

RESOLUTION AFFIRMING MAYORAL DECLARATION OF EMERGENCY

WHEREAS, Mayor Justin M. Nickels declared a state of emergency in the City of Manitowoc on March 17, 2020 to address the COVID-19 Pandemic and protect the citizens of the City of Manitowoc, under the powers vested in him by Article XI, Section 3 of the Wisconsin Constitution, Wis. Stats. §§ 66.0101, 62.09(8), and 323.14, and Manitowoc Municipal Code § 3.410; and,

WHEREAS, the Common Council has the statutory emergency authority under Wis. Stat. § 323.14 to order “whatever is necessary and expedient for the health, safety, protection, and welfare of persons and property within the local government”; and

WHEREAS, the State of Wisconsin and Manitowoc County issued emergency orders and advisory healthy guidance to address the COVID-19 pandemic, some of which remain in effect and some of which have been invalidated through the court system; and

WHEREAS, the City wishes to maintain flexibility to respond to the COVID-19 pandemic in the most expedient manner possibly to insure the health, safety, welfare, peace, tranquility, and good order of the City under the police powers of the City, while remaining in compliance with the ever-evolving laws on this situation.

NOW THEREFORE BE IT RESOLVED, by Mayor Justin M. Nickels and the Common Council of the City of Manitowoc that the state of emergency declared by the Mayor on March 17, 2020 remains in effect until 11:59 pm on August 31, 2019, or such other time which the Common Council may later determine and designate.

BE IT FURTHER RESOLVED that this Resolution, the Mayor’s proclamation, and any subsequent declarations, proclamations, and orders of the Common Council are intended to preserve peace, order, and safety, and allow the City of Manitowoc, and all officers and employees of the City, to act in the interest of the City and community’s health, welfare, safety, peace, tranquility, and good order.

BE IT FURTHER RESOLVED that under these powers and in response to changing emergency conditions, the Mayor and common Council hereby declare, resolve, proclaim, and order as follows:

1. The emergency steps taken by the Mayor, as outlined in his original proclamation, subsequent extension of closures, and Guidelines for Reopening as presented to the Council, are ratified and approved.

2. The City's implementation of emergency leave under the Families First Coronavirus Response Act (FFCRA) by creating an interim policy is approved as the final policy.
3. The Mayor and department heads are authorized to apply for any available grant funding made available by the federal or state governments in response to COVID-19. Grants requiring a local match shall require approval of the Common Council before acceptance.
4. Meetings of the Common Council and committees, boards, and commissions may continue via using videoconferencing technology.
5. A monthly report of actions taken under this order shall be provided to the Common Council for ratification.

BE IT FURTHER RESOLVED that if the State of Wisconsin or Manitowoc County issue additional emergency orders or guidance, the Mayor and department heads are authorized to implement the requirements of that order.

BE IT FURTHER RESOLVED that residents of the City of Manitowoc are encouraged to patronize local businesses and follow advisory health guidelines.

INTRODUCED _____ ADOPTED _____

Justin M. Nickels, Mayor

APPROVED _____

Fiscal Impact:	\$0
Funding Source:	n/a
Finance Director Approval:	/sc
Approved as to form:	/kmm

This resolution was drafted by Kathleen M. McDaniel, City Attorney