



12650 DETROIT AVENUE 44107 216-529-6055  
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Lakewood City Council  
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**Council at Large**  
THOMAS R. BULLOCK III  
TRISTAN RADER  
SARAH KEPPLER

**Ward Council**  
KYLE BAKER, WARD 1  
JASON SHACHNER, WARD 2  
JOHN LITTEN, WARD 3  
CINDY MARX, WARD 4

Issued 09/29/23

## **PUBLIC NOTICE – PUBLIC SAFETY COMMITTEE**

The Public Safety Committee will meet Monday October 2, 2023 at 6:00 p.m. in the Auditorium of Lakewood City Hall at 12650 Detroit Avenue. The meeting is open to the public.

Individuals with disabilities who require accommodations for participation in meetings must request accommodations at least 3 business days ahead of the scheduled meeting. Contact Michelle Nochta at (216) 529-5906 [michelle.nochta@lakewoodoh.net](mailto:michelle.nochta@lakewoodoh.net).

This meeting will be livestreamed on the City's website at the following link:

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[www.lakewoodoh.gov/councilvideos](http://www.lakewoodoh.gov/councilvideos)

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### **PUBLIC COMMENT PROTOCOL**

The public is invited to comment on agenda items in person or by submitting a written comment in advance of the meeting using the eComment platform available [HERE](#). New users must create an eComment account.

### ***The agenda is as follows:***

Approval of the minutes of the July 31, 2023 meeting of the Public Safety Committee.

Communication from Councilmember Baker regarding traffic guards. (*Referred to Public Safety 7/17/23*)

**ORDINANCE 17-2023** - AN ORDINANCE amending Section 135.05, Traffic Guards of the Codified Ordinances of the City of Lakewood to for the purpose of allowing the Mayor, as Director of Public Safety, to hire more traffic guards. (*1<sup>st</sup> read & referred to Public Safety 7/17/23*)

Kyle Baker, Chair  
Jason Shachner, Cindy Marx; Members  
**PUBLIC SAFETY COMMITTEE**



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CINDY MARX, WARD 4

July 17, 2023

**Re: Proposed Ordinance Amending Lakewood Codified Ordinance 135.05, Traffic Guards to Increase Maximum Number of Traffic Guards**

Dear Colleagues,

Lakewood City Schools is unique in that it does not operate a school bus system to provide transportation to bring students to school because it has neighborhood schools where most elementary and middle school students live within walking and/or biking distance to their respective school. It has been called a "Walking School District." Moreover, Lakewood has many private schools that students walk and/or bike to each school day. In line with that unique setup, history, and culture, the City provides traffic guards at designated street crossings across Lakewood to ensure the safety of students that walk or bike to school. This requires collaboration between the Lakewood Police Department and the Lakewood City Schools to ensure student safety. As of today, there are 29 traffic guard locations and 6 substitute traffic guards that fill in for any daily vacancy. The Lakewood Codified Ordinances currently limit the maximum amount of traffic guards to 35. *See* L.C.O. 135.05(a).

I'd like to initiate a conversation about the current location of traffic guards in the City and explore whether or not it makes sense to allow more due to the current school boundaries, certain difficult intersections, and current conditions. The Proposed Ordinance accompanying this communication requests that the maximum number of traffic guards be increased to 38, but that is merely a suggestion to get the conversation started. I'd like the conversation to particularly consider the students that live on the outer reaches of any given elementary or middle school district and find ways to ensure that they can still walk and/or bike safely to school without having to add even more distance to their commute.

I look forward to working with the Administration, Public Works, Planning, and the Lakewood Police Department on this issue. I ask that this communication and the accompanying Proposed Ordinance be referred to the Public Safety Committee for further discussion and consideration.

*Sincerely,*

Kyle G. Baker  
Councilmember Ward 1

AN ORDINANCE amending Section 135.05, Traffic Guards of the Codified Ordinances of the City of Lakewood to for the purpose of allowing the Mayor, as Director of Public Safety, to hire more traffic guards.

