



**MINUTES
REGULAR COUNCIL MEETING
February 2, 2010
7:00 p.m.**

The City Council of the City of Forest Hill met on the above date at 7:15 p.m. with Mayor James Gosey presiding. The following Council Members and officials were present: Council Members Damian Dalcour, Lyndia Thomas, Gerald Joubert, Dulani Masimini, Interim City Manager Debra Maness, Acting City Secretary Grace Edwards, Fire Chief Pat Ekiss, Interim Police Chief Robert Herbert, Acting Public Works Director Roberto Duenes, Council Member Andrew Sanders, Mayor Pro Tem Mustafa Sami-absent

Opening Agenda:

A. Call to Order

With a quorum present, Mayor James Gosey called the meeting to order at 7:15 p.m.

B. Invocation

Invocation was delivered by Mayor Gosey.

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.

Willie Wilson, 4216 Heather Trail-Mr. Wilson was not present to speak before the Council.

Loretta Muldrew, 3300 Valley Forge Trail-Ms. Muldrew expressed concerns regarding several water main breaks in front of her home on Valley Forge Trail. Ms. Muldrew would like to see Valley Forge Trail repaired.

Rebecca Rhyne, 3720 Grady Street-Ms. Rhyne is concerned about the City Council raising taxes, paying themselves a salary, electing themselves as the Charter Review Commission rather than citizens from the community, and possible misuse of city credit cards.

Steven Colley, 3500 Grady Street-Mr. Colley was not present to speak before the Council.

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 January 19, 2010 regular council meeting.

Council Member Thomas made the motion to accept the consent agenda as presented. Seconded by Council Member Dalcour; which **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Gosey

Nays: None

Absent: Council Member Sanders, Mayor Pro Tem Sami

F. Deliberation Agenda

- 2. Discuss and consider possible action authorizing the City Staff and Financial Advisor to proceed with the sale of the EDC Sale Tax Revenue Bonds to finance the purchase of a portion of the land and improvements not already owned by the City, located at 3217 California Parkway. (Mark McLiney, Southwest Securities)**

Mr. McLiney states the contract appears to be a good contract with great options, however, with the uncertainty of the economy interest rates are increasing. Mr. McLiney suggests that the City of Forest Hill table the item for six months to see if the interest rates drop.

Council Member Joubert made the motion to table this item for six months. Seconded by Council Member Thomas; which **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Mayor Gosey

Nays: Council Member Masimini

Absent: Council Member Sanders, Mayor Pro Tem Sami

- 3. Discuss and consider possible action regarding an increase if .37 cents per household water bill due to increase cost at the landfill. (Norm Bulaich, IESI)**

Mr. Bulaich spoke before the council regarding increased cost at landfill, he states that the operational increase is for all North Texas cities. Mr. Bulaich feels that IESI is doing a great job in our community, and appreciates our business.

Council Member Masimini asked Mr. Bulaich to provide the City Council with supportive documentation.

Council Member Masimini made the motion to table this item until February 16, 2010 Council Meeting. Seconded by Council Member Joubert, which **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert Masimini, Mayor Gosey

Nays: None

Absent: Council Member Sanders, Mayor Pro Tem Sami

- 4. Discuss and consider possible action; amendment of Appendix A of the Parks Ordinance #2009026, adding a \$10 per hour fee for practice “coordinated organizations” and \$15 per hour fee for practice “non-coordinated organizations”.**

Council Member Masimini made a motion to amend Appendix A of the Parks Ordinance #2009026, adding a \$10 per hour fee for practice “coordinated organizations” and \$15 per hour for practice “non-coordinated organizations”. Seconded by Council Member Thomas, which

passed as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Gosey

Nays: None

Absent: Council Members Sanders, Mayor Pro Tem Sami

- 5. Discuss and consider possible action; on Ordinance No. 2010-02-001, an ordinance of the City Council of the City of Forest Hill, Texas, amending Chapter 34, Business Regulations, of the City's Code of Ordinances relative to the regulation of temporary, portable businesses.**

Council Member Thomas made a motion to approve Ordinance No. 2010-02-001, of the City Council of the City of Forest Hill, Texas, amending Chapter 34, Business Regulations, of the City's Code of Ordinances relative to the regulation of temporary, portable businesses. Seconded by Council Member Masimini; which **passed** as follows:

Ayes: Council Members Thomas, Joubert, Masimini, Mayor Gosey

Nays: Council Member Dalcour

Absent: Council Member Sanders, Mayor Pro Tem Sami

- 6. Discuss and consider possible action on Ordinance No. 2010-02-002, and ordinance of the City Council of Forest Hill, Texas, amending Chapter 34, Business Regulations, of the City's Code of Ordinances relative to the regulation of garage sales.**

Council Member Thomas motioned to amend Ordinance No. 2010-02-002, to include a \$7 increase on garage sale fee's, total garage sale fee's \$10; and a four garage sale limit per year, not to include the yearly garage sale that the city sponsors. Seconded by Council Member Masimini; which **passed** as follows:

Ayes: Council Members Dalcour, Thomas, Joubert, Masimini, Mayor Gosey

Nays: None

Absent: Council Members Sanders, Mayor Pro Tem Sami

Council Member Dalcour was excused from the Regular Council Meeting at 8:02 p.m.

- 7. Discuss and consider possible action on a request by EOG Resources, Inc. to conduct a 3-D geophysical operational survey on property owned by the City of Forest Hill, located at Anglin Drive.**

Council Member Joubert made a motion to approve this agenda item. Seconded by Council Member Thomas; which **passed** as follows:

Ayes: Council Member Thomas, Joubert, Masimini, Mayor Gosey

Nays: None

Absent: Council Member Dalcour, Sanders, Mayor Pro Tem Sami

Council Member Thomas made a motion to table items 8 thru 10; and executive session to the February 16, 2010 Regular Council Meeting. Seconded by Council Member Joubert; which **passed** as follows:

Ayes: Council Member Thomas, Joubert, Masimini, Mayor Gosey

Nays: None

Absent: Council Members Dalcour, Sanders, Mayor Pro Tem Sami

8. **Discuss and consider progress report and take any appropriate action relative to the structure located at 4607 California Parkway East, Case #SSB 2009-04. (Dylan Whitehead, Building Inspector)**
9. **Discuss and consider possible action authorizing the city staff to proceed with recommendations for additional renovations of the Public Works building located at 3101 Horton. (Pat Ekiss, Fire Chief)**
10. **Discuss and consider possible action, Boards and Commission membership and appointment. (James Gosey, Mayor)**

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.

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

a) Destructors, Inc. vs. City of Forest Hill

12. 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) City Manager- Applicants for City Manager
- b) City Attorney- Appointment of Interim City Attorney

H. Reconvene into regular session.

I. Take any action necessary pursuant to executive session.

There was no action on any executive session items.

L. Adjournment

With no further business to discuss, council adjourned at 8:24 p.m.

Respectfully Submitted:

Approval:

Grace Edwards, Acting City Secretary

James Gosey, Mayor