

ORDINANCE NO. 2024-05
INTRODUCED BY COUNCILWOMAN WILLIAMS

AN EMERGENCY ORDINANCE ENACTING SECTION 135.01 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF OAKWOOD AND CREATING THE POSITION OF FIRST ASSISTANT LAW DIRECTOR

WHEREAS, Section 9.07 of the Charter of the Village of Oakwood provides that the Director of Law shall perform all other duties now or hereafter imposed upon city solicitors under the laws of Ohio, unless otherwise provided by ordinance of the Council”; and,

WHEREAS, Section 9.07 of the Charter of the Village of Oakwood provides that the “Director of Law shall have such assistants and other employees as Council provides”; and,

WHEREAS, the Council finds and declares that the Village has current unmet needs for legal services and that additional needs are likely and anticipated to arise; and,

WHEREAS, the Council desires to hereby create the position of First Assistant Law Director within the Law Department;

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. There is hereby created within the Village of Oakwood Law Department the position of First Assistant Law Director, and the Council shall provide the Law Director with the same pursuant to Section 9.07 of the Charter of Village of Oakwood.

SECTION 2. In accordance with Ohio Revised Code § 705.11 and Section 9.07 of the Charter of the Village of Oakwood, Council may modify or reassign the duties of the Law Director and the Law Director’s assistants within the Law Department.

SECTION 3. That Section 135.01 of the Codified Ordinances of the Village of Oakwood is hereby enacted and shall read as follows:

135.01 – First Assistant Law Director

(a) *Appointment.* Council shall provide the Law Director with a First Assistant Law Director.

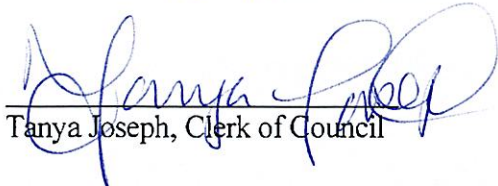
(b) *Duties.* The duties of the First Assistant Law Director shall include the same duties as the Law Director, subject to the direction of the Mayor, Law Director, or Council, and subject to Council’s reassignment of such duties from time to time as set forth by Resolution or Ordinance.

SECTION 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 111 of the Codified Ordinances of the Village of Oakwood.

SECTION 5. All provisions of all other Ordinances and Resolutions which are inconsistent with the provisions contained herein shall be modified accordingly.

SECTION 6. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason that the legal services provided by the First Assistant Law Director needs to go into effect in order to be able to continue to provide timely and necessary legal services to the Village, and that the same relates to the daily operation of a municipal department; wherefore provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: 3.8.24


Tanya Joseph, Clerk of Council


Erica L. Nikolic, President of Council

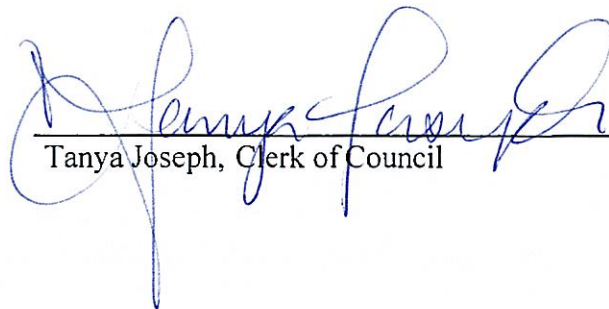
Presented to the

Mayor 3.28.24

Approved: 3.28.24

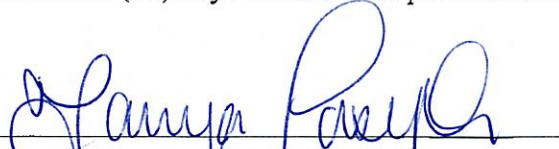

Mayor, Gary V. Gottschalk

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Ordinance No. 2024-05 was duly and regularly Passed by this Council at the meeting held on the 8th day of March, 2024.


Tanya Joseph, Clerk of Council

POSTING CERTIFICATE

I, Tanya Joseph Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Ordinance No. 2024-05 was duly posted on the 2nd day of April, 2024, and will remain posted for a period of fifteen (15) days thereafter as provided in the Village Charter.


Tanya Joseph, Clerk of Council

DATED: 4.2.24

PROFILE

Attorney with proven success in achieving positive outcomes for public entities and private business clients through legal and public policy advocacy in transactional and litigation settings.

PROFESSIONAL EXPERIENCE

Thrasher Dinsmore & Dolan – Cleveland, Ohio

Principal, September 2023 - Present; *Associate*, March 2022 - September 2023

- Representation includes a wide array of public entity and private business clients in litigation and transactional matters, in areas including contract formation and dispute, employment law, land use and zoning, tax disputes, administrative law, and others.

