

**AGENDA
SPECIAL SESSION
HIGHLAND CITY COUNCIL
CITY HALL, 1115 BROADWAY
FRIDAY, MARCH 20, 2020
12:00 PM**

CALL TO ORDER / ROLL CALL / PLEDGE OF ALLEGIANCE:

PUBLIC FORUM:

A. Citizens' Requests and Comments:

**Anyone wishing to address the Council on any subject may do so at this time.
Please come forward to the microphone.**

B. Requests of Council:

C. Staff Reports:

NEW BUSINESS:

- A. **MOTION** – Bill #20-41/RESOLUTION Extending Effective Date of Proclamation of Emergency Pursuant to Chapter 2, Section 2-299, of the City's Code of Ordinances, and Granting Emergency Management Authority Pursuant to 20 ILCS 3305 *et seq.* of the Emergency Management Agency Act, and 65 ILCS 5/8-10-5 of the Illinois Municipal Code, in Response to COVID-19 (Corona Virus) (attached)

ADJOURNMENT:



Anyone requiring accommodations, provided in the Americans with Disabilities Act (ADA), to attend this public meeting, please contact Dylan Stock, ADA Coordinator, by 9:00 AM on Monday, March 20 2020.

RESOLUTION NO. _____

**A RESOLUTION EXTENDING EFFECTIVE DATE OF
PROCLAMATION OF EMERGENCY
PURSUANT TO CHAPTER 2, SECTION 2-299, OF THE
CITY OF HIGHLAND CODE OF ORDINANCES,
AND GRANTING EMERGENCY MANAGEMENT AUTHORITY
PURSUANT TO 20 ILCS 3305 *ET SEQ.* OF THE
EMERGENCY MANAGEMENT AGENCY ACT,
AND 65 ILCS 5/8-10-5 OF THE ILLINOIS MUNICIPAL CODE,
IN RESPONSE TO COVID-19 (CORONA VIRUS)**

WHEREAS, the City of Highland, Madison County, Illinois (hereinafter “City”), is a non-home rule municipality duly established, existing and operating in accordance with the provisions of the Illinois Municipal Code (Section 5/1-1-1 et seq. of Chapter 65 of the Illinois Compiled Statutes); and

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and

WHEREAS, City, along with the U.S. Federal Government and the State of Illinois, is preparing for any eventuality given the known health risks COVID-19 poses for the elderly, those with serious chronic medical conditions, and all members of society; and

WHEREAS, the World Health Organization declared COVID-19 a Public Health Emergency of International Concern on January 30, 2020, and the United States Secretary of Health and Human Services declared COVID-19 a public health emergency on January 27, 2020; and

WHEREAS, the State of Illinois Governor, J.B. Pritzker, issued a disaster proclamation on March 9, 2020, declaring all counties in the State of Illinois a disaster area under the Illinois Emergency Management Agency Act, 20 ILCS 3305/7; and

WHEREAS, City has determined the Centers for Disease Control (“CDC”) currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when

individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue, washing hands often with soap and water for at least 20 seconds, use of alcohol-based hand sanitizers with at least 60% alcohol if soap and water are not readily available, and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including practicing social distancing, staying at home when sick, staying home when a household member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider, and keeping away from others who are sick; and

WHEREAS, the CDC currently recommends the cancellation or postponement of in-person events that consist of 50 people or more; and

WHEREAS, social distancing, which consists of maintaining at least a six-foot distance between people, is the paramount strategy for minimizing the spread of COVID-19 in our communities; and

WHEREAS, the Illinois Department of Public Health recommends Illinois residents avoid group dining in public settings, such as in bars and restaurants, which usually involves prolonged close social contact contrary to recommended practice for social distancing; and

WHEREAS, frequently used surfaces in public settings, including bars and restaurants, if not cleaned and disinfected frequently and properly, also pose a risk of exposure, and

WHEREAS, City has determined no vaccine or drug is currently available to protect individuals against COVID-19 infection; and

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the CDC indicate that it is expected to spread rapidly if extreme measures are not taken by all members of society; and

WHEREAS, current testing availability has identified further spread of confirmed cases throughout the State of Illinois, and it is expected that increased testing capacity would demonstrate that COVID-19 is circulating in communities across Illinois that currently have not identified a confirmed case; and

