



**Town Council
Special Meeting
Minutes – January 21, 2020**

The Special Meeting of the Town Council was held on **January 21, 2020** at 8:00 a.m. at the Argyle Town Hall. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was duly posted, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

A. CALL MEETING TO ORDER

Mayor Donald Moser called the meeting to order at 8:04 a.m.

Attendee Name	Title	Status	Arrived
Donald Moser	Mayor	Present	
Cynthia Hermann	Mayor Pro Tem, Place 4	Present	
Bryan Livingston	Council Member, Place 1	Present	
Ronald Schmidt	Council Member, Place 2	Present	
Sherri Myers	Council Member, Place 3	Present	
Marla Hawkesworth	Council Member, Place 5	Present	
Jeffrey Howell	Interim Town Manager		
Andy Messer	Town Attorney		

B. PUBLIC COMMENT

The opportunity for citizens to address the Town Council concerning any matter, except public hearings that are included on the agenda (limit 5 minutes per person); however, the Texas Open Meetings Act prohibits the Town Council from deliberating or taking action on any matter not listed on the agenda.

Eric Fields addressed Council regarding item C.1.a.

Gwende Wilmot addressed Council regarding item C.1.a.

Glenice Norton, addressed Council regarding item C.1.a.

Councilmember Schmidt left the meeting upon adjourning into Executive Session.

C. EXECUTIVE SESSION

At 8:18 p.m. the Town Council adjourned into executive session PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D:

1. Consultation with attorney regarding pending or anticipated litigation, or a settlement offer; or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter pursuant to Section 551.071(1), (2):
 - a. Ronald Schmidt v. Town of Argyle, et.al., case no. 4:19-cv-00-688.

- D. RECONVENE INTO OPEN SESSION:** In accordance with Texas Government Code, Section 551, the Town Council will reconvene into Special Session and consider action, if any on matters discussed in Executive Session.

Councilmember Schmidt not in attendance for this portion of the meeting.

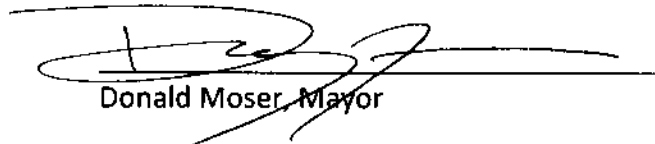
Mayor Pro Tem Hermann moved to approve a settlement agreement and release, agreed motion to dismiss and agreed order of dismissal between Ronald Schmidt and the Town of Argyle upon the terms stated in said documents, payment to Ronald Schmidt's attorney of \$5,000 for attorney fees, and authorize the Mayor to execute the stated settlement agreement and documents. Councilmember Livingston seconded the motion. Motion passed 3-1 with Councilmember Hawkesworth opposed.

Councilmember Myers moved to authorize payment of \$877.50 to Robert Hager if there is a mutual release of claims between Hager and the Town, its officials, employees and agents to be approved by the Town's Attorney, and authorizing the Mayor to execute the mutual release of claims upon the Town Attorney's approval. Councilmember Livingston seconded the motion. Motion passed 4-0.

Councilmember Livingston moved to approve an ordinance (Ordinance No. 2020-01) repealing Article 1.06, Code of Ethics, Chapter 1, General Provisions of the Town's Code of Ordinances. Councilmember Myers seconded the motion. Motion passed 4-0.

E. ADJOURN

There being no further business, Mayor Moser adjourned the regular session at 9:50 a.m.


Donald Moser, Mayor


Erika McComis, Town Secretary

