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CITY OF BROOK PARK, OHIO

RESOLUTION NO. 9-2020

INTRODUCED BY: MAYOR GAMMELLA

A RESOLUTION
PROCLAIMING THE EXISTENCE OF A LOCAL EMERGENCY AND DECLARING AN
EMERGENCY

WHEREAS, the Centers for Disease Control and Prevention (CDC) considers the novel coronavirus (COVID-19) to be a very serious public health threat with outcomes ranging from mild sickness to severe illness and death; and

WHEREAS, COVID-19 is easily transmissible from person to person and has spread globally to over 177 countries and territories, infected more than 1,289,380 and killed more than 70,590 individuals as of April 6, 2020, according to the World Health Organization; and

WHEREAS, on January 31, 2020, the United States Department of Public Health and Human Services Secretary Alex Azar declared a public Emergency for COVID-19; and

WHEREAS, the World Health Organization (WHO) has declared COVID-19 to be a pandemic; and

WHEREAS, the current threat of the COVID-19 pandemic has caused the Governor of the State of Ohio to declare a state of emergency and the Cuyahoga County Executive to declare a state of emergency in Cuyahoga County; and

WHEREAS, Governor DeWine has closed schools, day cares, senior centers, restaurants and bars, ordered all non-essential businesses to close, banned gatherings of more than ten individuals, and issued a "Stay-at-Home" order until at least May 1, 2020; and

WHEREAS, due to the current threat of the COVID-19 pandemic and in order to deliver services to the residents of Brook Park, including formal open meetings of the City's legislative body, quasi-judicial boards and commissions and other public bodies as well as the delivery of services directly to the public in a face-to-face manner, including safety services, utility services, and inspectional services, the social distancing measures must be implemented in a way that preserves to the greatest possible extent

the City's ability to deliver essential services, in compliance with the law and the City Charter and Ordinances.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Brook Park, State of Ohio that:

SECTION 1: This Council finds and determines that the COVID-19 pandemic constitutes an emergency in the City of Brook Park, and that additional efforts to safeguard the health, safety and welfare of the public are required. In making the determinations and findings in this Resolution, it is Council's intention to exercise and avail itself, on behalf of the City of Brook Park, of the fullest extent of its power and authority under Article XVIII, Section 3 of the Ohio Constitution as well as the laws of the State of Ohio, all emergency management efforts including those contained in Section 5502 of the Ohio Revised Code, and the Charter and Ordinances of the City of Brook Park.

SECTION 2: This Council finds and determines that the efforts needed to prepare for, respond to and mitigate the impacts of the COVID-19 pandemic have and will place extraordinary requirements upon the City in its mission to deliver services to residents and advance the public health, safety and welfare.

SECTION 3: This Resolution shall be interpreted broadly so as to qualify for aid or assistance from any available source, including, but not limited to federal, state, regional and local governments or governmental agencies, as well as from private entities.

SECTION 4: This Council finds and determines that the City's ability to effectively respond to and manage the COVID-19 pandemic locally will require disruptions to normal meeting schedules and may impact staffing levels, work schedules, and performance of non-essential functions; that ensuring the City's ability to discharge its essential functions is of critical importance; and that the use of technology and digital communications including virtual and telephonic meetings, remote meeting and work technologies and other advanced communications technologies, including streaming technologies, is encouraged at this time, subject to the approval of the Mayor.

SECTION 5: This Council finds and determines that:

- (a) Council will meet on 4/21/2020 electronically for a regular meeting. All other City Board and Commission meetings are cancelled until further notice;
- (b) The regular schedule of Council meetings under Charter Section 4.05 is hereby suspended until Council determines that the local emergency declared herein has abated.
- (c) Council may, during the period of emergency, hold regular or special meetings via teleconference or other means of remote communications, that the Council Rules will be

suspended and dispensed with at any such meeting; and that during such meetings during this time, no public comment period will be provided, although comments submitted in a signed writing or an email identifying the writer will be noted, may be read and will be included in the journal of proceedings.

SECTION 6: This Council finds and determines that in order to meet the challenges and objectives described herein, it will be necessary to provide for the maximum regulatory and operational flexibility permitted by Ohio law and the City's Charter and Ordinances, and that it is necessary to empower and authorize the Mayor to identify the best means and methods to ensure the City's ability to discharge its duties, in consultation with the Department Directors and other key staff and outside consultants, and to take all appropriate actions to discharge such duties within the foregoing parameters, and he is hereby so authorized. The flexibility and authority provided under this Resolution shall continue until Council determines that the current state of emergency has sufficiently abated that such additional measures are no longer necessary.

SECTION 7: This Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, such emergency being the need to implement COVID-19 infection control and prevention practices as recommended by the WHO, CDC, and the state and local health departments, immediately; if provided that this Resolution receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

SECTION 8: Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one newspaper of general circulation in the City of Brook Park.

PASSED: April 14, 2020 as amended [Signature]
 PRESIDENT OF COUNCIL

BY: [Signature] APPROVED: [Signature]
 CLERK OF COUNCIL MAYOR
 DATE: 4/14/2020

CERTIFICATE

Michelle Blazak, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance/Resolution

No. 9-2020
 passed on the 14th day of April
 2020 by said council.

[Signature]
 Clerk of Council

I HEREBY APPROVE THE WITHIN INSTRUMENT AS TO LEGAL FORM AND CORRECTNESS

[Signature]
 DIRECTOR OF LAW

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Orcutt	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schmuck	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Michelle Blazak, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in this municipality and that publication of the foregoing ordinance/resolutions was made by posting true copies at five of the most public places in said municipality as determined by Ordinance No. 4838-1975, location: City Hall 6161 Engle Road, Police Station 17401 Holland Road, #2 Fire Station 22530 Maple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

[Signature]
 Michelle Blazak
 Clerk of Council