

**CITY OF KIRTLAND**

**ORDINANCE NUMBER 20-O-70**

**AN ORDINANCE ACKNOWLEDGING THE ROLE OF THE CITY OF KIRTLAND EMPLOYEES DURING THE COVID-19 PUBLIC HEALTH EMERGENCY AND AUTHORIZING AND DIRECTING THE MAYOR TO PROVIDE FOR HAZARD PAY BENEFITS, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Mayor, as the City’s Chief Executive Officer, has determined that City positions in the Police, Fire, Service, and Administration sector meet the criteria for “hazard pay” with employees who “are performing hazardous duty work directly responding to COVID-19”; and

**WHEREAS**, the role of the City Police and Fire Departments, having to respond to emergency calls on the 24-hour a day basis, has the inherent risk to have direct contact with COVID-19 patients. These City employees are substantially dedicated to mitigating and responding to the COVID-19 public health emergency and certainly qualify for the “hazard pay” benefit, with the Mayor’s recommendation of a payment in the amount of \$1,250.00 to these employees; and

**WHEREAS**, the role of a Service Department worker during the COVID-19 public health emergency has challenged the employees’ ability to maintain social distancing with the nature of the jobs they perform and being approached by the public while in the field. These employees are substantially dedicated to mitigating and responding to the COVID-19 public health emergency and certainly qualify for the “hazard pay” benefit, with the Mayor’s recommendation of a payment in the amount of \$1,250.00 to these employees; and

**WHEREAS**, the various roles of the Administration has also proven to demonstrate functions which qualify for “hazard pay” benefits in that the employees are expected to assist individuals who come to the City Hall complex to conduct business with the City. The City has kept the City Hall doors open during this pandemic. The Administration has addressed concerns regarding various issues including road repairs, referral for police matters, and many other general questions. Employees were available for mail, package and COVID-19 supply deliveries during the pandemic. The staff has allowed access into the building for meetings for the Mayor and other City officials, access for contractors into the facility, and others requesting permits, contracts, and zoning direction.

With Police, Fire, and Service employees intermingling with Administration, the administrative employees have an additional COVID-19 exposure with daily interaction on a variety of matters including but not limited to: (1) human resources, (2) purchase orders and invoices, (3) mail and package pick up, (4) zoning matters, (5) staff meetings, (6) miscellaneous administrative matters.

Therefore, the Mayor has determined that the nature of the work of these individuals warrant the qualification for the “hazard pay” benefit and has recommended a payment in the amount of \$1,250.00; and

**WHEREAS**, funds were awarded to the State of Ohio as Federal Financial Assistance from the U.S. Department of Treasury under the Social Security Act, as amended by Section 5001 of the Coronavirus Aid, Relief, and Economic Security Act (“CARES Act”) as the Coronavirus Relief Fund (“CRF”); and

**WHEREAS**, Kirtland Codified Ordinance 220.25 requires the posting of copies of enacted legislation for fifteen consecutive days in three places within the City, those being City Hall, the Kirtland Public Library, and the Kirtland Community Center; and

**WHEREAS**, due to the current state of emergency in Ohio stemming from the COVID-19 pandemic, at some point City Hall, the Kirtland Public Library, and the Kirtland Community Center have been closed in order to protect both the community and the staff from potential infection; and

**WHEREAS**, Kirtland Codified Ordinance 220.25 grants City Council the authority to modify the posting requirement.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kirtland, County of Lake, State of Ohio, that:

**SECTION I:** The Mayor, as the Chief Executive Officer of the City of Kirtland, is hereby authorized to issue a one-time “hazard pay” in the amount of \$1,250.00 to all eligible full time employees in the Police Department, Fire Department, Service Department, and Administration. Eligible full time employees, for purposes of this ordinance, are those who have been employed by the City of Kirtland in a full time capacity as of December 1, 2020.

**SECTION II:** The City Council, pursuant to its authority in Kirtland Codified Ordinance, Section 220.25 and due to the COVID-19 pandemic, hereby modifies the requirement to post this enacted legislation in three places and instead requires the following:

1. If City Hall, the Kirtland Public Library, and/or the Kirtland Community Center are open on the effective date of this enacted legislation, then the Clerk of Council is hereby directed to post the enacted legislation for fifteen (15) consecutive days after its effective date in each facility; and
2. Should any of the facilities listed above be closed on the effective date of the enacted legislation, then the Clerk of Council is not required to post the enacted legislation in that facility; and
3. The Clerk of Council is hereby directed to post the enacted legislation on the City of Kirtland’s website for fifteen (15) consecutive days after the effective date of this legislation.

**SECTION III:**

(a) 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

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.

(b) This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason to preserve morale within the City's employees and reward them for continuing to work during this public health emergency; wherefore, this Ordinance shall be in full force upon its passage by the affirmative vote of five members of Council and approval by the Mayor; otherwise, this Ordinance shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

DATE PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Submitted to the Mayor for his  
Approval on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2020.

ATTEST:

Approved by the Mayor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2020.

\_\_\_\_\_  
Clerk of Council  
Hazard Pay

\_\_\_\_\_  
Mayor Kevin F. Potter