WHEREAS, at least one of the confirmed cases of COVID-19 in Illinois has not been linked to any travel activity or to an already-confirmed COVID-19 case, which indicates community transmission in Illinois; and

WHEREAS, the number of suspected COVID-19 cases in Illinois is increasing exponentially and across more locations in Illinois, indicating that drastic social distancing measures are needed, even in communities where confirmed cases have not yet been identified,

to reduce the number of people who become sick at any given time and the possibility of exhausting our health care resources; and

WHEREAS, Mayor Michaelis has issued a Proclamation of Emergency pursuant to Section 2-299 of the City of Highland Municipal Code, stating in pertinent part:

A State of Emergency exists in the City of Highland for the following reasons:

The Declaration of a National Emergency by the President of the United States and associated Declaration of Statewide Emergency by the Governor of Illinois with regard to the National, State and Regional response to the COVID-19 (Coronavirus) viral pandemic and the need for the City of Highland to plan and respond to the national emergency and request resources from outside agencies to include but not limited to the Highland Community Unit School District No. 5, St. Joseph's Hospital-Highland (HSHS), Madison County Health Department, Madison County Emergency Management Office, Illinois Department of Public Health, Illinois Emergency Management, Mutual Aid Alarm Box System (MABAS), Illinois Law Enforcement Alarm System (ILEAS), and the Federal Emergency Management Agency (FEMA) and the Centers of Disease Control (CDC).

Departments and agencies, charged with response and recovery activities under the City Emergency Management Plan, are hereby directed to respond with haste, in accordance with the plan, to bring said disaster to a rapid conclusion for the best interest of the residents of the City of Highland, Illinois pursuant to the Illinois Emergency Management Act of 1994. Additionally, due to the magnitude of the disaster, the Highland Emergency Management Coordinator is hereby directed to request immediate assistance from the State of Illinois, through the Illinois Emergency Management Agency.

WHEREAS, City desires to extend the Proclamation of Emergency, pursuant to Section 2-299 of the City of Highland Municipal Code, according to this Resolution (See Proclamation of Emergency attached hereto as **Exhibit A**); and

WHEREAS, City has determined it is likely a public health emergency related to COVID-19 will exist within the City in the near future; and

WHEREAS, City has determined 20 ILCS 3305 *et seq.* of the Emergency Management Agency Act, 65 ILCS 5/8-10-5 of the Illinois Municipal Code, and Section 2-299 of the City of Highland Municipal Code, provide City with certain emergency management powers; and

WHEREAS, for purposes of promoting the health, safety, general welfare, and economic welfare of City residents and the general public, City has determined it necessary to give authority to the City Manager and/or Mayor, pursuant to 20 ILCS 3305 *et seq.* of the Emergency Management Agency Act, 65 ILCS 5/8-10-5 of the Illinois Municipal Code, and Section 2-299

of the City of Highland Municipal Code, to manage the public health emergency associated with COVID-19; and

WHEREAS, for purposes of promoting the health, safety, general welfare, and economic welfare of City residents and the general public, the City Manager and/or Mayor are authorized and directed to execute any documents and/or make any policy decisions to manage the public health emergency associated with COVID-19 pursuant to authority granted by 20 ILCS 3305 *et seq.* of the Emergency Management Agency Act, 65 ILCS 5/8-10-5 of the Illinois Municipal Code, and Section 2-299 of the City of Highland Municipal Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HIGHLAND AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as findings of the City Council of the City of Highland, Illinois.

Section 2. City Council Meetings. During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Open Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that "members of a public body must be physically present" is suspended; and (2) the conditions in 5 ILCS 120/7 limiting when remote participation is permitted are suspended. Public bodies are encouraged to postpone consideration of public business where possible. When a meeting is necessary, public bodies are encouraged to provide video, audio, and/or telephonic access to meetings to ensure members of the public may monitor the meeting, and to update their websites and social media feeds to keep the public fully apprised of any modifications to their meeting schedules or the format of their meetings due to COVID-19, as well their activities relating to COVID-19.

Section 3. Meetings of Boards and Commissions. The City Manager may cancel meetings of any board or commission to which the Mayor appoints members. Any such cancellation shall automatically extend such deadlines for required actions by such board or commission as is specified in the cancellation notice.

