



## MINUTES

### SPECIAL COUNCIL MEETING September 16, 2008

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: Council Members Damien Dalcour, Lyndia Thomas, Gerald Joubert, Dulani Masimini, Drew Sanders, Mayor Pro Tem Mustafa Sami, City Manager David Miller, City Secretary Debbie Maness, Fire Chief Pat Ekiss, Finance Director Clifford Blackwell, III, Police Chief Rex Phelps, Acting Public Works Director Roberto Duenes, Economic Development and Community Relations Director Venus Wehle, and City Attorney Bonnie Goldstein.

#### Opening Agenda:

- I. Call to Order**  
With a quorum present, Mayor Gosey called the meeting to order at 7:00 p.m.
- II. Invocation**  
Invocation was delivered by Council Member Gerald Joubert.
- III. Pledge to Flags**  
Pledge to the United States and Texas flags were recited.
- IV. Proclamation – Honoring State Senator Kenneth “Kim” Brimer**  
Proclamation was read by Mayor James Gosey and presented to Senator Kenneth Brimer.
- V. Citizens Presentation**  
Mr. James Overton, 6520 Royal Oaks, Forest Hill, TX, expressed concern about the Youth Advisory Committee budget cut from \$1,500 to \$500.00
- VI. Staff Reports**

#### **City Manager’s Report**

**Master Parks Plan Update** – City Manager stated that the City could save approximately \$12,000 by using UTA to help develop the Parks Master Plan and that it would be completed no later than November 30, 2008

**Forest Hill Drive repair** - the City has sent a letter of request to County Commissioner Brooks to help funding this project, repairing Forest Hill Drive, north of 820 to Orchard Street.

**ICMA Conference** – is next week and City Manager will be Virginia.

**Vacancies on Boards** – There are vacancies on the Planning & Zoning Commission and Community Development Board.

#### **Finance Director’s Report**

**General Fund** – As of August 31, 2008 the General Fund had collected 86.2% of the revised budgeted revenues and expended 93.4% of the budget. Sales Tax received in August was \$116,213. We had collected 2% more of the current ad valorem taxes than budgeted and 88.6% of the delinquent ad valorem taxes.

**Debt Service Fund** – 93.2% of Debt Service budgeted revenue had been collected and 90.3% of the budget had been expended.

**Forest Hill Community Development Corporation** - \$525,371 or 95.5% of budgeted 4B Sales Tax had been collected for the current year and 79.2% of the current budget had been expended

**Finance Director's Report (continued)**

**Street Improvement Fund** - \$262,686 has been received in Sales Tax, which is 9.5% more than the budgeted amount of \$240,000.

**Water and Sewer** - the total operating fund has collected 89.8% of its budgeted revenues as of August 2008. Water and sewer sales make up 93% of total revenues received. Additionally, the Water and Sewer fund has expended 76.8% of the budget.

**Fire Chief/Acting Building Official**

The Fire Department had logged 274 calls for emergency service during the month of July and the first two weeks of August. Burn bans remain active in Tarrant County and will likely continue thru spring 2009. The Fire Department has received a grant for specialized training from their partnership with the City of Fort Worth. Pat Ekiss, Fire Chief, has been named Chairman of the Tarrant County Firefighter Fatality and Near Miss task force. Apparatus annual preventative maintenance has been completed and minor deficiencies (if any) were corrected.

The Building and Inspections departments remain on target. During the last three weeks their plan review has maintained a three day turnaround. They have finalized all necessary steps to clear the way for the La Quinta to begin dirt work and site preparation. 30 permits were issued resulting in 37 inspections and 24 re-inspections.

**Acting Public Works Director**

During the months of July and August, there were 39 sewer backups, 17 water breaks/valve repairs, 11 drainage ditches cleaned, approximately 600 pot holes patched, approximately 12,750 feet crack sealing repairs, several street/traffic sign corrections, flushed 66 dead end fire hydrant mains. Park maintenance included mowing, weeding, tree trimming, picking up debris, empty trash, sodding and irrigation repairs. City facilities maintenance included mowing, weeding and landscaping. There were 20,000 feet of right-of-ways mowed, and street repairs on 6600 Block of Wichita from cave-in and 5800 Block of Wichita from water main break

**Police Chief's Report**

Code Enforcement was recently assigned to the police department. Because of the motorcycle traffic units, the accident rate is down 20%. Year to date crime statistics show that our overall crime has decreased by 7% and our major crimes have decreased by 14%

**Community/Economic Development Director's Report**

Marketing packets were sent to several developers who are interested in the 92 acres. Met with owner and broker to discuss City Hall placement on property, tax incentive, infrastructure improvements and construction of apartment buildings on the 92 acres. Hampton Inn & Suites are waiting final approval on plans to break ground. Holiday Inn Express is working out contract with Llewellyn Realty. A developer is looking at plans to construct office building on Forest Hill Circle. Connect CTY used for emergency City Hall closure, closure of Wichita Street for emergency repairs and for blood drive held on 08/25/2008. Future City events include "National Night Out-Stampede Against Crime", Tuesday, October 7<sup>th</sup> and "holiday event" for Saturday, December 6<sup>th</sup>.

**1<sup>st</sup> PUBLIC HEARING**

To receive citizens comments on a proposal to increase total tax revenues from properties on the tax roll in the preceding tax year by 2.33 percent. Your individual taxes may increase a greater or lesser rate or even decrease, depending on the change in the taxable value of your property in relation to the change in taxable value of all other property and the tax rate that is adopted.

Mayor Gosey opened the public hearing at 7:35 p.m. Finance Director, Clifford Blackwell explained that the city's current tax rate is \$0.95 per \$100 valuation and will remain \$0.95 per \$100 valuation. However, due to the increase in taxable value, the city will receive additional revenue from ad valorem taxes we are required to have two public hearings.

