



AGENDA FOR COMMON COUNCIL

SPECIAL MEETING NOTICE

A Special Common Council meeting will be held on Tuesday, March 24, 2020

at **5:00 PM**

VIA TELECONFERENCE

CALL 571-317-3122 GO TO MEETING

MEETING ID IS 344 891 253 #

AUDIO PIN #

ALDERPERSONS SHALL DIAL IN BY CALLING 571-317-3122 ID CODE 344 891 235#
Audit Pin # (You must use your cell phone or a telephone)

No later than 4:50 p.m. for call setup only. (Please take notice no official business will be discussed until 5 o'clock p.m.)

CALL TO ORDER – PLEDGE OF ALLEGIANCE – ROLL CALL

GENERAL:

- [1.](#) Review and ratification of the Proclamation Declaring a State of Emergency City of Tomah Covid-19 Response
- [2.](#) Review and ratification of Coronavirus (Covid-19) Temporary/Emergency Policy
3. General discussion of COVID-19 in relation to city action/response.
4. Adjourn

THE PUBLIC MAY LISTEN IN ONLY TO THE MEETING BY USING THE SAME NUMBER AS ABOVE (NO PUBLIC COMMENT WILL BE PERMITTED AT THIS TIME).

NOTE: Given the current circumstances, this is the first time the City will use this technology. We want the public to have access to what is being discussed but are not set up for public comment at this time.

NOTICE: Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact JoAnn Cram, City Clerk, 819 Superior Avenue, Tomah, WI 54660.

PROCLAMATION DECLARING A STATE OF EMERGENCY
CITY OF TOMAH COVID-19 RESPONSE

WHEREAS, a novel strain of the coronavirus (COVID-19) has spread throughout numerous countries including the United States; and

WHEREAS, the World Health Organization has declared a Public Health Emergency of International Concern; and

WHEREAS, on March 12, 2020, Wisconsin Governor, Tony Evers issued Executive Order #72 Relating to a Proclamation Declaring a Health Emergency in Response to the COVID-19 Coronavirus; and

WHEREAS, there have been numerous confirmed cases of COVID-19 in the State of Wisconsin, including surrounding counties; and

WHEREAS, on March 19, 2020, a Resolution Declaring State of Emergency in Monroe County-19 Pandemic was adopted; and

WHEREAS, the City of Tomah has continued to monitor and prepare for a response within the City; and

WHEREAS, the conditions created by the public health emergencies pose a continuing and substantial threat to public order, life, health and safety of the citizens of the City of Tomah; and

WHEREAS, the City of Tomah in cooperation with the local, state and federal governmental entities desires to take action to prevent exposure to and spread of the COVID-19 coronavirus; and

WHEREAS, because of such emergency conditions, the Common Council is unable to meet with promptness to address the issue immediately; and

WHEREAS, these emergency conditions require a proactive response to stop the spread of COVID-19, including providing support to implement federal, state, and county public health operations and recommendations.

NOW, THEREFORE, pursuant to sections 323.11 and 323.14(4) of the Wisconsin Statutes, the City of Tomah hereby declares a local State of Emergency for the City of Tomah automatically expiring April 14, 2020 at 6:30 p.m. unless extended. During the State of Emergency, it is hereby ordered that the City of Tomah will make all of its resources available to adopt, implement and support all actions and recommendations of the Federal, State and County public health agencies.

IT IS FURTHER ORDERED that:


1. The Fire Chief of the City of Tomah shall act as the Emergency Management Director for the City of Tomah during the period of emergency.
2. All in-person meetings and gatherings involving City employees, staff, and/or elected officials are suspended for the duration of this emergency. All meetings of the Common Council, Committees,

Boards and/or Commissions may be conducted remotely, with access granted to the public to the full extent practicable.

3. All City sponsored events will either be cancelled or rescheduled during the emergency.
4. Public access to City facilities shall be limited. To the extent possible, all operations shall be made available online and/or available for external drop off to the City.
5. All City of Tomah business travel is suspended for the duration of this emergency.
6. The City shall take all further actions reasonable and necessary to prevent exposure to and/or spread of COVID-19, including complying with all federal, state and county laws, rules and/or orders as they may issue.

