

BILL NO. 12- 502

ORDINANCE NO. 12- 502

AN ORDINANCE AUTHORIZING THE CHAIRMAN OF ITS BOARD OF TRUSTEES TO EXECUTE AN AGREEMENT WITH AN ATTORNEY TO SERVE AS VILLAGE ATTORNEY

WHEREAS, the Board of Trustees of the Village of Uplands Park, State of Missouri (“Village”) finds and declares that it must is in the best interests of its taxpayers and residents to formally retain Elkin L. Kistner as Village Attorney.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES AS FOLLOWS:

Section 1. Attached hereto as Exhibit A is a copy of a form of an Agreement whereby the Village would retain Elkin L. Kistner to serve as Village Attorney. The Chairman of the Board is hereby authorized to execute that Agreement and to cause the Village to be bound thereby.

Section 2. The Village hereby approves and agrees to pay Mr. Kistner two (2) months of his earned retainer for October, 2012, and November, 2012.

Section 3. This Ordinance shall take effect and be in full force immediately following its passage and being signed as provided by law.

Section 4. Any and all Village ordinances inconsistent with this ordinance are hereby repealed. This ordinance shall not be published in the Village’s Code of Ordinances.

PASSED and APPROVED this _____ day of November, 2012.

Chairman, Village of Uplands Park

Elkin L. Kistner, Village Attorney

PASSED AND APPROVED BY THE BOARD OF ALDERMEN OF THE VILLAGE OF
UPLANDS PARK, MISSOURI, THIS _____ DAY OF NOVEMBER, 2012.

RETAINER AGREEMENT FOR VILLAGE ATTORNEY SERVICES

1. By this agreement, the Village of Uplands Park ("Client") retains Elkin L. Kistner ("Attorney") to advise, represent, appear and act for Client as its Village Attorney, who shall provide the legal services to the Village as prescribed by § 115.100 of the Village's Revised Code of Ordinances.

2. Attorney shall serve at the pleasure of the Board of Trustees of the Village and the Board shall be able to terminate his services immediately by providing him with written notice of termination.

3. Client understands and acknowledges that Attorney represents the Village as a municipal entity and that his fiduciary duties are owed to that entity and not to its individual officials.

4. Attorney may terminate his relationship with the Village so long as he provides thirty (30) days advance written notice of the termination.

5. Village shall pay Attorney a five hundred dollar (\$500.00) monthly retainer; provided, however, in exchange for this monthly retainer, Attorney shall attend one Village Board of Trustees meeting per month, and shall prepare, upon request, one ordinance per month. All services beyond the foregoing shall be billed by Attorney to Village at the rate of one-hundred forty dollars (\$140.00) per hour.

6. This writing represents the entire agreement between the parties and cannot be amended or modified except in writing signed by the parties.

VILLAGE OF UPLANDS PARK

BICK & KISTNER, P.C.

By: _____

By: Elkin L. Kistner

Date: _____

Date: _____




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AMENDING SECTION 110.160 CEASING TRUSTEES-EXPENSE ACCOUNT ALLOTMENTS

- A. Effective immediately each Trustee of the Village of Uplands Park shall not be entitled to a monthly allotment for expenses incurred by the Trustees in accordance with their duties as Trustees for the Village of Uplands Park, whether said duties are incurred within or without the Village of Uplands Park.
- B. The Trustee shall not receive any other type of compensation from the Village of Uplands Park.

ATTEST:


Village Clerk


Chairperson of the Board of Trustees

APPROVED BY THE CHAIRPERSON, this 14 day of September 2012

ATTEST: