



STATE OF ARKANSAS
City of Brookland

Ordinance 2017-08

AN ORDINANCE ESTABLISHING THAT THE OFFICE OF THE CITY ATTORNEY WILL BE APPOINTED, APPOINTING KEVIN ORR AS BROOKLAND CITY ATTORNEY, AND SETTING THE COMPENSATION FOR CITY ATTORNEY; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, the Constitution of the State of Arkansas, Amendment 56, Section 4, provides for the compensation of municipal officers; and

WHEREAS, the City of Brookland operates with a Mayor/Council form of government; and

WHEREAS, Kevin Orr has been contracted as the city attorney for more than five years; and

WHEREAS, the City of Brookland, Arkansas has a population less than five thousand; and

WHEREAS, it is the desire of the city council to establish that the office of the city attorney will be appointed; and

WHEREAS, pursuant to Arkansas Code Annotated §14-43-319 and §14-43-410, the Brookland City Council desires to contract with Kevin Orr and specify compensation.

BE IT THEREFORE ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKLAND, ARKANSAS, THAT:

Section 1: The office of city attorney shall be appointed.

Section 2: Kevin Orr shall continue as legal advisor, counselor, and prosecutor for the City of Brookland.

Section 3: Kevin Orr shall represent the City of Brookland, Arkansas on an as-needed basis on all legal issues and in all legal proceedings in matters and areas not in conflict with State and Federal Law and shall provide representation in such other legal matters as may be required on behalf of the City of Brookland. Provided however that nothing set forth herein shall prevent the Mayor and the City Council from referring matters to outside attorneys or counsel, as circumstances permit or require.

Section 4: Pursuant to Arkansas Code Annotated § 14-43-410, Kevin Orr shall be paid \$200 per hour plus costs for his services as city attorney and \$60 per hour for the services of his assistant.

Section 5: This ordinance shall take effect immediately upon its passage.

Section 6: Any ordinance or part of any ordinance in conflict with this ordinance shall be held null and void.

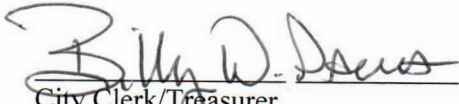
Section 7: Any part of this ordinance that may be held invalid by any court of jurisdiction SHALL not affect the remainder of this ordinance.

Section 8: EMERGENCY CLAUSE: There being an immediate need for clarification on the appointment and compensation for the position of city attorney, to provide for the orderly and proper administration of the government for the City of Brookland, an emergency is declared to exist and this ordinance being necessary for the preservation of the peace, health and safety of the citizens of the City of Brookland, it shall take effect and be in full force and effect from and after its passage and approval.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BROOKLAND, ARKANSAS, that beginning the first payment after April 10, 2017 and continuing such time as it may be amended, the city attorney shall be appointed and compensated as set in Ordinance 2017-08.

Passed this ____ day of April, 2017.

ATTEST:


City Clerk/Treasurer


Kenneth D. Jones, Mayor





STATE OF ARKANSAS
City of Brookland

Mike Bishop makes motion to accept **Emergency Clause in Section 8 of Ordinance 2017-08** as read. David Gambill seconds motion. Mayor Jones States motion to accept Emergency Clause and second, opens motion to council for discussion: Discussion points on Emergency Clause Motion:

Mayor Jones ask if there is any further discussion on the Emergency Clause Motion. Being none Mayor Jones calls for a vote of the council:

Mike Bishop: Yes, Jean Gandy: Yes, Wilson Shipman: Yes,

Maghen Carpenter: Yes, William David Gambill: Yes, Martin Crain: Yes.

Mayor Jones announces the Motion to accept emergency clause in **Ordinance**

2017-08, Section 8 has: Passed 6 Yea's, to 0 Nays,