



**DOCKET
OF A MEETING OF
THE LAKEWOOD CITY COUNCIL
TO BE HELD REMOTELY VIA GOTOMEETING
AUGUST 3, 2020
7:30 P.M.**

The Regular Meetings of Lakewood City Council shall be held on the first and third Mondays of each month at 7:30 P.M., except that when such meeting date falls on a holiday such meeting shall instead be held on the following day. A Docket and Agenda of the business proposed to be transacted by Council will be available in the Clerk's Office and on the City's website www.onelakewood.com as soon after 4 PM on the Friday before a Council meeting as possible.

Under advisement of the Governor and Director of Health of Ohio, and pursuant to Ordinance 06-2020, adopted March 16, 2020, Lakewood City Council will meet remotely until further notice. The April 6, 2020 General Meeting may be accessed by the public via the following information:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/879664645>

You can also dial in using your phone.

United States (Toll Free): [1 866 899 4679](tel:18668994679)

United States: [+1 \(312\) 757-3117](tel:+13127573117)

Access Code: 879-664-645

- I. Pledge of Allegiance
- II. Moment of Silence
- III. Roll Call
Reading & disposal of the Minutes of the Regular Meeting of Council held July 20, 2020.
- IV. Reports, legislation and communications from Members of Council, the Mayor and other City Officials.

******OLD BUSINESS******

1. Health & Human Services Committee report regarding meeting held July 27, 2020 (to be provided)
2. **SUBSTITUTE RESOLUTION 2020-45** - A RESOLUTION, to take effect immediately provided it receives the vote of at least two thirds of the members of Council, or

otherwise to take effect at the earliest period allowed by law, requiring the use of face coverings within the City of Lakewood and reducing interior occupancy loads to 50% of prior stated occupancy expiring upon lifting of the state-wide State of Emergency. *(Referred to HHS 7/20/20)* (pg. 001)

3. Public Works & Sustainability Committee report regarding meetings held July 27, 2020. (to be provided)
4. **RESOLUTION 2020-48** - A RESOLUTION to take effect immediately provided it receives 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 an agreement between the City of Lakewood, Cuyahoga County, Ohio hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga, Ohio, hereinafter referred to as the COUNTY. *(Referred to PWS 7/20/20)* (pg. 006)
5. Housing, Planning, & Development Committee report regarding meetings held July 27, 2020 & August 3, 2020. (to be provided)
6. **RESOLUTION 2020-39** – A RESOLUTION to take effect immediately provided it receives 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 and directing the Director of Public Safety to designate express parking spaces under certain circumstances. *(Referred to HPD 07/06/20)* (pg. 011)
7. Finance Committee report regarding meeting held August 3, 2020. (to be provided)
8. **ORDINANCE 15-2020** - AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force at the earliest period allowed by law, authorizing the transfer and advance of certain funds. *(Referred to Finance 7/20/20)* (pg. 013)
9. **ORDINANCE 46-19A** - AN ORDINANCE to take effect immediately, provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Ordinance 46-19 adopted December 16, 2019 to create the position of Chief of Staff and Administrative Assistant II to the Mayor. *(First read & referred to Finance 07/06/20; 2nd reading 7/20/20)* (pg. 015)

******NEW BUSINESS******

10. Communication from President O’Malley & Councilmember Neff regarding honoring the late James Anderson. (to be provided)

11. **RESOLUTION 2020-50** – A Resolution to honor James R. Anderson on the occasion of his death and to express condolences to his family, friends, and to the many who have been touched by his kind and cheerful spirit. (pg. 020)
12. Communication from President O'Malley regarding recognizing Dr. Amy Acton for her service as Director of the Ohio Department of Health. (to be provided)
13. **RESOLUTION 2020-49** - A RESOLUTION to recognize and thank Dr. Amy Acton for her public service and steady leadership during the COVID-19 pandemic as the Director of the Ohio Department of Health. (pg. 022)
14. Communication from Councilmember Shachner regarding appointment to Lakewood Animal Safety & Welfare Advisory Board.

******PUBLIC COMMENT******

PUBLIC COMMENT PROTOCOL

In light of the fact that the usual public comment period will be unavailable, the public is invited to participate in the remote online meeting. Please observe the following courtesies: wait to be addressed by the Council President, disable your web cam and mute your microphone until you are asked to speak.

