



**MINUTES  
REGULAR COUNCIL MEETING  
November 15, 2011  
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 Gerald Joubert presiding. The following Council Members and officials were present: Mayor Pro Tem Ozell Birks, Damian Dalcour, Jo Pirtle, Brigitte Mathis, Robert Shanklin, Malinda Miller, City Manager Sheyi I. Ipaye, City Secretary Grace Edwards, Fire Chief Ed Henderson, and City Attorney Warren Spencer.

**Opening Agenda:**

**A. Call to Order**

With a quorum present Mayor Joubert called the meeting to order at 7:00 P.M.

**B. Invocation**

Invocation was delivered by Council Member Damian Dalcour.

**C. Pledge of Allegiance to Flags**

Pledge to the United States and Texas Flags were recited.

- D. Citizens Presentation:** At this time, any person with business before the City Council not scheduled on the agenda may speak to the City Council, provided that a "Speaker's Request Form" has been completed and submitted to the City Secretary prior to the start of the meeting. All comments must be directed towards the Chairperson, rather than individual members or staff. All speakers must limit their comments to the subject matter as listed on the "Speaker's Request Form." No formal action can be taken on these items at this meeting.

**Loretta Muldrew, 3300 Valley Forge Trail** – Mrs. Muldrew stated that during the November 3, 2011 Special Council Meeting Mayor Joubert asked a citizen to speak and give their opinion without completing and submitting an "appearance before city council form." Mrs. Muldrew encouraged the City Council to adhere to the process that has been put in place.

- E. 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 November 3, 2011 Special Council Meeting.
2. Consider possible action regarding Resolution No. #20-2011, Adopting ethical and training standards for Juvenile Case Managers employed by the City of Forest Hill, providing for implementation of said standards, and providing for periodic review to ensure implementation of the requisite standards. (Sheyi Ipaye, City Manager)

**Council Member Shanklin made a motion to accept Consent Agenda Item(s) #1, and #2, seconded by Mayor Pro Tem Birks which *passed* as follows:**

**Ayes: Mayor Joubert and Council Members: Dalcour, Mathis, Birks, Shanklin, and Miller**

**Nays: None**

**Council Member Shanklin pulled Consent Item(s) #3, and #4 for discussion.**

3. Consider possible action regarding adding Ms. Virginia Silas, and Ms. Lisa Cabrera as signatories on the City of Forest Hill's Bank Accounts. (Sheyi Ipaye, City Manager)
4. Consider possible action authorizing the City Manager to appoint an Assistant City Secretary on a temporary basis. (Sheyi Ipaye, City Manager)

**F. Public Hearing:**

5. Public hearing to receive citizen's comments regarding the proposed Resolution #19-2011 Relating to the approval of taxation of goods-in-transit that are otherwise exempt from taxation by Texas Tax Code Section 11.253.

**Public Hearing regarding Resolution #19-2011 was opened at 7:08 P.M.**

**Loretta Muldrew, 3300 Valley Forge Trail** – Mrs. Muldrew requested clarification with regard to her questions during November 3, 2011 Special Council Meeting pertaining to Resolution #19-2011.

**Warren Spencer, City Attorney answered Mrs. Muldrew's questions.**

**Public Hearing regarding Resolution #19-2011 was closed at 7:10 P.M.**

**G. Deliberation Agenda:**

**Council Member Shanklin pulled Consent Item(s) #3, and #4 for discussion.**

3. Discuss and consider possible action regarding adding Ms. Virginia Silas, and Ms. Lisa Cabrera as signatories on the City of Forest Hill's Bank Accounts. (Sheyi Ipaye, City Manager)

**Loretta Muldrew, 3300 Valley Forge Trail** – Mrs. Muldrew asked why the City needed to add two more signatories to the City of Forest Hill's Bank Accounts. She expressed displeasure with regard to Deliberation Item #3.

**Sheyi Ipaye, City Manager explained his purpose for adding additional signatories to the City of Forest Hill's Bank Accounts.**

**Council Member Miller made a motion to approve Deliberation Agenda Item #3, seconded by Council Member Shanklin which *passed* as follows:**

**Ayes: Mayor Joubert and Council Members: Dalcour, Mathis, Birks, Shanklin, and Miller**

**Nays: None**

4. Discuss and consider possible action authorizing the City Manager to appoint an Assistant City Secretary on a temporary basis. (Sheyi Ipaye, City Manager)

**Loretta Muldrew, 3300 Valley Forge Trail** – Mrs. Muldrew asked questions regarding reasons why the previous city secretary assistant is no longer an employee, and why the city manager is electing to appoint an individual as assistant city secretary who has not been trained.