WHEREAS, the Lakewood City Schools is unique in the aspect that it does not have a school busing system that brings students to school and each student is on their own to get to and from school; and

WHEREAS, the Lakewood City Schools has a system of community schools so that students live nearby their elementary or middle schools so that walking or biking to school is incredibly common; and

WHEREAS, as a result of the enhanced walking and biking to school for Lakewood City School and other private school students, traffic guards are vital to Lakewood and its young people and do an incredible job in keeping the students and their family member safe; and

WHEREAS, Article 18, Section 3 of the Constitution of the State of Ohio permits municipalities to exercise all powers of local self-government and to adopt and enforce within their limits such as local police, sanitary and other regulations as are not in conflict with general laws; now, therefore,

BE IT ORDAINED BY THE CITY OF LAKEWOOD, OHIO:

Section 1. Section 135.05, Traffic Guards of the Codified Ordinances of the City of Lakewood, currently reading as follows:

**135.05 TRAFFIC GUARDS.**

- (a) Duties. The Mayor, as Director of Public Safety, is hereby authorized to employ not more than thirty-five traffic guards to relieve or replace regular police officers at school crossings, possessing such qualifications as the Director of Public Safety may require. Traffic guards shall not be regarded as regular members of the Division of Police, nor empowered with the authority or duties of regular police officers, and shall not participate in any of the benefits of the Division of Police. Traffic guards shall be under the direction of the Director of Public Safety and the Chief of Police.
- (b) Uniform Allowance. In addition to any clothing or equipment supplied to traffic guards, the Director of Finance shall pay from the General Fund, Traffic and Safety Uniform Allowance Account, the sum of one hundred dollars (\$100.00) in the first pay period following December 1 of each year to each traffic guard who, prior to December 1, has been continuously employed as a regularly assigned traffic guard for a minimum period of one year and one day.
  - (1) As used in this section, "regularly assigned traffic guard" means a guard assigned to regular crossing duties on a daily basis and shall not include guards serving on a temporary or fill-in basis.

- (2) In computing the length of service for purposes of determining eligibility for uniform allowance, all vacation and holiday periods wherein school is closed shall be considered as continuous employment, provided the individual has been actively employed as a traffic guard for a period of thirty days prior to such vacation or holiday period.
- (c) Rate of Pay; Exceptions. Traffic guards shall be paid at their hourly rate only for time actually worked, unless otherwise provided for by ordinance.
- (1) If the Lakewood School Board of Education and/or the Cleveland Catholic Diocese, as a result of inclement weather or other emergency condition, suspends classes for the school system declaring a calamity day, as a result of such closing, traffic guards who would normally be scheduled to work are told not to report, the guards so affected shall be paid at their regular hourly rate as if they had worked their assigned crossings on that date.
  - (2) During the spring (Easter) and winter (Christmas) school breaks, all regularly assigned traffic guards who have been continuously employed for at least thirty days immediately preceding the break shall be paid at their regular rate of pay as if they had worked their assigned crossings.
  - (3) Traffic guards electing to work the summer school session shall be paid their regular hourly rate for a minimum period of two hours per day on those days they are assigned crossings.
  - (4) Traffic guards shall not be entitled to pay for more than five consecutive calamity days for any one incident resulting in the suspension of classes.
- (d) Accidental Death or Injury. If a traffic guard is fatally injured as a result of and while performing the duties of a traffic guard, or dies within one year as a result of injuries received in the performance of such duties, the Director of Finance, upon the recommendation of the Director of Public Safety and the approval of Council, shall pay to the surviving spouse of the traffic guard, if any, otherwise, to the children of the traffic guard, if any, otherwise, to the estate of the traffic guard, the amount of ten thousand dollars (\$10,000) from the General Fund, General Liability Insurance Account.
- (1) If a traffic guard is unable to work as a result of injuries received in the performance of duty, he shall, upon certification of such inability by the Commissioner of Health and the approval of the Director of Public Safety, be paid for each scheduled work day for a period not to exceed ninety days as if the traffic guard were working his assigned crossing. If not regularly assigned to a specific crossing, he shall be paid for a minimum of three hours per each scheduled work day.
  - (2) In the event of any accidental death payment pursuant to this subsection, the City shall be subrogated to all the traffic guard's rights of recovery therefor against any person or organization, and the representative of the estate of such traffic guard shall execute and deliver instruments and papers and shall do whatever else is necessary to secure such rights. Furthermore, such representative shall do nothing after payment hereunder to prejudice such rights.

