

**Mayor**  
Kathy Huner

**City Council**  
Shane Chamberlin  
Patrick Griggs  
Steve Schneider  
Harold Stickley  
Jeff Stiriz  
Scott Stiriz



230 Clinton Street • Wauseon, Ohio 43567

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**Director of Law**  
Thomas A. McWatters III

**Director of Finance**  
Jamie L. Giguere

**Director of Public Service**  
Keith C. Torbet

**Police Chief**  
Kevin Chittenden

**Fire Chief**  
Rick Sluder

April 8, 2020

Wauseon City Council  
230 Clinton Street  
Wauseon, Ohio 43567

RE: Special Council Meeting of April 9, 2020

Dear Council Members:

This letter sets forth the matters to be addressed at the Special Council Meeting scheduled for Thursday, April 9, 2020, at 5:00 p.m.

The meeting will be held via teleconference through Zoom. It is my understanding that each of you have been trained in using Zoom by Andrea Gerken, Clerk of Council, and will be able to participate through Zoom. The meeting will be live streamed through Facebook. Attached please find an outline of protocols to be followed in conducting the meeting via video conference, and to ensure that the meeting is conducted in a professional manner. Should you have any questions on your participation through Zoom, please contact myself or Ms. Gerken prior to the meeting.

For this special meeting, which is the first meeting conducted via video conference, no citizens will be permitted to participate. (It is anticipated that in the future, residents of Wauseon desiring to be placed on the agenda will be provided an access code to allow them to participate in the meeting.)

A motion will be necessary to approve the prior meetings' minutes.

There will be a first reading on Resolution 2020-4 (emergency), which authorizes the Mayor to enter into a utilities software licensing agreement with Link Computer Corporation. There will also be a first reading on Resolution 2020-5 which authorizes the Mayor to advertise for bids, and enter into a contract with the lowest and best bidder, for construction of the downtown ADA ramps. Finally, there will be a first reading on Ordinance 2020-4 (emergency), which provides consent to the Ohio Director of Transportation to complete the resurfacing project on

State Route 108 from the Henry County line to County Road D, and authorizes the Mayor or her designee to enter into contracts with the Director to complete the project.

A motion will be necessary to amend the Policies and Procedures Manual, to include as an Addendum, Emergency FMLA and Paid Sick Leave policies pursuant to the Families First Coronavirus Response Act (FFCRA). These policies are effective from April 1 through December 31, 2020. Copies of these policies are included with this letter.

(I have also included copies of several other COVID-19 policies put into place by the Mayor. No action by Council is necessary regarding these policies.)

Finally, a motion will be necessary to authorize the Director of Finance to pay the bills.

Should any member of Council have any questions or comments, you are encouraged to contact the appropriate Department Head prior to the meeting.

Respectfully submitted,



Thomas A. McWatters III  
City Law Director

TAM:knp

cc: Kathy Huner, Mayor  
Andrea Gerken, Clerk of Council  
Jamie Giguere, Finance Director  
The Blade

# **City of Wauseon**

## **Protocols for Conducting Public Meetings Via Video Conferencing During the COVID-19 State of Emergency**

### Introduction

The Open Meeting Act has recently been revised by the State Legislature to allow video conferencing of meetings required to be open to the public. As part of this new legislation, meetings must be perceptible to the public. To this end, the City, at this time, has chosen to use “Zoom” as its video conferencing vehicle.

Each Council member, the Mayor, and each Department Head has been trained on the use of Zoom for conducting Council meetings. Questions regarding use of Zoom should be directed to Andrea Gerken, Clerk of Council, or Tom McWatters, Law Director.

Council meetings, Council of the Whole meetings, and committee/commission/board meetings will be conducted using Zoom until further notice.

Following are some guidelines and protocols for use of Zoom in conducting City meetings. These guidelines and protocols are subject to revision from time-to-time as circumstances may warrant.

### Other Open Meeting Requirements

The other Open Meeting requirements, such as the posting of meetings, taking minutes, and executive session requirements, must continue to be followed. In addition to these requirements, the following changes should be implemented.

- A notice should be posted on the website indicating that until the Governor lifts the state of emergency, and the social distancing requirements are removed, the City will be conducting its meetings using Zoom, and that each meeting will be live-streamed on the City’s Facebook page.
- After the first Council meeting, a notice should also be included stating that anyone wishing to be placed on Council’s agenda will need to call the Clerk of Council, as usual, and request to be placed on the agenda. (If referral to a committee is appropriate, such referral should continue to be made.) Such person shall be sent an email with login information and instructions on participating in the meeting.
- The Council agenda should be posted on the website at the same time the meeting notice is posted.

### Preparing For A Meeting

Because meetings will be live-streamed over Facebook, it is important that proper measures are taken to ensure that requirements of the Open Meeting Act are satisfied, and that each meeting be conducted in a professional manner. The following guidelines should be followed in preparing for a meeting.

