

# TIMELINE OF ALL CITY ATTORNEY–RELATED COUNCIL ACTIONS 2015–2025

## 1. January 6, 2015 – Resolution Restricting Access to the City Attorney

Resolution 2015-01-505R

### Action:

- States the **Mayor is the only official** who may contact the City Attorney.
- Requires aldermen, staff, and others to get written permission from the mayor.

### Legal Effect:

- *Not enforceable* as to **aldermen**—conflicts with A.C.A. 14-42-112 & 14-43-502.
- *May restrict employees* (under mayor’s administrative authority A.C.A. 14-43-504).
- Must be **repealed or replaced** to avoid ongoing confusion.

## 2. December 2015 – Council Formally Appoints Eichmann for 2016

Resolution 2015-12-566R

### Action:

- Council formally appoints **R. Justin Eichmann** as City Attorney for 2016.
- Sets the compensation structure:
  - \$250 per council meeting
  - \$180/hr for all other services
- Allows **one-year extensions** through 2018, but **only with mayor + council approval**.

### Legal Effect:

- Fully compliant with Arkansas law.
- This is the **first lawful contractual relationship** with Eichmann.

## 3. December 2018 – Council Reappoints Eichmann and Approves New Engagement Letter

## Resolution 2018-12-822R

### Action:

- Council again appoints Eichmann as City Attorney.
- Council authorizes mayor to execute the attached attorney engagement letter.
- New compensation: **\$4,000 per month flat rate.**

### Legal Effect:

- Fully compliant with Arkansas law.
- **This is the last valid appointment and engagement approved by the council.**
- This agreement remains the legally binding appointment unless superseded by council action.

## 4. June 2020 – Council Passes Ordinance Setting \$0 Salary for Future Elected Attorney

### Ordinance 2020-05-886

### Action:

- Sets salary of a future *elected* City Attorney at **\$0**.
- States city will continue using an **appointed attorney** until population exceeds 5,000.

### Legal Effect:

- Lawful ordinance.
- Does NOT appoint an attorney.
- Does NOT authorize the mayor to sign attorney contracts.
- It has **no effect** on the existing 2018 appointment.

## 5. January 29, 2025 – Mayor Russell Signs New Engagement Letter WITHOUT Council Action

### 2025-01-29 Engagement Letter

#### Action:

- Mayor Russell unilaterally signs a **new engagement contract** with Eichmann.
- New fee structure:
  - \$4,500/month – general counsel
  - \$1,000/month – planning commission
  - \$1,800/month – prosecution
  - \$300/month – administrative fee
  - \$250/hour – additional work

#### Legal Effect:

- **Not compliant with Arkansas law** (A.C.A. 14-42-112 & 14-58-303).
- Mayor lacks authority to appoint or contract for a city attorney without council vote.
- Violates the 2018 council-approved contract still in force.
- Exceeds mayor's statutory contracting authority (multi-thousand-dollar professional contract).

**This contract is ultra vires (beyond mayoral authority) and voidable.**