

THE FLOWER MOUND TOWN COUNCIL SPECIAL MEETING HELD ON THE 23<sup>RD</sup> DAY OF OCTOBER, 2015, IN THE FLOWER MOUND TOWN HALL, LOCATED AT 2121 CROSS TIMBERS ROAD IN THE TOWN OF FLOWER MOUND, COUNTY OF DENTON, TEXAS AT 6:00 P.M.

The Town Council met in a regular meeting with the following members present:

Tom Hayden	Mayor
Steve Dixon	Mayor Pro Tem
Itamar Gelbman	Deputy Mayor Pro Tem
Bryan Webb	Councilmember Place 2
Kevin Bryant	Councilmember Place 3

with the following members of Council absent:

Brian Rountree	Councilmember Place 1
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constituting a quorum with the following members of the Town Staff participating:

Ginger Choate	Deputy Town Secretary
Bryn Meredith	Town Attorney
Jimmy Stathatos	Town Manager

**A. CALL SPECIAL MEETING TO ORDER**

Mayor Hayden called the special meeting to order at 6:00 p.m.

**B./C. INVOCATION/PLEDGE OF ALLEGIANCE TO THE AMERICAN FLAG AND THE TEXAS FLAG**

Mr. Stathatos gave the invocation and Mayor Hayden led the pledges.

**D. REGULAR ITEMS**

1. Consider resignation of Councilmember Place 1, Brian Rountree.

Mayor Hayden asked Mr. Stathatos or Mr. Meredith if they had anything official they could read and present for the record.

Mayor Hayden asked Mr. Meredith in the event the resignation was accepted by Council, when would the effective date be?

Mr. Meredith responded that the Texas Election Code provides that a resignation becomes effective on the sooner of the date on which the governing body accepts the resignation, or eight calendar days.

Deputy Mayor Pro Tem Gelbman asked if the position is legally required to be filled at this time, or can it remain open until the next election?

Mr. Meredith responded that the Charter provides that if there is a single vacancy that the Council shall fill the vacancy within 30 calendar days that the vacancy is effective, so the Charter language appears to be mandatory.

Mr. Stathatos read an email received Tuesday, October 20, 2015, 8:35 a.m., from Councilmember Brian Rountree's Place 1 email account as follows:

*Dear Jimmy,*

*I hereby resign from Flower Mound Town Council Place 1, effective October 20th, 2015 in order to focus on dealing with my health issues and family concerns.*

*Please express to the entire staff and Council my thanks for all of your kindness, professionalism and friendship during my time of service and I offer you all my best wishes.*

*Sincerely,*

*Brian Rountree*

Mayor Hayden asked if Mr. Meredith or Mr. Stathatos had spoken to Councilmember Rountree to confirm that this was his intent (to resign)?

Mr. Stathatos indicated he emailed him, however hasn't heard back. In addition, he also called his cell phone and left a voice message, however, hasn't heard back.

Mr. Meredith responded he had not spoken with him.

Deputy Mayor Pro Tem Gelbman moved to deny the resignation of Councilmember Place 1, Brian Rountree.

*Motion failed due to a lack of a second.*

Mayor Pro Tem Dixon moved to accept Councilmember Rountree's resignation letter dated October 20, 2015, and Councilmember Bryant seconded the motion.

There was Council discussion regarding:

- Well wishes for Councilmember Rountree and his health
- Appreciation for his service on Council
- Concerns that the resignation is because of bullying
- Past experiences related to being a new member on Council
- How voting yes on the motion is basically honoring his request

**VOTE ON THE MOTION:**

*Motion passed.*

**AYES: DIXON, BRYANT, WEBB**

**NAYS: GELBMAN**

**E./F. CLOSED/OPEN MEETING**

The Town Council convened into a closed meeting at 6:10 p.m. on October 23, 2015, pursuant to Texas Government Code Chapter 551, including, but not limited to, Sections, 551.074, and 551.071 to discuss matters relating to personnel, and consultation with attorney, and reconvened into an open meeting at 6:30 p.m. on October 23, 2015, to take action on the items as follows:

- a. Deliberate the appointment of a public officer to fill the vacancy in the office of Councilmember Place 1.

Mayor Hayden summarized that there is consensus of Council to accept applications for Councilmember, Place 1 through Monday, October 26, 2015, 5:00 p.m., noting that the interview process will be on Saturday, October 31, 2015 at 8:30 a.m., and will be done in an open setting in Council Chambers. Furthermore, once the interviews are conducted the plan is to deliberate on the applicants and take action by way of a vote. Then this person would be sworn in on Monday, November 2, 2015 where they will be seated with Council at that meeting. He announced that the interviews will be televised and on-line live, and currently there are 14 applicants.

- b. Consultation with Attorney regarding resignation and the filling of a vacancy in the office of Councilmember of the Town of Flower Mound.

**N. ADJOURN REGULAR MEETING**

Mayor Hayden adjourned the meeting at 6:32 p.m. on Friday, October 23, 2015, and all were in favor.

**TOWN OF FLOWER MOUND, TEXAS**

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**THOMAS E. HAYDEN, MAYOR**

**ATTEST:**

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**THERESA SCOTT, TOWN SECRETARY**

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