa Sami, and Council Member Gerald Joubert.

Opening Agenda:

A. Call to Order

With a quorum present, Mayor James Gosey called the meeting to order at 7:10 p.m.

B. Invocation

The Invocation was delivered by Reverend Earl Griggs.

C. Pledge of Allegiance to Flags

Pledge to the United States and Texas flags were recited.

D. Presentation: Andrea Sanders, Oncor Electric Delivery

Andrea Sanders, Oncor Electric Delivery gave a presentation to the citizens of Forest Hill. Ms. Sanders feels the new smart meters are an advantage to the residents of Forest Hill. Residents that have computers were encouraged to contact Oncor at www.oncor.com to check their electric usage and or bills. Residents that do not have access to a computer can purchase an in-home monitor. This in-home monitor will enable customers to check their electric usage every (15) fifteen minutes. Monitors can be purchased from the customer's electric provider. Ms. Sanders states that the new smart meters will not cause your electric bill to increase. The new smart meters will provide efficiency and convenience. Ms. Sanders hopes that when residents receive their electric bill they will clearly see the benefits of the new smart meters cost cutting potential.

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.

Reverend Earl Griggs, 3308 Valley Forge Trail – Reverend Griggs stated that he was alarmed by the City Council considering medical benefits for mayor and council. In conclusion, Reverend Griggs considers mayor and city council positions as voluntary.

Ms. Ann Frost, 3708 Grady Street – Ms. Frost is against the no parking on the south side of Bisbee Street and the “No parking” signs on the south side of Bisbee Street. Ms. Frost states that the land in question is private property.

Ms. Pearl Jones, 6417 Evonshire Drive, Parks and Clean City Commission - Ms. Jones gave a summary of accomplishments for the Parks and Clean City Commission. Ms. Jones felt the mayor, council and residents of the City of Forest Hill should hear something positive about their great city. In brief, the Parks and Clean City Commission are working together in an effort to keep the city clean. Ms. Jones encouraged all residents to show pride for their city by taking initiative and drive, thus, helping to keep the City of Forest Hill clean. Ms. Jones share tangibles and intangibles regarding the passage of the *Tree Preservation*, *Smoking* and the *Park Usage Ordinances*. In addition, the *Citywide Clean Up* will be on June 12, 2010 from 8:00 a.m. to 12:00 p.m., located at Super One Grocery Store. In conclusion, Ms. Jones thanked the city staff, mayor, council, and volunteers for their excellent support, and efforts regarding the grant for Griggs Park, as well as, the creation of a Parks Advisory Group. The Parks and Clean City Committee are grateful for the opportunity to serve the citizens of Forest Hill.

Darlene Johnson, 4109 Burly Street – Ms. Johnson does not want the zoning for Arnold Stone to change from “LI” Light Industrial to “HI” Heavy Industrial. In addition, Ms. Johnson has concerns regarding the Arnold Stone workers peeking through, and standing along her fence line in the summer time. Finally, Ms. Johnson asks that Arnold Stone make some kind of adjustment regarding the light that constantly shines on the back portion of her home at night.

PUBLIC HEARINGS

- 1) **Case #PZ 2010-03 to receive citizen’s comments regarding a request for Specific Use Permit per Section 5.100 of the Comprehensive Zoning Ordinance to allow for an unmanned drive-up water vending facility to be located at 6619 Forest Hill Drive. The current zoning of this property is LR (Local Retail). The description of the property is Block Lot 2A of the Curtex Addition in the City of Forest Hill, Tarrant County, Texas as requested by Rick Kelly the representative for Watermill Express.**

Public Hearing regarding Specific Use Permit for Watermill Express opened at 8:01 p.m.

Rick Kelley representative from Watermill Express was available for questions. Mr. Kelley states that he does not feel there will be any problems with meeting the requirements put in place by the Planning and Zoning Board. With no one present to speak the public hearing was closed at 8:02 p.m.

- 2) **Case # PZ 2010-04 to receive citizen’s comments regarding a request for a Specific Use Permit per Section 5.100 of the Comprehensive Zoning Ordinance to allow for on-premises consumption of alcoholic beverages sales to be located at 6734 Forest Hill Drive. The current zoning for this property is “LR” (Local Retail). The description of the property is Lot 4, Block 1 of the Stonewood Addition in the City of Forest Hill, Tarrant County, Texas as requested by Steve Milam the representative for Forest Hill Wings, LLC dba Wing Stop.**

Public Hearing regarding Specific Use Permit for on-premises consumption of alcoholic beverages sales at Wing Stop opened at 8:03 p.m. With no one present to speak the public hearing was closed at 8:04 p.m.