- No later than 15 minutes before a meeting, each participant will be sent an email/password information from the Clerk of Council which will be used to join the meeting.
- Each participant should plan on joining the meeting no later than 10 minutes before a meeting is to start.
- Prior to joining a meeting, each participant should be prepared for the meeting, which would include the following:
  - Finding a quiet place with a relatively blank wall in the background. Due to the live streaming, a participant will want to ensure that his/her house/area is not readily visible to the public. The location should also be one without noise in the background or interruption.
  - Getting all documents likely to be discussed close at hand to avoid having to obtain them during the meeting.
- No later than 10 minutes prior to the meeting, the Clerk of Council will run a test with each participant to make sure the sound and video is working properly for each participant. Upon completion of the test for each participant, the Clerk of Council will advise the meeting chair (Mayor for Council meetings; Council President for Council of the Whole meetings; Committee chair for committee meetings) that each member is present and that the audio and video is functioning properly.
- Once all members have been appropriately checked in, and the chair so informed, the Clerk of Council shall make the connection to the live feed on Facebook. At this point the meeting will be live streamed to the public.
- In compliance with the Open Meetings Act, members of a meeting should be careful not to discuss meeting business until such time as the meeting is officially started.

#### Starting and Running the Meeting

At the noticed time of the meeting, the meeting chair shall call the meeting to order, and conduct the meeting in the normal course. The chair shall use the time as is known to him or her.

During the meeting, participants should be aware that there may be a small time lag between comments made by participants. Caution should be exercised to ensure that all comments voiced by participants can be heard by the participants as well as anyone listening through the live feed.

For those using their City tablet, note that you will not be able to see all faces on one screen at one time, but will need to swipe the screen to see others. However, the voice of someone speaking can be heard regardless of whether their picture appears on the current screen or not. On other devices, such as a lap top and desk top computer, the participants' pictures appear all on one screen in "Brady Bunch" fashion.

It is currently anticipated that after the first meeting, access will be provided those wishing to appear before Council or a committee by giving such persons an access code. This will allow the citizen to participate in a meeting, just as any City official. This process would be similar to a citizen sitting in the audience, and waiting for his/her turn to speak. Under the current Zoom setup, there will be little control over when the visitor would be able to speak or be seen. The

administration will be working on perfecting a method for controlling when a visitor to the meeting may be seen and heard in the future.

#### Concluding the Meeting

Once the meeting is concluded, the chair will close the meeting. Immediately thereafter:

- The Clerk of Council will disconnect the live feed.
- Each participant will immediately sign off. It is important, in compliance with the Open Meeting Act, that Council members immediately disconnect from the video conference once a meeting is concluded to avoid the possibility of discussing any City business in a forum not open to the public.

#### Recording of Meetings

The current Zoom platform being used permits the City to record each meeting. Each Council and committee meeting shall be recorded and stored in the cloud.

4/7/2020

**Mayor**  
Kathy Huner

**City Council**  
Shane Chamberlin  
Patrick Griggs  
Steve Schneider  
Harold Stickley  
Jeff Stiriz  
Scott Stiriz



**Director of Law**  
Thomas A. McWatters III

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**Director of Public Service**  
Keith C. Torbet

**Police Chief**  
Kevin Chittenden

**Fire Chief**  
Richard Sluder

**SPECIAL COUNCIL MEETING**  
**Thursday, April 9, 2020**  
**5:00 P.M.**  
**Zoom Meeting**

**ORDER OF BUSINESS**

1. Call Meeting to Order
2. Roll Call
  - a) Council President Chamberlin
  - b) Councilor Schneider
  - c) Councilor Stickley
  - d) Councilor Jeff Stiriz
  - e) Councilor Griggs
  - f) Councilor Scott Stiriz
3. Approval of Minutes
  - a) Motion to approve the minutes from the March 16, 2020 Council meeting moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.  
All in favor:
4. First Reading of Legislation or Emergency Reading
  - a) Resolution 2020-4: Authorizing the Mayor to Enter into an Agreement with Link Computer Corporation for Utility Billing Software; and Declaring an Emergency
    - Motion to place Resolution 2020-4 on emergency moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.  
Vote: \_\_\_\_ Yeas \_\_\_\_ Nays
    - Motion to place Resolution 2020-4 on final reading moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.  
Vote: \_\_\_\_ Yeas \_\_\_\_ Nays
  - b) Resolution 2020-5: Authorizing the Mayor to Advertise for Bids for Downtown ADA Ramps; Accept the Lowest and Best Bid; and Enter into an Agreement with the Lowest and Best Bidder
    - Motion to place Resolution 2020-5 on first reading moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.  
Vote: \_\_\_\_ Yeas \_\_\_\_ Nays
  - c) Ordinance 2020-4: Allowing the Ohio Director of Transportation to Complete Resurfacing on State Route 108 from the Henry County Line to County Road D and Authorizing the Mayor or Her Designee to Enter into an Agreement to Complete the Project; and Declaring an Emergency

- Motion to place Ordinance 2020-4 on emergency moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.  
Vote: \_\_\_\_ Yeas \_\_\_\_ Nays
  - Motion to place Ordinance 2020-4 on final reading moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.  
Vote: \_\_\_\_ Yeas \_\_\_\_ Nays
5. Motion to amend the Policies and Procedures Manual, to include as an Addendum, Emergency FMLA and Paid Sick Leave policies pursuant to the Families First Coronavirus Response Act (FFCRA). These policies are effective from April 1 through December 31, 2020 moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.  
Vote: \_\_\_\_ Yeas \_\_\_\_ Nays
6. Motion to approve and pay the bills as presented moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.  
Vote: \_\_\_\_ Yeas \_\_\_\_ Nays
7. Adjournment
- Motion to adjourn moved by \_\_\_\_\_ and seconded by \_\_\_\_\_.  
All in favor:

