

**From:** wagner.mick@gmail.com  
**Sent:** Friday, October 3, 2025 9:55 AM  
**To:** 'Angie Russell'  
**Cc:** 'Joey McCutchen'; dboyer1@yahoo.com; 'Rhonda Ardemagni'; 'Ward1-1 Misty Piazza'; 'Ward1-2 Amber Ibarra'; 'Ward2-1 Danny Montez'; 'Ward2-2 Larry Ardemagni'; 'Ward3-1 Mike Washkowiak'; 'Ward3-2 Tim Burress'  
**Subject:** FW: Recent Media Coverage and the Mayor's statement  
**Attachments:** 2023-06-02\_RICHARD MAYS LAW FIRM PLLC.pdf; 2024-10-28 Noland email confirming he did not engage Mays.pdf; 2023-06-11 Dennis Boyer we need council approval.pdf; 2023-06-13 Lovett email asking Mays about payment & Mays email regarding Russell meeting.pdf; 2023-06-19 Lovett email regarding Contributors.pdf; 2023-06-29 MayorAngieRussell\_ Deposition LinkPDF.pdf

Mayor,

Will Rogers once said ***“If you find yourself in a hole, stop digging”***

It seems you have a condition defined in Wikipedia as “Hero Syndrome”

[https://en.wikipedia.org/wiki/Hero\\_syndrome](https://en.wikipedia.org/wiki/Hero_syndrome) As one reads the link it most accurately describes you.

I watched your performance last night at 6 pm on channel 5

<https://www.5newsonline.com/article/news/local/tontitown-mayor-misused-public-funds-judge-ruling/527-ed5bdad-4b51-43d4-bdd4-d3a03129f4a3>

**I feel compelled to lay out the following facts and documents — because, frankly, it appears you believe the public isn’t smart enough to see through your smoke screen. That miscalculation deserves correction.**

- 1) The first attachment is the billing in question which clearly shows that numerous charges were related to preparing for a deposition at which the attorney selected by the city to represent the Tontitown taxpayers, thus duplicate billing in the same manner you duplicate paid for IT services as noted in the city audit
- 2) You mentioned your action to pay Mays firm bill, benefitted Tontitown residents/taxpayers, I provide a searchable link [Emails produced by Mays Law](#) which shows that Mays received and reviewed hundreds of email from non-resident Kenneth Lovett and the bill attached shows a large part of Mays billing was due to Lovett and other nonresident Mark Calcagani.
- 3) The 2<sup>nd</sup> attachment indicates that Noland as retained attorney for the city did not solicit May’s help.
- 4) The 3<sup>rd</sup> attachment is an email from a Tontitown resident that you evidently ignored. In this email, Mr. Boyer realized that the city was not liable for Mays bill unless the city council approved it. I wish Messrs. Boyer, Calcagani and Lovett in their class action suit on the landfill matter.
- 5) The 4<sup>th</sup> attachment is an email shows nonresident Lovett arranging meeting and inquiring about payments

- 6) The 5<sup>th</sup> attachment is an email from nonresident Lovett that shows that nonresident provided a list of contributors for their lawsuit , note that only 5 of 19 people listed in this email were Tontitown residents
- 7) The 6<sup>th</sup> attachment is the deposition that both Tontitown attorney Noland and Mays attended . You will note the cover page clearly indicates that Noland represented Tontitown. You will also find on page 55 that Mays makes a statement that specifically confirms **“he represents YOU and others**  
“

There are many more documents that my attorney and I possess that prove you knowingly and willingly spent Tontitown taxpayers’ money that benefited you and several nonresidents by payment of legal fees for your benefit.

Regarding your statement that **“my attorney reached out for a settlement”**, lets unpack your statement :

- 1) After waiting for several months, Mr. McCutchen contacted the ARML attorney and requested a court date, after which settlement discussion began.
- 2) After several back-and-forth emails between attorneys ( **which I believe may be subject to FOIA**) my attorney agreed to what I felt a very favorable attempt to minimize the city to further embarrassment .
- 3) Perhaps you should look up the legal term **ultra vires** [https://www.law.cornell.edu/wex/ultra\\_vires](https://www.law.cornell.edu/wex/ultra_vires)
- 4) While I signed a release that I would take no further legal action in this matter, I caution and remind you that any Tontitown citizen has standing to pursue damages of interest on money you “loaned” from you personally for interest the citizens are due for use of taxpayers for a period of several months, before your co-litigate Mr. Calcagni repaid the legal fees that I challenge.

***I pray you grasp the facts, Mayor — because the public already does.***

***And I pray the council sees this for what it is: a defining moment in how Tontitown’s residents will judge the integrity of their government.***

**In closing, if the goal is transparency, then partial disclosure won’t suffice. This email string contains your statement to council and should be included in full in the next packet so the public can see the facts in their entirety.**

Respectfully ,

Mick Wagner  
Ph 479-790-3480



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**From:** Angie Russell <[mayor@tontitownar.gov](mailto:mayor@tontitownar.gov)>  
**Sent:** Thursday, October 2, 2025 12:44 PM  
**To:** City Council of Tontitown <[CityCouncilofTontitown@tontitownar.gov](mailto:CityCouncilofTontitown@tontitownar.gov)>  
**Cc:** Justin Eichmann <[jeichmann@arkansaslaw.com](mailto:jeichmann@arkansaslaw.com)>  
**Subject:** Recent Media Coverage

Council,

In light of recent public discussion and media coverage regarding the lawsuit filed by Mr. Wagner against the City of Tontitown concerning the payment of attorney Mays, I want to provide full transparency on how the matter was resolved.

Attorney Monaghan, representing the city through the Arkansas Municipal League, informed me that Mr. Wagner's attorney had reached out to her stating that Mr. Wagner was willing to drop the lawsuit if a payment of \$1,500 was made directly to his attorney, Mr. McCutcheon. (This is the lawsuit that Mick spoke about during citizen comments in several city meetings.)

To protect the City of Tontitown from incurring potentially thousands of dollars in legal fees and to resolve the matter swiftly, I made the decision to personally pay the \$1,500. This action ensured that the lawsuit was dropped and that the city did not have to go to court or bear any financial burden from the dispute.

This settlement was made out of court and was done solely in the interest of safeguarding city resources and avoiding unnecessary legal expenses. I remain committed to transparency, fiscal responsibility, and protecting the interests of our community.

— **Mayor Angie Russell**



**A Little Town, A Lot of Tradition**

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