

**WESTLAKE CITY SCHOOLS
BOARD OF EDUCATION MINUTES**

**Monday, December 14, 2020 – 6:00 P.M. Board Special Meeting
Virtual Meeting Streamed Via YouTube**

1. Opening

A. Call to Order: 6:00 P.M.

B. Roll Call

Mr. Kraft	Present
Dr. Stoll	Present
Mr. Finucane	Present
Mrs. Leszynski	Present
Mrs. Pirnat	Present

C. Pledge of Allegiance

D. Acknowledgement of Visitors

E. Approval of Agenda

Motion to Approve Agenda

Moved by Mrs. Pirnat Seconded by Mrs. Leszynski

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

F. Hearing of Public (15 Minutes) Agenda Items

The public may address the Board during the periods of the meeting designated for public participation. Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is allotted three minutes until the total time allotted is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. The period of public participation may be extended by a vote of the majority of the Board present and voting.

2. Approval of Minutes

A. Approval of Minutes

Motion to Approve the Following Minutes:

Special Meeting of November 9, 2020

Regular Meeting of November 23, 2020

Voice Vote: 5 – 0

3. Board Items

Resolution 20- 263

A. Resolution of the Board to Carry Out Board Meetings via Electronic Means During the Covid- 19 State of Emergency

WHEREAS, on March 9, 2020 the Governor of the State of Ohio issued Executive Order 2020-01D (the “Order”), declaring a state of emergency to protect the well-being of the citizens of the Ohio from the dangerous effects of COVID-19; and

WHEREAS, subsequent to issuance of the Order, the legislature put in place uncoded emergency provisions via passage of Ohio House Bill (HB) 197 (“HB 197”) providing public bodies the authority to hold and attend meetings by means of teleconference, video conference, or any other similar electronic technology (“electronic means”) in lieu of carrying out such meetings in person; and

WHEREAS, HB 197 provides public bodies the authority to carry out meetings by such electronic means during the period of the emergency declared by the Order issued March 9, 2020, but not beyond December 1, 2020, if the period of the emergency continues beyond that date; and

WHEREAS, HB 197 provides that board members attending meetings by electronic means are considered present as if they were attending in person, are permitted to vote, are counted for

quorum, and any public action taken by such electronic means under such emergency provisions has the same effect as if it were taken in an open meeting of the public body; and

WHEREAS, the Ohio legislature extended HB 197's virtual meeting authority for public bodies through July 1, 2021 by passing Ohio House Bill 404 ("HB 404"), which was signed by the Ohio Governor and became immediately effective on November 22, 2020; and

WHEREAS, the important governance functions and public business of public bodies still must continue even in the exigent circumstances created by the COVID-19 outbreak; and

WHEREAS, the Board, in an effort to continue the important public business of the public body while still safeguarding the health and well-being of the all members of the school district community, wishes to avail itself of the opportunity to hold and attend meetings by electronic means in order to carry out such important governance functions and public business in compliance with HB 404 and any subsequent legislation and all other requirements set forth by Ohio's Open Meetings Act ("OMA") that are not in conflict with the provisions of HB 404 and any subsequent legislation; and

WHEREAS, pursuant to Board policy 0131, Legislative, Ohio Revised Code (RC) 3313.20 and HB 197, and due to challenges created by the necessity to carry out such meetings by electronic means, the Board wishes to temporarily suspend its policy 0169.1, Public Participation at Board Meetings, relevant provisions of its policy 0167, Voting, with regard to in-person voting requirements, relevant portions of its policy 0131, Legislative, with regard to being physically present requirements, and any and all other provisions of Board policies and procedures that are in conflict with the provisions of HB 404 or any subsequent legislation for the duration of the applicability of the emergency provisions and to the extent that the Board determines to avail itself, as a public body, of the ability to conduct official public meetings via electronic means in accordance with provisions of HB 404 or subsequent legislation; and

WHEREAS, the Board strongly agrees with and abides by the standards set forth by OMA, including such emergency provisions as set forth by HB 404 and any subsequent legislation, and endeavors to fully comply with its requirements to the extent possible in light of the exigent public health and safety circumstances created by the COVID-19 epidemic through compliance with OMA provisions not in conflict with the provisions of HB 404 or subsequent legislation.

NOW, THEREFORE, BE IT RESOLVED that pursuant to Ohio House Bill (HB) 404 ("HB 404") or any subsequent legislation, the Board shall carry out its meetings either by a combination of in person attendance (with appropriate social distancing, limitation on the number of in-person attendees, and safety precautions to the extent possible) paired with electronic attendance, or solely by the electronic means set forth in the uncodified emergency provisions for the duration of the declared state of emergency created by the COVID-19 pandemic, for the time period from the date of this official action through but not beyond July 1, 2021 or subsequent extension made by the Ohio Legislature and approved by the Governor.