- 3) **Case #PZ 2010-06 to receive citizen’s comments regarding a request for a zone change of 7.107 acres with the legal description being Lot 1 of the Grow Group Addition in the City of Forest Hill, Tarrant County, Texas. The property is located at 5703 Crawford Lane. The**

zoning at the present time is “LI” (Light Industrial) and is proposed to rezone to “HI” (Heavy Industrial) as requested by Mike Arnold representative for Arnold Stone.

Public Hearing regarding a zone change for Arnold Stone from “LI” (Light Industrial) to “HI” (Heavy Industrial) was opened at 8:05 p.m.

Barbara Campbell, 4121 Burly Street – Ms. Campbell states she is not against Arnold Stone being located in her community, however, she does not feel the zoning should be changed from “LI” Light Industrial to “HI” Heavy Industrial. Consequently, Ms. Campbell is experiencing trash and debris along the back portion of her property line, for which, she feels is coming from the Arnold Stone facility. Furthermore, there is a large hole in the Arnold Stone’s building that needs correcting, and the aluminum on the building is not secure. Ms. Campbell feels that a strong wind would send the aluminum flying throughout the neighborhood, which could be potentially dangerous. In conclusion, mosquitoes are breeding because of the standing water located in the drainage ditch behind her home. Ms. Campbell as well as other residents share pictures with the mayor, council and other residents to substantiate there complaints.

Gladys Hardeman, 4202 Burly Street – Mrs. Hardeman stated that she walked the community that surrounded the Arnold Stone facility with a petition asking the residents if they would agree with the rezoning of Arnold Stone from “LI” Light Industrial to “HI” Heavy Industrial. In brief, Mrs. Hardeman was unsuccessful in finding any resident that agreed with the rezoning of Arnold Stone. Mrs. Hardeman also stated that she has great concerns regarding what would happen if the owner of Arnold Stone decided to sell the business with the current zoning of “HI” Heavy Industrial. With Mrs. Hardeman’s point being made, future businesses could be potentially dangerous to the community, residents and the environment being zoned “HI” Heavy Industrial. Likewise, Mrs. Hardeman’s concerns about the noise level coming from the Arnold Stone Facility during evening hours was a major concern, because we have many senior citizens living in the immediate area, who suffer from various health conditions. In conclusion, Mrs. Hardeman feels the noise, the drainage ditch retaining water, as well as, the out side rock storage are major concerns that should be addressed and corrected.

Mr. Arnold Stone, 5703 Crawford, Owner of Arnold Stone – Mr. Arnold stated that he met with the members of the Planning and Zoning Board to address their concerns. Mr. Arnold stated that some of the problems did not originate from his establishment, but did originate from bad engineering plans. Mr. Arnold assured all concerned that he was trying to remedy the issues and concerns that are under his control. Mr. Arnold assured the residents, mayor and council that the hours of operation for the Arnold Stone facility will be 8:00 a.m. to 5:00 p.m. Consequently, Mr. Arnold stated that upon moving into the facility in 2008 the building had pre-existing code violations and on February 4, 2010 the building collapsed. Unfortunately, the building collapse required Arnold Stone to bring the facility up to code requirements, which forced him to store more materials outside because the building was not up and running. Additionally, Mr. Arnold assured everyone that under the circumstances he is trying to show due diligence with regard to correcting all the concerns that are within his control. In conclusion, Mr. Arnold assured everyone that a considerable amount of storage would be alleviated once the facility was back up and running.

Lisa Cabrera, Planning & Zoning Coordinator, Ms. Cabrera stated that the reason city staff asked for a zone change was because of Arnold Stone’s outside storage area. The amount of storage outside Arnold Stone’s facility required the business to be zoned as “HI” Heavy Industrial opposed to “LI” Light Industrial. Ms. Cabrera was most helpful in explaining *Specific Use Permit* requirements, as well as, *Variances* to the residents, mayor and council. The city staff was commended by Mr. Arnold, mayor and council for their efforts.

Gladys Hardeman, 4202 Burly Street – Mrs. Hardeman stated that Mr. Arnold has in fact removed a significant portion of the outside storage. Mrs. Hardeman suggests the residents, mayor and council consider keeping the “LI” Light Industrial Zoning, with the corrections that were agreed upon earlier.

The public hearing regarding a zone change for Arnold Stone from “LI” Light Industrial to “HI” Heavy Industrial was recessed until the next Special Council Meeting on April 23, 2010 at 10:00 a.m.

F. 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 minutes of the March 2, 2010 regular council meeting.
2. Consider minutes of the April 6, 2010 regular council meeting.

