

RESOLUTION NO. 2000-17

RESOLUTION APPOINTING MANLEY, BURKE AND LIPTON TO PERFORM THE TOWNSHIP'S LAND USE AND ZONING LEGAL SERVICES AND AUTHORIZING THE TOWNSHIP ADMINISTRATOR TO EXECUTE A COMPENSATION AGREEMENT WITH MANLEY, BURKE AND LIPTON FOR LAND USE AND ZONING LEGAL SERVICES AND DISPENSING WITH THE SECOND READING AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Ohio Revised Code Sections 309.09 and 505.14 and on the basis of 10 years representing Union Township, Butler County, Ohio, and their extensive knowledge, experience and expertise in township zoning law, the Board hereby appoints Manley, Burke and Lipton to provide land use and legal services for Union Township, Butler County, Ohio effective April 11, 2000; and

WHEREAS, it is necessary and proper to enter into an agreement with Manley, Burke and Lipton, specifying the billing agreement and engagement terms for the period from April 11, 2000 to April 10, 2001 and, thereafter if extended by the parties.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES, UNION TOWNSHIP, BUTLER COUNTY, OHIO:

Section 1. The Board of Trustees, Union Township, Butler County, Ohio hereby authorizes and directs the Township Administrator to execute an agreement, substantially in the form of the attached Agreement which is incorporated herein by reference, with Manley, Burke and Lipton, specifying the billing agreement and engagement terms for zoning legal services at a rate of \$135.00 per hour for attorney services.

Section 2. This action being necessary for the Township to remain in compliance with legal requirements is declared an emergency and shall become effective upon its passage.

This resolution shall be adopted as an emergency necessary for the immediate preservation of the public peace, health, safety, or welfare of the community.

Adopted the 11th day of April, 2000

ATTEST:

Patricia Williams
Patricia Williams, Township Clerk

APPROVED AS TO FORM:

Donald L. Crain
Donald L. Crain, Law Director

Jose Alvarez Yes
Jose Alvarez

David Tacosik Yes
David Tacosik

Catherine Stoker Yes
Catherine Stoker

Date	April 11, 2000	First Reading
Date	Dispensed	Emergency Reading
Date	<i>April 17, 2000 Journal News</i>	Second Reading
Date and Newspaper	<i>April 19, 2000 Pulse Journal</i>	First Publication (After Approval)
Date and Newspaper	<i>April 24, 2000 Journal News</i>	Second Publication (After Approval)
Clerk Signature & Date	<i>Patricia Williams, 7/18/00</i>	Certificate of Publication

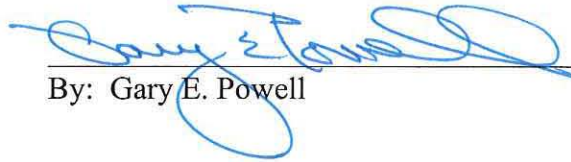
Fee Agreement

This agreement is entered into this 11th day of April 2000, between the West Chester Township, Butler County, Ohio, (hereinafter referred to as "the Township") and the law firm of Manley, Burke & Lipton, an Ohio Legal Professional Association.

For valuable consideration, the receipt and sufficiency of which is hereby acknowledged, it is agreed as follows:

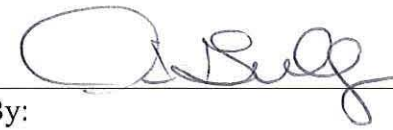
1. The Township agrees to retain Manley, Burke & Lipton to perform legal services for the Township, on an "as needed" basis, relating to land use and zoning matters.
2. The legal services provided hereunder by the attorneys at Manley, Burke & Lipton will be billed at the rate of One Hundred Thirty-Five Dollars (\$135) per hour for attorney time. Services for non-attorney personnel (paralegals and clerks) shall be at their normal hourly rate not to exceed Ninety-Five Dollars (\$95.00) per hour. Time shall be charged at increments of one-tenth (1/10) of an hour. In addition, the Township shall pay for those actual, reasonable expenses incurred by the Firm in the performance of its duties.
3. Invoices shall be submitted to the Township on or about the 10th of the month following the month for which services were rendered. The invoice shall detail the date upon which services were provided, a brief description of work performed, the name of the attorney, paralegal or clerk performing the work and the time and charges therefore. Expenses shall also be set forth and shall, where appropriate, be supported by receipts.
4. The Firm's primary contact person shall be Gary E. Powell; the Township's general contact person shall be the Township administrator or his designee.

MANLEY, BURKE & LIPTON
A Legal Professional Association



By: Gary E. Powell

WEST CHESTER TOWNSHIP



By:

Approved as to Form:



Donald L. Crain, Law Director