

RESOLUTION NO. 2006-03

**A RESOLUTION APPOINTING A MUNICIPAL ATTORNEY AND FIXING THE
ATTORNEY'S COMPENSATION PER ORDINANCE 2003-13 AS AMENDED BY ORDINANCE
2006-06**

WHEREAS, the City of Cherokee Village needs the services of a qualified, regularly licensed attorney; and,

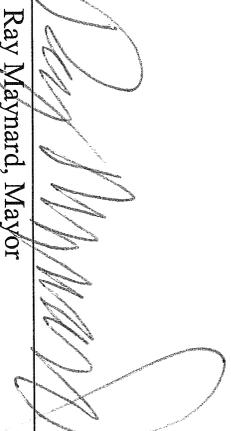
WHEREAS, the Mayor and City Council are empowered by State law to appoint a municipal attorney and fix the attorney's duties, in addition to those prescribed by law, and determine the attorney's compensation.

NOW THEREFORE, it is hereby RESOLVED by the City Council with concurrence of the Mayor,

1. That Jon R. Abele, PLC, a regularly licensed attorney, residing in Sharp County, Arkansas, and who maintains an office at 2200 Hwy. 62/412, Highland, Arkansas, should be and he is hereby appointed Municipal Attorney, to serve at the pleasure of the City of Cherokee Village, Arkansas.
2. It shall be the duty of the Municipal Attorney to represent the City of Cherokee Village in all civil actions; advise all City officials, including the City Council, as needed; and prepare legal documents or forms as needed.
3. Compensation shall be as follows: (1) a monthly retainer of \$350.00 (three hundred fifty dollars) shall be paid for consultation, advice, drafting and other administrative work; (2) the City may appropriate as necessary additional compensation for legal services requiring legal research and/or representation of the City at trial; (3) in the event the City shall require the Municipal Attorney to prosecute violations of ordinances or state laws committed within the corporate limits of the City, the Municipal Attorney shall receive as part of his compensation the same fees as are allowed prosecuting attorneys in all criminal cases pursuant to Ark. Code § 14-43-410.
4. The Municipal Attorney shall be reimbursed for any necessary out-of-pocket expenses incurred that have been approved by the Mayor prior to incurring same.
5. Because of the urgency in completing the organization of the City and commencing all operations required by law and the adoption of all necessary resolutions, ordinances, codes and in order to have the benefit of legal advice and guidance an emergency is hereby declared to exist, and NOW **THEEFORE** this resolution shall be in full force and effect upon its passage and approval.

DATED: October 19, 2006

APPROVED:


Ray Maynard, Mayor

ATTEST:



Susan E. Maynard, Clerk/Treasurer