The public is invited to comment on agenda items, or to wait until the end of the meeting for the designated public comment period to speak to issues not on the agenda.

Written public comment or a request to speak may be made in advance by 12:00 p.m. on Monday July 20, 2020 by emailing Council@lakewoodoh.net.

All existing rules of decorum will be maintained as laid out in Section 121.08 of the Codified Ordinances of the City of Lakewood.

******ANNOUNCEMENTS******

Referred to HHS 7/20/20.
Sub. Version recommended for adoption by HHS 7/27/20
Please Sub. For the original

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SUB. RESOLUTION NO. 2020-45

BY:

A RESOLUTION, to take effect immediately provided it receives the vote of at least two thirds of the members of Council, or otherwise to take effect at the earliest period allowed by law, requiring the use of face coverings within the City of Lakewood and restricting Businesses and operations which have the onsite consumption of food, beer, wine and liquor, reducing interior occupancy loads to 50% of prior stated occupancy expiring upon lifting of the state-wide State of Emergency.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death and can be easily spread from person to person; and

WHEREAS, the Centers for Disease Control and Prevention (CDC) reported over 4,024,492,545,250 cases of COVID-19 in the United States, resulting in over 143,868,26,369 deaths; and

WHEREAS, on March 9, 2020, the Ohio Department of Health announced confirmed cases of COVID-19 in the State of Ohio, creating a dangerous condition that may affect the health, safety and welfare of the citizens of Ohio; and

WHEREAS, on that same date, Governor Mike DeWine declared a state of emergency for the entire State to protect the well-being of the citizens of Ohio from the dangerous effects of COVID-19, and to assist in protecting the lives, safety, and health of the citizens of Ohio; and

WHEREAS, COVID-19 endangers the lives of the citizens of Lakewood, creating an emergency to life and public safety and disrupting commerce; and

WHEREAS, the CDC reports that people are most contagious when they are most symptomatic (the sickest) however some spread is possible before an individual may show symptoms; and

WHEREAS, on March 22, 2020, under the direction of Ohio Governor, Mike DeWine, Ohio Department of Health Director, Amy Acton, M.D. issued an order requiring all Ohioans to stay in their homes to prevent the further spread of COVID-19; and

WHEREAS, on May 22, 2020 the stay at home order expired allowing businesses to begin to open with the recommendation that facial coverings be worn except in certain circumstance; and

WHEREAS, as businesses have re-opened, more people are traveling throughout the state, and within Lakewood; and

WHEREAS, a local and statewide state of emergency continues to exist with limits on mass gatherings and recommendations of social distancing; and

WHEREAS, as a result of the above described emergency there is a continuing need to protect all citizens and guests of Lakewood from the risks relating to the COVID-19 pandemic; and

WHEREAS, the CDC recommends wearing face coverings in public where other physical distancing measures are difficult to maintain, to help prevent the spread of COVID-19 from asymptomatic or unknowing carriers to others; and

WHEREAS, as of this date, Cuyahoga County has been designated by the State of Ohio Public Health Advisory System Risk Level as Level 3 for COVID-19, characterized by very high exposure and spread with a recommendation to limit activities as much as possible; and

WHEREAS, as of this date, The State Health Director has issued a Statewide mandate to wear face coverings in public places indoors or outdoors in areas where people are unable to socially distancing; and

WHEREAS, requiring face coverings to be worn by any person in a public place within Lakewood best promotes health and safety, and efforts to limit the spread of COVID-19 while enabling the continuation of essential services, businesses, and travel necessary to protect public health and safety, and for the continuity of social and commercial life during the state of emergency; and

WHEREAS, after weighing the known information about the COVID-19 virus and considering the guidance from the Ohio Department of Health and the Cuyahoga County Board of Health, this Council concludes that the safety of Lakewood citizens is best protected by implementing a requirement to wear face coverings in public places as set forth herein; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and of the citizens of Lakewood and those visiting Lakewood; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. In an effort to reduce the spread of COVID-19, all persons are required to wear a face covering when within the jurisdictional limits of the City of Lakewood including, without limitation:

- a) in any indoor location that is not a residence including common areas of apartment buildings and condominiums;
- b) when outdoors and unable to consistently maintain a distance of six feet or more from individuals who are not members of their household; or
- ~~e) waiting for, riding, driving, or operating public transportation, a taxi, a private car service, or a ride sharing vehicle. This does not apply to private or rental vehicles where members of a family are sharing a vehicle. This does not apply to vehicles engaged in direct travel through Lakewood that do not stop in Lakewood.~~
- c) _____

d) The requirement to wear a face covering shall continue as long as the State of Ohio Mandate to wear face coverings is in effect pursuant the Order of the Health Director. For purposes of this Resolution, "face covering" includes any material covering an individual's nose, mouth and chin.

