

**CITY OF WARD  
ORDINANCE NO. O-2023-28**

**AN ORDINANCE APPOINTING A CITY ATTORNEY FOR THE CITY OF WARD, ARKANSAS;  
CLARIFYING THE DUTIES OF CITY ATTORNEY; ESTABLISHING THE SALARY OF THE CITY  
ATTORNEY; REPEALING AND REPLACING ORDINANCE O-2016-09; DECLARING AN  
EMERGENCY, AND FOR OTHER PURPOSES**

**WHEREAS, ARKANSAS CODE ANNOTATED (A.C.A.) 14-42-122** outlines the appointment of a city attorney in a mayor-council form of government in cities of fewer than 10,000; and,

**WHEREAS, A.C.A. 14-42-122** further states that if no attorney resides within the municipal boundaries of the city, then the City Council may contract, as prescribed by ordinance, with any licensed attorney to serve as legal advisor, counselor, and prosecutor; and,

**WHEREAS A.C.A. 14-43-410** prescribes for the compensation of city attorneys.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARD, ARKANSAS:**

**SECTION 1 – APPOINTMENT:** The office of the City Attorney for the City of Ward shall be an appointed position as per A.C.A. 14-42-122(a)(1).

**SECTION 2 – SUMMARY:**

1. The City Attorney for Ward, Arkansas is a part-time position.
2. The City Attorney shall be considered a W-2 employee of the City, and shall receive benefits commensurate with other city employees such as health care options, retirement contributions under APERS and optional products available to all city employees.
3. The City Attorney shall receive annual COLA adjustments as per the same as other city employees.

**SECTION 3 – SALARY WORK:**

1. Prosecute City of Ward criminal charges, traffic violations, code violations, and affidavits
2. Review all Motions and Orders to Seal records
3. Review all affidavits filed by citizens of Ward and recommend appropriate charges to be considered by the Court for the purposes of prosecution.
4. Communicate with Defendants and Defendant's counsel, if any
5. Communicate with Law Enforcement during investigations
6. Attend all trial dates
7. General Counsel for the City:
  - a. Communicate with the Mayor, City Clerk, Planning Commission, and Department heads and personnel as needed.

- b. Provide specific legal advice to city's emergency services (FD/PD), District Court, and Code Enforcement/Building Inspector
- c. Review and approve all Resolutions and Ordinances
- d. Provide general legal advice to the City upon request
- e. Cooperate in the signing of any required City documents
- f. Attend regularly scheduled monthly City Council meetings unless otherwise excused
- g. Attend special City Council meeting, as requested
- h. Attend monthly and special Planning Commission meeting, as requested
- i. Address all FOIA requests, assist in responding to said requests

**SECTION 4: CONTRACT WORK**

1. Drafting documents such as contracts, deeds, resolutions, ordinances and correspondence with non-City entities or individuals
2. Attending non-city sponsored conferences and/or workshops
3. Involvement in open litigation
  - a. Lawsuits
  - b. Annexations
  - c. Bond Issues (attorney is paid according to the Bond's stated attorney fees)
4. The attorney shall charge a fee of no more than \$150.00 per hour for the above stated contract work, plus any reasonable expenses incurred
5. The attorney shall invoice the city for contract work from his/her private law firm and will be considered a contract expense subject to notifications as required by the IRS (i.e. 1099).

**SECTION 5 – CURRENT CITY ATTORNEY:** Chris Lacy, a duly licensed attorney and not residing within the city limits of the City of Ward, was properly appointed as the City Attorney and took office January 1, 2017.

**SECTION 6 – SALARY:** \$35,944.19 for 2024

**SECTION 7 – REPEAL:** Ordinance O-2016-09 is hereby repealed.

**SECTION 8 – SEVERABILITY:** If, for any reason, any portion or portions of this ordinance shall be held invalid, such invalidity shall in no way affect the remaining portions.

**SECTION 9 – EMERGENCY DECLARED:** That the Ward City Council has determined that an emergency exists to enact this change. As such, this Ordinance is hereby effective on January 1, 2024.

SAID ORDINANCE WAS ADOPTED ON DECEMBER 18, 2023.

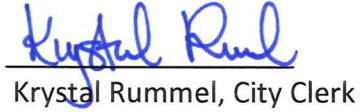
Brooke Y, Chapman Y, Hall Y, Hefner Y, McMinn Y, Ruble Y

YEAS: 6 NAYS: 0 Mayor (if needed) \_\_\_\_\_

APPROVED:

  
\_\_\_\_\_  
Charles Gastineau, Mayor

ATTEST:

  
\_\_\_\_\_  
Krystal Rummel, City Clerk