Section 4. Licensed or Permitted Activities. The City Manager or his designee may, upon the recommendation of the City Manager or his designee, suspend licenses or permits for special events or any other licenses or permits issued by the City which in the judgment of the City Manager could impact the public health or well-being of residents or visitors to the community.

Section 5. Purchases. The City Manager may authorize any purchase for which funds are available reasonably related to the emergency. Such purchases may be made without following the requirements of the City of Highland Municipal Code and/or the City of Highland Purchasing Policy.

Section 6. Personnel Policies. The City Manager is hereby authorized to adjust any personnel policies related to leave time, other benefits or terms of conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency.

Section 7. Bargaining Units. The City Manager is hereby authorized to enter into such temporary agreements, including memoranda of understanding with the City's bargaining units in order to promote the provisions of City services and the health and safety of the public and employees during the emergency.

Section 8. City Facilities. The City Manager is hereby authorized to close City facilities as reasonably required to protect the health of the public and employees of the City.

Section 9. City Curfew. The City Manager is hereby authorized to establish a City curfew applicable to all City residents during this time of emergency.

Section 10. Ordinance Violations. The City Attorney is hereby authorized to extend any timeframe for payment or filing related to City ordinance violations in recognition of the emergency and the limited access to the Courts during this time of emergency.

Section 11. Amounts Due and Owing. The City Manager, upon recommendation of the Finance Director, is hereby authorized to extend deadlines for payment related to any amounts due and owing to the City.

Section 12. Emergency Powers. The City Manager and/or Mayor are authorized and directed to execute any documents and/or make any policy decisions to manage the public health emergency associated with COVID-19 pursuant to authority granted by 20 ILCS 3305 *et seq.* of the Emergency Management Agency Act, 65 ILCS 5/8-10-5 of the Illinois Municipal Code, and Section 2-299 of the City of Highland Municipal Code.

Section 13. Other Emergency Powers. The Mayor, upon recommendation of the City Manager, may issue such orders, which shall have the force of law, as are provided for by Section 2-299 of the City of Highland Municipal Code. Where applicable, such orders or regulations shall be reviewed and approved by the City Council at the next City Council meeting after issuance of such order.

Section 14. Absence or Incapacity. In absence or incapacity of the Mayor, a successor will be named in accordance with the City of Highland Emergency Operations Plan (Basic Plan – Appendix B – Succession of Command). In the absence or incapacity of the City Manager, the City Manager's designee may perform any matter referred to herein.

Section 15. This Resolution shall be construed as a declaration of a local disaster as provided for under 20 ILCS 3305/11.

Section 16. Duration. This Resolution shall be effective for thirty (30) days from the date of passage. The Resolution shall continue for 30-day periods thereafter unless repealed or amended by the City Council.

Section 17. This Resolution shall be in full force and effect from and after its passage, approval, and publication in pamphlet form as provided by law.

Passed by the City Council and approved by the Mayor of the City of Highland, Illinois and deposited and filed in the office of the City Clerk on the _____ day of _____, 2020, the vote being taken by ayes and noes and entered upon the legislative record as follows:

AYES:

NOES:

APPROVED:

Joseph R. Michaelis, Mayor
City of Highland, Madison County, Illinois

ATTEST:

Barbara Bellm, City Clerk
City of Highland, Madison County, Illinois

BASIC PLAN - APPENDIX C. PROCLAMATION OF EMERGENCY

**CITY OF HIGHLAND
PROCLAMATION OF EMERGENCY**

Upon the authority of Chapter 2 Sec. 2-299 of the Highland Municipal Code concerning civil emergencies, I, Joseph R. Michaelis, Mayor of the City of Highland, upon the recommendation of the City of Highland's Emergency Management Coordinator, do hereby proclaim that a State of Emergency exists in the City of Highland for the following reasons:

The Declaration of a National Emergency by the President of the United State and associated Declaration of Statewide Emergency by the Governor of Illinois with regard to the National, State and Regional response to the COVID-19 (Coronavirus) viral pandemic and the need for the City of Highland to plan and respond to the national emergency and request resources from outside agencies to include but not limited to the Highland Community Unit School District No. 5, St. Joseph's Hospital-Highland (HSHS), Madison County Health Department, Madison County Emergency Management Office, Illinois Department of Public Health, Illinois Emergency Management, Mutual Aid Alarm Box System (MABAS), Illinois Law Enforcement Alarm System (ILEAS), and the Federal Emergency Management Agency (FEMA) and the Centers of Disease Control (CDC).