With no one else to speak, Mayor Gosey closed the public hearing at 7:37 p.m.

**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 request, in which event the item will be removed from the Consent Agenda and considered in it normal sequence on the agenda,

- 2008108. Consider minutes of September 2, 2008 council meeting.
- 2008109. Consider approval of engagement letter with Pingleton, Howard and Company for audit services for fiscal years ending 2008, 2009, 2010.

Item 2008110 was removed from Consent Agenda and moved to the Deliberation Agenda.

A motion was made by Council Member Joubert to approve consent agenda items 2008108 and 2008109. Seconded by Council Member Thomas and **passed** as follows:

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

Nays: None

**Deliberation Agenda:**

- 2008110. Consider Resolution # 12-2008, a resolution of the City Council of the City of Forest Hill, Texas, awarding contract to lowest bidder for the 34<sup>th</sup> year CDBG project.

City Manager led the explanation and discussion of how streets are chosen for the CDBG.

A motion was made by Council Member Joubert to accept item number 2008110, Resolution #12-2008 awarding contract to lowest bidder for the 34<sup>th</sup> year CDBG project. Seconded by Mayor Pro Tem Sami and **passed** as follows:

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

Nays: None

- 2008111. Discuss and consider choosing a company to perform an energy efficiency study for the City.

City Manager and representative from Chevron explained that the first step in the study is for Chevron to perform an audit to determine if there is enough savings to make the project budget neutral. The audit should be completed by the end of the year.

A motion was made by Council Member Thomas to move forward with Chevron to perform an energy efficiency study for the City, subject to the City Attorney's approval of the contract. Seconded by Mayor Pro Tem Sami and **passed** as follows:

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

Nays: None

- 2008112. Discuss and consider rescheduling the Council Meetings for October 7<sup>th</sup> due to National Night Out and November 4<sup>th</sup> due to National Elections.

A motion was made by Mayor Pro Tem Sami that the meeting for October 7<sup>th</sup> be cancelled due to National Night Out and reschedule to October 21<sup>st</sup>, the meeting for November 4<sup>th</sup> is cancelled due to National Elections and rescheduled to November 18<sup>th</sup>. Seconded by Council Member Joubert and **passed** as follows:

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

Nays: None

2008113. Discuss and consider selecting a Primary Member Representative, Secondary Member Representative, and Administrative Member Representative for TEX-21.

At this time, Council Member Masimini is the primary representative and the City Manager serves as the secondary representative, and the Director of Community Relations/Economic Development is the administrative representative.

A motion was made by Mayor Pro Tem Sami that the council accepts the recommendation of the staff to approve the incumbent appointees. Seconded by Council Member Sanders and **passed** as follows:

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

Nays: None

2008114. Discuss and consider location sites and construction alternatives for City Hall.

City Manager gave presentation on three different proposals for the City Hall. The council had passed \$2.5 million bond last year for a new city hall and street proposals. However based on money as we can toward streets. With this in mind here are the three alternatives.

1. The first option is place city hall on the 92 acres. City Manager and Economic Development Director have had discussion with land owner and he has agreed to put roadway, water, sewer and land necessary to build city hall on the 92 acres. The owner believes that city hall being on the 92 acres would be an economic driver for the 92 acres. This is a great deal for the city with no up front cost. The owner would be willing to enter into a 380 agreement with the city for those amendments. If the 92 acres never develop, the city never have to pay for any of these. However, the likely hood of it not developing is highly unlikely.
2. The second option is locating the city hall on 5 acres located at Forest Hill Drive and California Parkway. The developer would be willing to sell the back ½ of the land to the City for \$900,000; in exchange developer would reinvest it back into the 92 acres.
3. The third option, take existing building and expand and add 3,000 sq. ft. making an administrative wing. It is believed that the cost would be \$100 - \$150 a sq. ft, bringing the cost \$350,000 - \$400,000. The community center could be renovated and money could be applied toward the Public Works building. Council had authorized the existing Public Works building to be torn down and replaced with a 2,200 sq. ft. modular building. Since that time, the city has been approached by an owner of a building located at Horton and Mansfield Highway. This building is 8,000 sq ft with 7 bays and high headers so that equipment could be pulled out of the weather. The cost at this time is \$460,000; however negotiations are still going on. Going with this option we would be able to expand City Hall, revamp the Community Center, and purchase a building for Public Works for less than the cost of a new city hall.

Motion was made by Council Member Thomas to accept option #3, expanding current city hall, renovating the Community Center and look at purchasing the building for public works. Seconded by Council Member Joubert and **passed** as follows:

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

Nays: Council Member Masimini

VII. Mayor and Council Reports.

Mayor Pro Tem Sami– would like to remind everyone that Meals on Wheels still need volunteers. One hour per week.

Council Member Joubert – stated that he appreciated Chief Ekiss and his staff and wanted to let Assistant Chief Chapman that they were in his prayers.

Mayor Gosey – Would like the council members to continue with the training so that they can become certified council members.

VIII. **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.

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

City of Forest Hill vs. David Vestal and Charles Gardner  
David Vestal vs. City of Forest Hill

Council recess into executive session at 8:45p.m.

IX. Reconvene into regular session

Council reconvened into regular session at 9:26 p.m.

X. Take any action necessary pursuant to executive session.

Council Member Joubert made motion for the City Attorney to proceed as directed in executive session. Motion seconded by Council Member Sanders and **passed** as follows;

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

Nays: None

**Adjournment**

With no further business to discuss, council adjourned at 9:27 p.m.

Respectfully submitted,

Approval:

---

Debra W. Maness, City Secretary

---

James Gosey, Mayor