

The Austwell City Council met in a special session on Wednesday, April 21, 2021, at 6:00 pm at the Austwell Community Center. The meeting was called to order by Commissioner Andrew Biery upon the refusal of Mayor Molly Garcia to participate in the meeting. The Pledge of Allegiance was recited by the assembly.

Mr. Biery welcomed the citizens and explained the reasons for the special meeting. The secretary's report was not available although information had been requested by the council.

Following a discussion of the failure of City Secretary Josephine Spence to successfully support the City of Austwell and the City Council, council member Bonnie Mutschler moved to dismiss the City Secretary. The motion was seconded and passed on a 2-0 vote with Mayor Garcia abstaining. Secretary Spence relinquished the city keys in her possession to Mayor Garcia and left the meeting.

The next item of business on the agenda was a proposal to petition the District Court to remove Molly Garcia from the mayor's position for Incompetence and Official Malfeasance on the following grounds:

- \*Failure to create, maintain, and present accurate financial records
- \*Failure to conduct audit of City Financials
- \*Failure to secure on Behalf of Austwell Citizens \$150,000 worth of grants from FEMA
- \*Failure to properly account for \$150,000 worth of Grant money previously received by the City
- \*Failure to create or follow a functional budget process
- \*Failure to follow Employment Law or Council Votes in hiring and firing the City Secretary
- \*Denying access or knowledge of City Business to Council and Citizens
- \*Conducting unauthorized expenditures
- \*Failure to respond to lawful requests for public information
- \*Failure to comply with Freedom of Information Act
- \*Unlawfully signing building permits for some residents
- \*Unlawfully allowing construction projects without permits for some residents
- \*Unlawfully denying or withholding building permits to some residents who qualify
- \*Willfully and purposefully failing to enforce City Ordinances
- \*Unlawfully signing checks
- \*Failure to recognize authority of Majority vote or action of Council

The Mayor, on the advice of counsel, did not respond to the items. Commissioner Biery moved that the petition be presented to the District Court. The motion was seconded and passed on a 2 - 0 vote with Mayor Garcia abstaining.

There being no further business, the meeting was adjourned.

\*\*\*Minutes submitted by Commissioner Place 2 Bonnie Mutschler due to dismissal of City Secretary.