BE IT FURTHER RESOLVED, that the Board hereby suspends its policy 0169.1, Public Participation at Board Meetings, relevant provisions of its policy 0167, Voting, with regard to in-person voting requirements, relevant portions of its policy 0131, Legislative, with regard to being physically present requirements, and any and all other Board policies and procedures in conflict with the provisions of HB 404 and any subsequent legislation for purposes of compliance with

Ohio's Open Meetings Act ("OMA") for the duration of the applicability of such emergency provisions provided in HB 404 or subsequent legislation for the conduct of public meetings during the state of emergency.

BE IT FURTHER RESOLVED, that the Board President, the Superintendent (or his designee), Chief Operating Officer, and/or the Treasurer are authorized and directed to take all other such actions as are necessary or appropriate to accomplish the objectives of this Resolution.

BE IT FURTHER RESOLVED, that it is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an electronic meeting of this Board in full compliance with the provisions of HB 404, and that all deliberations of this Board and any of its committees that resulted in such formal action took place in a meeting open to the public by electronic means or in executive session as permitted by Ohio law.

BE IT FURTHER RESOLVED that this Resolution shall take effect and be in force from and after the earliest period allowed by law.

Moved by Mrs. Pirnat Seconded by Dr. Stoll

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

B. Second Reading of Revised Policy

Policy 2431: Interscholastic Athletics

Resolution 20- 264

C. Resolution to Approve Board Policies

RESOLVED that the Westlake Board of Education approves the following policies:

Policy 2431: Interscholastic Athletics

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 265

D. Nomination and Election of Officer – President Pro Tem (ORC 3313.14)

I, Todd L. Hopkins, Treasurer called for nominations for President Pro Tem for the 2021 Organization Meeting.

1st Nominee: Mr. Joseph Kraft

WHEREAS the board voted on the first nominee for the position of President Pro Tem of the Board of Education with the results as follows:

John Finucane	AYE
Joseph Kraft	AYE
Barbara Leszynski	AYE
Robert Stoll	AYE
Liz Pirnat	AYE

NOW, THEREFORE, BE IT RESOLVED under the provisions of Ohio Revised Code 3313.14, the board member herein named received the majority of AYE votes cast by the board and is hereby declared President Pro Tem of the Board of Education.

President Pro Tem: Mr. Joseph Kraft

Moved by Dr. Stoll Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 266

E. Resolution to Set the Organizational Meeting Date

RESOLVED that the Westlake Board of Education sets the 2021 Organizational Meeting at 6:00 pm on January 11, 2021.

Moved by Mrs. Pirnat Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

4. Informative Reports & Recognitions

A. Superintendent's Report

B. Treasurer's Report

5. Treasurer's Recommendations

Resolution 20- 267

A. Resolution to Approve FY21 Permanent Appropriations:

RESOLVED that the Westlake Board of Education approves the FY21 permanent appropriations:

Moved by Mrs. Pirnat Seconded by Mr. Kraft

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 268**B. Resolution to Issue Then and Now Certificates**

RESOLVED that the Westlake Board of Education authorizes Then and Now Certificates for the following purchase orders:

<u>PO No.</u>	<u>Vendor</u>	<u>Description</u>	<u>Amount</u>
1239	ESC of Cuyahoga County	IDEA Purchased Services Teacher of Hearing Impaired for 20-21	\$10,211.64
1240	ESC of Cuyahoga County	IDEA Purchased Services Teacher of Visually Impaired for 20-21	\$9,007.52
1242	ESC of Cuyahoga County	IDEA Purchased Services Teacher Audiologist for 20-21	\$3,562.56
112368	ESC of Cuyahoga County	School Nurse Consulting Service	\$3,722.73
112624	Republic Services	District Trash/Recycle Removal	\$3,340.28
111781	Walter Haverfield	Legal Fess	\$15,360.00

Moved by Mrs. Pirnat Seconded by Mr. Kraft

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 269

C. Resolution to Approve Property Valuation Settlement Agreement with Sturbridge Square Ohio LLC

WHEREAS, authority was given to settle tax valuation matters involving property located at 29338 Detroit Road, Westlake, Ohio (the “Subject Property”) which is owned by Sturbridge Square Ohio LLC (the “Property Owner”); and,

WHEREAS, the Cuyahoga County Fiscal Officer’s fair market value of the Subject Property for tax year 2018 is \$16,396,000; and

WHEREAS, the School Board filed a tax year 2018 complaint with the Board of Revision (the “BOR”) requesting the BOR to increase the fair market value of the Subject Property; and

WHEREAS, an agreement was reached between all parties which provides for a stipulation to retain the Cuyahoga County Fiscal Officer’s valuation of the Subject Property for tax years 2018 through 2020. Sturbridge Square Ohio LLC will make a compensation payment to the School Board as provided in the Settlement Agreement, attached as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Westlake City School District that:

Section 1. This Board approves the Settlement Agreement negotiated with Sturbridge Square Ohio LLC.

