

THE STATE OF TEXAS           §  
COUNTY OF ANDERSON       §  
CITY OF PALESTINE           §

The City Council of the City of Palestine, Texas convened in a Regular Meeting on Friday, March 8, 2019 at 2:30 p.m. for the Special Meeting in the Council Chambers at City Hall, 504 N. Queen Street, Palestine, Texas, with the following people present:

Steve Presley, Mayor  
Mitchell Jordan, Mayor Pro Tem  
Larissa Ray Loveless, Councilwoman  
Vickey L. Chivers, Councilwoman  
Joe Baxter, Councilman  
Dana Goolsby, Councilwoman  
Ann Connor, Councilwoman

Michael Hornes, City Manager  
Teresa D. Herrera, City Secretary  
Ronald D. Stutes, City Attorney

Others present: Public Works Director Tim Perry, PEDC Director Gayle Cooper, and other interested citizens;  
with the following member absent: none.

**CALL TO ORDER**

With a quorum present, Mayor Presley called the Special Meeting to order at 2:30 p.m.

**CLOSED SESSION**

Mayor Presley announced that Council would go into Closed Session pursuant to Section 551.071 to consult with city attorney to receive legal advice, including consultation regarding pending or contemplated litigation. The time was 2:30 p.m.

- 1) Discussion and update regarding *L. S. Equipment Co., Inc. d/b/a Lone Star Equipment Co. v. City of Palestine*; Cause No. DCCV17-00303, in the 3<sup>rd</sup> District Court, Anderson County.

**RECONVENE IN REGULAR SESSION**

Mayor Presley reconvened Council into open session at 3:07 p.m.

Discuss the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of City Attorney.

Councilman Baxter made a motion, seconded by Councilwoman Loveless, to terminate the contract with Potter Minton. Upon vote, motion carried unanimously 7-0.

Mayor Presley and Mayor Pro Tem Jordan thanked Ron Stutes for his services to the City of Palestine.

Mayor Presley explained that it would be wise to get information from Ron Stutes to carry forward to the next attorney, and that might take an hour or two of his time. The City will need to pay for those services. Council will consult with local attorney to seek advice on reasonable timeframe. Council will be in touch with Ron Stutes.

Discussion and update regarding *L. S. Equipment Co., Inc. d/b/a Lone Star Equipment Co. v. City of Palestine*; Cause No. DCCV17-00303, in the 3<sup>rd</sup> District Court, Anderson County.

Councilman Baxter made a motion, seconded by Councilwoman Loveless, to consult with trial attorney that has knowledge of the lawsuit to advice Council how to move forward with this lawsuit either an appeal or pay the judgement. Upon vote, motion carried unanimously 7-0.

Clarification was made that Council will hire any and all attorneys necessary.

Councilwoman Loveless asked that after the recommendation is made by an attorney, if the attorney recommends an appeal, to have Council approve the appeal before the attorney moves forward with it and not at the pleasure of the attorney.

Council directed the city secretary to post an addendum to the agenda to discuss selecting a local attorney to evaluate the *L. S. Equipment Co., Inc. d/b/a Lone Star Equipment Co. v. City of Palestine*; Cause No. DCCV17-00303, in the 3<sup>rd</sup> District Court, Anderson County.

**ADJOURN**

With no other business to come before the Council, the meeting was adjourned at 3:21 p.m.

PASSED AND APPROVED THIS 8TH DAY OF APRIL, 2018.

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Steve Presley, Mayor

ATTEST:

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Teresa Herrera, City Secretary