ORIGINAL

VILLAGE OF VOLENTE

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RESOLUTION NO. 2019-R-04

**RESOLUTION OF THE CITY COUNCIL OF THE VILLAGE OF VOLENTE TO REQUEST THE RESIGNATION OF COUNCIL MEMBER BILL CONNORS.**

**WHEREAS,** the Council finds that Village of Volente, Texas is a Type B general-law Municipality; and

**WHEREAS,** the Council finds that City Council of the Village of Volente, Texas (the "Village"), seeks to promote an efficient and effective Council in which business can be conducted; and

**WHEREAS,** the Council finds that Council Member Bill Connors was elected to the Village of Volente City Council on November 7, 2017; and

**WHEREAS,** the Council finds that Council Member Bill Connors on November 28, 2017 took the Oath of Office prescribed in Article 16 Section 1 of the Texas Constitution prior to entering office to faithfully execute the duties of the office of City Council Member of the Village of Volente, Texas; and

**WHEREAS,** the Council finds that council members are the city's legislators whose duties include policy making, development of ordinances that serve as regulations for the city, financial administration, administrative oversight of city employees; and the exercise of police powers to preserve peace and promote the health, safety, morals and welfare of local citizens; and

**WHEREAS,** the Council finds that Local Government Code Section 21.022(d) defines Official Misconduct as intentional unlawful behavior relating to official duties by an officer entrusted with the administration of justice or the execution of the law. The term includes an intentional or corrupt failure, refusal, or neglect of an officer to perform a duty imposed on the officer by law; and

**WHEREAS,** the Council finds that Village of Volente Code of Ordinances Section 2.03.032(a), establishes that each village council member and the mayor shall be a voting member of a different standing committee; and

**WHEREAS,** the Council finds that Village of Volente Code of Ordinances Section 2.03.034 established six standing committees, including the Budget, Finance and Administration Committee; and

**WHEREAS,** the Council finds that the Budget, Finance, and Administration Committee is responsible for overseeing the Village's financial activities involving accounting, payroll, budget operations, and fiscal responsibility. Other duties include

producing the monthly and annual financial statements. This Committee is also responsible for the Village's Human Resource functions; and

**WHEREAS,** the Council finds that Council Member Bill Connors was appointed as the Budget, Finance and Administration Committee Chairman on December 19, 2017 and Chair of the Government Affairs Committee on February 19, 2019; and

**WHEREAS,** the Council finds that Council Member Connors neglected to present the Village financial reports for the following months: January 2018, April 2018, May 2018, July 2018, December 2018, January 2019 and the state mandated Audits were not completed for fiscal year 2016 and fiscal year 2017 which prevented the city from completing subsequent audits; and

**WHEREAS,** the Council finds that Council Member Connors posted the City Secretary position during an ongoing investigation involving harassment of the City Secretary in a manner not in accordance with the Village Personnel Policy; and

**WHEREAS,** the Council finds that Council Member Connors opened a second set of books (financial records) and has withheld access to such records from Council Members and the City Secretary; and

**WHEREAS,** the Council finds that Complaints were filed with the City on July 5, 2018 alleging Council Member Bill Connors was intoxicated in public and harassed the patron of a local restaurant on Saturday June 30, 2018; and

**WHEREAS,** the Council finds that Council Member Connors sent retaliatory emails to the proprietor of the restaurant on Sunday July 1, 2018, copying all of city council and the mayor; and

**WHEREAS,** the Council finds that Council Member Connors has not opened, or replied to emails since March 26, 2019 sent to bconnors@volentetexas.gov email address; and

**WHEREAS,** the Council finds that Council Member Connors has missed nine regular and special called council meetings since January 2019; and

**WHEREAS,** the Council finds that Council Member Connors' absences at Council meetings and lack of availability during outside of meetings has delayed payment of City bills approved by council and as a signatory refused to sign; and

**WHEREAS,** the Council finds that Council Member Connors' absences at Council meetings, and in his roll as chairman of the government relations committee has delayed critical communications with the Brushy Creek Regional Utility Authority; and

**WHEREAS,** the Council finds that due to Council Member Connors' absences he has failed to fulfill the duties of office.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE VILLAGE OF VOLENTE, TEXAS:

**Section 1.** The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

**Section 2.** This is intended as a statement of the collective will of a majority of the governing body.

**Section 3**. The City Council hereby requests the resignation of Council Member Connors.

**Section 4.** This Resolution shall take effect immediately from and after its passage in accordance with law and it is accordingly so resolved.

**PASSED & APPROVED this, the _5___ day of June 2019, by a vote of __4__(*ayes*) to _0____ (*nays*) to __0___ (*abstentions*) of the City Council of Village of Volente, Texas.**

_____
Chris Wilder, Mayor Pro Tem
Village of Volente, Texas

ATTESTED BY:
Nanette Akinleye
Nanette Akinleye, Acting City Secretary
Village of Volente, Texas