Section 2. The Board authorizes its President, Superintendent or Treasurer to affix their signatures to said settlement agreement and by doing so accepts the terms of this agreement in its entirety.

BE IT FURTHER RESOLVED, that it is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Moved by Mrs. Pirnat Seconded by Mr. Kraft

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 270

D. Resolution to Approve Property Valuation Settlement Agreement with Westown Gardens LLC

WHEREAS, authority was given to settle tax valuation matters involving property located at 27243 Westown Blvd., 27453-2746 Westown Blvd., Westlake, Ohio (the “Subject Property”) which is owned by Westown Garden LLC (the “Property Owner”); and,

WHEREAS, the Cuyahoga County Fiscal Officer’s fair market value of the Subject Property for tax year 2018 is \$4,186,600; and

WHEREAS, the School Board filed a tax year 2018 complaint with the Board of Revision (the “BOR”) requesting the BOR to increase the fair market value of the Subject Property; and

WHEREAS, an agreement was reached between all parties which provides for a stipulation to retain the Cuyahoga County Fiscal Officer’s valuation of the Subject Property for tax years 2018 through 2020. Westown Gardens LLC will make a compensation payment to the School Board as provided in the Settlement Agreement, attached as Exhibit A; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Education of the Westlake City School District that:

Section 1. This Board approves the Settlement Agreement negotiated with Westown Garden LLC.

Section 2. The Board authorizes its President, Superintendent or Treasurer to affix their signatures to said settlement agreement and by doing so accepts the terms of this agreement in its entirety.

BE IT FURTHER RESOLVED, that it is hereby found and determined that all formal actions of this Board concerning and relating to the adoption of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Moved by Mrs. Pirnat Seconded by Mr. Kraft

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

5. Superintendent's Recommendations

Resolution 20- 271

A. Resolution to Accept Gifts and Donations

RESOLVED that the Westlake Board of Education accepts with gratitude the following gifts and donations and in so doing hereby acknowledges the positive and supportive activities of those listed:

Walid Dardir 1450 Stone Court Westlake, OH 44145	Donated \$100.00 to the Green & White Newspaper at Westlake High School.
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Moved by Dr. Stoll Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 272

B. Resolution to Approve Salary Increases

RESOLVED that the Westlake Board of Education approves the following salary increases for licensed staff members:

<u>Name</u>	<u>Step</u>	<u>From</u>	<u>To</u>	<u>Effective Date</u>
Hannah Archer	9	MA+20	MA+30	09/01/2020
Sarah Berkheimer	2	BA+20	BA+30	09/01/2020
Claudia Blaha	8	BA	BA+10	09/01/2020
Paige Bower	6	MA	MA+10	09/01/2020
Kerry Brickman	8	MA+10	MA+20	09/01/2020
Jennifer Campbell	7	BA+30	MA	09/01/2020
Judy Dubil	18	MA+20	MA+30	09/01/2020
Nicole Dulzer	2	BA+10	BA+30	09/01/2020
Laura Emmer	7	MA	MA+10	09/01/2020
Angela Gerhan	7	BA+10	MA	09/01/2020
Sarah Gorius	14	MA	MA+10	09/01/2020

Melissa Graham	10	BA+20	MA	09/01/2020
Dameon Headings	10	MA	MA+10	09/01/2020
Joseph Heiland	11	MA	MA+10	09/01/2020
Karleigh House	8	BA+20	MA	09/01/2020
Doug Kuns	8	MA	MA+10	09/01/2020
Katelyn Martin	0	BA	BA+10	09/01/2020
Kate Mihalik	2	BA+10	MA	09/01/2020
Trisha Milano	9	BA	BA+20	09/01/2020
Jessica Neimeister	14	MA+10	MA+20	09/01/2020
Tara Obral	6	BA+20	MA	09/01/2020
Kayleigh O'Neill	7	BA+10	BA+30	09/01/2020
Rob Pace	9	MA	MA+10	09/01/2020
Joni Patton	17	MA+10	MA+20	09/01/2020
Lisa Patton	19	MA	MA+10	09/01/2020
Molly Pellerite	11	MA	MA+10	09/01/2020
Susan Peplin	18	MA+20	MA+30	09/01/2020
Sara Rothkegel	8	MA	MA+10	09/01/2020
Jessica Bourn	15	MA	MA+10	10/01/2020
Veronica Bozich	13	MA+10	MA+20	10/01/2020
Joseph Heiland	11	MA+10	MA+20	10/01/2020
Abby Heller	6	BA	BA+10	10/01/2020
Dana Bail	5	MA+10	MA+30	11/01/2020
Joseph Heiland	11	MA+20	MA+30	11/01/2020
Caitlin Jewell (50% contract)	10	BA+10	MA	11/01/2020
Kayleigh O'Neill	7	BA+30	MA	11/01/2020
Rob Pace	9	MA+10	MA+20	11/01/2020