~~The requirement to wear a facial covering shall continue as long as Cuyahoga County, Ohio is at a Risk Level 3 (Red) or Risk Level 4 (Purple) Public Health Advisory Alert status as determined by the State of Ohio. For purposes of this Resolution, "face covering" includes any material covering an individual's nose, mouth and chin.~~

Section 2. The requirement to wear a ~~fac~~cial covering does not apply when:

- a) the individual is under the age of 10;
- b) a medical condition, including those with respiratory conditions that restrict breathing, mental health conditions, or disability contraindicates the wearing of a facial covering;
- c) the individual is communicating or seeking to communicate with someone who is hearing-impaired or has another disability, where the ability to see the mouth is essential for communication;
- d) the individual is alone or in an enclosed space, such as an office, and which space is not intended for use or access to the public;
- e) the individual is actively engaged in exercise in a gym or indoor facility so long as six or more feet of separation between individuals exists;
- f) the individual is actively participating in athletic practice, scrimmage, or competition that is permitted under an Ohio Department of Health Order;
- g) the individual is actively engaged in a public safety activity, including but not limited to law enforcement, firefighters or emergency medical personnel;
- h) the individual is seated and actively consuming food or beverages in a restaurant or bar;
- i) facial coverings are prohibited by law or regulation;
- j) facial coverings are in violation of documented industry standards;
- k) facial coverings are in violation of a businesses documented safety policies;
- l) individual is actively participating in broadcast communications;
- m) the individual is an officiant of a religious service.

Schools that offer kindergarten through grade twelve instruction should follow the guidelines set forth by the Ohio Department of Education and the Ohio Department of Health.

Section 3. Nothing in this resolution is intended to interfere with the separation of powers under the Ohio Constitution. This resolution is not intended to supersede, supplant or preempt any order or law of a local jurisdiction that is more restrictive than this resolution.

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Section 4. Businesses and operations which have the onsite consumption of food, beer, wine and liquor must have their customers seated, with tables limited to no more than 10 persons and must maintain six foot social distancing for both employees and members of the public at all times including, but not limited to, when customers are standing in line, following the orders of the Director of Health as applicable to that individual business. Restrictions on businesses and operations shall not apply to religious gatherings or health care facilities including but not limited to medical offices, emergency departments, and nursing homes.

~~All interior occupancy loads, for retail and service businesses, are hereby reduced to 50% of that previously established by the Lakewood Division of Building and Housing or less as required by following the orders of the Governor of the State of Ohio as applicable to that individual business. Restrictions on occupancy loads shall not apply to religious gatherings or health care facilities including but not limited to medical offices, emergency departments, and nursing homes.~~

Section 5. A violation of this Resolution by an individual is a civil infraction. The Chief of Police and Lakewood Police Officers are hereby authorized to issue civil citations for a violation of this Resolution. Any person found in violation of this Resolution shall be subject to ~~a written warning on the first violation and~~ a civil penalty of \$50.00 for ~~a second and each subsequent~~ violation.

Section 6. For purposes of Lakewood Codified Ordinances Chapter 510, Nuisance Abatement, a violation of any order of the Governor of the State of Ohio or the Director of the Ohio Department of Health, or failure to enforce same, within a business establishment shall be defined as a Nuisance Activity and subject the property owner of the business establishment to the procedures and fees that are enumerated in that Chapter.

Section ~~7~~6. An individual who receives civil citation or a property owner of a business affected by a Nuisance Declaration under Chapter 510 of the Lakewood Codified Ordinances may follow the procedures in Lakewood Codified Ordinance 510.01(e) Reconsideration Request and (f) Appeal to the Board of Nuisance Abatement Appeals within 30 days from the date of issuance of a civil citation or declaration of nuisance.

Section ~~8~~7. This Resolution shall expire upon the state-wide COVID -19 related State of Emergency being lifted.

Section ~~9~~8. It is found and determined that all formal actions of this council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such 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.

