



**MINUTES
REGULAR COUNCIL MEETING
September 21, 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, Andrew Sanders, City Manager Sheyi I. Ipaye, City Secretary Grace Edwards, Police Chief Robert Herbert, Fire Chief Ed Henderson, and City Attorney Warren Spencer. The following Council Members and officials were absent: Council Member Mustafa Sami.

Opening Agenda:

A. Call to Order

With a quorum present Mayor James Gosey called the meeting to order at 7:09 P.M.

B. Invocation

Invocation was delivered by Pastor Dwayne Washington, Gentlemen's Society.

C. Pledge of Allegiance to Flags

Pledge to the United States and Texas flags were recited by Gentlemen's Society Members.

D. City Manager's Report:

- **Update on the New Public Works Building located at 3101 Horton Road and the New Police and Fire Department Sub-Station located at 6800 Forest Hill Drive.**

City Manager, Sheyi Ipaye stated that the New Public Works Facility is progressing well, and the project completion date is the end of October.

- 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.

Loretta Muldrew, 3300 Valley Forge Trail – Mrs. Muldrew had concerns regarding honesty and integrity of Chesapeake.

Sam Shefic, 2916 Glen Garden South, Fort Worth, Texas 76119 – Mr. Shefic spoke regarding the City of Forest Hill's possible re-establishment of the City of Forest Hill Chamber of Commerce. He feels that housing two chamber of commerce's in the same building would present conflicting interests.

PUBLIC HEARINGS

- 1) Case #PZ 2010-10 to receive citizen's comments regarding a request for a Specific Use Permit to allow for the drilling of a gas well. The current zoning of this property is HI (Heavy Industrial). The property is located at 5327 Wichita Street with the legal description being Lot 1R1, Block 1 of the Conaster Addition in the City of Forest Hill, Tarrant County, Texas as requested by Chesapeake Operating Inc.

Public Hearing for Case #PZ 2010-10 opened at 7:50 P.M.

David Guy, 3513 Lon Stephenson Road – Mr. Guy spoke in favor of Chesapeake. He welcomed the additional revenue that the drilling site would bring.

Maria Luera, 3324 Centennial Road - Ms. Luera spoke in favor of Chesapeake.

Lucy Armendariz, 3824 Brambleton Place – Ms. Armendariz spoke in favor of Chesapeake.

Gene Pirtle, 6106 Guilford Street – Mr. Pirtle spoke in favor of Chesapeake.

Mary Dalton, 3711 Bisbee Street – Mrs. Dalton spoke in favor of Chesapeake.

Brandon McKinley, Chesapeake Inc., 100 Energy Way, Fort Worth, TX. 76102 – Mr. McKinley spoke in favor of Chesapeake.

Pat Brown, 6019 Wichita Street – Ms. Brown spoke in favor of Chesapeake.

Donnie Lee, 3328 Shamrock Lane – Mr. Lee spoke against Chesapeake.

Meto Metiff, 4453 Crestline Road – Mr. Metiff spoke against Chesapeake.

Jimmie Sanders, 7005 Stonewall Road – Mr. Sanders encouraged Chesapeake to be honest with the residents of Forest Hill.

Helen Sparks, 3312 Oak Timber – Mrs. Sparks feels that Chesapeake continues to be dishonest with the residents of Forest Hill.

Hilda Ray, 3341 Oak Timber – Mrs. Ray stated that she is disappointed in Chesapeake's past performance.

Darla Wachowski, 3417 Falcon – Mrs. Wachowski spoke in favor of Chesapeake.

Lawrence Banks, 3209 Oak Timber – Mr. Banks reflected on his past experiences with Chesapeake. He stated that when he contacted Chesapeake about not receiving royalty checks, Chesapeake employees were offended.

Public Hearing for Case #PZ 2010-10 closed at 8:12 P.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 the minutes of August 17, 2010 regular council meeting.

Mayor Pro Tem Masimini made a motion to approve Consent Agenda Item #1, #2. and #3, seconded by Council Member Dalcour which passed as follows:

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

Nays: None

Absent: Council Member Mustafa Sami

2. Consider the minutes of August 24, 2010 special council meeting.

Consent Agenda Items #1, #2, and #3 were voted on together.

3. Consider the minutes of September 7, 2010 regular council meeting.

Consent Agenda Items #1, #2, and #3 were voted on together.

G. Deliberation Agenda:

4. Discuss and consider possible action regarding the approval of Ordinance No. #2010-09-001, adoption of Atmos Mid-Tex rate increase in the third RRM (Rate Review Mechanism); and extension of RRM and steel service line replacement program. (Sheyi Ipaye, City Manager)

Mayor and Council moved directly to Deliberation Item #5.