Under 323.14 (4)(b), Stats., this proclamation shall be subject to ratification, alternation, modification or repeal by the governing body as soon as that body can meet, but the subsequent action taken by the governing body shall not affect the property validity of this proclamation. As the elected Chief Elected Official of the City of Tomah in testimony whereof, I, Mayor Michael Murray, have hereunto set my hand and have caused the great seal of the City of Tomah to be affixed.

THIS DECLARATION OF A STATE OF EMERGENCY is enacted this 23rd day of March, 2020.



Michael Murray, Mayor

CORONAVIRUS (COVID-19) TEMPORARY/EMERGENCY POLICY

EFFECTIVE MARCH 23, 2020

1. INTENT AND DECLARATION OF POLICY

This policy is being implemented in response to the recent outbreak of the novel coronavirus disease (COVID-19), which is a dangerous respiratory illness that can spread from person to person. This constitutes a public health emergency. This policy is established pursuant to the powers granted by Wisconsin Statutes sections 62.09 (8)(a), 323.11, and 323.14(4) and shall remain in effect unless and until terminated by action of the mayor of the City of Tomah or the Common council of the City of Tomah.

The intent of the policy is to establish guidelines and procedures to address any contagious or infectious outbreak, to ensure the continuous operation of the City government, and to ensure the safety of City employees. The safety of our workforce and community is our highest priority. The city is committed to providing employees a safe and healthy work environment. Together we share a responsibility to help prevent the spread of illnesses in our community. Employees have an obligation to implement the recommendations made by the Centers of Disease Control and Wisconsin Department of Health Services to help keep the spread of the virus to a minimum.

The City of Tomah Personnel Policy Manual and all collective bargaining agreements remain in effect. To the extent this policy conflicts with such manual and agreements, this policy shall be controlling during the duration of the public health emergency. Nothing in this policy shall be considered precedent-setting, and the entirety of this policy is subject to change as the COVID-19 situation evolves. This policy may be updated or terminated as changing circumstances warrant.

Department heads and supervisors are expected to adhere to the guidance provided in this policy in responding to employee concerns and questions. Department leadership has a responsibility to ensure compliance with all applicable provisions of these guidelines including those that require greater flexibility in determining schedules, work assignments, locations, scheduling and use of paid time off and other related employment matters. Department heads and supervisors are further expected to separately track expenses incurred due to the COVID-19 State of Emergency.

2. CITY OPERATIONS

For the good of the residents of the City of Tomah, to the extent possible, all activities conducted by the City of Tomah government must remain in operation. Irrespective of changing events, essential services including but not limited to those conducted by the City of Tomah Police Department, City of Tomah Fire Department and City of Tomah Ambulance Service, and essential services performed by the Department of Public Works, City Clerk's office and Treasurer shall continue.

To help mitigate the spread of COVID-19 in our community, department heads are asked to exercise judgment to protect employees and their families from unnecessary person-to-person contact. Additional measures to prevent the spread of disease include conducting business by telephone or email instead of in-person meetings and cancelling or rescheduling trainings, testing and other group events.

3. COLLECTIVE BARGAINING AGREEMENTS/MANAGEMENT RIGHTS

The City of Tomah's collective bargaining agreements with each respective group broadly recognize the City's management rights to take whatever action is necessary to carry out the functions of the City and individual departments in situations of emergency. The COVID-19 crisis is an emergency as contemplated by such collective bargaining agreements. Effective immediately, all provisions of each of the City of Tomah's collective bargaining agreements anticipated by and related to the City's power to act in an emergency are activated to the fullest extent possible. Directive 20-01 from the Chief of Police is incorporated herein to the extent not modified by this policy.