Section ~~10~~9. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this Resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council this Resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____
_____ President

_____ Clerk

Approved: _____
_____ Mayor

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RESOLUTION NO. 2020-48

BY:

A RESOLUTION to take effect immediately provided it receives 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 an agreement between the City of Lakewood, Cuyahoga County, Ohio hereinafter referred to as the MUNICIPALITY, in the matter of the hereinafter described improvement and requests the cooperation of the County of Cuyahoga, Ohio, hereinafter referred to as the COUNTY.

WHEREAS, the MUNICIPALITY has recognized the need for and proposes the improvement of a portion of public highway which is described as the resurfacing of Hilliard Road from Warren Road to Riverside Drive; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and of the citizens of Lakewood in that this project should move forward with the cooperation of the County as quickly as possible; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That the Director of Public Works is hereby authorized to enter into an agreement with Cuyahoga County to accept funds for the resurfacing of Hilliard Blvd. in substantially the same form, as approved by the Director of Law as follows:

A. CONSENT

1. That it is declared to be in the public interest that the consent of said MUNICIPALITY be and such consent is hereby given to the COUNTY to construct the above described improvement in accordance with plans, specifications and estimates approved by the COUNTY.

B. COOPERATION

1. That the MUNICIPALITY will cooperate with the COUNTY in the resurfacing of Hilliard Road from Warren Road to Riverside Drive.
2. That the MUNICIPALITY will arrange for the preparation of construction plans and specifications, including necessary engineering reports for improvement, under current Cuyahoga County standards for construction of County roads and bridges.
3. That the COUNTY will arrange for the supervision and administration of the construction project.

C. FUNDING

1. That the MUNICIPALITY hereby agrees to participate with the COUNTY in the cost of the improvement by an allocation from the County Motor Vehicle License Tax Fund to pay the COUNTY portion of the project.
2. That if the project is financed with State or Federal-aid funds, eligible costs of the improvement shall be financed from the aforesaid funds.
3. That if funds administered by the Ohio Public Works Commission are used for this project, the amount of such funds will be deducted from designated project costs prior to the application of the participatory percentages specified in the Ordinance.
4. Within the corporate limits of the MUNICIPALITY, the MUNICIPALITY will be responsible for forty percent (40%), and the COUNTY will be responsible for sixty percent (60%), of the cost of the preparation of construction plans and specifications, including necessary engineering reports for the improvement.
5. Within the Corporate limits of the MUNICIPALITY, the MUNICIPALITY shall contribute fifty percent (50%) of the Non-Federal Share of the cost of construction, and construction supervision.
6. That the MUNICIPALITY agrees to deposit with the Treasurer of Cuyahoga County the MUNICIPALITY'S share of the estimated cost of the project or agrees to enter into an escrow agreement with the County of Cuyahoga, Ohio prior to an award of a contract for the improvement.

D. MAINTENANCE

That upon completion of said improvement, said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Maintain the improvement in accordance with the provisions of the statutes relating thereto and make ample financial provisions for such maintenance; and
2. Maintain the right-of-way and keep it free of obstructions in a manner satisfactory to the COUNTY and hold said right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands or other private installations within the right-of-way limits; and
3. That the COUNTY shall continue to maintain the structural elements of any bridge (defined as a structure with a span of twenty feet or greater) located within the limits of the improvement in accordance with the applicable sections of the Ohio Revised Code.
4. After construction of the project is complete, the Municipality agrees to follow and maintain post-construction Best Management Practices as outlined in the Municipal Storm Water Permit that is filed with the Ohio Environmental Protection Agency (O.E.P.A.).

E. TRAFFIC

That upon completion of said improvement said MUNICIPALITY will thereafter keep said highway open to traffic at all times; and

1. Place and maintain all traffic control devices conforming to the Ohio Manual of Uniform Traffic Control Devices on the improvement in compliance with the provisions of Section 4511.11 and related sections of the Ohio Revised Code; and
2. That the street or highway shall be and hereby is designated a through highway as provided in Section 4511.07(A)(6) Ohio Revised Code; and
3. That stop signs affecting the movement of traffic on said street or highway within the roadway being improved shall be removed, and no stop signs shall be erected on same except at its intersection with another through highway where traffic does not warrant the installation of a traffic control signal but where the warrants for a "Four-way Stop" as provided in the aforesaid Manual are met; and
4. That no rule or regulation shall be enacted restricting the use of the improved road and/or structure by any class of vehicle or vehicle load permitted by the Ohio Revised Code to use a public highway. Any existing rule or regulation so restricting road usage shall be rescinded; and
5. The MUNICIPALITY shall regulate parking in the following manner: Prohibit parking in accordance with Section 4511.66 of the Ohio Revised Code unless otherwise controlled by local ordinance or resolution.

