

Walt Leonard said he did not say that. He said he did not say that.

Mayor Hunter asked what did he say.

Walt Leonard said he said you have a contract at that point the discussion he had no idea whether or not it was going to be finalized or accepted or not. He said they talked about it in great length. He said he talked about what done and what was being put in the contracts and as it turned out the Council as a whole was perfectly congenial what turned out to be the proposed contract the Mayor can confirm that if need be. He said he believed some other people that were here will remember that as well and he could not tell you – a contract is a fully filled out document. This one as far as he knew was simply a draft and if that was unclear he said he sorry he is a lawyer and he has been trained to talk that way.

Mayor Hunter said so since they weren't approved you saw fit to say no.

Walt Leonard said he correctly said - no he did not have a contract.

Mayor Hunter asked if anybody else had any questions.

Walt Leonard said he wanted to point out that none of these particular charges has ever been brought to him in any proper form – certainly this business about the contract is not part of what he was told before we did this and therefore he had no opportunity to speak to this or prepare for this. He said obviously he may have wanted to have some witnesses for some of these things that were brought up.

Mayor Hunter said they have the minutes showing that he said no.

Walt Leonard said he was not denying that he said no. He said he did not have a contract at that point he did not have a contract we were still talking he had a draft that was basically notes

Mayor Hunter said the draft of those contracts were signed that night correct – according to the paper.

Walt Leonard said they were signed later that night – yes because it happened

Mayor Hunter asked if he went back there and type those contracts.

Walt Leonard said no.

Mayor Hunter said so you had a contract there.

Walt Leonard said he had a draft and he had no idea whether the council would accept that or if they might want to make changes or whatever.

Mayor Hunter asked Walt Leonard what did he thing Councilman Basham was asking for when he asked you do you have the contracts.

Walt Leonard said he didn't have finalized contracts he was waiting for the Council to make up their mind whether or not was going to be the deal made — and the deal that was made later — later was to agree to have that thing done. He said the Council authorized based upon what had been said that evening and what was discussed by everybody in a quite lengthy discussion was to go ahead and do this and authorize the Mayor to do it. He said the Mayor came to him and asked if he had that and he said as a matter of fact he does. He said as it turns out but at the time he was asked he had no clue as to whether or not it was going to be the contracts or not. He said it was a draft nothing more. He said they were talking about what was in the draft at great length that night.

Mayor Hunter said Walt Leonard read all of the changes made that night so you had something.

Walt Leonard said he had something but he didn't know if that would be accepted. He said the Council could have said.

Councilman Parnell said this discussion is getting elliptical and he thinks they have heard the motion but he is going to suggest that they Table this motion until the next meeting.

Mayor Hunter said they have a motion and a second.

Councilman Parnell said we do and let's Table it. He said he moves they Table it. He said that is a subsidiary motion and it has to be heard before they go forward with the rest of the motion

Mayor Hunter asked Attorney Jim Jeffrey to step up to the microphone, please.

Jim Jeffrey said he was an attorney from Arlington. He said he was not familiar with what procedures they normally follow.

Councilman Parnell said Roberts.

Jim Jeffrey said the short answer is if there is a motion on the table and there is a subsidiary motion then usually you act on the subsidiary motion first.

Mayor Hunter said there is a motion to Table all in favor — Councilman Parnell and Council Woman Steele voted yes. Councilman Basham, Councilman Trammell and Council Woman Jenkins voted no. Motion to Table failed 2-3.

Mayor Hunter asked Councilman Basham to repeat his motion.

Motion was made by Councilman Basham that they remove the City Attorney for cause under Texas Local Government Code, Chapter 22.077 Sub-Chapter A for misconduct and malfeasance effective immediately. Motion was seconded by Councilman Trammell motion carried 3-2. Councilman Parnell and Council Woman Steele voted no.

Item A.

Personnel — Joseph Polino

Motion was made by Mayor Pro Tem Basham to place the City Administrator/Director of Public Safety Joe Polino on paid Administrative Leave effective immediately pending further action or advise from Attorney Jim Jeffrey. Motion was seconded by Councilman Trammell.

Mayor Pro Tem Basham said we are under a court case on this and this is the only reason — there is no finding one way or the other in this case with Mr- Polino's good or bad intentions simply until we are able to clear the air and he can still get paid and it is not a negative reflection on him.

Joe Polino said he was not able to hear the cross conversation. He asked if that could be repeated one more time.

Mayor Hunter said he wasn't sure there was any cross conversation.

Joe Polino said Mayor Hunter spoke a couple of time with Mayor Pro Tem Basham was speaking and he was trying to focus on one or the other. So if Councilman Basham will repeat what he just said he would appreciate it.

Mayor Pro Tem Basham said Mayor Hunter asked if there was any discussion on the and he said there is a case outstanding which Mr. Polino is aware of and this administrative leave in no way in his opinion would focus negatively on him or say anything about the job that he is doing. It's simply until they are able to clear the matter up to his discretion and their discretion — you still get paid and you

Joe Polino said just one (1) quick question — is there anyone on the Council that does not know that he is represented by Counsel. He said he every member of the Council knows he is represented by Counsel.

The Council responded yes.

Mayor Hunter asked all in favor of the motion. Mayor Pro Tem Basham. Councilman Trammell and Council Women Jenkins voted yes. Councilman Parnell and Council Women Steele voted no. motion carried 3-2.

Brenda Spradlin said she believed these two (2) employees have more knowledge about what is legal concerning our city and the law. She said she would like to know why we want to get rid of them. She asks who stands to gain the most from getting rid of these two (2) gentlemen. She said that is her question.

Joe Polino said Mayor Hunter mentioned Mr. Jeffrey did he say something — was the motion made by Mr. Basham — he heard Mr. Jeffrey name mentioned — was it based on his counsel is that what was said.

Mayor Hunter said it was he forgot how he worded it.

Mayor Pro Tem Basham said it was by action or advice by Mr. Jeffrey.