shall be and is hereby amended to read as follows:

### 135.05 TRAFFIC GUARDS.

- (e) Duties. The Mayor, as Director of Public Safety, is hereby authorized to employ not more than ~~thirty-five~~ **thirty-eight** traffic guards to relieve or replace regular police officers at school crossings, possessing such qualifications as the Director of Public Safety may require. Traffic guards shall not be regarded as regular members of the Division of Police, nor empowered with the authority or duties of regular police officers, and shall not participate in any of the benefits of the Division of Police. Traffic guards shall be under the direction of the Director of Public Safety and the Chief of Police.
  
- (f) Uniform Allowance. In addition to any clothing or equipment supplied to traffic guards, the Director of Finance shall pay from the General Fund, Traffic and Safety Uniform Allowance Account, the sum of one hundred dollars (\$100.00) in the first pay period following December 1 of each year to each traffic guard who, prior to December 1, has been continuously employed as a regularly assigned traffic guard for a minimum period of one year and one day.
  - (3) As used in this section, "regularly assigned traffic guard" means a guard assigned to regular crossing duties on a daily basis and shall not include guards serving on a temporary or fill-in basis.
  - (4) In computing the length of service for purposes of determining eligibility for uniform allowance, all vacation and holiday periods wherein school is closed shall be considered as continuous employment, provided the individual has been actively employed as a traffic guard for a period of thirty days prior to such vacation or holiday period.
  
- (g) Rate of Pay; Exceptions. Traffic guards shall be paid at their hourly rate only for time actually worked, unless otherwise provided for by ordinance.
  - (5) If the Lakewood School Board of Education and/or the Cleveland Catholic Diocese, as a result of inclement weather or other emergency condition, suspends classes for the school system declaring a calamity day, as a result of such closing, traffic guards who would normally be scheduled to work are told not to report, the guards so affected shall be paid at their regular hourly rate as if they had worked their assigned crossings on that date.
  - (6) During the spring (Easter) and winter (Christmas) school breaks, all regularly assigned traffic guards who have been continuously employed for at least thirty days immediately preceding the break shall be paid at their regular rate of pay as if they had worked their assigned crossings.
  - (7) Traffic guards electing to work the summer school session shall be paid their regular hourly rate for a minimum period of two hours per day on those days they are assigned crossings.
  - (8) Traffic guards shall not be entitled to pay for more than five consecutive calamity days for any one incident resulting in the suspension of classes.
  
- (h) Accidental Death or Injury. If a traffic guard is fatally injured as a result of and while performing the duties of a traffic guard, or dies within one year as a result of injuries received in the performance of such duties, the Director of Finance, upon the recommendation of the Director of Public Safety and the approval of Council, shall pay to the surviving spouse of the traffic guard, if any, otherwise, to the children of the traffic guard, if any,

otherwise, to the estate of the traffic guard, the amount of ten thousand dollars (\$10,000) from the General Fund, General Liability Insurance Account.

- (3) If a traffic guard is unable to work as a result of injuries received in the performance of duty, ~~he that traffic guard~~ shall, upon certification of such inability by the ~~Commissioner of Health~~ **Director of Human Resources** and the approval of the Director of Public Safety, be paid for each scheduled work day for a period not to exceed ninety days as if the traffic guard were working ~~his~~ **their** assigned crossing. If not regularly assigned to a specific crossing, ~~he that crossing guard~~ shall be paid for a minimum of three hours per each scheduled work day.
- (4) In the event of any accidental death payment pursuant to this subsection, the City shall be subrogated to all the traffic guard's rights of recovery therefor against any person or organization, and the representative of the estate of such traffic guard shall execute and deliver instruments and papers and shall do whatever else is necessary to secure such rights. Furthermore, such representative shall do nothing after payment hereunder to prejudice such rights.

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 deliberation of the 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.

Adopted: \_\_\_\_\_

\_\_\_\_\_  
John Litten, President of Council

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Maureen M. Bach, Clerk of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Meghan F. George, Mayor