F. RIGHT-OF-WAY

1. That all existing street and public right-of-way within the MUNICIPALITY which is necessary for the aforesaid improvement shall be made available therefore.
2. That in the event any additional right-of-way is required, the COUNTY will arrange for the acquisition.

G. UTILITIES

1. That the MUNICIPALITY will make arrangements with and obtain agreements from all privately owned public utility companies whose lines or structures will be affected by the said improvement, and said companies have agreed to make any and all necessary arrangements in such a manner as to be clear of any construction called for by the plans of said improvement, and said companies have agreed to make such necessary rearrangements immediately after notification by said MUNICIPALITY.

2. That the COUNTY will participate in the cost of alterations of governmentally-owned utility facilities which come within the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual to the same extent that it participates in the other costs of the project, provided, however, that such participation will not extend to any additions or betterments of existing facilities.
3. That it is hereby agreed that the MUNICIPALITY shall, at its own expense, make all rearrangements of governmentally-owned utilities and/or appurtenances thereto which do not comply with the provisions of Section 8204 (Utility Reimbursement Eligibility) of the Ohio Department of Transportation's Real Estate Policies and Procedures Manual, whether inside or outside the corporate limits, as may be necessary to conform to the said improvement.
4. That the construction, reconstruction, an/or rearrangement of all utilities shall be done in such a manner as not to interfere unduly with the operation of the contractor constructing the improvement, and all backfilling of trenches made necessary by such utility rearrangements shall be performed in accordance with the provision of the Ohio Department of Transportation Construction and Material Specifications.

H. MISCELLANEOUS

1. That if the COUNTY is formally requested by a MUNICIPAL RESOLUTION to include the construction of sanitary sewers, waterlines, area sewers (drainage of area surrounding the improvement), sidewalks, alternate bid items, or other items in the improvement that are in addition to those now existing and not provided for elsewhere in this Agreement, the COUNTY will do so, provided that this construction meets with the approval of the County and the MUNICIPALITY involved in this improvement; and that the MUNICIPALITY agrees to pay, or make arrangements for the payment of, the cost of said additional construction, the cost of preliminary and design engineering, and construction supervision.
2. That the MUNICIPALITY shall be solely responsible for the certifications or obligations made or agreed to in Sections F-1, G-1, G-3, and G-4 and hereby agrees that the COUNTY shall be and is hereby released from any and all damages or claims of the MUNICIPALITY arising from or growing out of the certifications or obligations made or agreed to in said Sections F-1, G-1, G-3, and G-4 hereinabove.
3. For the purpose of this Ordinance, the agent for the COUNTY and liaison officer on the matter contained herein shall be the County Engineer of Cuyahoga County, Ohio, and/or such members of his staff as he may designate.
4. By enacting this Ordinance, the MUNICIPALITY agrees to conduct this transaction by electronic means and agrees that all documents requiring County signatures may be executed by electronic means, and that the electronic signatures affixed by the County to said documents shall have the same legal effect as if that signature was manually affixed

to a paper version of the document. The MUNICIPALITY also agrees on behalf of the aforementioned entities and persons, to be bound by the provisions of Chapters 304 and 1306 of the Ohio Revised Code as they pertain to electronic signature policy of Cuyahoga County.

I. AUTHORITY TO SIGN

1. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to enter into agreements with the COUNTY necessary to complete the planning and construction of this improvement.
2. That the Mayor of said MUNICIPALITY is hereby empowered and directed on behalf of the MUNICIPALITY to make application to the County of Cuyahoga, Ohio for approval to use County Motor Vehicle License Tax Funds for the improvement.

Section 2. It is found and determined that all formal actions of this council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such 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.

Section 3. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this Resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council this Resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President

Clerk

Approved: _____

Mayor

RESOLUTION NO. 2020-39

BY: KEPPEL, BULLOCK

A RESOLUTION to take effect immediately provided it receives 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 and directing the Director of Public Safety to designate express parking spaces under certain circumstances.