**City Manager, Sheyi Ipaye explained his purpose for appointing an assistant city secretary.**

**Mayor Pro Tem Birks made a motion to approve Deliberation Agenda Item #4, seconded by Council Member Miller which passed as follows:**

**Ayes: Mayor Joubert and Council Members: Dalcour, Mathis, Birks, Shanklin, and Miller**

**Nays: None**

6. Discuss and consider possible action the proposed Resolution #19-2011, relating to the approval of taxation of goods-in-transit that are otherwise exempt from taxation by Texas Tax Code Section 11.2253; Repealing conflicting resolutions or ordinances; Determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; Adopting a savings clause; Declaring an effective date; and requiring delivery of this resolution to the Chief Appraiser of the Tarrant Appraisal District. (Sheyi Ipaye, City Manager)

**Council Member Shanklin made a motion to approve Deliberation Item #6, seconded by Council Member Mathis which passed as follows:**

**Ayes: Mayor Joubert and Council Members: Dalcour, Mathis, Birks, Shanklin, and Miller**

**Nays: None**

7. Discuss and consider possible action regarding Resolution #21-2011, Casting an official ballot for the election of members to the Board of Directors, Tarrant Appraisal District; Repealing conflicting resolutions or ordinances; Determining that this resolution was passed in accordance with the requirements of the Texas Open Meetings Act; adopting a savings clause; declaring an effective date; and requiring delivery of this resolution to the Chief Appraiser of the Tarrant Appraisal District. (Sheyi Ipaye, City Manager)

**The City of Forest Hill City Council votes are as follows:**

- 1) **Damian Dalcour=Abstained**
- 2) **Jo Pirtle=Joe Potthoff**
- 3) **Brigette Mathis=Roger Chavez**
- 4) **Ozell Birks=Roger Chavez**
- 5) **Bob Shanklin=Joe Potthoff**
- 6) **Malinda Miller=Abstained**
- 7) **Gerald Joubert=Roger Chavez**

8. Discuss and consider possible action regarding rehearing of sign variance request for ZJ Gifts. The proposed location is 3300 S.E. Loop 820 with the legal description being Lot 1D, Block 3 of the Park Forest Addition in the City of Forest Hill, Texas. (Sheyi Ipaye, City Manager)

**Steven Swander, 505 Main Street, Fort Worth, Texas** – Mr. Swander asked the City Council to please approve the sign variance request for ZJ Gifts.

**John Von, 1320 Post & Paddock Road, Suite #400, Grand Prairie, Texas – Mr. Von** answered City Council questions pertaining to size, height, and wording of proposed sign.

**Council Member Shanklin made a motion to approve Deliberation Item #7 to include allowing the sign to be placed on the current Blockbuster pole, with a maximum height of 40” feet, seconded by Mayor Pro Tem Birks which *passed* as follows:**

**Ayes: Mayor Joubert and Council Members: Dalcour, Mathis, Birks, Shanklin**

**Nays: Council Member Malinda Miller**

**H. Mayor’s Report:**

- **Update regarding status of Christal’s in Forest Hill**

**Mayor Joubert gave an updated on the status of a new business located in the City of Forest Hill Christal’s. He stated that the wheels were set in motion to bring Christal’s to Forest Hill sometime in FY 2010. The business that is now in our community is in compliance with all legal requirements for operation of a business in the City of Forest Hill.**

**I. City Manager’s Report:**

- **Report regarding FY 2010-2011 Year-end Report**
- **Report regarding FY 2011-2012 October Monthly Report**
- **Report regarding the furlough day for November**

**Sheyi Ipaye, City Manager stated that the Year-end Report for FY 2010, and FY 2011 have not been completed at this time. The document will be completed by December 6, 2011 Regular Council Meeting. The October Monthly Report has been included in the council packets for reference.**

**The City Council asked questions regarding part-time employees, hours, benefits, and salaries. The Council cautioned Mr. Ipaye about possibly going over budget with part-time employee salaries. Let the record reflect that the next City of Forest Hill mandatory furlough day will be November 23, 2011 excluding City of Forest Hill Police and Fire Departments.**

**J. 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. 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:**

- a. **Discuss and consider action regarding performance issues of the City Secretary.**

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

- a) **Update on Wehle Lawsuit and TML Settlement**

**K. Reconvene into regular session.**

**The City Council reconvened into regular session at 9:26 P.M.**

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

**Loretta Muldrew, 3300 Valley Forge Trail** – Mrs. Muldrew asked who evaluates the City Secretary on a regular basis since the City Council changed the City Secretary from reporting to the City Council, to reporting to the City Manager. Mayor Pro Tem Birks stated earlier during tonight’s meeting that the City Secretary is under the City Council and not the City Manager. Mrs. Muldrew further acknowledged previous City Council changes with regard to whom the City Secretary will report.

**Mayor Pro Tem Birks made a motion to direct the city manager to sign the appropriate documents to resolve the Venus Wehle lawsuit, seconded by Council Member Dalcour which *passed* as follows:**

**Ayes: Mayor Joubert and Council Members: Dalcour, Mathis, Birks, Shanklin, and Miller**

**Nays: None**

**Mayor Joubert stated that the city manager has been directed to address the performance issues of the city secretary as discussed during executive session.**

**No action was taken on this item.**

**M. Adjournment**

With no further business to discuss the meeting was adjourned at 9:29 P.M.

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Grace Edwards, City Secretary

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Gerald Joubert, Mayor