

**State of Texas
County of Denton
City of Lake Dallas**

The Lake Dallas City Council met in a special meeting on June 18, 2015 in the Lake Dallas City Hall, 212 Main Street, with notice of the meeting given, as required by Title 5, Chapter 551.041 of the Texas Government Code. Mayor Marino called the meeting to order at 7:30 p.m.

A. ROLL CALL

Tony Marino	Mayor
Julie Mathews	Councilmember 1
Mike McCaleb	Councilmember 2
Steve Forgey	Councilmember 3
April Estrada	Councilmember 4
Andi Nolan	Councilmember 5

Staff Present: City Manager/Police Chief Nick Ristagno; City Secretary Joni Vaughn; City Attorney David Berman; Police Captain Wes Frazier; Finance Director Donna Boner

B. INVOCATION

Pastor Rod Collver, Open Arms Church, gave the invocation.

C. PLEDGE OF ALLEGIANCE:

Mayor Marino led the pledges of allegiance.

Mayor Marino announced the council would go into executive session without Councilmember Mathews.

Councilmember Mathews called for a point of order. Mayor Marino deferred to City Attorney Berman who asked Councilmember Mathews what her point was. Councilmember Mathews stated she believed Section 551.084 did not allow for closed session. City Attorney Berman said they would adjourn into closed session under Section 551.071 for the purpose of seeking confidential legal advice from the City Attorney.

Mayor Marino adjourned the meeting to go into executive session at 7:34 pm.

Councilmember Mathews knocked on the door to the conference room and stated she wished to be included in the executive session, however she was denied access.

D. EXECUTIVE SESSION

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed executive session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Mayor Marino reconvened the meeting at 8:12 pm.

E. PUBLIC HEARING

1) Conduct public hearing on conduct of and possible violations of city charter by council member Julie Mathews.

Mayor Marino opened the Public Hearing at 8:12 pm.

Karen Trivitt, 306 Owen Oak, spoke in favor of Julie Mathews and voiced her displeasure with city government.

Trey Sargent, 800 Crest Oak Place, attorney for Julie Mathews, spoke to Council in defense of Julie Mathews.

Keri Marie Sutherland, 110 W. Hundley, urged everyone that after tonight they put personal offenses aside and focus on moving forward.

Lori Farney, 315 White Oak Drive, stated her displeasure with the negative social media in the community and gave her support to the existing city staff.

Mayor Marino closed the Public Hearing.

2) Consider and deliberate on conduct of and possible violations of city charter by council member Julie Mathews, and take action on discipline or dismissal of council member Julie Mathews, which may include reprimand, censure or declaration of forfeiture of office.

Mayor Marino asked City Manager Ristagno if there had been violations in terms of interference of administration. City Manager Ristagno replied yes. Mayor Marino asked Chief Ristagno if there had been more than one occurrence to which City Manager Ristagno answered yes.

Mayor Marino read from the Lake Dallas City Charter Section 3.08.03. *Interference With Administration.*

“Except for the purpose of inquiry and investigation as provided by this Charter, the city council and its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the city council nor its members shall give orders to any such officer or employee, either publicly or privately, except as otherwise provided in this Charter.”

Councilmember Estrada read the emails from Julie Mathews giving directives to city employees.

Councilmember Nolan stated that it has been said that Councilmember Mathews was not a councilmember when she wrote the emails because she had not been sworn in, however she used the services of the City Attorney during that time, something that is afforded to a councilmember and she signed her emails as a councilmember.

Councilmember McCaleb stated he felt it was a sad situation that one person could stir up a community of 7500 people.

Motion for declaration of forfeiture of office was made by Councilmember McCaleb and second by Councilmember Estrada.

Councilmember Mathews called for a point of order. Mayor Marino deferred to City Attorney Berman. City Attorney Berman explained that Councilmember Mathews was not allowed to vote on a matter concerning her.

Ayes: Councilmembers McCaleb, Estrada, Forgey, and Nolan

Noes: None

Motion Passed

Councilmember McCaleb read a public statement regarding the removal of Councilmember Mathews.

“From time to time the City Council is called upon to make difficult decisions and the removal of Council Member Julie Mathews was one of those times. The Lake Dallas City Council was tasked with determining whether or not a violation of City Charter was committed by Council Member Mathews and more specifically whether Council Member Mathews interfered with the administration of the City by issuing directives to city personnel in violation of the governmental process. The City Charter expressly prohibits a council member, under penalty of removal, from issuing such directives.

An inquiry was concluded and it was determined that Mrs. Mathews did issue directives to members of the staff, on more than one occasion, in direct conflict with Title 3, Section 3.08.03 of the City Charter.

The decision to remove rather than reprimand or censure Mrs. Mathews was determined to be necessary because of the totality of circumstances. This is an issue far worse than the issuance of directives to city employees and a history of past conduct was painstakingly considered before reaching a decision.

Mrs. Mathews has, for a period of nearly two years, waged personal and malicious attacks on members of the Lake Dallas government and its administration that were nothing more than calculated lies intended to turn public sentiment against the City in order to aid her bid for an elected office. The utilization of slanderous and defamatory allegations to influence others for the purpose of carrying out a personal vendetta is recognized as the despicable act of a disgruntled, former employee who resented the loss of the preferential treatment to which she became accustomed under former management.

Her rants on Facebook consisted of not only lies, but the intentional staging of misinformation and the deliberate misrepresentation or omission of facts regarding a number of issues that included the Lakeview Roadway project, the new apartments, personnel issues and the Economic Development Corporation. Hers have been nothing more than efforts to discredit a supportive government that actually brought the city out of ruin from a period of time during which she was employed and involved. There is also reason to believe that she expected to be appointed the city manager and became resentful when she was not. Furthermore, her recent conduct in the short time she was a member of the City Council indicated an unwillingness to work with her fellow council members, attempted to rule by harassment and intimidation, pursued avenues to disrupt and dismantle this city and turned against her own fellow running mates only because they are seeking and acting on truth.

Though she has strived to make it so, this is clearly not a case of a government against its citizens or a citizenry against its government as she would have you believe. It is the calculated crafting of a campaign by one individual who is educated in the disciplines of marketing and communication skills and one who possesses disruptive spirit intent on turning the government and the people against each other to allow her to rule unconditionally and without regard to anyone.

It is imperative for the citizens of this community to seek the truth before taking any adverse actions that could prove to be detrimental to this community. For that reason, the Lake Dallas City Council will schedule in the immediate future Town Hall Meetings to address many of the issues that have been deliberately misrepresented on social media for the past two years and to answer any of your questions. The City urges citizens to participate in this fact sharing forum and a schedule will soon be announced.

This individual resigned her position with the city for all the wrong reasons and has fanatically utilized her skills to carry out a personal vendetta. The City will establish the truth at the Town Hall Meeting. There will be those who want to and will continue to believe her. But those individuals who seek the truth will arrive at the same conclusion as did the Lake Dallas City Council who removed her from office by unanimous decision after a thorough review of the facts surrounding this issue."

Mayor Marino adjourned into executive session for new councilmember orientation at 8:35 pm.

F. EXECUTIVE SESSION

Convene to deliberate in closed session under Section 551.071 of the Texas Government Code (Consultation with Attorney) to:

- 1) Receive confidential legal advice from the City Attorney on any agenda item herein; and**
- 2) Receive confidential legal advice from the City Attorney regarding duties and responsibilities of council member and to conduct council training.**

Tony Marino, Mayor

Joni Vaughn, City Secretary