WHEREAS, business operations, transportation, and parking patterns have been significantly affected by COVID-19 public health rulings; and

WHEREAS, it is still unknown when a COVID-19 vaccine will be widely available; and

WHEREAS, merchants and business of all kinds in Lakewood have struggled to maintain financial solvency and comply with the Governor's health orders; and

WHEREAS, the City of Lakewood recognizes that Lakewood businesses are critical to the vibrancy of Lakewood and, recognizing that it should work to ensure that our local businesses remain successful and that the public can safely and conveniently patronize them, the City of Lakewood should provide more opportunities for short-term parking; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this resolution is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments in that the State of Ohio is under an order of a state of emergency from the Governor and it is imperative to provide assistance to Lakewood's small businesses to help them continue their operations under the orders of the Governor and the Ohio Director of Health and to maintain public safety while doing so; now, therefore

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. The Director of Public Safety is authorized and directed to designate express parking spaces under the following circumstances:

[Full draft forthcoming.]

Section 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were passed in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such actions were in meetings open to the public and in compliance with legal requirements.

Section 3. This resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this resolution, and provided it receives the affirmative vote of at least two thirds of the members of Council, this resolution shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor

ORDINANCE NO. 15-2020

BY:

AN ORDINANCE to take effect immediately provided it receives the affirmative vote of at least two thirds of the members of Council, or otherwise to take effect and be in force at the earliest period allowed by law, authorizing the transfer and advance of certain funds.

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the City of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public property, health, and safety and to provide for the usual daily operation of municipal departments to provide for the usual daily operation of the City in that the City must record all financial transactions within the appropriate fiscal period. Now therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO

Section 1. That the Director of Finance be and is hereby authorized to make the following transfers:

			2020 3rd Quarter	
	<u>Fund</u>		<u>Transfers Out</u>	<u>Transfers In</u>
101	General Fund	\$	248,857	
	Special Revenue Funds			
250	Office on Aging IIIB			\$ 172,500
	Internal Service Funds			
600	Hospitalization			\$ 72,525
601	Workers' Compensation			\$ 3,832
	Debt Service Payments			
512	WWTP Improvements	\$	500,000	
301	Debt Service Fund			\$ 500,000

Section 2. The Third Amended Charter published in the Codified Ordinances is the official charter of the City of Lakewood.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all such 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.

Section 5. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

President of Council

Clerk of Council

Approved: _____

Mayor

ORDINANCE NO. 46-19A

BY:

AN ORDINANCE to take effect immediately, provided it receives the affirmative vote of at least five members of Council, or otherwise to take effect and be in force after the earliest period allowed by law, amending Ordinance 46-19 adopted December 16, 2019 to create the position of Chief of Staff and Administrative Assistant II to the Mayor.

WHEREAS, pursuant to the Constitution of the State of Ohio, the Ohio Revised Code and the Second Amended Charter of the City of Lakewood, municipalities have the power to enact laws that are for the health, safety, welfare, comfort and peace of the citizens of the municipality, and to provide for local self-government, including establishing salaries and rates of pay; and

WHEREAS, as set forth in Section 2.12 of the Third Amended Charter of the city of Lakewood, this Council by a vote of at least two thirds of its members determines that this ordinance is an emergency measure and that it shall take effect immediately, and that it is necessary for the immediate preservation of the public peace, property, health and safety, and to provide for the usual daily operation of municipal departments in that these changes need to be in place for increases to take effect January 1, 2019; now, therefore

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That Ordinance No. 46-19, adopted December 16, 2019, currently reading as follows:

Section 1. Classifications, rates of pay, pay grades, levels and certain other supplemental compensation for non-probationary full-time and certain part-time, annual salaried and hourly employees not covered by a collective bargaining agreement are hereby authorized, effective on the effective date of this ordinance, in the several departments, divisions and offices of the City of Lakewood, as modified herein, and with the approval of the Department Director, Director of Finance, Director of Human Resources and Mayor as follows.

Section 2. Classifications/Pay Grade Assignments and Pay Schedules.

