



**MINUTES  
REGULAR COUNCIL MEETING  
August 3, 2010  
7:00 P.M.**

The City Council of the City of Forest Hill met on the above date at **7:00 p.m.** with Mayor James Gosey presiding. The following Council Members and officials were present: Mayor Pro Tem Dulani Masimini, Damian Dalcour, Lyndia Thomas, Gerald Joubert, City Manager Sheyi I. Ipaye, and Director of Economic Development & Community Relations Venus Wehle. The following Council Members and officials were absent: Mustafa Sami, Andrew Sanders, Acting City Secretary Grace Edwards, and City Attorney Warren Spencer.

**Opening Agenda:**

**A. Call to Order**

With a quorum present, Mayor Gosey called the meeting to order at 7:09 p.m.

**B. Invocation**

Invocation was delivered by James Gosey, Mayor.

**C. Pledge of Allegiance to Flags**

Pledge to the United States and Texas flags were recited.

**D. City Manager's Report:**

• **Update regarding establishing a Building Standards Commission**

Sheyi Ipaye, City Manager emphasized concerns with a decline in property value and the fact that some homeowners are not maintaining their properties in a satisfactory condition; therefore, he emphasizes the need for a Building and Standards Commission which would review these homes when there are serious code violations and then make recommendations to the Council.

**E. Citizens Presentation:**

**Jimmie Sanders, 7005 Stonewall Road** – Mr. Sanders made a complaint about possible action against City Manager performance issue. Mr. Sanders states that taxes were raised to about 8% last year and that amount was too much for senior citizens. He further states that the past City Manager was terrible and that the citizens were treated badly and no one wanted to evaluate that City Manager's performance. In his conclusion, he scolds Council Member Joubert about his perceived negative attitude.

**R. A. Linkenhoker, 4716 Parkwood Drive** – Mr. Linkenhoker's question pertains to the City's budget shortfall and the purchase of the Public Works Building. He correlates the budget shortfall of \$400,000 to the Public Works building purchase of \$400,000, and asks that if this

building was only appraised at \$100,000 why did the City pay \$400,000 for the building?

**Jerline Harvey, 3300 Old Hickory Trail** – Mrs. Harvey made a complaint about possible action against City Manager performance issue. Mrs. Harvey states that she is embarrassed being affiliated with some Council Members and Officials, and that she is upset with the evaluation of the City Manager. She added that he has the needed qualifications and passion to take this City forward.

**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 the minutes July 20, 2010 regular council meeting.

**Council Member Lyndia Thomas made a motion to accept the consent agenda item, seconded by Mayor Pro Tem Dulani Masimini, which *passed* as follows:**

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

**Nays: None**

**Absent: Council Members Sami and Sanders**

**Deliberation Agenda:**

1. Discuss and consider possible action regarding the approval of Ordinance No. 2010-05-006, an Ordinance amending Chapter 2, Administration, Section 2-7, permitting Council Members to serve on the Community Development Corporation and amending Chapter 2, Administration, by adding a new Section 2-15, City Secretary, setting forth the duties of the City secretary. (Warren Spencer, City Attorney).

**This item has been pulled by the City Manager**

2. Discuss and consider possible action regarding appointments to Boards, Committees, and Commissions, (Lyndia Thomas, Council Member) No action was taken on this item from the 07-20-10 regular council meeting.
3. Discuss and consider possible action regarding appointments to the planning and zoning Commission, (Mayor Pro Tem Masimini).
4. Discuss and consider possible action regarding appointments to the Community Development Corporation, (Mayor Pro Tem Masimini).
5. Discuss and consider possible action regarding establishment of Building Standards Commission, (Sheyi Ipaye, City Manager).

**Council Member Lyndia Thomas made a motion to combine Deliberation Agenda item numbers two (2) thru four (4), seconded by Mayor Pro Tem Dulani Masimini, which *passed* as follows:**

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

**Nays: None**

**Absent: Council Members Sami and Sanders**

Council Member Lyndia Thomas recommends that a list be created for Boards, Committees, and Commissions Applicants; and then Council will select applicants by going down the list. Conversely upon further discussion of applicants' selection process, Council had staff retrieve copies of Applicants' applications and selection was based on applicants' preference along with recommendation by Council.

