

**AN ORDINANCE APPROVING THE MAYOR'S  
APPOINTMENT OF EDWARD F. MCSWEENEY AS  
PROSECUTING ATTORNEY, SETTING THE  
COMPENSATION AND APPROVING AN AGREEMENT  
FOR THE SERVICES**

**WHEREAS**, pursuant to §115.100 of the Warson Woods Municipal Code, the Mayor may appoint with the approval of the Board of Aldermen a Prosecuting Attorney for the City;

**WHEREAS**, the Mayor desires to appoint Edward F. McSweeney to represent the City as Prosecuting Attorney;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI AS FOLLOWS:**

**SECTION 1.** The Board of Aldermen hereby approves the Mayor's appointment of Edward F. McSweeney as the City's Prosecuting Attorney. Mr. McSweeney shall serve at the pleasure of the Mayor and Board of Aldermen until services are terminated by the City or by Mr. McSweeney. The powers and duties of such office shall be as established by §115.100 of the Municipal Code, as amended, and the compensation is hereby fixed as set forth in the Agreement which is hereby approved in substantially the form of Exhibit A, attached hereto and incorporated herein by reference.

**SECTION 2.** This Ordinance shall be in full force and effect from and after its passage by the Board of Aldermen and approval by the Mayor.

**PASSED AFTER HAVING BEEN READ IN FULL OR BY TITLE TWO TIMES PRIOR TO PASSAGE BY THE BOARD OF ALDERMEN OF THE CITY OF WARSON WOODS, MISSOURI, THIS 20<sup>th</sup> DAY OF SEPTEMBER, 2019.**

\_\_\_\_\_  
Laurance M. Howe, Mayor

ATTEST:

\_\_\_\_\_  
Kathy Mahany, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Paul V. Rost, City Attorney

Exhibit A

**PROSECUTING ATTORNEY  
SERVICES AGREEMENT**

Edward F. McSweeney (“Mr. McSweeney”) proposes the following terms and conditions for prosecuting attorney services to the City of Warson Woods (“City”):

- I. **BILLABLE SERVICES:** Compensation will be \$200 per month, or \$400 per court session, to be paid monthly.

Additionally, if a case is appealed or certified to Clayton and Mr. McSweeney is required to appear, my time will be billed at \$200.00 per hour.

The parties agree that, if the workload is greater than anticipated, Mr. McSweeney will bring it to the City’s attention and the parties will revisit the compensation.

- II. **OTHER SERVICES:**

It is estimated that this proposal will cover all required legal services. In the event there is a need for services not described, or specifically excluded, the fees for such services shall be reviewed with the City prior to such undertaking.

- III. **MISCELANEOUS:**

Further, Mr. McSweeney is an independent contractor and the City shall not provide any insurance or pension benefits. No general overhead costs incurred in rendering such services shall be billed to the City.

Approved by Ordinance No. \_\_\_\_ passed and approved on the 20<sup>th</sup> day of September 2019.

CITY OF WARSON WOODS, MISSOURI

\_\_\_\_\_  
Edward F. McSweeney

by \_\_\_\_\_  
Laurance M. Howe, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk