

# RECORD OF ORDINANCES

Ordinance No. 2009-03

Passed FEBRUARY 3, 2009

## AN ORDINANCE APPROVING AND AUTHORIZING THE ACCEPTANCE OF AN ENGAGEMENT LETTER FROM BENESCH, FRIEDLANDER, COPLAN & ARONOFF LLP, AND DECLARING IT AN EMERGENCY.

WHEREAS, the City of Brookville (the City) retains from time to time special counsel and bond counsel to represent the City; and

WHEREAS, for several years the City has retained Stephen Grassbaugh to provide such services to the City; and

WHEREAS, Stephen Grassbaugh has joined the law firm of Benesch, Friedlander, Coplan & Aronoff LLP; and

WHEREAS, the City desires to continue to retain Stephen Grassbaugh from time to time to provide such services.

### NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO, THAT:

**SECTION I:** It is in the best interest of the City to provide for the retention of Benesch, Friedlander, Coplan & Aronoff LLP from time to time in accordance with terms and conditions provided in the engagement letter from that firm now on file with this Council.

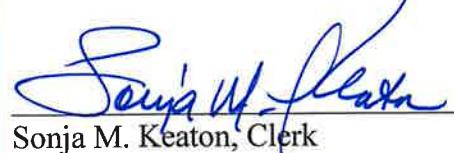
**SECTION II:** The engagement letter is hereby approved and the City Manager is authorized and directed to sign and deliver, on behalf of the City, the acceptance of the engagement letter in substantially the form now on file with this Council with such changes therein that are not materially adverse to the interests of the City and are approved by the City Manager. The signing and delivery of the engagement letter by the City Manager shall be conclusive evidence that any changes therein are not materially adverse to the interests of the City and have been approved by the City Manager.

**SECTION III:** This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance, and that all deliberations of this Council and of any of its committees that resulted in those formal actions, occurred in meetings open to the public in compliance with the law.

**SECTION IV:** This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that it is necessary to retain Benesch, Friedlander, Coplan & Aronoff LLP to obtain its advice and services on various proposed debt issuances; wherefore, this ordinance shall be in full force and effect immediately upon its passage.

PASSED this 3rd day of February 2009.

ATTEST:

  
Sonja M. Keaton, Clerk

  
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David E. Seagraves, Mayor

# RECORD OF ORDINANCES

Dayton Legal Blank, Inc.

Form No. 30043

**2009-03**

Ordinance No. \_\_\_\_\_

Passed FEBRUARY 3, 2009

## CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2009-03 passed by the Council of the City of Brookville, Ohio, on the 3rd day of February 2009.



Sonja M. Keaton, Clerk

## CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2009-03 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 4th day of February 2009 to the 4th day of March 2009, both days inclusive.



Sonja M. Keaton, Clerk