

CITY OF CLAYTON, OHIO

RESOLUTION NO. R - 09 - 25 - 70

A RESOLUTION APPOINTING JOYCE M. DEITERING AS ACTING LAW DIRECTOR EFFECTIVE SEPTEMBER 15, 2025

WHEREAS, City Council desires to appoint Joyce M. Deitering as Acting Law Director effective September 15, 2025 until further action by Council.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. That Joyce M. Deitering is hereby appointed Acting Law Director effective September 15, 2025 to exercise all powers, duties, and functions of the Law Director until further action of Council and to be compensated in accordance with the attached **Exhibit A**.

ADOPTED BY COUNCIL ON SEPTEMBER 4, 2025.

AUTHENTICATION:



Mayor (Presiding Officer of Council)



Clerk of Council

APPROVED AS TO FORM:



Law Director



8801 N. Main St., Ste. 200
Dayton, OH 45415
p: 937.898.7673
f: 937.898.8968

joyce@oldhamdeitering.com

October 28, 2025

Ms. Elaine Wittman
P.O. Box 280
Clayton, OH 45315

Dear Elaine,

Subject to formal approval by City Council, this letter confirms the appointment of the undersigned, Joyce Deitering, as Law Director for the City of Clayton and sets out the terms for legal services to be provided by Oldham and Deitering LLC. This correspondence supersedes the prior arrangement with Martina M. Dillon, Esq.

The terms of engagement are as follows:

1. Scope of Legal Services

Legal services to the City of Clayton shall include, but are not limited to:

- Attendance at bi-monthly Council meetings;
- Review and drafting of legislation;
- Review and drafting of contracts;
- Representation in litigation;
- Labor and employment matters;
- Zoning, water/sewer, and development matters;
- General legal counsel as requested by City officials.

2. Billing Rates

The following rates are effective commencing September 15, 2025, and will remain in effect unless modified in accordance with Section 4 below:

- Lump sum (retainer): \$2,100 per month for attendance at bi-monthly Council meetings, review and drafting of legislation, and review of contracts;
- Hourly Rate: \$125 per hour for all other legal work, including but not limited to litigation, labor and employment matters, zoning, water/sewer, and development.

3. Expenses

Out-of-pocket expenses will be billed as incurred without markup. These may include but are not limited to: long distance telephone charges, filing fees, special delivery or courier services, photocopying, computerized legal research, contracted out word processing, and non-legal staff overtime (in exigent circumstances). Such costs will be separately itemized in monthly invoices. Advance payment may be requested if substantial costs are anticipated.

4. Adjustments to Rates

Any adjustment to the above rates will be made only for:

- a. Annual standard adjustments consistent with increased costs; or
- b. Extraordinary or unanticipated circumstances requiring substantial dedication of personnel time.

In either case, any modification to the applicable rates will be contingent upon prior notification to, and approval by, City Council. Bills will reflect the rates in effect on the date services are rendered.

5. Billing Procedures

Invoices shall be issued monthly, identifying the attorney performing the work, the date, a brief description of services rendered, and the time spent. No charge will be applied for routine faxes.

6. General Terms

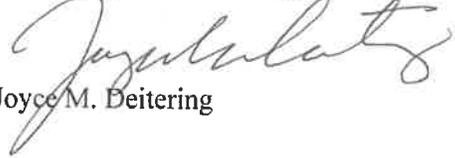
This engagement is subject to the approval and continued pleasure of the City Council and supersedes all prior communications or agreements regarding the provision of legal services by this office or its personnel.

Should you require further clarification or wish to discuss any aspect of this arrangement, please do not hesitate to contact the undersigned at 937-898-7673 or joyce@oldhamdeitering.com.

Thank you for the opportunity to continue serving the City of Clayton.

Very truly yours,

OLDHAM AND DEITERING



Joyce M. Deitering

Approved:

Council Ordinance No. _____

Dated: _____