4. EMPLOYEES WITH COVID-19 SYMPTOMS, EXPOSURE, OR CONFIRMED CASES

a. Employees who have cold or flu-like symptoms similar to COVID-19 will be required to stay home during the entire period of illness and not return to work until they are free of any symptoms for at least 24 hours without the use of fever-reducing or other symptom-altering medicines. See the Centers for Disease Control website (<http://www.cdc.gov/coronavirus/2019-ncov/index.html>) for a list of symptoms. Such employees shall be required to use any accrued leave available to them even if they are excluded from work by their supervisor. As a way to decrease the strain on healthcare systems, return to work certificates will not be required for absences solely related to employees who have cold or flu-like symptoms similar to COVID-19.

b. If an employee is identified by a medical provider or a public health authority as having potential exposure to a confirmed case of COVID-19, as defined by the Centers for Disease Control's most recent criteria, the employee will be quarantined and will be required to stay at home for 14 days and monitor for symptoms. If symptoms develop or the employee tests positive for COVID-19, the employee will remain in isolation until a determination is made by the public health authority, in coordination with the Centers for Disease Control, that the individual is no longer infectious.

1). Employees who test positive for COVID-19 or have had close contact with someone who has tested positive for COVID-19 must notify their supervisor (who shall promptly notify the City Administrator) of the reason for their absence as soon as practicable.

2). Supervisors and the City Administrator are required to maintain the confidentiality of the names of any such employees or other individuals known to have tested positive for COVID-19.

3). A positive test for COVID-19 will be treated as a Family Medical Leave Act qualifying event.

5. WORK ACCOMMODATIONS/LEAVE POLICY

a. For employees eligible under state or federal Family Medical Leave Act (FMLA) who need to be absent from work for an FMLA qualifying event, the employee must submit the necessary FMLA paperwork to the City Clerk. Submissions may be done electronically as warranted.

b. Under this emergency policy, the City shall have the right to make temporary changes on a day-to-day basis in the assignment of personnel within and between all City departments. Employees, upon proper notification when possible, shall immediately report to the reassigned temporary position and thereafter perform the work shift of that department for the duration of the reassignment.

c. Employees may request to use paid sick leave or other paid time off to care for family members who are ill. Normal procedures shall be followed.

d. The use of sick time or other paid time off taken in accordance with this policy will not be counted towards any sick leave abuse policy. However, employees who falsify the reason for taking sick time or other paid time off under this policy will be subject to discipline, up to and including termination.

6. GUIDANCE-CITY SERVICES AND PUBLIC VISITORS

Effective 12:01 a.m. Tuesday, March 24, 2020

a. Public spaces will be closed to public visitor access until further notice. Public visitors will still be allowed at the Clerk's office, City Treasurer and Police Station.

b. City offices are still open to internal staff for internal business operations.

c. Department Heads should pursue and accommodate workspace and meeting space changes and practices that allow social distancing between employees who continue to work in the office.

d. Employees who work with the public and whose job duties are substantially reduced or eliminated by closing public visitor access may be reassigned to help fulfill other essential services as further set forth in paragraph 5(b).

7. GUIDANCE-PAID LEAVE FOR ILLNESS OR QUARANTINE

To ensure all employees have adequate leave balances in case of illness, quarantine or respite:


a. EMERGENCY LEAVE: All full-time City employees including hourly employees will receive 80 hours of Emergency Leave for use during the state of emergency as declared by the City of Tomah. Emergency Leave balances will be manually maintained by the Payroll Department.

All employees shall use this Emergency Leave only for illness, illness of a family member, employer-mandated quarantine, caregiver or respite needs in relation to COVID-19 not otherwise eligible under the FMLA. The use of such emergency leave shall be preapproved in writing by the City Administrator. Any unused emergency leave shall expire with the expiration of the State of Emergency.

b. SICK LEAVE: All City employees can access their unearned 2020 projected sick leave balances immediately. Provided, however, any use of unearned sick leave will be expected to be repaid using future accumulation.

c. VACATION: Vacation accrual time will be allowed to exceed the current maximum allowed accumulation but must be used prior to December 31, 2020. Such vacation hours that exceed the current maximum will be manually maintained by the Payroll Department.

Dated this 23rd day of March, 2020.


Michael Murray, Mayor


Roger Gorius, City Administrator

