



MINUTES

REGULAR COUNCIL MEETING

May 5, 2009

The City Council of the City of Forest Hill met on the above date at 7:08 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, Mayor Pro Tem Mustafa Sami, City Manager David Miller, City Secretary Debbie Maness, Fire Chief Pat Ekiss, Acting Public Works Director Roberto Duenes, Economic Development and Community Relations Director Venus Wehle and Finance Director Clifford Blackwell, III. Council Member Andrew Sanders – excused absence.

Opening Agenda:

A. Call to Order

With a quorum present, Mayor James Gosey called the meeting to order at 7:08 p.m.

B. Invocation

Invocation was delivered by Council Member Gerald Joubert

C. Pledge of Allegiance to Flags

Pledge to the United States and Texas Flags were recited.

D. Presentation of Life Saving Awards

Dr. Jeff Beeson and Jeff Popp with Med Star presented to Acting Lt. Jay White, Apparatus Operator Terry Cason, Firefighter Billy Blackwelder and Firefighter Jeff Horton the “Life Saving Patient Care” certificate. Chief Pat Ekiss and Assistant Chief Randy Chapman presented the “Life Saving Ribbon” to the firefighters. Mayor Gosey expressed appreciation on behalf of the Council and Citizens of Forest Hill for the leadership in the fire department.

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.

Ms. Leslie Lalonde thanked the Council for finally getting to Chimney Rock, it was nice and smooth.

F. Public Hearing

Case #PZ 2009-03 to receive citizen’s comments regarding a request for a zone change of 0.585 acres with the legal description being Lots 7B and 8A, Block 10 of Hanger Estates in the City of Forest Hill, Tarrant County, Texas. The property is located at 6113 Wichita. The zoning of the property at the present time is “R2” (Single Family Residential) and the applicant proposes to rezone to “LR” (Local Retail) as requested by Judy Wang.

Mayor Gosey opened the public hearing at 7:20 p.m.

City Manager, David Miller informed the Council that the citizen that had appeared before the Planning and Zoning with concerns about the project had contacted Ms. Barbara Koerble and stated that they were no longer opposed to the project.

Ms. Berniece Johnson, Chairperson of the Planning and Zoning Commission came before the Council and stated that the Planning and Zoning Commission had met on May 4, 2009. Ms. Johnson stated one citizen, Mr. and Ms. Mentz, 6111 Wichita, had voice concern about the safety of small children. The Planning and Zoning Commission voted unaiminously to approve this request for a zone change.

With no one else to speak, Mayor Gosey closed the public hearing at 7:24 p.m.

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 the April 21, 2009 council meeting.

Mayor Pro Tem Sami made a motion to approve the consent agenda. Seconded by Council Member Joubert and **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Pro Tem Sami and Mayor Gosey
Nays: None
Absent: Council Member Sanders

H. Deliberation Agenda

2. Discuss and consider Case #PZ 2009-03 to consider approval of a request for a zone change of 0.585 acres with the legal description being Lots 7B and 8A, Block 10 of Hanger Estates in the City of Forest Hill, Tarrant County, Texas. The property is located at 6113 Wichita. The zoning of the property at the present time is "R2" (Single Family Residential) and the applicant proposes to rezone to "LR" (Local Retail) as requested by Judy Wang. (Berniece Johnson, Planning & Zoning Chairperson)

There was discussion on the height of the building, the number of stories that would be allowed and the type of businesses that are allowed in "LR". Barbara Koerble, City Planner, gave the Council the list of business that could go in the zoning "LR". However, at this time, the Council is only approving zoning change, not building plans.

Mayor Pro Tem Sami made the motion to accept the recommendation of the Planning and Zoning Commission and approve the request for a zone change for the property located 6113 Wichita. Seconded by Council Member Thomas and **passed** follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Pro Tem Sami and Mayor Gosey
Nays: None
Absent: Council Member Sanders

3. Discuss and consider Ordinance No. 2009008, amending Chapter 62, "Garbage", Article I, "In General" of the City of Forest Hill's Code of Ordinances relative to solid waste regulations.(David Miller, City Manager)

Mayor Pro Tem Sami made a motion to approve Ordinance No. 2009008, amending Chapter 62, "Garbage, "Article I, "In General" of the City of Forest Hill's Code of Ordinance relative to solid waste regulations. Seconded by Council Member Masimini and **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Pro Tem Sami and Mayor Gosey
Nays: None
Absent: Council Member Sanders

4. Discuss and consider Ordinance No. 2009009, 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." (Council Member Masimini)

Council Member Masimini pulled this item from the agenda.

5. Discuss and consider alternative date for the May 19th Council Meeting. (David Miller, City Manager)

City Manager, David Miller explained that ICSC conference conflicted with the May 19th Council Meeting and because some of the Council Members and staff members would be attending ICSC that an alternative date would need to be determined.

Mayor Pro Tem Sami made a motion to set the date of May 14, 2009 as the date to canvass the votes only, and move all items that were to be consider on May 19, to be moved to the June 2, 2009 Council Meeting. Seconded by Council Member Masimini and passed as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Pro Tem Sami, and Mayor Gosey
Nays: None
Absent: Council Member Sanders

I. 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.

Destructors, Inc. vs. City of Forest Hill

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

Chief of Police

8. Pursuant to Section 551.072, Texas Government Code: Deliberation regarding real property: To deliberate the purchase, exchange, lease or value of real property.

Discussion of property available for economic development purposes.

Section 551.086(1). Deliberation regarding economic development negotiations. To discuss or deliberate regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or

Section 551.086(2). To deliberate the offer of a financial or other incentive to a business prospect described by Subdivison (1).

La Quinta Inn & Suites Tax Incentive Package

Council recessed into Executive Session at 7:49 p.m.

- J. Reconvene into regular session.**

Council reconvened into regular session at 8:31 p.m.

- K. Take any action necessary pursuant to executive session.**

Council Member Joubert made the motion to approve the Tax Incentive Package to La Quinta Inn and Suites. Seconded by Mayor Pro Tem Sami and **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Pro Tem Sami, and Mayor Gosey
Nays: None
Absent: Council Member Sanders

- L. Adjournment**

With no further business to discuss, council adjourned at 8:33 p.m.

Respectfully submitted,

Approved

Debra W. Maness, City Secretary

James Gosey, Mayor