

CHARTER ORDINANCE NO. 06

A CHARTER ORDINANCE EXEMPTING THE CITY OF THE HIGHLANDS, KANSAS, FROM THAT PORTION OF K.S.A. 15-204 THAT REQUIRES THAT THE MAYOR, WITH THE CONSENT OF THE COUNCILL APPOINT A MUNICIPAL JUDGE AND A CITY ATTORNEY, AND PROVIDING A MANNER FOR THE CONTRACTING OF LEGAL SERVICES.

BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF THE HIGHLANDS, KANSAS:

SECTION 1. Authority. The City of The Highlands, Kansas, a city of the third class, by the power vested in it by Article 12, Section 5, of the constitution of the State of Kansas, hereby exempts itself from and makes inapplicable to it that portion of K.S.A. 15-204 that requires the mayor, with the consent of the council, to appoint a municipal judge and a city attorney for the City of The Highlands, which statute is not applicable uniformly to all cities. The city does not exempt itself from any portion of said statute except that expressly set out in this ordinance.

SECTION 2. Definitions. The term law firm as used in this ordinance shall mean a partnership or association of two or more attorneys licensed by the State of Kansas and affiliated together for the practice of law.

SECTION 3. Mayor to Contract for Legal Services. The Mayor, with the consent of the council, shall contract with a law firm within Reno County, Kansas to provide legal services as needed to the city council for the council's advice and representation.


SECTION 4. Mayor to Contract for Judicial Services. The Mayor, with the consent of the council, shall contract with a law firm or attorney, other than the law firm or attorney providing counsel and general legal services to the city, to provide judicial services to the city as needed. In addition, on the same "as needed" basis but with a separate agreement for compensation, an individual, qualified in the duties of a municipal court clerk and selected by either the Mayor or the presiding Judge, shall be included within the provisions of the Section 4.

SECTION 5. Independent Contractors. Both law firms or individual Attorneys, shall be independent contractors and shall not be employees or officers of the City of The Highlands. Each law firm shall decide which of its members shall represent the city in a legal or judicial capacity on any particular occasion.

SECTION 6. Effective Date. This Charter Ordinance shall take effect after its passage and due publication once each week for two consecutive weeks in the official city paper and sixty-one days after final publication, unless a sufficient petition for a referendum is filed, requiring a referendum to be held on the Charter Ordinance, as provided in Article 12, Section 5 of the Constitution of the State of Kansas.

PASSED AND ADOPTED by the Governing Body, not less than two-thirds of the Members-elect voting in favor thereof, this 28 day of FEBRUARY, 2019.

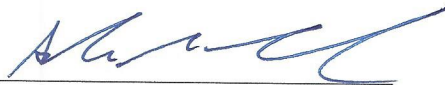



Mayor Mlo Penny

ATTEST:


City Clerk

Approved as to form:



City Attorney