



MINUTES

REGULAR COUNCIL MEETING

July 21, 2009

The City Council of the City of Forest Hill met on the above date at 7:07 p.m. with Mayor Gosey presiding. The following Council Members and officials were present: Council Members Damian Dalcour, Gerald Joubert, Dulani Masimini, Mayor Pro Tem Sami, City Manager David Miller, City Secretary Debra Maness, Fire Chief Pat Ekiss, Interim Police Chief Robert Herbert, Acting Public Works Director Roberto Dunes, Economic Development and Community Relations Director Venus Wehle, Finance Director Clifford Blackwell, III and City Attorney Bonnie Goldstein. Council Member Andrew Sanders – excused absence.

Opening Agenda:

A. Call to Order

With a quorum present, Mayor James Gosey called the meeting to order at 7:07 p.m.

B. Invocation

Mayor James Gosey delivered the invocation.

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 Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting.

Mr. Len Moore, P.O. Box 1448, Burleson, TX. Mr. Moore owns eighteen units in the Heritage Heights subdivision. Mr. Moore spoke before the Council listing the things that he feels that other landlords need to be doing to insure that there are good renters in the area. He stated that he runs credit checks on all applicants and approves 1 of every 8 or 9 who apply. Along with the landlord responsibilities he would like to see good code enforcement and more police protection.

Ms. Loretta Sartain, 6724 Plantation Road, Forest Hill, TX. Ms. Sartain was before the Council to ask for additional animal control enforcement. Her granddaughter had been attacked by a pit bull. Her wrist was broken and she has to have reconstruction surgery on her ear. Ms. Sartain also stated that there are several dogs that run around in her neighborhood.

E. 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 requests, in which event, the item will be removed from the Consent Agenda and considered in its normal sequence on the agenda.

1. Consider minutes of the July 7, 2009 regular council meeting.

Council Member Thomas made a motion to approve the consent agenda. Council Member Joubert seconded the motion, which **passed** as follows:

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

Nays: None

Absent: Council Member Sanders

F. Deliberation Agenda

2. Discuss and consider approval of Ordinance No. 2009011, an ordinance amending Chapter 2, Article VI of the Forest Hill City Code of Ordinances relating to a code of ethics and conduct for city elected officials, board, commission and committee members, city officials, employees and volunteers. (Mustafa Sami, Mayor Pro Tem)

Mayor Pro Tem Sami made a motion to approve Ordinance No. 2009011 with following corrections. Page 2, line 14 insert “. ,but also as a basis for discipline **as defined by Section 2-200 of the Code of Ordinances and/or the City Charter** for those who refuse to abide by its terms.” Page 3, first paragraph, is replaced with “**City Employee, for the purpose of this ordinance, means any person employed by the City.**” Council Member Masimini seconded the motion, which **passed** as follows:

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

Nays: None

Absent: Council Member Sanders

Item number 3 was moved to the last of the consent agenda

4. Discuss and consider the sale of existing Fire Department’s Aerial Apparatus and the purchase of a replacement. (Pat Ekiss, Fire Chief)

Fire Chief Ekiss gave a presentation on the Fire Department’s Aerial Apparatus (Quint). Chief Ekiss informed the Council that the Quint has been out service an estimated one-third of the time since Forest Hill had purchased it in 2003. We have an annual payment of \$53,212 and pay another estimated \$50,000 annually on repairs. Chief Ekiss asked the Council for direction on selling the current Quint, which is a 75 foot Aerial Apparatus and purchased when Forest Hill was a one story town, He suggested purchasing a new 100 foot Aerial Apparatus due to the fact the more of our buildings are three and four stories. Chief Ekiss explained to the Council that with the current payment that is already budgeted and the savings the City would realize in repairs, there would be no additional cost for the new aerial apparatus.

City Manager, David Miller stated that the staff was seeking direction from the Council.

Council Member Thomas made a motion to authorize the sale of the Quint for a fair market price and proceed with the research to purchase another truck to replace the Quint with a 100 foot aerial apparatus. Council Member Joubert seconded the motion, which **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Pro Tem Sami and Mayor Gosey
Nays: None
Absent: Council Member Sanders

5. Discuss and consider results of SWOT Analysis conducted at the Budget Review Workshop held June 27, 2009. (Marty Wieder, GSBS)

Marty Wieder gave a presentation of the (S)trenghts (W)eaknessess (O)pportunities (T)hreats Analysis results with a draft strategic plan.

There was discussion among the Council that they would go over the information that they have received and have another workshop to receive additional information.

There was no action taken on this item.

Council Member Joubert made motion to remove Item 6 from Executive Session to Deliberation. Mayor Pro Tem Sami seconded the motion, which **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Pro Tem Sami and Mayor Gosey
Nays: None
Absent: Council Member Sanders

6. Regarding rules of procedures for motions.

Council Member Joubert led the discussion about how the Council should make the motions. Council Member Masimini agreed and made the suggestion that the Council have a workshop to go over the Robert Rules of Order.

There was no action taken on this item.

3. Discuss and consider entering into a lease agreement or purchase of the Chase Bank Building located at 3217 California Parkway, Forest Hill, TX 76119. (David Miller, City Manager)

Council recessed into executive session to receive advice from its attorney as permitted by law at 8:57 p.m.

G. 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.

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

Destructors, Inc. vs. City of Forest Hill

8. Pursuant to Section 551.072, Texas Government Code: Deliberation Regarding Real Property: To deliberate the purchase, exchange, lease, or value of real property.

Lease or purchase of Chase Bank Building located at 3217 California Parkway, Forest Hill, TX 76119

H. Reconvene into regular session.

Council reconvened into regular session at 10:14 p.m.

I. Take any action necessary pursuant to executive session.

Council Member Joubert made the motion to direct the City Manager to proceed as directed in Executive Session. Mayor Pro Tem Sami seconded the motion, which **passed** as follows:

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

Nays: None

Absent: Council Member Sanders

J. Adjournment

With there being no further business, Mayor Gosey adjourned the meeting at 10:15 p.m.

ATTEST:

APPROVED:

Debra W. Maness, City Secretary

James Gosey, Mayor