Andrea R Gerken  
Clerk of Council

*Council reserves the right to adjourn into Executive Session at any time it deems appropriate. The distribution of this Agenda does not obligate Council to take action on the items set forth herein, nor does it limit Council from taking action on other items not on the Agenda. The items listed on the Agenda are subject to change. If additional items are added, Council will use its best effort to notify all interested parties of changes prior to the meeting.*

|                | Yes   | No    |
|----------------|-------|-------|
| Emergency      | _____ | _____ |
| First Reading  | _____ | _____ |
| Second Reading | _____ | _____ |
| Third Reading  | _____ | _____ |
| Suspension     | _____ | _____ |

## RESOLUTION 2020-4

### A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A LICENSING AGREEMENT WITH LINK COMPUTER CORPORATION FOR UTILITY SOFTWARE; AND DECLARING AN EMERGENCY

**WHEREAS**, it is necessary for the City to have computer software to aid in the collection of fees associated with the City’s provision of water to its citizens; and

**WHEREAS**, City council desires to enter into a Software License Agreement (“Agreement”) with Link Computer Corporation for such utility software; and

**WHEREAS**, a copy of the proposed agreement with Link Computer Corporation is on file in the office of the Clerk of Council; and

**WHEREAS**, this Resolution should be declared an emergency measure necessary for the immediate preservation of the health, safety, and public welfare of the City because of the immediate need for utility software for collection of water fees;

**NOW THEREFORE, BE IT ORDAINED** by the Council, City of Wauseon, Fulton County, Ohio as follows:

#### Section 1

That the Mayor is hereby authorized to execute the Agreement with Link Computer Corporation, a copy of which is on file in the office of the Clerk of Council.

#### Section 2

That the Mayor is authorized to execute any and all documents necessary to carry out the intent of this resolution.

#### Section 3.

That this Resolution be, and hereby is, declared to be an emergency measure, necessary for the immediate preservation of health, safety, and public welfare of the citizens of the City of Wauseon, and shall be in full force and effect from and immediately after its passage.

Passed:

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Kathy Huner, Mayor

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Shane Chamberlin  
President of Council

Attest:\_\_\_\_\_

Andrea Gerken  
Clerk of Council

Approved as to Form:

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Thomas A. McWatters III  
Law Director

|                |     |    |
|----------------|-----|----|
|                | Yes | No |
| Emergency      |     |    |
| First Reading  |     |    |
| Second Reading |     |    |
| Third Reading  |     |    |

## RESOLUTION 2020-5

### **A RESOLUTION AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS FOR CONSTRUCTION OF THE DOWNTOWN ADA RAMPS; AUTHORIZING THE MAYOR TO ACCEPT THE LOWEST AND BEST BID; AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER**

**WHEREAS**, the City of Wauseon desires to construct ramps compliant with the Americans with Disabilities Act (“ADA”) at approximately eight intersections along Fulton Street as part of the Downtown Revitalization Project; and

**WHEREAS**, certain monies have been properly budgeted and appropriated for this purpose; and

**WHEREAS**, the Mayor should be authorized to accept the lowest and best bid within the budgetary constraints set for said purpose; and

**WHEREAS**, the specifications for ADA ramp construction are currently on file in the office of the Clerk of Council; and

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Wauseon, Fulton County, Ohio, as follows:

#### Section 1.

That the Mayor be, and hereby is, authorized to advertise for bids pursuant to Ohio Law and the Codified Ordinances of the City of Wauseon, Ohio, for construction of the ADA ramps pursuant to the plans and specifications on file in the office of the Clerk of Council.

#### Section 2.

Upon compliance with the State of Ohio and the Codified Ordinances of the City of Wauseon, the Mayor is hereby authorized to accept the lowest and best bid in the amount budgeted for this purpose.

Section 3.

That the Mayor is further authorized to execute any and all documents necessary therefore.

Passed:

\_\_\_\_\_  
Kathy Huner, Mayor

\_\_\_\_\_  
Shane Chamberlin, President of Council

Attest: \_\_\_\_\_

Andrea Gerken  
Clerk of Council

Approved as to Form:

\_\_\_\_\_  
Thomas A. McWatters III  
City Law Director

## **PRELIMINARY LEGISLATION**

Consent

Ordinance # \_\_\_\_\_

PID No. 92361

County/Route/Section FUL-108-0.00 Resurf

The following is an ordinance enacted by the City of Wauseon, Fulton County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

### **SECTION I - Project Description**

WHEREAS, the LPA/STATE has identified the need for the described project:

*A 2-Lane district funded resurfacing project on SR-108 in Fulton County from Henry County line to CR-D; perform necessary related work. UPDATE (10-7-13): extended end limit to 4.01 in Wauseon. UPDATE (7-23-15): reduced end limit to 3.02; extended to 3.47. Plan split 100% City for concrete & pavement repairs*

NOW THEREFORE, be it ordained by the City of Wauseon, Ohio

### **SECTION II - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

### **SECTION III - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

- 1) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration.
- 2) The LPA consents to having the State acquire all necessary rights of way for the subject project in the name of the LPA.
- 3) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 4) The State agrees to be the lead agency and to administer all phases of the project.

