



**MINUTES
REGULAR COUNCIL MEETING
December 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 Pro Tem Dulani Masimini presiding. The following Council Members and officials were present: Damian Dalcour, Lyndia Thomas, Gerald Joubert, Andrew Sanders, Mustafa Sami, 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: Mayor James Gosey.

Opening Agenda:

A. Call to Order

With a quorum present Mayor Pro Tem Masimini called the meeting to order at 7:00 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. City Manager's Report:

• **Update on the Municipal Yard**

The Municipal Yard will be located at 3415 Horton Road the old Public Works facility. This location will store all vehicles towed in the City of Forest Hill. The city manager looks forward to the funds that this facility will generate.

• **Update on the new Police and Fire Department Sub-Station**

The Police and Fire Departments are moving in very rapidly. Safety and security is the City of Forest Hill's number one priority. Both Police and Fire Chiefs will be housed at this facility. The facility directly across the street from the Police and Fire Department Sub-Station (old community center facility) will be the new Youth/Senior Citizen Facility. The Senior Citizens will use the facility in the mornings from 9:00 A.M. to 1:00 P.M., and the Youth Citizens will use the facility in the evenings from 4:00 P.M. to 8:00 P.M. The City of Forest Hill has also completed a full size basketball court at the new Youth/Senior Citizens Facility located at 6800 Forest Hill Drive for the enjoyment of the youth of Forest Hill.

• **Update on pending Economic Development Projects**

Best Western Hotel owner Mr. Patel is in the final phase of loan approval. This hotel will be a 300-seat facility, and is a welcomed addition to the City of Forest Hill's Business Community.

The City of Forest Hill welcomes yet another new addition to the business community; a new fully automated Car Wash Facility will soon be erected. The property is located on Wichita Street. This will be the owners second fully automated car wash facility located in the DFW area.

An Assisted Living Facility will be located at 4607 California Parkway East. The owner Edgar Santiago is very excited about future benefits that the Assisted Living Facility will bring to the City of Forest Hill. The city manager and the City Council welcome Mr. Santiago to the City of Forest Hill's Business Community.

- **Update on the Forest Hill Action Group**

The Forest Hill Action Group was founded in 1980. The group started small but has grown. It is a partnership between area churches, schools, organizations, the City of Forest Hill and local stores. This group is operated solely by volunteers, the group watches for "deals" year round in order to meet the needs of those they serve. Recipients are interviewed and entered into a database for tracking. The Forest Hill Action Group gave 91 City of Forest Hill families can goods and a free hen, as well as, 251 children (regardless of age) were given several gifts for Christmas this year.

- 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 expressed her pleasure with regard to Council Member Sanders' retracted resignation. She referenced Council Member Sanders as the father of the city council. She stated that he is a council member that exemplifies good judgment, and true concern for the betterment of Forest Hill and its residents. Mrs. Muldrew had questions regarding the 12-09-10 special council meeting agenda items that were never addressed. Mrs. Muldrew encouraged the City Council to give the city secretary a job description. Her disappointment in the behaviors of certain council members was noted. All members of the audience can see clear division and plotting on the part of certain individuals, she states. Conclusively, Mrs. Muldrew reminds the council members that the citizens voted them into office, and the citizens can vote them out of office.

Brenda Scruggs, 8132 Hosta Way, Fort Worth, Texas – Mrs. Scruggs commended Council Member Sanders for not resigning. She was very pleased that he would be representing the City of Forest Hill. Mrs. Scruggs was appalled by the behavior of several City Council Members. Mrs. Scruggs stated that Mayor James Gosey did not receive due process. Sections 3.10 and 3.11 of the City of Forest Hill City Charter were referenced. She kindly welcomed all who were interested in running for the mayoral seat to meet her at the May 2011 Polls. Furthermore, Mrs. Scruggs encouraged the City Council to consider allowing Mayor James Gosey to return to his mayoral seat without further delay or litigation.

Jimmie Sanders, 7005 Stonewall Road – Mr. Jimmie Sanders stated that his prayers have been answered. Council Member Drew Sanders is like a father for the City of Forest Hill City Council. Mr. Jimmie Sanders affirmed Council Member Drew Sanders' insight and vision. He further noted that Council Member Drew Sanders leads by example with his mind and his heart. Mr. Jimmie Sanders was very excited that Council Member Drew Sanders will complete his term. Mr. Sanders stated that neither Mayor James Gosey nor the City of Forest Hill Council Members are perfect. Furthermore, Mr. Sanders feels that Mayor James Gosey should be reinstated as soon as possible.