Cuyahoga County Prosecutor's Office – Cleveland, Ohio

Assistant County Prosecutor – Civil Division, December 2020 – March, 2022

- Representation includes Cuyahoga County as well as various boards, commissions, and agencies, public officials, and employees
- Litigating cases in federal and state courts with claims in areas such as employment disputes, workplace discrimination and harassment, civil rights, personal injury, workers' compensation, administrative court appeals (such as the Personnel Review Commission), civil forfeiture, premises liability, and contract disputes
- Defending non-party public officials, agencies and employees from improper subpoenas and coordinating responses to proper subpoenas
- Handles probate matters involving the appropriation of real property for public improvements (government takings)
- Defending special statutory and mandamus actions

Matty, Henrikson & Greve, LLC - Cleveland, Ohio

Associate, March 2015 – August 2020

- Extensive experience representing both statutory and charter municipalities, as well as other political subdivisions including several councils of government and local agencies
- Litigation experience includes claims related to workplace discrimination and harassment, civil rights claims, workers' compensation defense, zoning and land use issues, business and contract disputes, public records, and municipal court prosecutions
- Experienced in working with local governments and agencies such as dispatch centers and wastewater treatment facilities, and community improvement corporations to achieve compliance with state authorities such as the Ohio EPA, Auditor of State, Attorney General's Office and other regulators
- Advised public entities on all manner of employment issues, public records disputes, land use and zoning issues, board governance matters, purchasing and contracting, collective bargaining, and many other topics
- Drafted numerous contracts, memoranda of understanding and settlement agreements, as well as resolutions, ordinances and code chapters for public entity clients
- Served as legal counsel during council, board, and commission meetings to give real-time advice and opinions on a wide variety of topics and questions
- Involved in litigating over 40 matters for municipal, public entity, and corporate clients in municipal court, common pleas court, courts of appeal, and the Ohio Supreme Court
- Briefed, argued and, ultimately obtained reversal of award in excess of \$75,000 against corporate client through novel mandamus action
- Handled cases in all phases of litigation including claim assessment, discovery, taking and defending depositions, settlement negotiations, mediation and dispute resolution, and second chair in trial

SAMUEL T. O'LEARY
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McGown & Markling Co., L.P.A. - Bath, Ohio

Associate, January 2014 – September 2014

- Worked as outside counsel and insurance defense counsel for school districts and educational service centers throughout Ohio
- Drafted district-wide employment, technology, and educational policies
- Involved in progressive discipline recommendations
- Defended claims including workplace discrimination and harassment, defamation, wrongful termination and civil rights matters

Joseph W. Diemert, Jr. & Associates – Mayfield Heights, Ohio

Law Clerk, March 2012 – April 2013

- Drafted memos, briefs, motions, complaints, discovery and correspondence on matters including real estate law, prosecution, municipal law, business litigation, public and private sector employment and collective bargaining, estate planning, and personal injury.

Cuyahoga County Public Defender – Cleveland, Ohio

Law Clerk, July 2011 – March 2012

- Experience in Juvenile and Felony Divisions drafting motions, briefs, memos and correspondence for the indigent criminally accused.

United States District Court Northern District of Ohio – Cleveland, Ohio

Legal Extern for the Honorable Chief Judge Solomon Oliver, May 2011 – July 2011

Office of the Secretary of the United States Senate – Washington, D.C.

Intern, Office of the Senate Chief Counsel for Employment, May 2009 – August 2009

U.S. Senator Sherrod Brown (Ohio) – Cleveland, Ohio

Intern, U.S. Senator Sherrod Brown's State Office, Summer 2008

Councilman Joe Cimperman, Cleveland, Ohio

Councilmanic Assistant, May 2004 – October 2006

EDUCATION

Cleveland Marshall College of Law – Cleveland, Ohio

Juris Doctor - May, 2013

Honors and Activities: Barrister Scholarship Recipient, Urban Development Law Clinic, Transactional Law Clinic, Student Public Interest Law Organization, Senior Writer *The Gavel*, Dean's List: Spring Semester '12, Spring Semester '13

The George Washington University – Washington, D.C.

Bachelor of Arts – Political Science with Public Policy Focus, cum laude, May, 2010

Honors and Activities: Trustees Scholarship Recipient

CIVIC EXPERIENCE

Lakewood City Council – January 2014 – January 2020 (*City Council President 2016- January 2020*)

Lakewood Rangers Education Foundation – Board member, 2016

Lakewood Historical Society – Board member, 2016; 2020 - 2022

Lakewood Board of Zoning Appeals – September 2012 - January 2014

Lakewood Tax Incentive Review Council – September 2011 – January 2014