

**MINUTES
OF THE
EMERGENCY MEETING
OF
LAKEWOOD CITY COUNCIL
HELD IN COUNCIL CHAMBERS
12650 DETROIT AVENUE
MARCH 19, 2020
5:00 P.M.**

Regular Meeting of the Lakewood City Council called to order at 7:30 PM by President O'Malley.

Present: Thomas R. Bullock III, Sarah Kepple, John Litten, Tess Neff, Tristan Rader, Jason Shachner

Also Present: Mayor George, Assistant Law Director Swallow, Acting Finance Director Schuster, Fire Chief Dunphy, and Public Works Director Ducu.

Councilmember Rader made a motion, seconded by Vice President Litten to excuse the absence of President O'Malley. All members voted in favor. Motion passed. The absence was excused.

****NEW BUSINESS****

1. **ORDINANCE 08-2020** – AN ORDINANCE to take effect immediately provided it received the vote of at least two-thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, authorizing the Mayor to use flexibility to pay employees, continue to pay for benefits, and to provide paid leave to make decisions of an emergency nature if significant numbers of the Council Members cannot be present during the current COVID-19 crisis.

Mayor George gave a brief overview of the ordinance, which gives her the flexibility to pay employees and administer benefits just during the COVID-19 crisis. Assistant Director Swallow noted that the original ordinance contained language that gave the mayor flexibility in other decisions as well, however that has been removed. Assistant Director Swallow asked that Council strike the language “to make decisions of an emergency nature if significant numbers of the Councilmembers cannot be present” from the ordinance. There was no definite sunset date in the version that was initially proposed. With feedback, the Law Department inserted in section 2 a date no later than August 1, 2020 or 14 days after the governor of Ohio has rescinded the state of emergency associated with COVID-19. Subsections A and B encompass these changes.

Councilmember Shachner asked why this change needed to be codified instead of just implementing a policy change. Assistant Director Swallow indicated that the ordinances of Lakewood govern employee work hours and pay. If employees are not at work, they are going to be required to use some type of leave. The city of Lakewood utilizes part time employees, some in high-risk categories, and in order to promote social distancing and have employees work from home, this provides the mayor the flexibility to pay them and the employees peace of mind that they are still going to get paid, despite not being able to do their full duties. He also asked how this ordinance affects union contracts. Assistant Director Swallow indicated that management met with the unions the previous week to vet out specific issues that have arisen as a result of the crisis.

Councilmember Kepple noted that the ordinance is dated for March 16th and inquired as to whether it would be backdated if passed. Assistant Director Swallow confirmed that it would be backdated and referenced the Mayor's memo on March 16th encouraging employees to work remotely. The memo was based off the recommendations from the Cuyahoga County Board of Health. The date also lined up with the pay period.

Councilmember Bullock stated that he thinks the city should strive to hold normal order as much as possible, clearly explain to the public how to get their business done, and explain the scope of usage of the authority that is being asked for. He would like to know how many employees are affected and for how long, along with the dollar amount associated with these things. Mayor George noted that there have been 7 updates on essential business on the city's website and that have been sent out via social media. She noted that there is a coronavirus page on the city's website and shared the scheduling alterations her taskforce has made for its daily meetings. Councilmember Bullock shared his thoughts on the changing nature of work and raised the future possibility of altering the code to accommodate jobs that can be done remotely.

Councilmember Rader inquired as to whether this situation has any negative or positive affect on the budget. Assistant Director Schuster confirmed that all the ordinance is doing is allowing employees to keep receiving their 80 hour paychecks, and that the budget would continue as planned.

Vice President Litten raised concerns about lower revenues coming into the city. Assistant Director Swallow stated that the city will be applying for FEMA funds that have become available due to the passage of federal legislation on the matter. This will allow the city to recoup costs of the COVID-19 crisis.

Councilmember Kepple questioned whether there would be extra costs associated with work that isn't getting done currently that would be need to made up for down the road. Assistant Director Swallow indicated that she cannot speak for every division, but surmised that this crisis would likely not put the city in a situation where people are working overtime to complete essential functions.

Councilmember Kepple inquired as to the level of activity occurring in the Building Department. Mayor George indicated that her administration is balancing operating

effectively to continue city business, while also keeping up the practice of social distancing. She indicated that exterior inspections are still taking place, but some inspections simply cannot be done.

Councilmember Neff questioned whether the administration will need additional monies to spend on equipment for people to work remotely. Mayor George indicated that the IT manager stated that no additional laptops are needed at this point. The administration is tracking costs of any extra expenditures to apply for and recoup them via future federal dollars.

Councilmember Shachner asked whether the administration has anticipated any extra healthcare costs as a result of employees having COVID-19. Mayor George stated that as of now, it looks like testing for the virus will be covered under the city's insurance. The largest costs will likely be outside of the coronavirus, for example overnight stays at hospitals, treating diabetes/heart issues, etc.

Councilmember Bullock asked how long the COVID-19 crisis would go on. Mayor George indicated that public should be moving out of the crisis within the next couple months, depending on society's ability to comply with social distancing.

Vice President Litten inquired as to whether the administration can check how much people are on their GoToMyPC accounts. Mayor George stated she was unsure, but noted that the directors have been given directions to personally check in on their respective staffs.

Vice President Litten asked whether the Mayor could summarize in a couple meetings how many employees took advantage of Ordinance 08-2020. Mayor George stated that she could provide an update at that time.

Councilmember Neff asked whether staff has been instructed to stay in their homes during work hours and to report if they are called into the office. Mayor George confirmed that to be true.

****PUBLIC COMMENT****

Councilmember Kepple shared a comment from a social media user who indicated the following: *"I live by Lakewood High and was just over there walking the outdoor track. Right now there are 25-30 people playing soccer, jumping on each other, running into each other. I would hope that city officials try to enforce the small group limit. Thanks."*

Mayor George expressed hesitancy to close outdoor spaces, like the skate park, but indicated that it may get to that point. Dialogue occurred as to what procedure would take place to break up large gatherings if necessary. Chief Malley indicated a passive approach, with issuing a citation as a last resort.

Vice President Litten made a motion, seconded by Councilmember Shachner to substitute Ordinance 08-2020.

A roll call vote was taken as follows:

Yeas: Bullock, Kepple, Litten, Neff, Rader, Shachner

Nays: none

On the motion: Motion passed. Ordinance 08-2020 was substituted.

Vice President Litten made a motion, seconded by Councilmember Bullock to adopt.

A roll call vote was taken as follows:

Yeas: Bullock, Kepple, Litten, Neff, Rader, Shachner

Nays: none

On the motion: Motion passed. Ordinance 08-2020 was adopted as substituted.

Vice President Litten made a motion, seconded by Councilmember Bullock to suspend the rules to allow for passage on first reading.

A roll call vote was taken as follows:

Yeas: Bullock, Kepple, Litten, Neff, Rader, Shachner

Nays: none

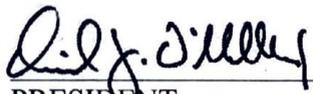
On the motion: Motion passed. The rules were suspended.

Vice President Litten made a motion, seconded by Councilmember Rader to adjourn.

All members voted in favor. Motion passed. The meeting was adjourned at 5:41 p.m.

Approved: 4/6/2020


CLERK


PRESIDENT