

**RESOLUTION #20-05**

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**A RESOLUTION DECLARING STATE OF EMERGENCY  
IN CITY OF BERLIN REGARDING COVID-19**

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**WHEREAS**, in December 2019, a novel strain of the coronavirus now named Coronavirus Disease 2019 (COVID-19) was detected and has spread through many countries, including the United States; and

**WHEREAS**, the World Health Organization has declared a Public Health Emergency of International Concern; and the United States Department of Health and Human Services has declared a Public Health Emergency; 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**, the existence of confirmed cases of COVID-19 within Wisconsin, including counties surrounding Green Lake County, constitutes a condition within the County posing an imminent threat of a disaster within the meaning of Chapter 323 of the Wisconsin Statutes that could impair medical care, health protection, and other critical systems of Green Lake County; and

**WHEREAS**, the City of Berlin is focused on protecting the health, safety, welfare, and good order of the Berlin community, including those members at highest risk; and

**WHEREAS**, the City of Berlin 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**, 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 Berlin hereby declares a local State of Emergency for the City of Berlin that shall last only so long as the Governor of the State of Wisconsin continues the public health emergency under Wis. Stat 323.02(16).

**BE IT RESOLVED** that during this emergency, the Mayor and City Administrator have joint authority to issue all such orders as they deem necessary to protect public life, health and safety including, but not limited to, carrying out the following duties:

- (1) The power to direct emergency response activities by City departments.

- (2) The power to execute contracts for the emergency construction or repair of public improvements, when the delay of advertising and public bidding might cause serious loss or injury to the City, upon following the procedures of Section 9-5 regarding emergency procurements.
- (3) The power to purchase or lease goods and services deemed necessary to the City's emergency response or for the repair of City facilities, or both, upon following the procedures of Section 9-5 regarding emergency procurements.
- (4) The power to lease real property, or structures, or both, that are deemed necessary for the continued operation of City government.
- (5) The power to promulgate rules and orders to implement and clarify the proclamation exercising emergency power.
- (6) The power to delegate any or all of these duties to appropriate City personnel.

**BE IT FURTHER RESOLVED**, if the Mayor is unable to perform the duties under this resolution, the power to make decisions shall lie with the President of the Common Council; and

**BE IT FURTHER RESOLVED**, if the City Administrator is unable to perform the duties under this resolution, the power to make decisions shall lie with the City Attorney; and

**BE IT FURTHER RESOLVED**, that public comment at all meetings of the City Common Council, Committees, Boards, and/or Commissions is suspended (unless required by state or federal statute or regulation even under emergency declaration) until the emergency declaration is rescinded; and

**BE IT FURTHER RESOLVED**, the acceptance of new applications for actions requiring public hearings (such as conditional use permit applications, rezoning applications, and variance applications) shall be suspended (unless required to be accepted by state or federal statute or regulation even under emergency declaration) until the emergency declaration is rescinded.

**BE IT FURTHER RESOLVED**, that so long as the meeting is consistent with the requirements of open meetings, the City Common Council, Committees, Boards, and/or Commissions may conduct electronic meetings for conducting City business.

**BE IT FURTHER RESOLVED**, that public access to City facilities shall be limited; to the extent possible, all operations shall be made available on-line and/or available for external drop off to the City.

**BE IT FURTHER RESOLVED**, that since each council member is the sole representative of the residents of their respective wards, all actions taken by the Mayor and City Administrator under this resolution shall be emailed in advance or as soon as possible to each council member.

**FISCAL NOTE:** appropriations under the emergency declaration shall not exceed \$30,000 and shall be remitted from the contingency fund.

**THIS DECLARATION OF A STATE OF EMERGENCY** is enacted this 18th day of March 2020.

Passed, approved and adopted this 18th day of March, 2020.

ROLL CALL VOTE:

5 AYES

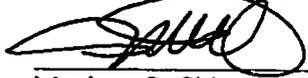
0 NAYS

1 ABSENT

CITY OF BERLIN

BY   
Richard D. Schramer, Mayor

APPROVED AS TO FORM:



Matthew G. Chier  
City Attorney

ATTEST:   
Jodie Olson  
City Clerk