



**CITY OF CENTERTON  
SPECIAL  
CITY COUNCIL MEETING  
MAY 15, 2018**

The Special City Council Meeting was called to order by Mayor, Bill Edwards at 7:40 p.m. Those Present and answering roll call were Mayor Bill Edwards, Misty Elam, Keith Higginbotham, Robin Reed, Wayne Low and Darren Warren. Josie Reed was absent. Those present and not answering role call were City Clerk Todd Wright and City Attorney Brian Rabal and Financial Director Pam Grant.

- (1) Personnel Matter-** City Attorney Brian Rabal addressed the Council, stating that he has been working with the Benton County Sherriff's Office, conducting some additional investigation. He said that Council Member Misty Elam reached out to him and has been a significant part of that investigation. Rabal said that City Clerk Todd Wright was brought in later, at the point when we realized that we had some issues to deal with. Rabal said that when we first put Cody Harper on Administrative Leave, it was done based on some allegations. He said the majority of those allegations have come back substantiated by the Sherriff's Office, and it was determined at that time that we needed to terminate both Cody Harper and Kris Arthur. Rabal stated that it was not a decision that was taken lightly. He said that he, Elam, Wright and the Mayor talked at length and in depth about the pluses and minuses of it, and frankly there is no "best" option. Rabal said the decision was based on the severity of the allegations and the substantiation of them, and felt that it was best to cut ties and terminate their employment with the City. Council Member Robin Reed stated that she didn't hear anything until the meeting and asked why the other Council Members did not have more information. Rabal stated that two (2) voting Council Members cannot meet together to discuss City business without there being a violation, but she is able to reach out to the Mayor, himself (City Attorney) or the City Clerk. Reed asked that having the State Police involved be strongly considered. Rabal said that is being considered. There was discussion.

**Robin Reed made a motion to enter Into Executive Session to discuss a Personnel Issue at 7:49 p.m., with a 2<sup>nd</sup> from Keith Higginbotham. All Council members voted in favor and the motion carried.**

The Mayor and Council retired to the Conference Room.

**Keith Higginbotham made a motion to exit the Executive Session and return to the Special City Council Meeting at 8:47 p.m., with a 2<sup>nd</sup> from Misty Elam. All Council members voted in favor and the motion carried.**

Mayor Edwards addressed the Council, stating that the Executive session was held to discuss the termination of the 2 officers. Edwards said in light of the situation, the Council has asked him to take an Administrative Role at the Police Department. Edwards said he will be in charge of the Police Department at this time, and will work hand-in-hand with Lieutenant Keck and the 4 Sergeants. Edwards asked the officers to continue to use their chain-of-command. Edwards said he would like to use a Hiring Committee and advertise for a new Police Chief.

The media present asked about notice of this meeting. Mayor Edwards stated that he notified the newspaper and KURM Radio of this meeting, as he normally does, and a 2-hr notice was given.

The Mayor and City Council Members expressed their support for the Police Department to the officers present.

Lieutenant Keck and several of the Police Officers asked questions and made comments about the termination of the 2 officers, asking for some eventual insight into why they were terminated. Keith Higginbotham asked that the Council and the Police Department find out at the same time. City Attorney Brian Rabal said that is absolutely fair and reasonable. Council Member Darren Warren stated that the City has hired an independent auditor to look at Policies, Procedures and Finances of the Police Department, as another opinion. Keith Higginbotham asked that the auditor be allowed to complete his investigation, to be able to provide information to the State Police, if it is determined that they should be brought in. Mayor Edwards asked Rabal to reach out to the State Police with what he has. Edwards said that he understood that the County Prosecutor was involved as well. There was discussion.

Robin Reed and Lieutenant Keck asked if the City could postpone the search for a new Police Chief while the investigation is ongoing. Mayor Edwards said that he had no problem with that.

**(2) Other Business-** There was no other business.

Wayne Low made a motion to adjourn at 9:19 p.m. with a 2<sup>nd</sup> from Keith Higginbotham. All council members voted in favor and the motion carried.

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Bill Edwards, Mayor

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Todd Wright, City Clerk