

RESOLUTION NO. 20-0414

A RESOLUTION EXTENDING THE DECLARATION OF EMERGENCY EXPRESSED IN RESOLUTION NO. 20-0319 AND EXTENDING AND FURTHER DEFINING THE AUTHORITY GRANTED TO THE MAYOR BY SAID RESOLUTION

WHEREAS, on March 19, 2020, the City of Hartselle, Alabama adopted Resolution No. 20-0319 in response to the COVID-19 pandemic and the Governor of Alabama's Declaration of a State of Emergency associated with said pandemic; and

WHEREAS, said Resolution 20-0319 granted certain emergency powers and authority to the Mayor; and

WHEREAS, the declaration and grant of powers and authority was for a duration limited to twenty one (21) days; and

WHEREAS, The Governor's declared State of Emergency has been extended beyond the effective period of Resolution No. 20-0319 and may likely be extended even further.

NOW, THEREFORE, be it **RESOLVED** by the City Council of the City of Hartselle, Alabama as follows:

1. The declaration of a Local State of Emergency, all powers and authority granted to the Mayor, and all other provisions of Resolution No. 20-0319 are hereby extended and shall continue in effect until cancellation of the statewide State of Emergency by the Governor of Alabama.

2. All directives and orders issued or thereafter amended by the Mayor pursuant to Resolution Number 20-0319 and all actions taken pursuant to such directives and orders prior to the date hereof are hereby ratified and confirmed and shall continue in effect pending further notice.

FURTHER, the Council finds that it is impracticable for the Council to meet and enact regulations and take actions as the needs arise for the same in light of the fact that these needs arise on a daily basis and given the ever-changing state of affairs relative to the Covid-19 pandemic and state and federal actions taken with respect to it. Therefore, it is necessary to empower and authorize the Mayor to take such steps as are necessary and appropriate to manage

City business and conduct City services and the functions of the City government while the state of emergency remains in effect. To these ends, the Mayor shall have and is hereby granted the following authority, but this grant of authority is not to be interpreted as limiting his authority to the specific matters set out hereafter, but is a general framework for interpretation of his powers and authority. In addition to the grant of authority under Resolution No. 20-0319, the Mayor shall have the following powers and authority:

(1) To implement and manage policies, procedures and regulations regarding City employees with the advice and consent of the Human Resources Administrator and in cooperation with the City Clerk/Controller. This shall include the authority to take such steps as deemed appropriate to take to insure and protect the health and welfare of City employees, yet continue, to the extent practicable, to carry on with City services, the City's normal business and its governmental functions. To these ends, he shall have the authority to establish work schedules; make provisions for employees to work at home; manage and make provisions for employee leave policies, compensation policies, overtime policies and other such matters; and to temporarily override, suspend, alter, amend or add to the Personnel Policy as deemed appropriate, but only with the advice and consent of the Human Resources Administrator and in cooperation with the City Clerk/Controller.

(2) To make appropriate provisions for the conduct of the business of municipal boards with respect to such matters as scheduling meetings, accepting applications or requests for board consideration, processing or action; matters requiring public hearings; and matters requiring advertisement at the City's expense.

(3) To regulate the use of, and access to, all City buildings, parks, properties, facilities and other public areas.

(4) To limit or regulate City services as necessary.

(5) To limit or suspend applications for assembly, event, parade, demonstration and other such permits and to make exceptions for such activities which do not, in his opinion through consultation with the Police Chief and Fire Chief, pose a threat to public health or the health and welfare of City employees and where he deems the exceptions to such limitations or suspensions to be in the public interest.

(6) To cooperate with the Chief of Police, Fire Chief, City Prosecutor and City Attorney in and about the enforcement of Covid-19 related laws, ordinances, directives, orders, regulations and other such matters.

(7) To cooperate with the Municipal Judge and court personnel in and about the conduct of the court's business in terms of facilitating compliance with applicable temporary State level rules and guidelines for the conduct of such business.

(8) To exercise managerial authority over all department heads over and above which he normally does in order to insure the protection of the health and welfare of City employees and that of the public.

DONE this 14th day of April, 2020.

Kenny Thompson, Council President

ATTEST:

(SEAL)

Rita S. Lee, City Clerk – Controller