

**City of Dacono**  
**City Council Special Meeting Minutes**  
**Wednesday, May 10, 2023**

**Meeting called to order at 6:00 PM**

**Members Present** Doris Crespo  
Danny Long  
Adam Morehead, Mayor  
Jackie Thomas  
Jim Turini  
Kathryn Wittman

**Members Absent** Kevin Plain, excused

**Staff Present** Valerie Taylor, City Clerk  
Lisa Fuller, Accounting Technician  
Brent Fitch, Police Commander  
Zach Johnson, Police Officer

**Pledge of Allegiance**

**General Business**

**A. Discussion and appointment of an Interim City Attorney.**

Rick Samson with Samson Law Firm, PC and Payton Buhler of Bell, Gould, Linder & Scott, PC were in attendance. Mayor Morehead asked Mr. Samson how he was invited. Mr. Samson said he received a call from Councilmember Thomas to see if he'd be interested in serving as the interim city attorney and then he called the Mayor. He said his job would be to keep the city on track and move forward. Matt Gould and Payton Buhler of Bell, Gould, Linder & Scott, PC would work with him so there would be two experienced municipal attorneys available to the city.

Councilmember Thomas stated her objective in contacting Mr. Samson was to move forward and help the city.

Councilmember Wittman asked if he'd read the whole charter. Mr. Samson stated that he had.

Councilmember Thomas asked about the different rates listed, non-development vs. development. Mr. Samson stated that they bill a higher rate for developers and that rate is passed on to the developers who have a cost agreement in place.

Mayor Morehead asked if he had any conflicts of interest with Jon Lee, Tony Carey and Lori Saine. Mr. Samson stated he does not know the commissioner. He has a good relationship with Jon Lee but there were rules that had to be followed by developers. He also stated he has two friends that have property in Dacono. He does not represent them; he will deal with them just like he does everyone else regarding the rules.

Councilmember Turini asked about real estate law experience and dealing with developers. Mr. Samson stated he has lots of experience with developers and real estate law. He stated that between the two firms, they have a lot of experience. Mayor Morehead asked if bringing businesses to the city is the attorney's job. Mr. Samson said it is not in the job description, but he knows a lot of people and that is a by product of him knowing people.

Councilmember Thomas said she sees that he has represented many municipalities and asked what he did for Lochbuie. He said he was their municipal attorney for three or four years.

Mayor Morehead stated that special counsel has been hired for the recall election and asked Mr. Samson what he thought his involvement would be in the recall. Mr. Samson stated that he would have a professional relationship with special counsel.

Mayor Morehead told him about the current investigation going on and what he thought his role would be in that. Mr. Samson said they would not be involved in that; they wouldn't want any part of that.

Mayor Morehead asked what experience he had with Home Rule municipalities. Mr. Samson stated he has attended numerous seminars.

Mayor Morehead asked what kind of relationship Mr. Samson would have with city staff. Mr. Samson stated he would like to meet with them and work as a team.

Councilmember Turini asked if he would be comfortable negotiating tax rebates with developers. Mr. Samson stated he would be.

Mayor Morehead asked about the relationship he would have with the city. Mr. Samson said he works for the board and will not work for individual councilmembers. If something comes up in a meeting, if he has a concern, he will call it to the council's attention immediately. Mayor Morehead stated he sees the attorney's job as protecting the city first and the second priority is to protect the council.

Mayor Morehead asked about the termination of the town manager in Frederick. Mr. Samson said he didn't do enough. He was told ten minutes before the meeting that they planned to fire the manager. He was called and told that to terminate the town manager it took a unanimous vote. He had not remembered that provision. They addressed the issue that night.

Councilmember Thomas asked how Payton and Mr. Gould would be involved. Mr. Samson said he didn't know; he knows that he does not have the bandwidth to be the city attorney by himself. They would have to figure out how things will be divided up.

Councilmember Wittman asked if he would keep the council informed. He said he would provide memos and keep the council informed of everything going on.

Mr. Samson said that he had conversations with Payton and Matt Gould and stated that if it were not unanimous to hire them, they are not interested in providing legal services for the City.

Councilmember Thomas made a motion to appoint Rick Samson as the city attorney. Ayes: Councilmembers Long, Wittman, Turini and Thomas. Nay: Council Member Crespo. Mayor Morehead declared the motion carried.

Mr. Samson stated it was not unanimous and asked Mayor Morehead if he would support him/them being the city attorney. Mayor Morehead stated he had concerns.

Mr. Samson thanked the council for listening and if they could help in the future to let him know.

**Adjournment:**

**With no further business to be discussed, the meeting was adjourned at 6:27 PM.**

**Approved this 12<sup>th</sup> day of June, 2023.**

  
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**Adam Morehead, Mayor**

**Attest:**  
  
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**Valerie Taylor, City Clerk**