**SECTION IV - Utilities and Right-of-Way Statement**

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefor. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION V - Maintenance**

Upon completion of the Project, and unless otherwise agreed, the LPA shall: 1) provide adequate maintenance for those portions of the Project under the jurisdiction of the LPA in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; 2) provide ample financial provisions, as necessary, for the maintenance of those portions of the Project under its jurisdiction; 3) maintain the right-of-way, keeping it free of obstructions; and 4) hold said right-of-way inviolate for public highway purposes.

**SECTION VI - Authority to Sign**

The \_\_\_\_\_ of said City is hereby empowered on behalf of the City  
(Contractual Officer)

to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: \_\_\_\_\_, 2 \_\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk Signature)

\_\_\_\_\_  
(Contractual Officer Signature)

Attested: \_\_\_\_\_  
(Clerk Signature)

\_\_\_\_\_  
(President of Council Signature)

This ordinance is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY  
STATE OF OHIO

City of Wauseon, Fulton County, Ohio

I, \_\_\_\_\_, as Clerk of the City of Wauseon, Ohio, do hereby  
certify that the foregoing is a true and correct copy of an ordinance adopted by the legislative  
Authority of the said City, on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, that the  
publication of such ordinance has been made and certified of record according to law; that no  
proceedings looking to a referendum upon such ordinance have been taken; and that such ordinance  
and certificate of publication thereof are of record in

\_\_\_\_\_, Page \_\_\_\_\_ .  
(Ordinance Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official  
seal, if applicable, this \_\_\_\_\_ day of \_\_\_\_\_, 2 \_\_\_\_\_.

\_\_\_\_\_  
Clerk

(SEAL)  
(If Applicable)

City of Wauseon, Ohio

The afore going is accepted as a basis for proceeding with the project herein described.

For the City of Wauseon, Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Contractual Officer

\*\*\*\*\*

For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation

**Family and Medical Leave Act Policy Addendum for Emergency Family Medical Leave**

**Section 1. FMLA Policy Addendum for EFML**

In light of the recent spread of COVID-19 and the Emergency Family and Medical Leave Expansion Act (EFMLEA) that became law, the following Addendum to the Family and Medical Leave Act Policy is effective on April 1 until December 31, 2020.

Any time the term “Employer” is used herein it shall refer to the City of Wauseon, Ohio.

**Section 2. Qualifying Reason for Emergency Family Medical Leave and Definitions**

(a) An eligible employee may take up to a total of 12 workweeks of leave during a 12-month period for one or more qualifying reasons set forth in the Employer’s FMLA Policy or for a qualifying need related to a public health emergency.

*For example, if an employee has already taken 6 weeks of FMLA leave, that employee would be eligible for another 6 weeks of FMLA leave under this policy, if eligible.*

A qualifying need related to a public health emergency means the following:

(i) An employee is unable to work or telework due to a need for leave to care for the employee’s son or daughter under 18 years of age if the son or daughter’s school or place of care has been closed, or if the child care provider of the son or daughter is unavailable, due to a public health emergency.

(b) A **Public Health Emergency** is an emergency with respect to COVID-19 declared by a Federal, State, or local authority.

(c) A **Child Care Provider** is a provider who receives compensation for providing child care services on a regular basis or a child care provider as defined in 42 U.S.C. 9858n.

“Childcare provider” means a provider who receives compensation for providing childcare services on a regular basis, including:

- a center-based childcare provider
- a group home childcare provider
- a family childcare provider (one individual who provides childcare services for fewer than 24 hours per day, as the sole caregiver, and in a private residence)
- other licensed provider of childcare services for compensation
- a childcare provider that is 18 years of age or older who provides childcare services to children who are either the grandchild, great grandchild, sibling (if such provider lives in a separate residence), niece, or nephew of such provider, at the direction of the parent.

(d) A **School** is a secondary or elementary school as defined in Section 8101 of 20 U.S.C. 7801.

### **Section 3. Employee Eligibility and Exclusions for Emergency Family Medical Leave of Absence**

In order to be eligible for Emergency Family and Medical Leave, an employee must have been employed for at least 30 calendar days.

**Exclusions: employees who are health care providers or emergency responders are excluded from the application of the public health emergency leave provisions and are not eligible for EFML. This includes fire fighters/paramedics, police officers, dispatchers, and others deemed emergency responders.**

### **Section 4. Use of Emergency Family Medical Leave and Pay During Leave**

(a) An employee is only entitled to a total of twelve (12) workweeks of leave during a 12-month period under the FMLA and Emergency Family Medical Leave.

(b) The first 10 days of Emergency Family Medical Leave may be unpaid. During the first 10 days, an employee may use paid leave provided by the Emergency Paid Sick Leave Act or may substitute any accrued vacation, personal, medical or sick leave for unpaid leave.

