

**Minutes of**  
**REGULAR COUNCIL MEETING**  
**June 3, 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 Damian Dalcour, Lyndia Thomas, Gerald Joubert, Drew Sanders, Dulani Masimini, Mayor Pro Tem Mustafa Sami, City Manager David Miller, City Secretary Jacquelyn Allen, Finance Director Debbie Maness, Fire Chief Pat Ekiss, Acting Public Works Director Roberto Duenes, Police Chief Rex Phelps, Community and Economic Development 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.

**II. Invocation**

Delivered by Council member Drew Sanders.

**III. Pledge of Allegiance to Flags**

Pledge to the United States and Texas flags were recited.

**IV. Citizens Presentation**

No one signed up for citizen's presentation.

**Staff Reports**

**City Manager's Report**

- **Smoking Ordinance and Landscaping Ordinance**  
City Manager David Miller stated that there are conflicts with the above stated ordinances and they will be placed back on the agenda in July.
- **TCMA Conference**  
Mr. Miller will be attending the Texas City Manager's Association conference June 27<sup>th</sup> through June 30<sup>th</sup> in Arlington, Texas
- **Council Orientation**  
Council orientation will be held June 24, 2008 at 6:00 p.m. in the Community Center
- **Newly Elected Officials Training**  
New council members can attend training in Austin July 25-26, 2008 or August 8-9, 2008  
City Manager David Miller announced the retirement of City Secretary Jacquelyn Allen, effective June 30, 2008.

**Finance Director's Report**

- **General Fund** – Collected 69.7% of the revised budgeted revenues and expended 54.8% of the budget. Sales tax received in April was \$87,071.00. Collected 92.9% of the current ad valorem taxes budgeted and 61.0% of the delinquent ad valorem taxes.

- **Debt Service Fund** – 85.8% of debt service budgeted revenue has been collected and 79% of the budget has been expended.
- **Forest Hill Community Development Corporation** - \$321,764 or 58.5% of budgeted 4B sales tax has been collected for the current year and 67.4% of the current budget has been expended.
- **Street Improvement Fund** - \$160,882.00 has been received in sales tax, which is 67.0% of the budget.
- **Water and Sewer** – the operating fund has collected 55.0% of its budgeted revenues as of April. Water and sewer sales are currently 53.3% and 56.5%, respectively. We have expended 42.9% of the budget.

#### **Fire Chief/Acting Building Official's Report**

- 86 inspections for compliance or certificate of occupancies were completed in May by the Office of the Fire Marshall.
- An additional 112 biannual business fire inspections were completed by on-duty companies.
- All biannual hydrant inspections and maintenance have been completed and annual hose testing will begin during the first week of June.

#### **Acting Public Works Director's Report**

- Banbury – Milling and overlay have been completed. A small section of Alhambra was overlaid at the same time.
- Brambleton Place – Milling and overlay have been completed. Sixty (60) linear feet of curb and gutter were replaced.
- Knob Hill – Milling and overlay have been completed. Seven hundred and ten (710) linear feet of curb and gutter were replaced.
- Old Hickory Trail – Milling and overlay have been completed. One thousand three hundred and thirty seven (1337) linear feet of curb and gutter were replaced.

#### **Police Chief's Report**

- The police department responded to 3,604 calls for service in the month of April, 2008.
- Police department logged 44 arrests for the month of April, 2008. Our arrest numbers are down because we are a much more compassionate department today than a year ago.
- I have also attached a statistical data sheet. The attached sheet is a year to date comparison of last year to this year. The good news is that overall crime has not increased and has slightly decreased by 4%. The bad news is that crime is still too prevalent in this community. It should be noted that we have some real challenges because we are bordering a large city with a significant crime rate.

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

- **Hampton Inn & Suites** – 380 Agreement has been signed and is now complete. They are proceeding with the necessary steps as required by the city to continue the project.
- **Senior/Disabled Transportation Service** – Service began on Friday,

May 16<sup>th</sup> as a joint program with the T and the American Red Cross. Complete details are on our website and will be in the next *Forest Hill News*. Fliers are available at city hall and have been distributed at The Villas of Forest Hill.

- **International Council of Shopping Centers (ICSC)** – Delegation of six attended the conference May 18-22. Met with developers, retailers and those who do the research to select new sites. Follow-up calls and appointments are being made.
- **Fort Worth, Texas Magazine** – The City of Forest Hill is currently highlighted as its “Worthy Neighborhood” for the June, 2008 edition.
- **Forest Hill News** – next publication to be distributed tomorrow, Wednesday, June 4<sup>th</sup>.
- **Meals on Wheels** – Looking for volunteers for three routes in the city

**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 its normal sequence on the agenda.

- 200862. Consider minutes of May 6, 2008 regular council meeting.**  
**200863. Consider minutes of May 13, 2008 special council meeting.**  
**200864. Consider an Agreement between the City of Forest Hill and Tarrant County Tax Assessor for the collection of taxes.**  
**200865. Consider an Interlocal Agreement between Tarrant County and the City of Forest Hill for the reconstruction of City Hall’s parking lot.**  
**200866. Consider an Agreement between the City of Forest Hill and Senior Citizens Services of Greater Tarrant County.**  
Motion by Council member Joubert, seconded by Mayor Pro Tem Sami to approve the consent agenda. **Voting Aye: Council members Dalcour, Thomas, Joubert, Masimini, Sanders, Mayor Pro Tem Sami and Mayor Gosey. Voting Nay: None.**

