



MINUTES

REGULAR COUNCIL MEETING

August 18, 2009

The City Council of the City of Forest Hill met on the above date at 7:06 p.m. with Mayor Gosey presiding. The following Council Members and officials were present: Council Members Damian Dalcour, Lyndia Thomas, Gerald Joubert, Dulani Masimini, Mayor Pro Tem Mustafa Sami, City Manager David Miller, City Secretary Debra Maness, Fire Chief Pat Ekiss, Acting Public Works Director Roberto Duenes, Interim Police Chief Robert Herbert, 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 7:06 p.m.

B. Invocation

City Manager, David Miller 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.

There was no one to speak.

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 August 4, 2009 regular council meeting.
2. Consider audit engagement letter with Pingleton, Howard and Company, P.C. for fiscal year ending September 30, 2009.
3. Consider Resolution No. 11-2009, a resolution agreeing to meet all match contribution requirements for the expenditures under the Tarrant County Home investment partnerships program for fiscal year 2009 -2010.
4. Consider Ordinance No. 2009017, an ordinance approving a negotiated resolution between the Atmos Steering Committee and Atmos Energy.

5. Consider Ordinance No. 2009018, an ordinance amending Chapter 14 1/2 of the Forest Hill Code of Ordinances and the regulations pertaining to flood hazard prevention.

Mayor Pro Tem Sami made motion to approve the consent agenda. Seconded by Council Member Joubert, 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

6. **Discuss and consider Ordinance No. 2009019, an ordinance establishing a comprehensive set of regulations governing the registration, licensing, and aesthetics of oil and gas pipeline facilities. (David Miller, City Manager)**

David Miller, City Manager, lead the discussion on this item. He informed the Council that this ordinance gives the City the ability to regulate pipelines as they come through the City.

Council Member Thomas made the motion to approve Ordinance No. 2009019. Mayor Pro Tem Sami seconded, which **passed** as follows:

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

Nays: None

Absent: Council Member Sanders

7. **Discuss and consider Mid Tex Agreement for natural gas pipeline crossing. (David Miller, City Manager)**

David Miller, City Manager explained that after lengthy negotiations with Mid Tex, that an agreement had been reached, whereby Mid Tex would pay the City \$55.00 per linear foot for its use of City-owned property for the term of the agreement. The term of the agreement is for five years. There was concern among the Council that the out clause for five years was too long since there was not an anticipated date for the pipe to be laid. The Council felt that three years would be better for the City.

Council Member Thomas made the motion to accept the agreement with Mid Tex with the following amendment:

On page 9 of the contract, Section 10.2.1, second paragraph should read “Failure to construct said pipeline within three (3) years of the date of execution of this agreement, the City may terminate this agreement.”

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

8. Discuss and consider purchasing policies (Dulani Masimini, Council Member)

Council Member Masimini led the discussion on the purchasing policies. After going through several pages, this item was pulled from the agenda to be discussed at a workshop, with a date to be determined.

9. Discuss and consider procedures for substandard buildings. (Dulani Masimini, Council Member)

This item was removed from the agenda to be discussed at a workshop, with a date to be determined.

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.

10. 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

H. Reconvene into regular session.
No Executive Session was held

I. Take any action necessary pursuant to executive session.
There was no action necessary.

J. Adjournment
With no further business to discuss, council adjourned at 8:26 p.m.

ATTEST:

APPROVED:

Debra W. Maness, City Secretary

James Gosey, Mayor