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Lakewood City Council
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JASON SHACHNER, WARD 2
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DANIEL O'MALLEY, WARD 4

Issued 5/8/20

PUBLIC NOTICE RULES & ORDINANCES COMMITTEE

The Rules & Ordinances Committee will meet Monday May 11, 2020 at 7:30 p.m.

Under the orders of the Governor and Director of Health of Ohio, and pursuant to Ordinance 06-2020, adopted March 16, 2020, the Committee will meet remotely and can be accessed by the public using the following information:

Please join my meeting from your computer, tablet or smartphone.

<https://global.gotomeeting.com/join/815167645>

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Public comment may also be submitted in advance by clicking on the eComment link on the City's website at <http://www.onelakewood.com/councilvideos/>

The agenda is as follows:

Approval of the minutes of the May 5, 2020 Rules & Ordinances Committee meeting.

Communication from Councilmember Kepple regarding face masks. *(A motion will be made at the 5/4/20 General Meeting to refer to Rules & Ordinances)*

Sarah Kepple, Chair
Jason Shachner, Tess Neff; Members
RULES & ORDINANCES COMMITTEE



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May 4, 2020

Lakewood City Council
Lakewood, OH 44107

Re: Face Masks

Dear Colleagues,

On Monday, April 27th Governor DeWine announced Five Protocols for All Businesses to support three main objectives:

- Protect the health of employees, customers and their families.
- Support community efforts to protect the spread of the virus.
- Lead in responsibly getting Ohio back to work.

The first protocol would, "Require face coverings for employees and clients/customers at all times." In the same April 27th press conference¹, Lt. Gov. Husted added that businesses advisors requested this governmental mask requirement to both protect their employees and customers and to enable them to reopen more quickly and "avoid flareups" that would cause them to have to shut down again. Feedback from the Mayor's Small Business Task Force indicates that reclosing would be devastating for Lakewood's numerous small businesses, local restaurants and their employees. Indeed, an April 13th report from The Fund for Our Economic Future shows that Lakewood's workforce is significantly more at-risk for COVID-19 related layoffs than any other community in Northeast Ohio with 7,864 out of 12,286 total workers and, almost 26% of the total workforce. Lakewood also had 1,082 unemployment insurance claims in March, one of the highest in the county². Prior to the closure of non-essential businesses, I visited numerous Lakewood establishments and spent time listening to business owners and employees, and one universal concern expressed by all was the ability to balance the need for employment with the need to keep employees and customers safe.

The protocol of requiring face coverings for both workers and customers is in line with advice from public health officials. The Centers for Disease Control and Prevention recommends³:

¹ "Governor Mike DeWine - 4-27-2020 - COVID-19 Update." *The Ohio Channel*, 27 Apr 2020.
<https://ohiochannel.org/video/governor-mike-dewine-4-27-2020-covid-19-update>.

² "Northeast Ohio's High-risk Industries and the Scale of Potential Disruption." *Fund for Our Economic Future*, 13 Apr 2020.
<https://www.thefundneo.org/research/northeast-ohios-high-risk-industries-and-the-scale-of-potential-disruption/>.

³ "Use of Cloth Face Coverings to Help Slow the Spread of COVID-19." *Centers for Disease Control and Prevention*, last updated 13 April 2020. <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>

Wearing cloth face coverings in public settings where other social distancing measures are difficult to maintain (e.g., grocery stores and pharmacies), especially in areas of significant community-based transmission. CDC also advises the use of simple cloth face coverings to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others.

In an April 4th press conference, Ohio Department of Health Director Dr. Amy Acton said that wearing masks, even homemade, cloth masks, can help wearers reduce the spread of their own germs to others by up to 80%, and that it is an additional layer of protection to limit the asymptomatic spread of this contagious and deadly virus. The asymptomatic nature of the virus was highlighted recently when Willow Brook Christian Home released data collected in partnership with the Post Acute Regional Rapid Testing program (PARRT) and Ohio State University that about 75% of residents who tested positive for COVID-19 were asymptomatic⁴.

While social distancing remains the most effective tool for reducing spread of the virus, the CDC's recommendation of using masks, "where other social distancing measures are difficult to maintain," bears particular relevance in Lakewood, the most densely populated city in Ohio⁵, and one in which a large percentage of residents live in housing with shared communal spaces such as laundry facilities, courtyards and mailrooms. Additionally, as weather warms, residents taking much needed exercise on Lakewood's sidewalks and park paths may find it difficult to maintain six feet of distance from those outside of their family unit.

Finally, our City of Lakewood employees, who have shown such resiliency and dedication deserve consideration of their needs. Fire Chief Dunphy and Captain Sambula demonstrated excellent leadership in preparing the city with appropriate PPE, and the Fire Department continues to model best practices including social distancing and wearing masks at all times when in communal spaces in our fire stations and when out in the community. Lakewood's Police Department, Municipal Court, Human Services, Public Works, and other city employees with work requiring exposure to the public deserve our consideration as a community and a governing body as well.

In his April 27th remarks unveiling the public face mask protocols, Gov. DeWine emphasized the slogan, "No mask, no work, no service, no exceptions." On April 28th, he walked back the requirement for customers to wear masks, though still strongly encouraging the practice⁶. He asserted that some Ohioans found the requirement "offensive," and he relayed the concern of a mother of an autistic child. Given Lakewood's unique density, business and employment needs, housing situation, and continued level of public services, I believe that we owe it to our constituents and community to explore how we as a city might find a legislative, balanced solution that would protect our residents and workers without placing an onerous burden on some with extenuating circumstances.

I respectfully ask my colleagues to refer this matter to the Rules & Ordinances Committee for urgent discussion and potential action prior to retail establishments reopening on May 12th.

Sincerely,



Sarah Kepple

Councilmember At-Large

⁴"Updates on the Coronavirus policy at Willow Brook." *Willow Brook Christian Communities*, 23 Apr 2020.

<https://willow-brook.org/coronavirus-updates/>

⁵"Top 25 Ohio Cities Ranked by Population Density." *Town Charts*, compiling data from the United States Census 2018 *American Community Survey*. <https://www.towncharts.com/Ohio/Top-25-Cities-in-Ohio-ranked-by-Population-Density.html>

⁶"Governor Mike DeWine - 4-28-2020 - COVID-19 Update." *The Ohio Channel*, 28 Apr 2020.

<https://ohiochannel.org/video/governor-mike-dewine-4-28-2020-covid-19-update>