(c) After the first 10 days, the remaining days of Emergency Family Medical Leave will be paid at two-thirds (2/3) the employee's regular rate of pay based on the number of hours the employee would otherwise normally be scheduled to work. However, paid leave will not exceed \$200 per day or a total of \$10,000 in total.

Employees who elect, may use accrued, unused paid leave (e.g. vacation, sick) for the one-third of the employee's hours not covered under the leave after the first 10 days of EFML.

(d) After the first 10 days of EFML, an employee may supplement their rate of pay under section (4)(c) and utilize vacation leave, personal leave, compensatory time, and then sick leave if appropriate pursuant to Sections 4.07, 5.01, 5.04, and 5.15 of the Personnel Policy and Procedure Manual, to receive a "full paycheck." Leave may be taken in increments of 30-minutes.

The order in which an employee may supplement their rate of pay under section (4)(c) shall be first vacation leave, followed by personal leave, compensatory time, and, if any time remains, sick leave.

For employees with varying hours, one of two methods for computing the number of hours paid will be used:

- The average number of hours that the employee was scheduled per day over the 6-month period ending on the date on which the employee takes leave, including hours for which the employee took leave of any type. Or,

## FFCRA Emergency FMLA and Paid Sick Leave Policies for the City of Wauseon

- If the employee has worked less than 6 months, the expected number of hours to be scheduled per day at the time of hire.

### **Section 5. Procedures for Requesting Emergency Family Medical Leave**

- (a) Employees must make a reasonable effort to give notice to the Employer once the employee knows they will be requesting Emergency Family Medical Leave.
- (b) Employees should submit requests for Emergency Family Medical Leave on a standard leave form prescribed by the Employer. Employees should also submit a written statement describing the circumstances which they believe qualify them for Emergency Family Medical Leave.
- (c) The Employer will determine whether the leave qualifies as Emergency Family Medical Leave, designate it as leave that counts against the employee's twelve (12) week entitlement, if appropriate, and notify the employee that the leave has (or has not) been designated as Emergency Family Medical Leave.

### **Section 6. Intermittent Leave, Employee Benefits, Reinstatement, Records**

- (a) Guidelines and procedures set out in the Employer's FMLA Policy for Employee Benefits, Reinstatement, and Records remain the same for Emergency Family Medical Leave.
- (b) An employee may take Emergency Family Medical Leave intermittently only if agreed to by the Employer. Requests for intermittent Emergency Family Medical Leave must be submitted in writing as soon as practicable along with the standard leave form prescribed by the Employer.

### **Section 7. Employee Health Benefits During Emergency Family Medical Leave**

- (a) While an employee is on Emergency Family Medical Leave, the Employer will maintain group health plan benefits on the same basis as if the employee had continued to work throughout the leave. Employees are required to pay their share of group health premiums which had been paid by the employee prior to the leave. Employee contribution amounts when applicable are subject to any change that occurs while the employee is on leave.
- (b) Emergency Family Medical Leave will not constitute a break in service credit for employees. Service credit shall continue to accrue during periods of Emergency Family Medical Leave. In addition, Emergency Family Medical Leave will be treated as continuous service for the purpose of calculating benefits that are based on length of service. Paid leave benefits will not accrue during any period of Emergency Family Medical Leave.

### **Emergency Paid Sick Leave Act Policy**

Due to the recent outbreak of COVID-19 and the recent passage of the Emergency Paid Sick Leave Act (“EPSLA”), the Employer hereby institutes the following Emergency Paid Sick Leave policy effective on April 1. This policy will expire on December 31, 2020.

Any time the term “Employer” is used herein it shall refer to the City of Wauseon, Ohio.

### **Section 1. Emergency Paid Sick Leave**

Pursuant to the Emergency Paid Sick Leave Act (“EPSLA”) the Employer provides 10 days of paid sick leave to its employees who require time off of work for qualifying reasons.

### **Section 2. Qualifying Reasons for Emergency Paid Sick Leave**

(a) The Employer provides Emergency Paid Sick Leave to its employees who are unable to work (or telework) for the following qualifying reasons:

1. Employees who are subject to a Federal, State or local quarantine or isolation order;
2. Employees who have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. Employees who are experiencing symptoms of COVID-19 and seeking a diagnosis;
4. Employees who are caring for an individual who is subject to an above quarantine or isolation order (para 1) or are caring for an individual who has been advised by a health care provider to self-quarantine due to concerns related to COVID-19 (para 2);
5. Employees who are caring for a son or daughter when the son or daughter’s school or place of care has been closed or the provider is unavailable due to COVID-19 precautions; or,
6. Employees who are experiencing any other substantially similar condition specified by HHS in consultation with the DOL.

### **Section 3. Eligibility**

(a) All employees, except those excluded under Section (3)(b), regardless of their length of service, are eligible to receive Emergency Paid Sick Leave if they need leave for a qualifying reason outlined above.

**(b) Exclusions: employees who are health care providers or emergency responders are excluded from the application of the public health emergency leave provisions and are not eligible for EFML. This includes fire fighters/paramedics, police officers, dispatchers, and others deemed emergency responders.**

#### **Section 4. Amount of Emergency Paid Sick Leave**

(a) Eligible employees who have qualifying need leave for a qualifying reason are entitled to either:

- (i) For full-time employees – 80 hours of Emergency Paid Sick Leave; or,
- (ii) For part-time employees – The average number of hours that the employee works over a two-week period.