5. Discuss and consider possible action on Case #PZ 2010-10 to approve a request for a Specific Use Permit to allow for the drilling of a gas well. The current zoning of this property is HI (Heavy Industrial). The property is located at 5327 Wichita Street with the legal description being Lot 1R1, Block 1 of the Conaster Addition in the City of Forest Hill, Tarrant County, Texas as requested by Chesapeake Operation, Inc. (Sheyi Ipaye, City Manager)

Council Member Joubert made a motion to approve Deliberation Item #5, seconded by Council Member Thomas. After an extensive discussion ensued Council Member Thomas pulled her second. Council Member Joubert made a second motion that we accept Deliberation Item #5, seconded by Mayor Pro Tem Masimini, which did not pass as follows: City Manager Sheyi Ipaye explained; that the vote for Deliberation Item #5 would have to be a super majority, meaning five votes for Deliberation Item #5 is required for this particular item to pass.

Ayes: Mayor and Council Members: Joubert, Sanders, Mayor Pro Tem Masimini

Nays: Council Member Dalcour

Abstain: Council Member Thomas

Absent: Council Member Mustafa Sami

Mayor and Council recessed into executive session at 7:15 P.M. Mayor and Council reconvened into regular session at 7:44 P.M.

Meto Metiff, 4453 Crestline Road, Fort Worth, Texas 76107 – Mr. Metiff spoke against Chesapeake. He feels that Chesapeake is not being honest about the reason they chose the Conaster Site. Mr. Metiff suggested that Chesapeake reconsider another site that would benefit more residents of the City of Forest Hill.

Tiesa Leggett and Angela Ports, Chesapeake Operation, Inc. – Ms. Leggett and Ms. Ports supported the Conaster Site. Both explored the possible benefits of the proposed (Conaster) site.

Mr. Jerry Conaster, 5327 Wichita Street – Mr. Conaster stated that the most desirable

location for a drill site in the City of Forest Hill is the Conaster Site. He is very excited about the benefits for the residents of Forest Hill.

Council Member Thomas expressed reservations about voting for the Conaster Drill Site. She was not assured that the proposed site would be beneficial to the residents of Forest Hill. Mayor and Council recessed into executive session at 8:58 P.M., Mayor and Council reconvened into regular session at 9:04 P.M.

Council Member Joubert made a motion to accept Deliberation Item #5, seconded by Mayor Pro Tem Masimini, which passed as follows:

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

Nays: None

Absent: Council Member Mustafa Sami

Mayor and Council moved from Deliberation Item #5, directly into Deliberation Item #7.

6. Discuss and consider possible action regarding the approval of Ordinance No. 2010-05-007, an Ordinance establishing the procedure for the appointment and removal of the person classified immediately below department heads. (Sheyi Ipaye, City Manager)

Mayor Pro Tem Masimini made a motion to approve Deliberation Item #6, seconded by Council Member Dalcour which passed as follows:

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

Nays: None

Absent: Council Member Mustafa Sami

After deliberation Item #6, Mayor and Council moved directly into executive session.

7. Discuss and consider possible action regarding the approval of the National Fire Prevention Week Proclamation. (Sheyi Ipaye, City Manager)

Council Member Thomas made a motion to approve Deliberation Item #7, seconded by Mayor Pro Tem Masimini which passed as follows:

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

Nays: None

Absent: Council Member Mustafa Sami

Mayor and Council moved from Deliberation Item #7 directly to Deliberation Item #8.

8. Discuss and consider possible action concerning the re-establishment of the City of Forest Hill Area Chamber of Commerce. (Sheyi Ipaye, City Manager)

Mayor Pro Tem Masimini made a motion to approve Deliberation Item #8, seconded by Council Member Dalcour which passed as follows:

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

Nays: None

Absent: Council Member Mustafa Sami

Mayor and Council moved from Deliberation Item #8 directly to Deliberation Item #6.

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.

9. Pending or Contemplated Litigation or to seek the advice of the City Attorney pursuant to Section 551.071.
 - a) Update on lawsuit filed by David Miller vs. City of Forest Hill

H. Reconvene into regular session.

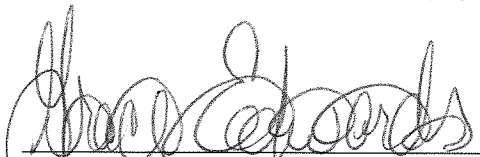
Council reconvened into regular session at 9:52 P.M.

I. Take any action necessary pursuant to executive session.

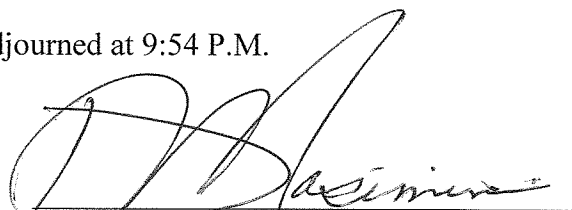
Council Member Thomas made a point of clarity; because she needed to obtain more information regarding Deliberation Item #5, she decided to recall her vote.

J. Adjournment

With no further business to discuss the Council adjourned at 9:54 P.M.



Grace Edwards, City Secretary



Dulafi Masimini, Mayor Pro Tem