Beckie Hayes, 7317 Woodbridge Drive – Mrs. Hayes stated that she was praying that she saw

Council Member Sanders at tonight's meeting. She encourages the City of Forest Hill's City Council to bring back professionalism. Conclusively, Mrs. Hayes would like to see the city move forward and work together.

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 the November 16, 2010 regular council meeting.
2. Consider the minutes of the December 7, 2010 regular council meeting.
3. Consider the minutes of the December 9, 2010 special council meeting.

Council Member Sami made a motion to approve consent agenda item #1, #2, and #3, seconded by Council Member Sanders, which passed as follows:

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

Nays: Council Members: Thomas and Joubert

Absent: Mayor James Gosey

G. Deliberation Agenda:

4. Discuss and consider possible action regarding accepting the resignation of Mr. Drew Sanders, Council Member Place #5 from the Forest Hill City Council. (Gerald Joubert, Council Member)

Council Member Joubert pulled deliberation item #4.

5. Discuss and consider possible action regarding replacement of Council seat Place #5. (Gerald Joubert, Council Member)

Council Member Joubert pulled deliberation item #5.

6. Discuss and consider possible action regarding the appointment of a temporary presiding officer. (Lyndia Thomas, Council Member)

Council Member Joubert made a motion to select Council Member Thomas as the temporary presiding officer, Council Member Dalcour seconded, which passed as follows:

Ayes: Council Members: Dalcour, Thomas, Joubert, Sanders, and Sami

Nays: Mayor Pro Tem Masimini

Absent: Mayor James Gosey

7. Discuss and consider possible action regarding authorizing the City Manager to move forward with the acquisition of the property located at 3717 California Parkway, (Chase Bank) Forest Hill, Texas. (Sheyi Ipaye, City Manager)

Council Member Joubert made a motion to give the city manager authorization to move forward with the acquisition of the property located at 3717 California Parkway, seconded by Council Member Dalcour which passed as follows:

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

Nays: None

Absent: Mayor James Gosey

8. Discuss and consider possible action regarding absent/leave for City Attorney, Municipal Judge, City Secretary, City Manager. (Dulani Masimini, Mayor Pro Tem)

Council Member Thomas made a motion to adopt the positions of city manager and city secretary with regard to absent/leave to be held to the standards stated in the Personnel Policies and Procedures Manual, the exceptions to this rule will be that any reporting requirements or references to the supervisors in the manual shall mean the City Council as a body with regards to the city manager and city secretary, seconded by Council Member Joubert which *passed* as follows:

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

Nays: None

Absent: Mayor James Gosey

9. Discuss and consider possible action regarding Ordinance No. 2010-12-002, an ordinance defining terms for boards and commissions. (Dulani Masimini, Mayor Pro Tem)

Council Member Joubert made a motion to approve Ordinance No. 2010-12-002, seconded by Council Member Thomas which *passed* as follows:

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

Nays: None

Absent: Mayor James Gosey

10. Discuss and consider possible action regarding the development of an evaluation tool and process for council appointees.

Deliberation item #10 has been temporarily tabled until the city manager can decide on a date that would accommodate all of the members of the council.

11. Discuss and consider possible action regarding who types and posts agendas. (Dulani Masimini, Mayor Pro Tem)

No action was taken on Deliberation item #11.

12. Discuss and consider possible action regarding the duties/goals for the City Attorney, Municipal Judge, City Secretary, and City Manager. (Dulani Masimini, Mayor Pro Tem)

No action was taken on Deliberation item #12.

13. Discuss and consider possible action regarding the municipal yard located at 3415 Horton Road. (Sheyi Ipaye, City Manager)

Council Member Thomas made a motion to approve deliberation item #13, seconded by Council Member Joubert, which *passed* as follows:

Ayes: Council Members: Dalcour, Thomas, Joubert, Sanders, and Sami

Nays: Mayor Pro Tem Masimini

Absent: Mayor James Gosey

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. Pending or Contemplated Litigation or to seek the advice of the City Attorney pursuant to Section 551.071.

- 1) Update on lawsuit David Miller vs. City of Forest Hill
- 2) Update on pending lawsuit from Venus Wehle

15. 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:

- 1) Discuss and consider defined duties/goals for the City Attorney, Municipal Judge, City Secretary, and City Manager. (Dulani Masimini, Mayor Pro Tem)
- 2) Discuss and consider possible action regarding allegation of sexual harassment by the city secretary against Council Member Damian Dalcour. (Gerald Joubert, Council Member)

H. Reconvene into regular session.

Council reconvened into regular session at 9:40 P.M.

I. Take any action necessary pursuant to executive session.

No action was taken.

J. Adjournment

With no further business to discuss the council adjourned at 9:41 P.M.

Grace Edwards, City Secretary

Dulani Masimini, Mayor Pro Tem