

**CITY OF CENTERTON
SPECIAL
CITY COUNCIL MEETING
CALLED BY ALDERMEN ROBIN REED AND TOMMY LAIRD
DECEMBER 4, 2012**

The special city council meeting was called to order by Mayor, Bill Edwards. The Pledge of Allegiance was recited and the prayer was offered by Todd Wright. Those Present and answering roll call were Mayor Bill Edwards, Robin Reed, Josie Reed, Keith Higginbotham, Misty Elam, Skye Petty and Tommy Laird. Those present and not answering role call were Todd Wright, City Attorney Brian Rabal, Robert Coffelt and police officer Anthony Martinez.

- 1) **Discuss Reimbursement of Legal Services Robert Coffelt-** Mayor Edwards addressed the council and stated that we discussed the reimbursement of the legal fees for Robert Coffelt in our last special city council meeting. He stated that the council had some questions. He stated that Robert was not feeling well and did not attend the special meeting. He then stated that Robert sent out a letter to the council and that Robin Reed recommended that we get back together as a council with Robert again. The Mayor stated that Keith Higginbotham had asked him to call ten (10) attorneys to get an idea of what the fees would be (for representation for a misdemeanor). Robin Reed asked what time the media was notified of this meeting and if the agenda was the same as what the council had in front of them. Mayor stated that it was the same agenda and that the media was notified at 3:30 p.m. this afternoon. Mayor Edwards stated that he talked to Acacia Stinnett with Stinnett and Van Es Law Firm and that she stated that her fee would be \$1500.00-\$2000.00 not including trial. He also spoke to Doug Norwood's office and they stated that their fee would be \$975.00-\$1200.00. The Mayor then turned the fee discussion over to City Attorney Brian Rabal and he stated that the lawyers that he spoke to had a range of \$1000.00-\$1500.00. He stated that a reasonable range could extend up to \$2000.00-\$2500.00. Tommy Laird made a motion for the council to enter into Executive Session to speak with Robert Coffelt with a 2nd from Robin Reed. All council members voted in favor and the motion carried. After over two (2) hours in Executive Session, Tommy Laird made a motion to return to the public City Council Meeting with a 2nd from Skye Petty. All council members voted in favor and the motion carried. Mayor Edwards introduced Stacy Digby, Mayor of Highfill, to the council. He had entered the meeting while the council was in Executive Session. Skye Petty made a motion to pay \$10,000.00 in legal fees for Robert Coffelt, stating that he felt it would be all or nothing to keep it cut and dry, unfortunately setting precedence for future litigation. He stated that Robert Coffelt was working under the City, assuming that he was doing his duty as a City Official and given that he was found not guilty. There was a 2nd from Tommy Laird. Skye Petty and Tommy Laird voted in favor, Josie Reed, Keith Higginbotham and Misty Elam voted against and Robin Reed abstained. The

motion did not carry. Josie Reed agreed with Skye, that Robert was doing his work, but that she found the fee amount to be excessive. She made a motion that the City pays \$5000.00 with a 2nd from Robin Reed. Tommy Laird, Josie Reed, Misty Elam and Robin Reed voted in favor, with Skye Petty and Keith Higginbotham voting against. The motion carried. City Attorney Brian Rabal recommended to the council to make a motion that the \$5000.00 payment be contingent upon Robert Coffelt signing a release of claims against the City for the remainder of the fee amount. Keith Higginbotham made a motion to allow the \$5000.00 payment contingent on Robert Coffelt signing a release of claims against the City for the remainder of the fee amount with a 2nd from Josie Reed. All council members voted in favor, except for Robin Reed, who abstained. The motion carried. Tommy Laird asked Mayor Edwards to research the policies of some other cities regarding employee situations such as this for review at the 12/11/12 City Council Meeting.

- 2) **Contract Proposal from Benton County for Building Inspection Services- (This discussion was held during the discussion in agenda item #1, but placed as a separate item in the minutes for easier reference).** Mayor Edwards stated that he and the council discussed a draft of a contract with Benton County for Building Inspection Services at the special council meeting on 11/26/12. Robin Reed made a motion to not enter into a contract with Benton County for Building Inspection Services with a 2nd from Skye Petty. All council members voted in favor, except for Keith Higginbotham, who abstained. The motion carried.

- 3) **Other Business-** The Mayor reminded everyone about the city employee Christmas dinner on Friday, December 7th at 6:30 p.m. and that the Christmas Parade will be Saturday, December 8th at 4:30 p.m.

There was no other business or announcements and Tommy Laird made a motion to adjourn with a 2nd from Skye Petty. All council members voted in favor and the motion carried.

Bill Edwards, Mayor

Todd Wright, City Clerk