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City's legal fees continue to pile up

More than \$180K shelled out to 3 firms in 3 months

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Numerous issues have put the money of Lebanon taxpayers into the hands of attorneys in the past year. A look at statements from three legal firms, which were obtained by the Daily Record through a Sunshine Law request, shows that from December to February, the city has been billed \$180,690.43.

The city spent \$152,157.10 from December through January with Shook, Hardy and Bacon LLP of Kansas City, Mo., which is handling the lawsuit between Lebanon and Public Water Supply District No. 3.

None of the expenses incurred with that firm were identified specifically in the redacted information released by the city. City Clerk Laina Starnes has said the redactions are necessary to protect the city's legal strategy.

From November through March 2, another \$24,293.99

has been charged by Ellis, Ellis, Hammons and Johnson for the airport project, union negotiations with the electric department, personnel and Sunshine Law issues.

Those fees includes trips an attorney has made to Lebanon for a personnel hearing and city council meetings. The firm charges 50.5 cents per mile, plus an hourly rate for preparation for hearings and meetings, as well as time spent in Lebanon. There have been seven trips since Nov. 16, totaling \$9,958:

■ Nov. 16 — five hours at \$900 to meet with Lebanon Police Chief Joe Brauer and Maj. Randy Halstead.

■ Dec. 14 — 10 hours at \$1,800 for a hearing.

■ Feb. 11 — 5.5 hours at \$1,045 to meet with the city council.

■ Feb. 22 — 8.2 hours at \$1,558 to meet with "committee and electric department union representatives."

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Billing

■ Feb. 28 — seven hours at \$1,330 to meet with the city council

■ Jan. 13 — eight hours at \$1,520 for an electric department union meeting

■ Jan. 31 — 9.5 hours at \$1,805 to meet with the city council

The city also employs local attorney David Wilhite, who has billed the city \$4,239.35 since December. Wilhite has provided legal services for naming rights at the Kenneth E. Cowan Civic

Center, the airport project, two businesses that declared bankruptcy, a prohibition on Nelson Park lake, a meth disclaimer on house inspections, and personnel and Sunshine Law issues.

It cost the city \$287.50 for Wilhite to work on a lease agreement with Ed Windsor, who was verbally given permission to lease property ground at the Lebanon Industrial Park for agricultural purposes.

At times Wilhite and the Ellis firm have worked on the same issues, such as personnel and the Sunshine Law issues.

For example, one statement shows that Wilhite billed the city \$362.50 to review the AG's letter and prepare a response. The El-

lis law firm also has charged at least \$534 to review the response to the AG's inquiry and other Sunshine Law work. There is a \$126 charge for drafting of a document, but it is unclear in the billing statements whether this was in reference to the same issue.

Personnel issues also

received attention from both firms, but it's difficult to determine what some of the issues are on the statements.

Wilhite billed the city \$1,037.50 for services provided during a disciplinary hearing in December and \$200 for the Karen Guinn discipline appeal hearing in January. The Ellis firm

began working with the city on personnel issues in the police department in November and charged \$2,932. A December statement shows that an Ellis attorney met with Brauer and Halstead, began preparing for a hearing and viewed a video. An attorney also spoke with Human Resources Director Kathy Milliken and reviewed city policies and ordinances.

Both attorneys also have worked on issues pertaining to the electric department's newly formed union. Wilhite charged \$37.50 in January. The Ellis firm was working on the same issue in November, charging \$38 to send e-mails to Public Works

Director Richard Shockley and also the unnamed union representative.

In December, the Ellis firm performed a total of \$3,897 worth of service divided between the union, Sunshine Law and federal land acquisition guidelines.

The Ellis firm had several city council issues to handle in January, including addressing who has the authority to call for special meetings. Researching that issue cost \$304.

There also were personnel, the electric department and Sunshine Law issues. The total for January's services is \$7,967, and February's total is \$8,681.

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