**Deliberation Agenda:**

- 200867. Discuss and consider Water and Sewer Cost of Service Study.**  
City Manager David Miller stated that during the 2007-2008 budget workshops that an outside study would need to be performed on the city’s water and sewer rates. While we are able to get by this year with the increase that was given only to commercial customers, we are going to end the year with an estimated 40 days in working capital instead of the recommended 90 days. Rates have not kept up with inflation. We must make adjustments to address immediate needs or the water/sewer fund will be bankrupt by 2010. Finance Director Debbie Maness introduced Carolyn Marshall who performed the water and sewer rate study. Ms. Marshall gave a brief power point presentation regarding the study, stating that the city will need to raise water rates by 14%, which equals to approximately \$8.00 more per month for residential customers and \$37.00 more per month for commercial customers. Council asked that other alternatives be considered before going up on rates. Mr. Miller stated that some alternatives could be allocation of personnel, measure water loss, replacement of meters, or the possibility of drilling our own wells. After much discussion on this agenda item, Mr. Miller stated that more study will be done and brought back to the council during budget workshops. (Copy of presentation attached)

- 200868. Discuss and consider an Ordinance establishing a new Chapter 112 of the City of Forest Hill Code of Ordinances entitled “Sign Regulations” to define changeable electronic variable message signs (CEVMS); and to prohibit CEVMS and off-premise signs such as billboards; providing for severability; repeal of conflicting ordinances; acknowledging proper notice and meeting; and providing for an effective date.**

City Manager David Miller stated the Texas Transportation Commission adopted rule changes that permit electronic (typically, light-emitting diode or “LED”) billboards on state highways within a city’s limits or extraterritorial jurisdiction, subject to the city’s written consent. This new sign ordinance will prohibit the construction of such signs within the city limits and will also prohibit the construction of any new billboards. The overall intent of this Ordinance is to ensure that the aesthetics of our city continue to improve by not allowing any additional large, unsightly and needless billboards to be constructed. Motion by Mayor Pro Tem Sami, seconded by Council member Thomas to approve agenda item 200868. **Voting Aye: Council members Dalcour, Thomas, Joubert, Masimini, Sanders, Mayor Pro Tem Sami and Mayor Gosey. Voting Nay: None.**

- 200869. Discuss group homes in the city.**

City Manager David Miller, City Attorney Bonnie Goldstein and Fire Chief Pat Ekiss addressed this agenda item. Mr. Miller stated that you cannot prohibit group homes in residential areas and the city’s ordinances do not address group homes. City Attorney Goldstein stated that we will look at regulations regarding shared living and that she understands council’s concerns but people have the right to rent out their homes. Group homes are regulated by the State and the State does not give information to cities as to what is going on. Trying to regulate Group homes is a sensitive area and when drafting ordinances regulating group homes the city must be constitutionally sound and do what is best for the citizens. Chief Ekiss stated that the fire department inspects the Shamrock and Queen Ann facility twice a year and both are regulated by the state. The facilities are in compliance, clean and the people that reside there are happy people. Mr. Miller stated that we don’t know all of the answers but will continue to work on council’s request and will look at everything. Mr. Miller stated that it is his responsibility to protect all of the citizens of Forest Hill. Council member Thomas stated there has to be a solution to the problem and you can’t tell the residents of the group homes to get out. Mayor Pro Tem Sami stated that it is a priority to identify all of the problem group homes in the city.

**V. Mayor and Council Reports**

Mayor Gosey, Council members Damian Dalcour and Lyndia Thomas attended the Mayor’s Council meeting and brought back good information to distribute.

Forest Hill Library – Grand Opening, June 14, 2008

CVS Pharmacy – Free cholesterol and blood pressure screening on June 21, 2008

**VI. RECESS INTO EXECUTIVE SESSION - Council recessed into executive session at 9:02 p.m., pursuant to Section 551.071, Texas Government Code.**

- 1) Demand letter filed by Frank Hill, Attorney for Mayor James Gosey, to City of Forest Hill
- 2) Status of funds possibly paid out in error to former City Manager David

- Vestal
- 3) Potential litigation: Bill Lane/Betsy Elam
  - 4) Mary C. Williams vs. City of Forest Hill

**VII. Reconvene into regular session.**

Council reconvened into regular session at 11:05 p.m.

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

Motion by Council member Masimini, seconded by Council Member Thomas to hire Joe Tooley as Attorney to represent the city in the case of City of Forest Hill vs. David Vestal and Charles Gardner. **Voting Aye: Council members Dalcour, Thomas, Joubert, Masimini, Sanders and Mayor Pro Tem Sami. Mayor Gosey left during executive session.**

**Adjournment**

With no further business to discuss, council adjourned at 11:07 p.m.

Respectfully submitted,

Approval:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
James Gosey, Mayor