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RESOLUTION NO. 2011-10

A Resolution regarding the use of legal consultants for the City of Rising Sun.

WHEREAS, the City of Rising Sun through its Common Council wishes to control spending and limit waste in the City Budget; and

WHEREAS, the City of Rising Sun through its various Boards and Commissions has and will have to utilize outside legal consultants as experts and these services are needed and important to the City; however, there is presently little or no cost containment or limits on such legal consultants' fees or their utilization; and

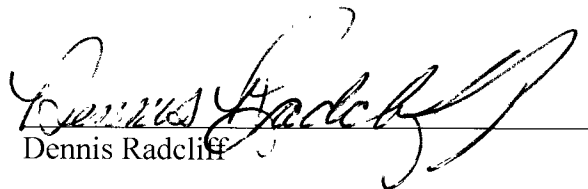
WHEREAS, the Common Council wishes to implement certain limits and a process for review of outside legal consultants.

NOW, THEREFORE IT BE RESOLVED BY THE COMMON COUNCIL OF THE CITY OF RISING SUN, OHIO COUNTY, INDIANA that:

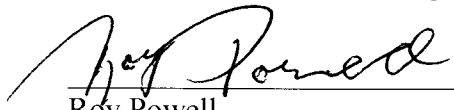
1. No outside legal counsel is to be employed without the approval of Common Council and the City Attorney under IC 36-4-9-12. All such employment agreements are to be in writing and should detail the specific purpose for the retention as well as the billing rates and/or salaries.
2. All outside legal counsel shall report directly to the Mayor's office for review of their activities and billing statements, who ~~may~~ ^{shall} review and verify such activities and statements with the City Attorney and ~~the~~ Clerk Treasurer and ~~the~~ President Pro Tem.
3. Under IC 36-4-9-4(b), the head of each city department or agency is under the jurisdiction of the executive, or the Mayor. Under IC 36-4-9-11(b), the City Attorney is the head of the department of law and shall manage the legal affairs of the City under IC 36-4-9-12, including the authorization of employing outside attorneys by officers, departments, boards, commissions, and other agencies of the City.
4. The Common Council under IC 36-4-6-24 may hire or contract with competent attorneys and legal research assistants on terms it considers appropriate; however, employment of an attorney under this section does not supersede the authority of the City Attorney and fees for such employment may not exceed the appropriations for similar salaries in the budget of the city department of law.
5. The City Clerk-Treasurer may also hire or contract with competent attorneys and legal research assistants on terms she considers appropriate; however, employment of an attorney under this section does not supersede the authority of the City Attorney and fees for such employment may not exceed the appropriations for similar salaries in the budget of the city department of law.

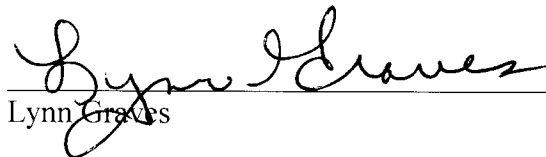
PASSED BY THE COMMON COUNCIL OF THE CITY OF RISING SUN, OHIO COUNTY, INDIANA, THIS 24th DAY OF AUGUST, 2011.


Steve Slack

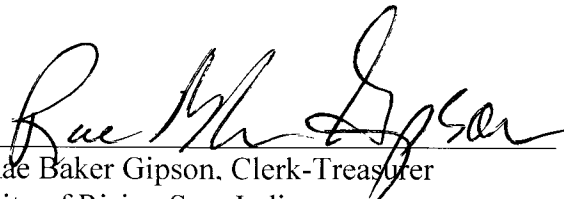

Dennis Radcliff


Mike Padgett

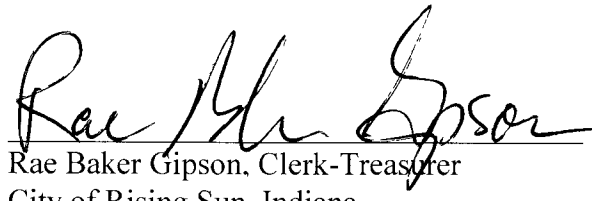

Roy Powell


Lynn Graves


The undersigned duly qualified and acting Clerk-Treasurer of the City of Rising Sun, Ohio County, State of Indiana, certified that the foregoing is a true and correct copy of Resolution No. 2011-~~10~~¹² adopted at a legally convened meeting of the Common Council of the City of Rising Sun held on the 24 day of August, 2011.


Rae Baker Gipson, Clerk-Treasurer
City of Rising Sun, Indiana

The foregoing within and attached Resolution passed by Common Council of the City of Rising Sun, Ohio County, State of Indiana, on the 24 day of August, 2011, is presented to me this 24 day of August, 2011 at 5:45 o'clock P.M. to the Mayor of the City of Rising Sun, Indiana.


Rae Baker Gipson, Clerk-Treasurer
City of Rising Sun, Indiana

The foregoing and within and attached Resolution No. 2011-~~10~~¹² passed by the Common Council of the City of Rising Sun, Ohio County, Indiana, on the ____ day of August, 2011, is approved by me this 27 day of August, 2011 at 5:45 o'clock P.M.


William A. Marksberry
Mayor of the City of Rising Sun