Departments and agencies, charged with response and recovery activities under the City Emergency Management Plan, are hereby directed to respond with haste, in accordance with the plan, to bring said disaster to a rapid conclusion for the best interest of the residents of the City of Highland, Illinois pursuant to the Illinois Emergency Management Act of 1994. Additionally, due to the magnitude of the disaster, the Highland Emergency Management Coordinator is hereby directed to request immediate assistance from the State of Illinois, through the Illinois Emergency Management Agency.

In accordance with the provisions of Chapter 2 Sec. 2-299, this proclamation shall be in effect when signed, and shall expire at midnight seven days from the date shown, unless extended by a resolution of the Highland City Council.

Proclaimed this 14th day of March, 2020.

By: Joseph R. Michaelis
Mayor, City of Highland

Attest: Barbara Bell
City Clerk, City of Highland



City of Highland
Public Safety Department

Christopher J. Conrad, Public Safety Director

To: Honorable Mayor Micahelis, City Manager Latham

From: Chief Christopher Conrad, Public Safety Director; Chief Brian Wilson, Emergency Services Chief

Date: March 14, 2020

Re: Recommendation of Proclamation of Emergency for COVID-19 Response

Per the direction of the President of the United States, HSHS St. Joseph's Hospital-Highland, has implement their emergency action plan in response to the COVID-19 viral pandemic. We met with their incident command team this afternoon to implement our respective emergency plan responses.

Based upon the meeting today, we are recommending that the City of Highland Proclaim an Emergency exists to authorize the requesting of resources from outside agencies, and to consolidate the planning, coordination and response to a potential COVID-19 outbreak in our community. This will allow the City of Highland Emergency Services to begin their response and planning with the HSHS St. Joseph's Hospital Incident Command Team immediately.

In addition, due to the State of Illinois banning all public events with anticipated crowds over 1,000, and strongly recommending the postponement and/cancelation of public events with crowds over 250, and closing all schools in the State of Illinois through March 30th, 2020 in order to stem the spread of the COVID-19 virus, we recommend that the City Council extend the Proclamation of Emergency by adopting an Emergency Proclamation as allowed under Chapter 2 Section 2-299 of the Highland Code of Ordinances as attached:

Sec. 2-299. - Local disaster emergencies.

[SHARE LINK TO SECTION](#)[PRINT SECTION](#)[DOWNLOAD \(DOCX\) OF SECTION](#)[EMAIL SECTION](#)[COMPARE VERSIONS](#)

(a)

A local disaster emergency may be declared only by the mayor. It shall not be continued or renewed for a period in excess of seven days except by or with the consent of the city council. Any order or proclamation declaring, continuing or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the city clerk. The effect of a declaration of a local disaster emergency is to activate the response and recovery aspects of any and all applicable local emergency operating plans and to authorize the furnishing of aid and assistance thereunder.



City of Highland
Public Safety Department

Christopher J. Conrad, Public Safety Director

(b)

During a local disaster emergency, the city mayor may suspend the provisions of any city ordinance prescribing procedures for the conduct of city business, or the orders, rules and regulations of any city agency, if strict compliance with the provisions thereof would in any way prevent, hinder or delay necessary action in addressing the local disaster emergency, as authorized by the "Illinois Emergency Management Agency Act of 1992", providing the mayor has declared a disaster emergency by proclamation.

(c)

The city coordinator of the emergency services and disaster agency will recommend to the mayor that a local disaster emergency be declared based on a disaster emergency as described in [section 2-286](#), in conjunction with one or more of the following situations: an incident has occurred that exceeds the city's capabilities; an incident has occurred that has a county-wide impact; or an incident has occurred that is or may become multi-jurisdictional.

(Code 1976, § 2.52.140; Ord. No. 1686, § 1, 9-20-93; Ord. No. 2232, § 1, 2-5-07)

Respectfully submitted:

Chief Christopher Conrad
Public Safety Director

Chief J. Brian Wilson
Emergency Services Chief