



**REVISED**

**MINUTES  
SPECIAL COUNCIL MEETING  
April 23, 2010  
10:00 a.m.**

The City Council of the City of Forest Hill met on the above date at **10:00 a.m.** with Mayor James Gosey presiding. The following Council Members and officials were present: Council Members Damian Dalcour, Lyndia Thomas, Gerald Joubert, Andrew Sanders, City Manager Sheyi I. Ipaye, Acting City Secretary Grace Edwards, Acting City Attorney Alicia Johnson.

**Opening Agenda:**

**A. Call to Order**

With a quorum present, Mayor Gosey called the meeting to order at 10:02 a.m.

**B. Invocation**

Invocation was delivered by Council Member Sanders.

**C. Pledge of Allegiance to Flags**

Pledge to the United States and Texas flags were recited.

**PUBLIC HEARINGS**

- 1) **Case #PZ 2010-03 to receive a request for a 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 Cutex Addition in the City of Forest Hill, Tarrant County, Texas as requested by Rick Kelly the representative for Watermill Express.**

Public Hearing regarding #PZ 2010-03 re-opened at 10:08 a.m., with no one present to speak the Public Hearing was closed at 10:09 a.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 of 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 #PZ 2010-04 re-opened at 10:10 a.m., with no one present to speak the Public Hearing was closed at 10:11 a.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 #PZ 2010-06 re-opened at 10:12 a.m.

**Ms. Barbara Campbell, 4121 Burly Street** – Mrs. Campbell stated that Mr. Arnold and she have come to an agreement. Mr. Arnold has made significant improvements to the Arnold Stone Facility. Ms. Campbell stated that she is pleased with the improvements.

**Mr. Mike Arnold, 5703 Crawford Lane** – Mr. Arnold stated that much of the residents concerns were from the amount of storage outside due to the building collapse. Additionally, Mr. Arnold feels that he will be able to accommodate the resident's better once the facility is up and running. Mr. Arnold will extend the filter fabric along the back of the facility in an effort to cut down noise pollution and to deter the workers peering through the fence line.

**Darlene Johnson, 4109 Burly Street** – Ms Johnson's concerns were directly contributed to the trash cans at the Arnold facility that were inviting rodents and pests. The rocks that are currently located directly in front the trash cans, need to be removed, because this provides shelter for the rodents and pests. Additionally, Ms. Johnson asked Mr. Arnold to address the issue of his employees peering through her fence line. In conclusion, Ms. Johnson feels that the Arnold Stone facility should remain "LI" (Light Industrial). Ms. Johnson stated if these conditions were met she would be satisfied.

Public Hearing was closed at 10:20 a.m.

#### **D. Deliberation Agenda:**

1. Discuss and consider possible action on Case #PZ 2010-03 to receive citizen's comments regarding a request for a Specific Use Permit per Section 5.100 of the Comprehensive Zoning Ordinance to allow an unmanned drive-up water vending facility to be located at 6619 Forest Hill Drive.

**The Planning and Zoning Commission approved Case #PZ 2010-03 with the following stipulations: The building should not have propellers on the top. The building shall match the façade of the other buildings on the property. The exterior of the facility shall be maintained in an aesthetically pleasing manner. The technician that maintains the facility must ensure that all trash and debris is clean and clear.**

**Council Member Thomas motioned to approve the Specific Use Permit for Watermill Express, with the stipulations from Planning and Zoning Commission, seconded by Council Member Sanders, which *passed* as follows:**

**Ayes: Mayor Gosey, and Council Members: Dalcour, Thomas, Joubert, Sanders**

**Nays: None**

**Absent: Mayor Pro Tem Sami, Council Member Masimini**

2. Discuss and consider possible action on 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 Planning and Zoning Commission approved Case #PZ 2010-04 with the following**

**stipulations: The business owner shall ensure that the parking lot remains free of trash and debris. Should the business be sold to another owner, the new owner shall reapply for a new Specific Use Permit to allow on-site consumption of alcohol. No outside consumption of food or alcohol on premises.**

**Council Member Joubert motioned to approve the Specific Use Permit for Wing Stop, with the stipulations from Planning and Zoning Commission, seconded by Council Member Sanders, which *passed* as follows:**

**Ayes: Mayor Gosey, and Council Members: Dalcour, Thomas, Joubert, Sanders**

**Nays: None**

**Absent: Mayor Pro Tem Sami, and Council Member Masimini**

3. Discuss and consider possible action 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. The property is located at 5703 Crawford Lane as requested by Arnold Stone.

**Council Member Thomas made a motion not to change the zoning for Arnold Stone, the current zoning is "LP" (Light Industrial) and it will remain Light Industrial, seconded by Council Member Dalcour, which *passed* as follows:**

**Ayes: Mayor Gosey, and Council Members: Dalcour, Thomas, Joubert, Sanders**

**Nays: None**

**Absent: Mayor Pro Tem Sami, and Council Member Masimini**

Council Member Sanders commended staff, Planning and Zoning Commission, Mr. Arnold, Ms. Johnson, and Ms. Campbell for working together, and coming to an agreement by themselves. Council Member Sanders emphasized that cooler heads prevail. Mr. Arnold echoed Council Member Sanders' sentiments. Mr. Arnold stated that the process that had just transpired was true democracy at its finest. In conclusion, Mr. Arnold thanked the council, staff and residents for allowing him and his company Arnold Stone to be located in the City of Forest Hill.

**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.

- E. Reconvene into regular session.**
- F. Take any action necessary pursuant to executive session.**
- G. Adjournment**

With no further business to discuss the council adjourned at 10:44 a.m.

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Grace Edwards, Acting City Secretary

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James Gosey, Mayor