

Special Commission Meeting  
January 29, 2019  
5:30 pm

Mayor Nugent called the special meeting to order at 5:30 pm.

Members present included Mayor Daniel W. Nugent, Commissioner Tommy Chastain, Commissioner Janice D. Mortimer, Commissioner Shannon Smith and Commissioner Wilbur Waters. Also present were Police Chief Jeff Johnson, City Manager Bob Milner, City Attorney Dan Sikes, Deputy Clerk Lisa Terry and City Clerk Ricky Thompson.

Mayor Nugent read an email sent by Attorney John Cooper this afternoon. "After a lot of soul searching, thought and prayer, I have come to the decision that I need to withdraw my name from consideration by the commission to be the city attorney. I apologize for any grief that the lateness of this decision causes, but certainly wanted to let you and the commissioners know before the meeting scheduled this evening. I appreciate the opportunity afforded me by the commission to be considered for this position and wish only the best for the commission going forward."

Commissioner Chastain asked about the text message sent by Mr. Milner following the email. Mayor Nugent said they should continue Attorney Sikes month-to-month contract until the position can be re-advertised. Attorney Sikes recommended advertising a request for qualifications for legal services and following the proper procedures. He said if the text was a solicitation for a consensus it would be in violation of The Sunshine Law. He recommended a copy of the text message be given to the Clerk's Office as a matter of public record. Commissioner Waters asked if they could go back to the list of potential attorneys from the last time they advertised for the position. Attorney Sikes said they could expedite it but they needed to follow the basic procedures. He suggested asking how much the potential attorneys would expect to be paid. Commissioner Chastain asked if they should ask about expected pay in the interview. Attorney Sikes said they can ask. Commissioner Chastain asked Mr. Thompson if that goes against what they have done in the past. Mr. Thompson said as long as it does not interfere with the Consultants Competitive Negotiations Act it is ok. Attorney Sikes will take a look at it. Mayor Nugent asked if they could include a salary range. Commissioner Waters said it has not been done that way in the past. Mr. Thompson said once the person has been qualified you can ask the expected pay. Mr. Thompson suggested doing a request for qualifications. Mayor Nugent entertained a motion to do a request for qualifications. Commissioner Waters made a motion. It was seconded by Commissioner Mortimer. The motion passed 5-0.

There being no further business, the meeting was adjourned at 5:42 pm.