

**CITY OF INDIAN HILLS
ORDINANCE NO. 6, SERIES 2018**

**AN ORDINANCE AMENDING INDIAN HILLS CODIFIED ORDINANCE CHAPTER 2.24
(ORDINANCE 99-08) PROVIDING FOR CHANGES TO THE POSITION OF LEGAL COUNSEL**

WHEREAS, it is the desire of the Indian Hills City Council, and in the best interest of the City of Indian Hills, Kentucky, to utilize the authority granted in KRS 83A.060(3) to amend city ordinances and further to ensure compliance with ordinances in force within the City of Indian Hills, and

WHEREAS, City of Indian Hills Codified Ordinance Chapter 2.24 (Ord. 99-08) should be amended to reflect changes made to the office of Legal Counsel of Indian Hills and those specific sections amended are to be herewith set out in full.

NOW THEREFORE BE IT ORDAINED BY THE CITY OF INDIAN HILLS:

SECTION 1. City of Indian Hills Codified Ordinance Chapter 2.24 (Ord. No. 99-08) is hereby amended to reflect changes made to the position of Legal Counsel of Indian Hills. The specific sections amended are herewith set out in full.

1. ~~The City of Indian Hills may, at any time, establish the office of City Attorney. However, i[+]n lieu of establishing an office of City attorney, the City may retain a licensed attorney as legal counsel, such attorney to be selected by the City Council[at the January meeting of each even numbered year to serve for a period of two years], subject to removal at the pleasure of the City Council, with or without cause.~~

2. The duties of legal counsel shall be as follows:

a. Legal counsel shall prosecute or defend any and all suits or actions at law or equity to which the City may be a party, or in which it may be interested, or which may be brought against, or by, any officer of the City, on behalf of the City, or in the capacity of such person as an officer of the City.

b. To see to the full enforcement of all judgments or decrees rendered or entered in favor of the City and of all similar interlocutory orders.

c. He/she shall be legal advisor to the City officials and the City Council and shall render service on all legal questions affecting the City, whenever requested to do so by any City official. Upon request by the Mayor or City Council, he/she shall reduce any such opinion to writing.

d. He/she shall see to the completion of all special assessment proceedings and condemnation proceedings.

e. He/she shall draft or supervise the phraseology of any contract, lease or other document or instruments, to which the City may be a party; and upon request of the council, to draft ordinances covering any subjects within the power of the City.

f. He/she shall perform such other duties as are prescribed by ordinance.

3. Legal counsel shall receive for his services a retainer as fixed by the City Council, and a fee

for all advisory services, the drafting of ordinances, contracts, and other documents, and all services rendered in connection with bond issues, or litigation to which the City or its officers or employees in their official capacity may be parties. For all such services not covered by the retainer, he/she shall receive such compensation as may be authorized by the City Council. Bonuses and extra compensation may be paid to the Legal Counsel for services rendered. Such a determination to pay bonuses and extra compensation to Legal Counsel for services rendered shall be made by the City Council and shall become part of the fixed compensation of Legal Counsel subject to the decision of the City Council to appropriate the funds set forth in the annual budget ordinance of the City of Indian Hills.

4. The City Council retains the right to obtain legal counsel from other licensed attorneys for matters which are deemed by the Council to require special expertise or effort beyond that readily available from retained counsel.

5. ~~[This Ordinance shall take effect on December 20, 1999.]~~

6. ~~[An emergency is hereby found to exist by reason of the necessity to establish offices for the merged City to conduct business, and the City Council hereby suspends the requirements of a second reading and publication, provided this ordinance shall be published by summary or in full within ten (10) days of its enactment.]~~

7. ~~[Enacted this 20th day of December, 1999, by vote of two thirds or more of the City Council.]~~

SECTION 2. Severability. The provisions of this ordinance shall be considered severable. If any provisions of this ordinance is found to be invalid, that finding shall not necessarily invalidate the entire ordinance.

SECTION 3. Effective Date. This ordinance shall become effective after passage, approval publication as required by law.

First Reading: 8/16/2018

Second Reading: 9/20/2018

Passed and Approved: 9/20/2018

ENTERED THIS 20th DAY OF September 2018.

Introduced by:

Attest:

Chip Hancock, Mayor

Donna M. Sinkhorn, City Clerk

<u>Council</u>	<u>Yea</u>	<u>Nay</u>	
<u>Ms. Carroll</u>	<u> </u>	<u> </u>	Absent
<u>Mr. Doheny</u>	<u> X </u>	<u> </u>	
<u>Ms. Dunbar</u>	<u> X </u>	<u> </u>	
<u>Mr. Garlove</u>	<u> </u>	<u> </u>	Absent
<u>Mr. Giesel</u>	<u> X </u>	<u> </u>	
<u>Mr. Gries</u>	<u> X </u>	<u> </u>	
<u>Mr. Gruebbel</u>	<u> X </u>	<u> </u>	
<u>Mr. Kron</u>	<u> </u>	<u> </u>	Absent
<u>Ms. Zinniel</u>	<u> X </u>	<u> </u>	