Council member Thomas made a motion to accept all consent agenda items as presented, seconded by Council member Masimini, which passed as follows:

Ayes: Mayor Gosey, and Council Members: Dalcour, Thomas, Masimini, Sanders

Nays: None

Absent: Council Member: Mayor Pro Tem Sami, and Council Member Joubert

G. Deliberation Agenda:

3. Discuss and consider possible action regarding medical insurance benefits for council.

This item was pulled from the 04-20-10 regular council meeting. (City Attorney)

4. Discuss and consider possible action on Ordinance #2010-04-003, an Ordinance of the City of Forest Hill amending Chapter 126, Traffic, of the City’s Code of Ordinances; Section 320, towing and impoundment of vehicles illegally parked on public streets, relative to the addition of an administrative fee for towed vehicles; Section 346 relative to the regulation of prohibited parking zones; establishing Section 349 relative to tow violators of prohibited parking; establishing penalty; amending Chapter 102 Section 2 relative to the addition of the fees in Appendix A, schedule of fees.

Council member Sanders pulled this item from the 04-20-10 regular council meeting agenda.

5. Discuss and consider possible action on replacing “No Parking” signs along Forest Hill Drive between Deval Court and Mansfield Highway and along the roadway on the south side of Bisbee Street, from Forest Hill Drive to Shackleford Street.

Council Member Sanders pulled this item from the 04-20-10 regular council meeting agenda, for research purposes.

6. Discuss and consider possible action regarding contract renewal for City of Forest Hill Senior Citizen Center.

Mayor Gosey pulled this item to give the attorney time to review the contract.

7. Discuss and consider possible action regarding the contract for Joint Elections.

Council Member Thomas motioned to approve the contract for Joint Elections, seconded by Council Member Dalcour, which passed as follows:

Ayes: Mayor Gosey, and Council Members: Dalcour, Thomas, Masimini, Sanders.

Nays: None

Absent: Mayor Pro Tem Sami, and Council Member Joubert.

8. Discuss and consider possible action regarding City of Forest Hill Wrecker Service Contract.

This item was pulled for city attorney review.

9. Discuss and consider possible action removing Pat Ekiss, signatory authority from City's bank, Texpool, and other institutions and entities and authorizing City Manager as signatory.

Council Member Masimini motioned to remove Pat Ekiss' signatory authority and add City Manager Sheyi I, Ipaye as the signatory to the City's bank, Texpool, and other institutions and entities, seconded by Council Member Thomas, which passed as follows:

Ayes: Mayor Gosey, and Council Members: Dalcour, Thomas, Masimini, Sanders.

Nays: None

Absent: Mayor Pro Tem Mustafa Sami, and Council Member Joubert

10. Discuss and consider possible action regarding Federal Emergency Management Agency National Flood Insurance Program (NFIP).

Council Member Thomas motion to authorize the City Manager to proceed with an agreement with Federal Emergency Management Agency (FEMA) concerning National Flood Insurance Program, seconded by Council Member Sanders, which passed as follows:

Ayes: Mayor Gosey, and Council Members: Dalcour, Thomas, Masimini, Sanders.

Nays: None

Absent: Mayor Pro Tem Sami, and Council Member Joubert.

11. Discuss and consider possible action regarding entering into an agreement with Barnett Gathering, LP.

This item was pulled from the 04-20-10 regular council meeting by the City Manager for further negotiations.

12. Discuss and consider possible action regarding changing the name of Griggs Park to Jewel Kelly Park.

Members of the Parks and Clean City Commission and residents voiced their opinions against changing the name of Griggs Park to Jewel Kelly Park. The Parks and Clean City Commission asks that the council vote against changing the name Griggs Park to Jewel Kelly Park.

Council Member Masimini pulled this item from the 04-20-10 regular council meeting until a later date.

13. Discuss and consider possible action regarding appointments to Griggs Park, possibly Jewel Kelly Park Grant Advisory Group.

Parks and Clean City Commission suggested to the mayor and council to move forward in regards to soliciting candidates for the Griggs Park Grant Advisory Group which would consist of a diverse group of 5 to 7 volunteers from the community. The Parks and Clean City Commission would like to solicit individuals for the Griggs Park

Advisory Group for at least 30 days.

Mayor Gosey commended the Parks and Clean City Commission for their efforts and support.

There was no action taken on this item.

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. 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) Discuss credit card policies and uses
- b) Discuss employee review, reassignment, and employment

H. Reconvene into regular session.

Council reconvened into regular session at 10:58 p.m.

I. Take any action necessary pursuant to executive session.

Council Member Thomas motioned to allow the city manager to move in the direction that was discussed in executive session. Motion was seconded by Council Member Sanders, which passed as follows:

Ayes: Mayor Gosey, and Council Members: Dalcour, Thomas, Masimini, Sanders

Nays: None

Absent: Mayor Pro Tem Sami, and Council Member Joubert

J. Adjournment

With no further business to discuss the council adjourned at 11:05 p.m.

Grace Edwards, Acting City Secretary

James Gosey, Mayor