

# AGENDA

EAST MOUNTAIN CITY COUNCIL  
SPECIAL SESSION  
DECEMBER 3, 2019  
TUESDAY 6:00 PM  
CITY HALL CONFERENCE ROOM

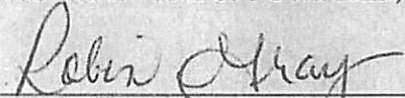
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- \*CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & ROLL CALL
- \*PUBLIC COMMENTS: Agenda Items Only (Limit 5 minutes total)
- \*APPROVAL OF PREVIOUS MINUTES

## AGENDA ITEMS

1. Discuss Breach of Contract Lawsuit – *Mayor Marc Covington*
2. Adjournment

WITNESSED MY HAND AND OFFICIAL SEAL  
OF THE CITY OF EAST MOUNTAIN, TEXAS  
ON THIS THE 27<sup>th</sup> DAY OF NOVEMBER, 2019

  
\_\_\_\_\_  
Robin Gray, City Secretary

POSTED THIS THE 27<sup>th</sup> DAY OF NOVEMBER AT 2:00 P.M.

CITY OF EAST MOUNTAIN  
CITY COUNCIL – SPECIAL SESSION  
December 3, 2019 - 6:00 P.M.

The meeting was called to order at 6:00 p.m. by Mayor Marc Covington. The invocation was given by Mr. John Adams. All present participated in the Pledge of Allegiance.

**Roll Call:** Those Council Members present were: John Adams, Richard Lattier, Billy Morrow and Mary Jo Popma. Eugene Brown was absent.

**Agenda Item One, Discuss Breach of Contract Lawsuit – Mayor Marc Covington:**

No one from the public was present. The Mayor locked the doors at 6:02 p.m. and the Council went into Closed Session.

The Mayor explained what stipulations were removed from the revised settlement from Attorney Korn. Mr. John Adams and Mr. Richard Lattier had several questions. (Please refer to the audio recording.)

Mr. Richard Lattier suggested that the City make a counter offer before agreeing to send what the settlement states. After much discussion, the Council members present, asked the Mayor to call Mr. Kennedy with a counter offer of \$50,000.00 and payment in one lump sum.

Mr. Kennedy was called with the Council's offer. He then contacted Mike Smith with the counter. They came back with \$65,000.00 in one lump sum or pay it out.

The Council agreed to pay the \$65,000.00 in one lump sum.

For detailed discussion, please refer to the audio recording.

Council reconvened into open session at approximately 6:45. The doors were unlocked and no one from the public entered.

Mr. Richard Lattier made a motion to accept the settlement of \$65,000.00. Ms. Mary Jo Popma seconded the motion. All were in agreement, except Mr. Billy Morrow was opposed.

Ms. Mary Jo Popma made a motion to allow the Mayor to sign the agreement on the Council's behalf. Mr. John Adams seconded the motion. All in favor, except Mr. Billy Morrow was opposed.

**Agenda Item Two, Adjournment:**  
Adjourned approximately 6:55 p.m.

Accepted and approved this 9<sup>th</sup> day of December, 2019.

  
\_\_\_\_\_  
Mayor, Marc Covington

Attested:   
\_\_\_\_\_  
City Secretary, Robin Gray