(b) Emergency Paid Sick Leave does not carry over from year to year.

(c) Emergency Paid Sick Leave will cease beginning on the first work shift following the termination of the employee's need for Emergency Paid Sick Leave.

#### **Section 5. Rates of Pay**

(a) Employees who take leave pursuant to the qualifying reasons under (1), (2), or (3) listed in Section 2(a) above will receive Emergency Paid Sick Leave at their regular rate of pay up to a maximum of \$511 per day or \$5,110 in total.

(b) Employees who take leave pursuant to the qualifying reasons under (4), (5), or (6) listed in Section 2(a) above will receive Emergency Paid Sick Leave paid at two-thirds (2/3) of their regular rate of pay up to a maximum of \$200 per day or \$2,000 in total.

(c) In accordance with the City's Personnel Policy and Procedure Manual, employees may supplement their rate of pay under section (5)(b) and utilize sick leave, if appropriate pursuant to Section 5.01 of the Personnel Policy to receive a "full paycheck" under qualifying reasons (4), (5), or (6). Sick leave may be taken in increments of 30-minutes. Nothing in this section restricts an employee from utilizing vacation or personal leave in lieu of sick leave.

#### **Section 6. Requesting and Use of Emergency Paid Sick Leave**

(a) When it is foreseeable that an employee will need to take leave for a qualifying reason, the employee must make a reasonable effort to provide notice to the Employer as soon as is practicable.

(b) Requests for Emergency Paid Sick Leave should be submitted by the employee on a standard leave form prescribed by the Employer. Employees must also submit a written statement describing the circumstances which they believe qualify them for Emergency Paid Sick Leave.

(c) The Employer will determine whether the leave qualifies as Emergency Paid Sick Leave, designate it as leave that counts against the employee's Emergency Paid Sick Leave entitlement, if appropriate, and notify the employee that the leave has been (or has not been) designated as Emergency Paid Sick Leave.

# **City of Wauseon - COVID-19 Employee Travel Policy**

## **Policy Brief**

The City of Wauseon is obligated under the Occupational Safety and Health Act to provide a workplace free of known safety and health hazards. As coronavirus (COVID-19) spreads globally and confirmed cases rise in the United States, the City of Wauseon is committed to providing a safe workplace for all employees.

## **Scope**

To ensure the safety of our colleagues and citizens, it is mandatory for employees who have traveled after March 11, 2020 across state lines or to highly-infected areas, to self-quarantine themselves for at least 14 days (the current suspected maximum amount of time before an infected person shows symptoms) and stay in close contact with their department head or HR. For purposes of clarity, this does not apply to employees who as a part of their normal life live in one state and work or gain essential services in another state.

## **Responsibility and Enforcement**

All City of Wauseon employees are required to self-report and self-quarantine for 14 days after traveling outside the State of Ohio, except for employees who as a part of their normal life live in one state and work or gain essential services in another state. If remote work can be completed during the 14 day period, employees will be compensated for time worked from home. If remote work cannot be completed, accrued paid sick leave can be used.

If a negative coronavirus (COVID-19) test can be provided during the 14 day period, employees may be allowed to return to work. All communication regarding medical procedures and illness should be directed to the HR Officer. This policy may be amended, as needed, and as information and resources evolve.

# **City of Wauseon - COVID-19 Remote Work Policy**

## **Policy Brief**

The City of Wauseon employee COVID-19 remote work policy outlines the guidelines for employees who work from a location other than our offices due to the COVID-19 public health emergency and Ohio's Stay at Home Order ("Order").

## **Scope**

This policy applies to employees whose primary work location is not at our offices due to compliance with the Order.

## **Policy Elements**

Remote work due to the Order is a temporary agreement between employees and the City of Wauseon to work from a non-office location until the Order has been terminated. An employee's eligibility to work remotely will be determined by the City of Wauseon and HR based on workplace safety, scheduling needs, and ability to perform work remotely.

To ensure that employee work performance will not suffer in remote work arrangements, we would recommend any remote employee to:

- Choose a quiet and distraction-free working space.
- Have an internet connection that's adequate for their job.
- Dedicate their full attention to their job duties during working hours.
- Adhere to break and attendance schedules agreed upon with their supervisor and/or department head.
- Work closely with their supervisor and/or department head to put together a remote work plan, which identifies expectations and work to be completed.
- Meet frequently with their supervisor and/or department head (via online or phone) to discuss progress and results.

## **Compliance with Policies**

City of Wauseon remote employees must continue to follow the City of Wauseon's policies and handbook while working remotely.

## **Equipment**

The City of Wauseon will provide our remote employees with equipment that is essential to their job duties, like laptops (when applicable). IT will work with employees to ensure that they are able to access items they need to perform their job duties. Equipment we provide is company property. Employees must keep it safe and avoid any misuse. Specifically, employees must:

- Keep their equipment password protected.
- Store equipment in a safe and clean space when not in use.
- Follow all data encryption, protection standards and settings.
- Refrain from downloading suspicious, unauthorized or illegal software.