<u>Grade</u>	<u>Classification Assigned to Pay Grade</u>	<u>Minimum Rate</u>	<u>Maximum Rate</u>
25	Property/Evidence Technician	\$32351.85	\$45738.85
26	Legislative Liaison	\$35642.09	\$50335.11
	Part-time Administrative Assistant		
	Deputy Clerk of Council		
27	Project Specialist I	\$37835.95	\$53569.12
	Human Resource Associate		

<u>Grade</u>	<u>Classification Assigned to Pay Grade</u>	<u>Minimum Rate</u>	<u>Maximum Rate</u>
28	Administrative Assistant to the Mayor	\$40028.66	\$56551.28
	Civil Service/Mediation Program Coordinator		
	Human Resource Specialist		
	Legal Secretary		
29	Chief Prosecutor (Part Time)	\$42222.55	\$60901.57
	First Assistant Law Director		
31	Budget Analyst	\$48803.03	\$68655.99
	Clerk of Council		
	Project Specialist II		
	Public Information Officer		
	City Planner I		
	Plans Examiner (Part Time)		
32	Nutrition Supervisor	\$50995.72	\$71129.53
	Part Time Grants Administrator		
33	Assistant Law Director/Prosecutor I	\$54283.63	\$76562.10
	Manager, Community Center/Senior Services		
	Tax Office Supervisor		
	Finance Manager		
	Clinical Manager		
	Budget Manager		
	City Planner II		
	Urban Designer		
34		\$58123.21	\$82155.17
	Programs Manager		
	Traffic Signs and Signals Manager		
	Development Officer		
	Senior City Planner		
	Assistant Law Director/Prosecutor II		
35	Assistant Director/Human Services	\$63059.14	\$88990.99
	Assistant Director/Planning and Development		
	Executive Assistant to the Mayor/Community Relations		
	Executive Assistant to the Mayor		
	Project Administrator		

<u>Grade</u>	<u>Classification Assigned to Pay Grade</u>	<u>Minimum Rate</u>	<u>Maximum Rate</u>
35	Project Manager		
	Public Works Manager		
	Assistant Building Commissioner		
36	Assistant Director of Finance I	\$68542.09	\$94210.38
	IS Project Manager		
	Chief Prosecutor (Full Time)		
	Building Commissioner		
37	Assistant Director/Finance II	\$79509.16	\$98994.05
	Assistant Director, Safety – Building and Housing		
	Chief Assistant Law Director		
38	Deputy Fire Chief	\$82799.39	\$126072.00
	Information Systems Manager		
	City Architect		
	City Engineer		
39	Fire Chief	\$87185.98	\$131325.00
	Police Chief		

Is hereby amended to read as follows:

Section 1. Classifications, rates of pay, pay grades, levels and certain other supplemental compensation for non-probationary full-time and certain part-time, annual salaried and hourly employees not covered by a collective bargaining agreement are hereby authorized, effective on the effective date of this ordinance, in the several departments, divisions and offices of the City of Lakewood, as modified herein, and with the approval of the Department Director, Director of Finance, Director of Human Resources and Mayor as follows.

Section 2. Classifications/Pay Grade Assignments and Pay Schedules.

...

<u>Grade</u>	<u>Classificaiton Assigned to Pay Grade</u>	<u>Minimum Rate</u>	<u>Maximum Rate</u>
31	Budget Analyst	\$48803.03	\$68655.99
	Clerk of Council		
	Project Specialist II		

<u>Grade</u>	<u>Classificaiton Assigned to Pay Grade</u>	<u>Minimum Rate</u>	<u>Maximum Rate</u>
	Public Information Officer		
	City Planner I		
	Plans Examiner (Part Time)		
	Administrative Assistant II to the Mayor		
...
35	Assistant Director/Human Services	\$63059.14	\$88990.99
	Assistant Director/Planning and Development		
	Executive Assistant to the Mayor/Community Relations		
	Executive Assistant to the Mayor		
	Project Administrator		
	Project Manager		
	Public Works Manager		
	Assistant Building Commissioner		
	Chief of Staff to the Mayor (full or part-time)		

...

Section 2. To the extent it is inconsistent with any other ordinance or resolution previously adopted by Council with respect to the salary and wages of employees of the City, this Ordinance is meant to and shall supersede such previously-adopted legislation.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all such deliberations of this Council and of any of the committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements.

Section 4. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare in the City and for the usual daily operation of the City for the reasons set forth and defined in the preamble to this ordinance, and provided it receives the affirmative vote of at least two thirds of the members of Council, this ordinance shall take effect and be in force immediately upon its adoption by the Council and approval by the Mayor, or otherwise it shall take effect and be in force after the earliest period allowed by law.

Adopted: _____

PRESIDENT

Approved: _____

CLERK

MAYOR

A Resolution to honor James R. Anderson on the occasion of his death and to express condolences to his family, friends, and to the many who have been touched by his kind and cheerful spirit.

