

City of Oberlin, Ohio

ORDINANCE No. 12-73 AC CMS

AN ORDINANCE APPROVING AN AMENDED JOB DESCRIPTION FOR THE LAW DIRECTOR FOR THE CITY OF OBERLIN AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the attached job description for the position of Law Director for the City of Oberlin is hereby approved, and any previously approved job description for said position is hereby amended to read accordingly.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.


SECTION 3. That this ordinance is hereby declared an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

“to approve the Law Director’s job description as soon as possible in order to reflect current municipal practices and to ensure the efficient operation of the municipal government”,

and shall take effect immediately upon passage.

PASSED: 1st Reading – October 15, 2012 (E)
2nd Reading –
3rd Reading –

ATTEST:



BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL



RONNIE J. RIMBERT
PRESIDENT OF COUNCIL

POSTED: 10/16/2012

EFFECTIVE DATE: 10/15/2012

CITY OF OBERLIN JOB DESCRIPTION
Law Director

Title: Law Director	Department: Law Director	
Supervisor: City Council	Positions Supervised: All Law Department Personnel	
Status: Negotiable (currently part-time)	Civil Service Status: Unclassified	
FLSA Status: Exempt	Exempt Category: N/A	
Bargaining Unit: None	Salary: Set by Council	
	Schedule: Flexible business hours, evening meetings and other hours as needed.	

General statement of Duties: The Law Director shall act as the legal advisor to and attorney for the Municipal Corporation, and for all officers, boards and commissions of the Municipal Corporation in matters relating to their official duties. He/she shall prepare all contracts, bonds, and other instruments in writing in which the Municipal Corporation is concerned, and shall endorse on each his/her approval of the form and correctness thereof. No contract with the Municipal Corporation shall take effect until such approval of the Law Director is endorsed thereon.

He or she shall be responsible to Council for the administration of all legal affairs of the Municipality. The Law Director shall function with independence and utilize sound professional judgment. The Law Director is expected to exercise professional expertise in the administration and day-to-day management of the legal affairs of the City in accordance with the City Charter, City, State, and federal laws, regulations, and professional ethical standards.

Minimum Qualifications: Requires a law degree from an accredited law school, membership in the Ohio State Bar Association, and a minimum of 10 (ten) years of previous municipal legal experience in progressively more responsible positions, or an equivalent combination of education and experience which provides the skills and abilities necessary to perform the job

Essential Functions:

1. Duties required by the Charter:

- a. Acts as the legal advisor to and attorney for the Municipal Corporation, and for all officers, boards and commissions of the Municipal Corporation in matters relating to their official duties.

- b. Shall prepare all contracts, bonds, and other instruments in writing in which the Municipal Corporation is concerned, and shall endorse on each his/her approval of the form and correctness thereof.
- c. He/she or his/her assistants shall be the prosecutor in any police or municipal court of the City of Oberlin, and shall perform such other duties and have such assistants and clerks as are required or provided.

2. General Duties

- a. The City Law Director, when required to do so by resolution of the legislative authority of the City, shall prosecute or defend on behalf of the City, all complaints, suits and controversies in which the City is a party, and such other suits, matters, and controversies as he/she is, by resolution or ordinance, directed to prosecute.
- c. When an officer of the City entertains doubts concerning the law in any manner before him/her in his/her official capacity, and desires the opinion of the City Law Director, he/she shall clearly state to the Law Director, in writing, the questions upon which the opinion is desired; and thereupon the Law Director shall, within a reasonable time, reply orally or in writing to such inquiry. The right conferred upon such officers extends to the legislative authority of such City, collectively, and to each board and commission.
- d. The City Law Director shall pay to the City Treasurer all monies which come into his/her hands belonging to the City all by way of fines, forfeitures, costs, or otherwise and shall take the Treasurer's duplicate receipt therefore, one of which he/she shall file with the Finance Director.
- e. The Law Director shall apply, in the name of the municipal corporation, to a Court of competent jurisdiction for an order of injunction to restrain misapplication of funds of the municipal corporation, the abuse of its corporate powers, or the execution or performance of any contract made on behalf of the municipal corporation in contravention of the laws or ordinances governing it, or which was procured by fraud or corruption.
- f. When an obligation or contract made on behalf of the City, granting a right or easement or creating a public duty is being evaded or violated, the Law Director shall apply for the forfeiture or the specific performance thereof as the nature of the case requires.
- g. In case an officer or board of the municipal corporation fails to perform any duty expressly enjoined by law or ordinance, the Law Director shall apply to a Court of competent jurisdiction for a writ of mandamus to compel the performance of such duty.
- h. The City Law Director shall make a report to the City Council at its first regular meeting in January of the business of his office, the monies collected by him/her during the year preceding, and such other matters as he/she deems proper to promote the good government and welfare of the City.
- i. The City Law Director is the parliamentarian of City Council and shall give direction to facilitate a matter of procedure.
- j. The City Law Director or his/her assistant shall attend all regular and special meetings of Council unless excused by Council. When directed by a majority of Council, either in writing or in a public session, he/she or his/her assistant shall attend meetings of municipal Boards, Commissions and Committees. Attendance at such Board, Commission or Committee meetings shall be compensated as extraordinary expense.

3. Communication:

- a. Attends meetings and presents information and recommendations deemed necessary or as requested by City Council
- b. Communicates effectively with other City Council appointees

4. Leadership and Management:

- a. In accordance with the Charter, administers and enforces the City Charter and is responsible for the legal operations of the City
- b. Meets with and advises the City Council, other Appointees of the City Council and Department Heads on related City legal matters
- c. Provides organizational leadership for the Law Department
- d. Supports a discrimination-free workplace including race, color, creed, religion, gender, disability, sexual orientation
- e. Ensures that all laws, provisions of the Charter, and acts of the Council subject to enforcement, are faithfully executed
- f. Provides legal counsel to the other City Council appointees, as to their official duties
- g. Employs human relations skills in customer service, problem-solving, decision-making and stewardship to demonstrate support for the City’s mission, vision and values
- h. Participates in regional, state and national meetings and conferences to stay abreast of trends related to municipal law and operations

5. Required Knowledge, Skills and Abilities:

- Knowledge of municipal government law from a local, state and federal perspective
- Knowledge of general management practices and principles including strategic planning
- Knowledge of municipal operations, finance and services
- Knowledge of complex public policy issues
- Knowledge of local government practices and procedures including public sector procurement procedures and municipal financial management and fiscal policies
- Knowledge of latest information on state and national legal trends as they affect the City
- Ability to research, collate and present information effectively
- Ability to prepare effective written documentation and reports
- Ability to coordinate complex, inter-departmental programs and procedures
- Ability to make effective public presentations
- Ability to maintain confidentiality and handle sensitive issues with discretion and sound judgment

Work Environment and Equipment Utilized: Standard office equipment is utilized routinely in the job, and the work is performed in a typical office environment with adequate lighting, ventilation and temperature controls.

Employee Signature

Date

Supervisor Signature

Date

Reviewed by Oberlin City Council

Date