## **City of Wauseon - Pay for Employees on Shortened Shifts**

### **Policy Brief**

In order to comply with the Ohio Department of Health Director's Stay At Home Order issued on March 22, 2020, and for the protection of the City's employees, some employees have been required to work shifts comprised of less than full-time hours. These employees may use PTO to make up for the hours lost due to the new shifts implemented in response to the pandemic.

### **Scope**

City of Wauseon employees who are required to work shifts comprised of less than full-time hours.

### **Policy Elements**

City of Wauseon employees subject to less than full-time shifts shall use sick time, personal days, comp time, and vacation time to make up for hours lost due to the new shifts implemented in response to the pandemic. In the event employees effected in this manner run out of sick time, whether personal or donated, personal days, comp time, and vacation time, the City will consider alternative measures to ensure that such employees receive compensation based on a normal full-time shift.

## **City of Wauseon - Pay for Self -Quarantined Employees Due To Travel**

### **Policy Brief**

On March 16, 2020, City of Wauseon Council adopted a quarantine policy which required any employee who travels outside of the state, more than 100 miles, to self-quarantine for a period of 14 days. The policy further requires such employees to use sick time during such quarantine period. The City of Wauseon will provide administrative leave pay to any employee who was subject to this policy prior to March 16<sup>th</sup>, 2020.

### **Scope**

City of Wauseon employees who are subject to the self-quarantine due to having traveled outside the state, more than 100 miles, prior to March 16, 2020.

### **Policy Elements**

City of Wauseon employees who are subject to the self-quarantine due to having traveled outside the state, more than 100 miles, prior to March 16, 2020, shall be considered to have been on paid administrative leave, and shall have any sick time used during this period restored. Council's policy shall remain in effect for any employee who traveled outside of the state on March 17, 2020, or thereafter.

FFCRA Emergency FMLA and Paid Sick Leave Policies for the City of Wauseon

(d) Emergency Paid Sick Leave shall be charged in accordance with the Employer's current practice for sick leave.

(e) Emergency Paid Sick Leave shall not carryover to future years and will be unavailable after December 31, 2020.

(f) Employees are not required to find a substitute employee to fill their position in order receive Emergency Paid Sick Leave.

(g) Eligible employees are not to use other forms of paid leave prior to receiving Emergency Paid Sick Leave.

(h) Employees who are teleworking may take paid sick leave intermittently when agreed to by the Employer.

(i) Employees who are working at their normal worksite may take paid sick leave intermittently when agreed to by the Employer and only when taking paid sick leave to care for a son or daughter whose school or care provider is closed or unavailable. Employees working at their normal worksite and taking paid sick leave for any other reason (other than to care for a son or daughter whose school or care provider closed or is unavailable) may not take paid sick leave on an intermittent basis.

(j) Unless the employee is teleworking, and except for paid sick leave to care for a son or daughter whose school or care provider is closed, once an employee begins taking paid sick leave for one or more of the qualifying reasons, the employee must continue to take paid sick leave each day until the employee either (1) uses the full amount of paid sick leave or (2) no longer has a qualifying reason for taking paid sick leave.

## **City of Wauseon – COVID-19 Sick Time Policy**

- 1) City of Wauseon and department “Sick Time” policies will remain in effect.
- 2) From now until further notice, employees who call off due to COVID-19 related symptoms (fever, cough, shortness of breath – please see attached symptom documentation) will be granted sick leave. However, due to the seriousness of the virus, we ask that the employee be seen and tested for the coronavirus within five (5) days of the sick leave usage. Employees may not return to work until a negative COVID-19 test result is obtained and communicated to HR.
- 3) If test results come back positive for COVID-19, the employee will need to contact HR as soon as possible to fill out FMLA paperwork. COVID-19 may be covered as a “serious health condition” under FMLA.

**WAUSEON CITY COUNCIL  
COUNCIL MEETING  
MONDAY, MARCH 16, 2020**

Mayor Huner called this meeting of the Wauseon City Council to order at 5:00 p.m. She asked everyone to stand for the pledge of allegiance which was followed by a moment of silence. Roll was taken by the assistant clerk of council. Present were Council President Chamberlin, Councilors Jeff Stiriz, Scott Stiriz, Stickley, Griggs and Schneider to constitute a quorum for the transaction of city business.

**MINUTES**

Mayor Huner asked for a motion to approve the prior meeting minutes. Councilor Stickley moved and seconded by Councilor Griggs to approve the minutes as printed.

All in favor: *Motion Passed Unanimously*

**COMMITTEE REPORTS**

Councilor Griggs said the Tree Commission met on March 11, 2020 and are preparing for Tree City USA next year and are planning on attending Tree City USA in Bowling Green this year which has been postponed. The board also agreed to purchase two (2) plaques for Kim Bowles and Walt Lange that will cost \$65.00 each.

Mayor Huner asked for a motion to purchase two (2) tree commission plaques for Kim Bowles and Walt Lange.

Councilor Jeff Stiriz moved and seconded by Councilor Scott Stiriz to approve the purchase of two (2) tree commission plaques for Kim Bowles and Walt Lange.