The following applicants were recommended for the Planning and Zoning Commission:

Council Member Damian Dalcour advised that he had recommended an applicant who did not work out and as a result, Council Member Dalcour states that he will never again recommend this applicant.

Mayor Pro Tem Dulani Masimini advised that he recommends the following applicants: Berniece Johnson, Adrian Anderson, David Gainer, Hattie Jones, Jimmie Sanders, and James Reed.

Council Member Lyndia Thomas advised that she recommends Loretta Muldrew.

Council Member Gerald Joubert advised that he recommends Rodney Wright. However, since this was not Mr. Wright's first (1<sup>st</sup>) preference on his application he did not receive further consideration for the Planning and Zoning Commission.

New Planning and Zoning Commission: Loretta Muldrew, Berniece Johnson, Adrian Anderson, David Gainer, Hattie Jones, Jimmie, Sanders, and James Reed.  
(Effective thirty (30) days from August 3<sup>rd</sup>, 2010)

Council Member Damian Dalcour made a motion to approve applicants' nomination for Planning and Zoning Commission, seconded by Council Member Thomas, which *passed* as follows:

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

**Nays: None**

**Absent: Council Members Sami and Sanders**

**Item # 4 - No action was taken on this item.**

**Item #5 - The establishment of a Building Standards Commission: Council Member Lyndia Thomas states that more explanation is needed as to the duties and purpose of this Commission. In addition, Council Member Thomas further elaborates that more specifics are needed on this Commission such as defining an in place model and looking at best practices.**

6. Discuss and consider possible action regarding "The reauthorization of the local sales and use tax in the City of Forest Hill at the rate of one-fourth of one percent, to continue providing revenue for maintenance and repair of municipal streets" (Texas Tax Code Section 327.007). The election to reauthorize the tax must be included on the November 2010 Ballot (James Gosey, Mayor).

**Mayor Gosey advised that the election to reauthorize the tax will need to be included on the November 2010 Ballot in order to maintain the City's current status with receiving funding.**

**Council Member Lyndia Thomas made a motion to approve the election to reauthorize the tax on the November 2010 Ballot, seconded by Council Member Joubert, which**

*passed as follows:*

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

**Nays: None**

**Absent: Council Members Sami and Sanders**

7. Discuss and consider possible action regarding public transportation service for the residents of Forest Hill provided by the Fort Worth Transportation Authority the "T." (James Gosey, Mayor)

**This item has been pulled by the 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.

1. **Pending or Contemplated Litigation or to seek the advise of the City Attorney pursuant to section 551.071.**
  - a) Update concerning pending litigation David Miller vs. City of Forest Hill
2. **Section 551.074, Texas Government Code: Personnel Matters (a) (1) to deliberate the appointment, employment, employment evaluation, reassignment, duties, discipline, or dismissal of public officer or employee:**
  1. Discuss and consider possible action against City Manager – Sheyi Ipaye performance issue. (Council Member Gerald Joubert)
  2. Mid-year Review for City Manager, Sheyi Ipaye

**G. Reconvene into regular session.**

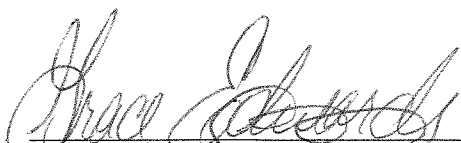
Council reconvened into regular session at 9:47 p.m.

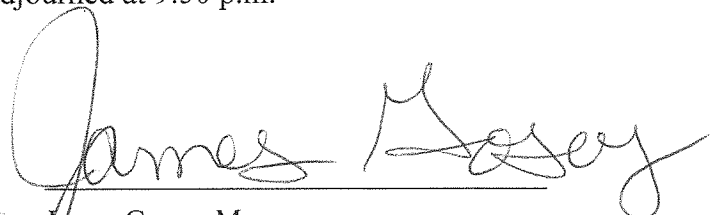
**H. Take any action necessary pursuant to executive session.**

**Mayor Gosey advised that there are no issues with City Manager – Sheyi Ipaye performance**

**I. Adjournment**

With no further business to discuss the Council adjourned at 9:50 p.m.

  
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Grace Edwards, Acting City Secretary

  
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James Gosey, Mayor