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 273**C. Resolution to Approve Employment of Classified Staff Member**

RESOLVED that the Westlake Board of Education approves employment of the following classified staff member:

<u>Name</u>	<u>Position</u>	<u>Building</u>	<u>Step</u>	<u>Hours</u>	<u>Days</u>	<u>Months</u>	<u>Effective Date</u>
Julie Mallcott	Special Education Assistant	Westlake Elementary	4	7	5	9	11/23/2020

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 274**D. Resolution to Approve Athletic Supplemental Contracts**

RESOLVED that the Westlake Board of Education approves the following athletic supplemental contracts. The winter athletic supplemental contracts will be approved and paid in the same manner that the fall supplemental contracts were compensated under #43 of the September 2020 MOU with the Westlake Teachers Association.

A. 50% of the contract will be paid if practices begin but no regular season games are played.

B. 75% of the contract will be paid if practices begin and any part of the first half of the regular season is played.

C. The supplemental contract shall be paid in full if any portion of the second half of the regular season is played.

<u>Name</u>	<u>Position</u>	<u>Step</u>	<u>In District</u>
Bianca Beekman	WHS Varsity and JV Cheerleading Coach	2	N
Daniel LaRocco	WHS Winter Weight Room	12	Y
Daniel Rocco	LBMS Assistant Wrestling Coach	1	N
Nancy English	WHS Volunteer Cheerleading Coach	n/a	Y

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 275**E. Resolution to Approve Licensed Substitute**

RESOLVED that the Westlake Board of Education approves the following licensed substitute staff member for the 2020-2021 school year:

<u>Name</u>	<u>Position</u>	<u>Building</u>	<u>Educational Level</u>	<u>Step</u>	<u>Effective Date</u>
Katrina Schmitz	(LTS) Social Studies Teacher	WHS	BA	0	12/11/2020

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 276**F. Resolution to Approve Performance Contracts**

RESOLVED that the Westlake Board of Education approves the following Performance Contract:

<u>Name</u>	<u>Amount</u>	<u>Specifications</u>
Tracey Menges	Not to Exceed \$150.00	Wrestling Team Hydration Assessments – November 25, 2020

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 277**G. Resolution to Approve a Change in Contract for Classified Member**

RESOLVED that the Westlake City School District approves a change in contract for the following classified staff member:

<u>Name</u>	<u>Position</u>	<u>Building</u>	<u>Effective Date</u>	<u>Step</u>	<u>Hours</u>	<u>Days</u>	<u>Months</u>
Carol Flannick	Bus Driver	Transportation	12/14/2020	20	From 7.75 hours per day to 8 hours per day	5	9

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Resolution 20- 278**H. Resolution to Approve Extended FFCRA for Classified and Exempt Staff**

RESOLVED that the Westlake Board of Education approves the following, effective throughout the 2020-2021 school year for classified and exempt staff.

- For the purposes of paid sick leave only, all classified and exempt staff shall be entitled to fifteen (15) days of paid sick leave under the guidelines of FFCRA, (or greater than that amount if allowed by federal law) at the staff member's full rate of pay without restriction, If the staff member is unable to work because of a need to care for themselves or a member of the immediate family as defined in the CBA, or handbook, due to the need to be quarantined, placed under an isolation order, or because the staff member or the immediate family member are experiencing COVID-19 symptoms and currently seeking a medical diagnosis or, are actually diagnosed with COVID-19.

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

7. Board Comments

8. Executive Session

- A. Adjourn to Executive Session to discuss the Appointment, Employment, Dismissal, Discipline, Promotion, Demotion or Compensation of an Employee or Official

Moved by Mr. Finucane Seconded by Mrs. Pirnat

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Enter Executive Session at 6:47 P.M.

- B. Adjourn Executive Session and Return to Regular Session

Adjourn Executive Session and Return to Regular Session at 7:32 P.M.

Moved by Mrs. Leszynski Seconded by Mr. Finucane

9. Closing

- A. Adjournment

Moved by Mrs. Leszynski Seconded by Mr. Finucane

Mr. Finucane	AYE
Mr. Kraft	AYE
Mrs. Leszynski	AYE
Mrs. Pirnat	AYE
Dr. Stoll	AYE

Meeting Adjourned at 7:32 P.M.

President

Treasurer

The public may address the Board during the periods of the meeting designated for public participation. Each person addressing the Board shall give his/her name and address. If several people wish to speak, each person is allotted three minutes until the total time allotted is used. During that period, no person may speak twice until all who desire to speak have had the opportunity to do so. The period of public participation may be extended by a vote of the majority of the Board present and voting.