



Board of Public Works and Safety

Agenda Item

Cover Sheet

MEETING DATE: April 10, 2018

☒ New Item for Discussion

☐ Previously Discussed Item

☐ Miscellaneous

ITEM #: 7

INITIATED BY: Michael Howard

☒ Information Attached

☐ Bring Paperwork from Previous Meeting

☐ Verbal

☐ No Paperwork at Time of Meeting

CONTRACT FOR NOBLESVILLE CITY ATTORNEY FOR 2018

This Contract entered into by and between the City of Noblesville, (hereinafter referred to as “the City”) and Michael A. Howard, (hereinafter referred to as “the Attorney”);

WHEREAS the City will adjust the appropriation for the Attorney’s basic contract from 107,186 to \$87,186.16 as basic compensation to the Attorney in 2018, which amount shall be payable monthly at the rate of Three Thousand Six Hundred Thirty-two Dollars and Seventy-five Cents (\$3,632.75) from the Wastewater budget and Three Thousand Six Hundred Thirty-two Dollars and Seventy-five Cents (\$3,632.75) per month from the Board of Works budget; and,

WHEREAS, the Attorney also serves as Attorney for the Noblesville Board of Zoning Appeals and the Noblesville Plan Commission with budgeted compensation in the amount of Ten Thousand Five Hundred Three Dollars (\$10,503) payable in four (4) quarterly payments of Two Thousand Six Hundred Twenty-five Dollars and Seventy-five Cents (\$2,625.75) in April, July, October, and December; and,

WHEREAS, in addition to providing services as general counsel for the City and the above mentioned boards, the Attorney shall provide legal services for funding of capital projects, land acquisition, and litigation for the City, its agencies, and subdivisions and should be compensated an hourly rate in addition to the amounts paid under the annual appropriations.

IT IS THEREBY AGREED as follows:

1. The Annual Compensation described above shall be paid to the Attorney as compensation for all general legal services in representation of the City, the Board of Public Works and Safety, the Plan Commission and the Board of Zoning Appeals, including attendance at all regular and special meetings of the above entities; providing counsel to all department heads and elected officials, whose work has not been expressly assigned to other attorneys; preparation and/or review of contracts, ordinances, and resolutions; and all other legal

representation as required on behalf of the City, other than those services expressly set out in Section 2 below.

2. The City Attorney shall be compensated for documented hourly legal services as follows:

- a. land acquisition and litigation;
- b. funding of capital projects including attendance at special meetings, other than those in Section 1 above;
- c. assistance in establishment of payment procedures for bonds and other major capital projects;
- d. consultation with accountants, underwriters, outside legal counsel for the above projects;
- e. preparation of and/or review of all documents related to the above; and,
- f. additional services as might be necessary for the land acquisition, design, and financing of capital projects for the City, the Noblesville Redevelopment Commission, the Noblesville Public Building Corporation, the Noblesville Redevelopment Authority, the Noblesville Economic Development Commission, or any other holding company or corporation.

3. The hourly services designated in Section 2 above shall be compensated at the rate of Two Hundred Fifty Dollars (\$250) per hour.

4. The compensation under paragraphs two shall be paid from appropriations for the capital projects, from litigation funds, and/or from additional appropriations approved by the City Council.

5. The City Attorney, with the approval of the Mayor, may cause any of the duties set out above to be delegated to outside counsel if it is in the best interests of the City.

Dated: April __, 2018.

BOARD OF PUBLIC WORKS AND
SAFETY OF THE CITY OF
NOBLESVILLE

John Ditslear, Member

Lawrence Stork, Member

Jack Martin, Member

ATTEST:

Evelyn L. Lees, Clerk
City of Noblesville, Indiana