

ORDINANCE NO. 2020-49

AN ORDINANCE ESTABLISHING THAT THE CITY'S PUBLIC SAFETY FORCES ARE SUBSTANTIALLY DEDICATED TO THE CITY'S RESPONSE TO THE PUBLIC HEALTH EMERGENCY WITH RESPECT TO THE CORONAVIRUS DISEASE 2019 (COVID 19) AND THAT FUNDS FROM THE CORONAVIRUS RELIEF FUND LOCAL GOVERNMENT ASSISTANCE PROGRAM ACT SHALL BE USED TO PAY THE SALARIES AND BENEFITS FOR THE PUBLIC SAFETY FORCES FOR THE PERIOD FROM MARCH 1, 2020 UNTIL DECEMBER 30, 2020, AND DECLARING AN EMERGENCY

WHEREAS, the City has received funds from the Federal Government through the State of Ohio and these funds are from the Coronavirus Relief Fund Local Government Assistance Program Act ("CARES Act"); and

WHEREAS, the CARES Act funds requires that these funds can only be used to cover expenses that are: 1) necessary expenditures incurred due to the public health emergency with respect to COVID-19; 2) were not accounted for in the budget most recently approved as of March 27, 2020 for the City of Willowick; and 3) were incurred during the period that begins on March 1, 2020 and ends on December 30, 2020; and

WHEREAS, under the CARES Act there is a presumption that public safety forces are substantially dedicated to mitigating or responding to the COVID-19 public health emergency and there is a further presumption that the payroll costs for the public safety employees are payments for this purpose. Further there is a presumption that the entire payroll costs of an employee whose time is substantially dedicated to mitigating or responding to COVID-19 public health emergency is eligible for payment from the Cares Act funds; and

WHEREAS, the City Dispatchers, Police Officers and Fire Department Firefighters are public safety employees as defined by the CARES Act; and

WHEREAS, Council and this Administration adopt and approve these presumptions and Council and this Administration declares that the City of Willowick Dispatchers, Police and Fire Department personnel are substantially dedicated to mitigating or responding to the COVID-19 public health emergency and that therefore they are eligible to be paid for the time period from March 1, 2020 to December 30, 2020 from the CARES Act funds that have been received by the City; and

WHEREAS, Council and this Administration further declare that responding to and/or mitigating the COVID-19 public health emergency was not considered or budgeted for in the Budget that was in effect on March 27, 2020; and

WHEREAS, the City has received the sum of \$2,306,426.59 from the State of Ohio in CARES Act funds.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILLOWICK, COUNTY OF LAKE AND STATE OF OHIO, AS FOLLOWS:

Section 1. That Council hereby adopts and approves all of the statements that are set forth above and further that Council authorizes the payment of the money that was received from the CARES Act from the State of Ohio in the amount of \$1,104,232.96 to be used to pay the payroll and benefit costs for

the Police Officers, Dispatchers, and Fire Department Firefighters for the time period from March 1, 2020 to December 30, 2020.

Section 2. That the Finance Director shall create the necessary budget category and/or budget line item(s) to track and account for the CARES Act funds and the payment of these funds as is set forth above in Section 1 of the Ordinance.

Section 3. That all formal actions of this Council concerning the passage of this Ordinance were adopted in an open meeting, and all deliberations of this Council, or any of its Committees, which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4. That this Ordinance is hereby declared to be and is passed as an emergency measure, the emergency being the need to take the necessary steps to mitigate and respond to the public health emergency as is set forth above and to utilize the CARES Act funds for this purpose. Said Ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willowick.

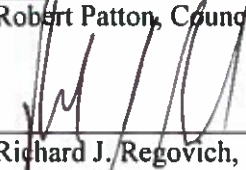
WHEREFORE, this Ordinance shall be in full force and effect immediately upon its passage by Council and approval by the Mayor.

Passed by Council this 19th day of November, 2020

Adopted by Council: 11/19, 2020


Robert Patton, Council President

Submitted to the Mayor: NOV 19, 2020


Richard J. Regovich, Mayor

Approved by the Mayor: NOV 19, 2020

ATTEST: Susan K. Wovrosh
Susan Wovrosh, Clerk of Council