



CITY OF EL LAGO

MINUTES SPECIAL MEETING 98 Lakeshore Dr April 26, 2018

1. **Call to Order** 7:01 PM
2. **Invocation and/or Pledge of Allegiance** Mayor Pro Tem Skelton
3. **Declaration of a Quorum**

3.1 Announce Absent Members of the Council

PRESENT: Mayor Pro Tem John Skelton
Councilperson Jeff Tave
Councilperson Jeff Michalak
Councilperson Ann Vernon

ABSENT: Mayor Mark Briggs
Councilperson Jim Kelly

Mayor Pro Tem Skelton thanked everyone for coming to special meeting even though it was moved to a different location due to the event room already being booked. He also stated another special meeting will be held on April 27, 2018 back at the regular location on Tallowood Dr.

4. **Citizen Comments**

Linda Harnes at 714 Seaway stated that the unsigned letter left at her door, she felt was childish and uncalled for. She also stated that she felt her HOA meeting was used for politicizing and that Mayor Briggs was trying to help the city, but was being bullied. She stated she does not agree with what is going on.

Julie White at 606 Bayview stated her husband, the former Mayor of El Lago, did not write the letter, but does support it. She stated she doesn't appreciate the letter that proceeded it from Mayor Briggs.. She also stated that she believed that everyone wants what is best for the city and asked for support for Mayor Pro Tem Skelton.

Mayor Pro Tem Skelton suggested suspending the orders of the day and proceed to item 6, Executive Session, first and then go back to item 5. He asked for City Attorney, Val Perkins, to inform residents why this executive session is needed. Mr. Perkins stated Mayor Briggs and Councilperson Kelly both resigned and neither resignation is valid until Council accepted the resignation or 8 days had passed. Mr. Perkins stated that he asked Council to have an executive session to discuss legal requirements for accepting resignations.

Mayor Pro Tem Skelton adjourned to Executive Session at 7:10pm.

- #### 6. **Executive Session: The Council will now hold a Closed Executive Session Meeting Pursuant to the Provisions of Chapter 551, Government Code, Vernon's Texas Codes Annotated, in Accordance with the Authority Contained In:**

A. Section 551.071, to seek the advice of its attorney about a matter in which the duty of the attorney to the Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas, clearly conflicts with Chapter 551.

B. Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Mayor Pro Tem Skelton re-convened back into regular session at 7:43pm. No action taken.

5. New Business

5.1 Discussion/Action to Consider the Acceptance of the Resignation of Mayor Mark Briggs.

City Attorney, Val Perkins, stated that the law says that one (1) vacancy in the governing body can be filled by either appointment; majority vote; or a special election, which would be held in November. If two (2) vacancies are in the governing body, there must be a special election. Mr. Perkins stated we had a special situation because one vacancy could be filled after the upcoming election. If Jim Kelly wins the election for Council Position 3, he can choose to stay or resign from his seat again. Councilperson Vernon asked Mr. Perkins to verify that Mayor Pro Tem Skelton is still a voting member of Council, even though he is active in the Mayor Pro Tem role. Mr. Perkins verified this to be true.

Councilperson Tave motioned to accept the resignation of Mayor Mark Briggs. Councilperson Vernon seconded. Councilperson Tave stated he felt it was in the best interest of the City to move on as expeditiously as possible and it was clear Mr. Briggs is ready to move on. Councilperson Vernon stated that due to the upcoming election, it was best that the resignation of Mayor Briggs is accepted and we wait until after the election to see how things play out before accepting Mr. Kelly's resignation. Councilperson Michalak stated this was a complicated situation and felt comfortable with these conclusions. All Council voted in favor, thus the motion passed.

5.2 Discussion/Action to Consider the Acceptance of the Resignation of City Councilman Jim Kelly. No action was taken.

5.3 Discussion/Action to Approve the Negotiation of and Execution by the Mayor Pro Tempore of a contract to Provide Assistance to the City Clerk in Performing the Acts and Duties of the Office of City Secretary Pending the Appointment of a City Secretary.


Mayor Pro Tem Skelton stated that the City Secretary also resigned and Councilperson Vernon had some quotes from temp agencies to assist the City Clerk with day to day responsibilities at City Hall. Councilperson Vernon presented Council with two contracts, one of which was already executed with Advanced Services. Councilperson Vernon stated the difference is that Carlton Staffing is cheaper but with a lower online recommendation than Advances Services. Mayor Pro Tem Skelton stated if there is a contract in place there is no reason to go forward with approval and recommended continuing to use Advanced Services.

Councilperson Tave motioned to approve, Councilperson Michalak seconded. All voted in favor, thus the motion passed.


7. Adjournment 7:56 PM

PASSED AND APPROVED this 6th day of June 2018.

Attest:



John F. Skelton
Mayor Pro Tem



Jeannie Kubricht
Acting City Secretary