Vote: 6 Yeas 0 Nays *Motion Carries*

**DEPARTMENT REPORTS**

Rick Sluder, Fire Chief: He provided Incident Commands on the COVID-19, delegating Incident Management Responsibilities, Incident Objectives, and an Organization Assignment List. This information is needed for operating under the State of Emergency that has been declared. Detailed documentation is needed in order to get reimbursed and this explains the incidents goals and operational period objectives for the next few months or until the emergency declared is over with. Department Heads will need to log all expenditures; similar to filing an insurance claim.

Kevin Chittenden, Police Chief: He prepared a special order for the Police Department and gave a copy to Mayor and Council on how they will handling emergency and non-emergency calls. He also said Chad Randall; part-time patrolman has resigned effective 03/21/2020 and thanked him for his 2 years with the Police Department.

Councilor Jeff Stiriz asked who pays crossing guards that he had one contact him about not being able to work because there is no school. Chief Chittenden said they are paid through the city. Sarah said they won't receive unemployment benefits now or during the summer because they are seasonal employees.

Tom McWatters, Law Director: He said he met this morning with the Mayor, John Arps, Chief Sluder, Chief Chittenden, Trudi Mahnke and Sarah Wheeler regarding the COVID-19 on keeping the employees safe and a policy on treating employees who have traveled outside the state. This will be discussed further under new business. He would also like to discuss how to conduct future Council meetings.

## SECOND READING OF LEGISLATION OR EMERGENCY

Ordinance 2020-3: Amend Section 933.02: Water Rate Schedule Effective June 1, 2020

Motion to place Ordinance 2020-2 on seconding reading moved by Council President Chamberlin and seconded by Councilor Jeff Stiriz.

Vote: 6 Yeas 0 Nays *Motion Carries*

## NEW BUSINESS

Mayor Huner presented and reviewed the 2019 Annual Report and asked City Council to read the report at their leisure.

Mayor Huner said due to the COVID-19 we are going to be practicing several precautions and social distancing for the safety of our employees. We will have the front door of the Municipal Building locked and will function through, phone, email and appointments only. All employees' names, departments, email and phone number have been posted at the front door and on social media. The Public Works Department will be splitting their normal shifts, not riding together in vehicles, or breaking together to protect each employee. We are diligently cleaning all city buildings several times a day. We will be cross training employees who currently have water licenses incase an employee was to get sick they can cover in another department.

Mayor Huner said it was also discussed that all employees who have traveled outside the state (100 miles or more) shall self-quarantine themselves for at least 14 days or who can provide a negative COVID-19 test. Mayor Huner asked Sarah Wheeler to explain the Employee Travel Policy and Procedure.

Sarah Wheeler said the State of Ohio has declared a State of Emergency and therefore the city is obligated to provide a workplace free from any known safety and health hazards. We have currently removed all pens and candy dishes and are requiring additional hand washing. We would now like to make it mandatory for employees who have traveled after March 11, 2020 across state lines (more than 100 miles) or to highly-infected areas, to self-quarantine themselves for at least 14 days or until they can provide a negative COVID-19 test. This policy may need amended as things are changing daily. If an employee would test positive they would follow the FMLA Guidelines.

Council President Chamberlin moved and seconded by Councilor Stickley to approve the COVID-19 Employee Travel Policy and Procedure presented.

Vote: 6 Yeas 0 Nays *Motion Carries*

Council President Chamberlin said if the state comes out with a stronger order than what is currently in place we should follow the state orders until a meeting can be scheduled to adjust the Travel Policy and Procedure.

Tom McWatters will put together an Emergency Proclamation by the Mayor that allows the Mayor to make changes without a vote from Council. This will give the Mayor the flexibility to go forward with state mandates and the ability to implement changes according to the health, safety and welfare of our employees.

Council President Chamberlin moved with Councilor Schneider seconding to support Mayor Huner and authorize the Mayor to sign a Declaration of Emergency under section 509.08 Emergency Proclamation Powers; Curfew.

Vote: 6 Yeas 0 Nays *Motion Carries*

Tom McWatters said City Council can discontinue holding Council meetings or close the meetings to the public only if they are able to live stream the meetings. The next meeting is April 6<sup>th</sup>, but Council is only obligated to hold one meeting a month. Council President Chamberlin is comfortable canceling the April 6<sup>th</sup> meeting.

Council President Chamberlin moved and seconded by Councilor Jeff Stiriz seconding to cancel the April 2, Committee of the Whole meeting and the April 6<sup>th</sup> City Council meeting.

VOTE: 6 Yeas 0 Nays *Motion Carries*

#### **APPROVAL OF THE BILLS**

Councilor Schneider moved and seconded by Councilor Griggs to approve and pay the bills as presented.

Vote: 6 Yeas 0 Nays *Motion Carries*

#### **ADJOURNMENT**

There being no further business, Mayor Huner asked for a motion to adjourn. Councilor Jeff Stiriz moved and seconded by Councilor Stickley to adjourn this meeting at 6:18 p.m.

All in favor: *Motion Passed Unanimously*

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**Trudi L. Mahnke, Ass't Clerk of Council**

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**Shane Chamberlin, President of Council**