WHEREAS, Mr. Anderson was forever grateful and proud to serve our community as a Lakewood firefighter for over thirty years and then as a cheerful, helpful and wise-cracking front desk attendant at City Hall until he reached the age of 90; and,

WHEREAS, altogether, Mr. Anderson dedicated 66 years of public service to the City of Lakewood as the City's longest serving employee; and,

WHEREAS, Jim Anderson was a family man, who with Gerri, his late wife of 34 years, was proud to provide a good home and life for their four children Timothy, Karen, John, and Kathleen. In addition to his four children, Jim Anderson left behind nine grandchildren and five greatgrandchildren; and,

WHEREAS, Jim Anderson was a life-long Lakewood resident who was active and engaged in many aspects Lakewood civic life ranging from veteran organizations to athletic organizations. A reflection of his inclusive attitude and charisma, Jim was elected by his peers to leadership positions within these organizations; and

WHEREAS, the legacy of Jim's kind heart and fiery spirit will forever be remembered and carried on by the family and friends who had the pleasure of knowing him; Now, therefore:

BE IT RESOLVED BY THE CITY OF LAKEWOOD, STATE OF OHIO:

Section 1. That this Council hereby expresses condolences to the family and friends of James R. Anderson for their loss.

Section 2. That this Council hereby acknowledges James Anderson's 66 years of dedicated public service to the Lakewood Fire Department and the City of Lakewood and reminds all public servants to look to Mr. Anderson's career and attitude as one worth emulating.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all such deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR

A RESOLUTION to recognize and thank Dr. Amy Acton for her public service and steady leadership during the COVID-19 pandemic as the Director of the Ohio Department of Health.

WHEREAS, Dr. Acton, using her 30 years of experience in medical practice, public health, community service, academia, and non-profit administration, successfully guided the state of Ohio through the early stages of the pandemic and efforts to "flatten the curve"; and,

WHEREAS, having ties to the area and earning degrees from some of its universities, including Youngstown State University and Northeastern Ohio Universities College of Medicine, Dr. Acton has made the region of Northeast Ohio proud to call her a native daughter; and,

WHEREAS, Dr. Acton continues to selflessly serve as a key adviser to the Governor as the state proceeds in navigating this historic public health emergency; now, therefore,

BE IT RESOLVED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. That this Council recognizes and thanks Dr. Amy Acton for her years of public service and achievements as a medical doctor, public health leader, professor, and proud Ohio native.

Section 2. That this Council expresses its support for Dr. Acton's ideals, methods, and contributions to ensure that the public health of Ohioans is preserved.

Section 3. That the Clerk of Council is hereby authorized and directed to transmit this resolution to Dr. Acton and that a copy of this resolution be spread upon the minutes of this meeting.

Adopted: _____

PRESIDENT

CLERK

Approved: _____

MAYOR



12650 DETROIT AVENUE 44107 216/529-6055 FAX 216/226-3650

www.onelakewood.com

Lakewood City Council
DANIEL J. O'MALLEY, PRESIDENT
JOHN LITTEN, VICE PRESIDENT

Council at Large
THOMAS R. BULLOCK III
SARAH KEPPLER
TRISTAN RADER

Ward Council
TESS NEFF, WARD 1
JASON SHACHNER, WARD 2
JOHN LITTEN, WARD 3
DANIEL J. O'MALLEY,
WARD 4

August 3, 2020

Lakewood City Council
Lakewood, Ohio

Re: Appoint Kate Coghlan to Lakewood Animal Safety & Welfare Advisory Board

Dear Members of Council,

It is my pleasure to inform you that I am appointing Kate Coghlan to fill a vacancy on the Animal Safety & Welfare Advisory Board. I am confident that Ms. Coghlan's extensive experience with the animal shelter, passion for promoting responsible pet ownership, and strong commitment to the Lakewood community will make her a valuable addition to this important board.

Ms. Coghlan's decade long volunteer effort on the Citizen's Committee for the Lakewood Animal Shelter makes her eminently qualified for a position with the board and I am delighted that she is willing to take time out of her schedule to make this significant contribution to our City. I wish her all the best for a meaningful and productive term of service on the Animal Safety & Welfare Advisory Board.

Move to receive and file this communication.

Sincerely,

Jason Shachner
Councilmember, Ward 2