

City of Beloit
119 North Hersey Avenue
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Beloit, Kansas 67420



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Jason M. Rabe
City Manager
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April 3rd, 2020 Beloit City Council Special Meeting Instructions

The meeting will be held through GoToMeeting and can be accessed in the following way:

1. By Phone (Toll Free) at 1-866-899-4679 (enter access code 460-429-413 when prompted)

Instructions for citizen participation:

If using your phone, please mute your device upon connection by utilizing the function on your phone screen. If you would like to make a comment during the Public Comment section please take your phone off mute, provide your full name, and upon recognition you may make your statement.



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CITY COUNCIL AGENDA

Friday, April 3, 2020
5:15 p.m.
Special Meeting

1. CALL TO ORDER

- A. Roll Call
- B. Invocation
- C. Pledge of Allegiance

2. MAYOR AND COUNCIL REPORTS

3. STAFF REPORTS

- A. City Attorney Report
- B. City Manager Report
- C. Police Chief Report
- D. Economic Development Director Report

4. PUBLIC COMMENT

5. CONSENT AGENDA

- A. None

6. ORDINANCES

- A. None

7. RESOLUTIONS

- A. Resolution 2020-6 Local State of Emergency

8. FORMAL ACTIONS

- A. FFCRA Employee Exemption

9. CLOSED SESSION

- A. None

10. ADJOURNMENT

WORK SESSION AGENDA

1. CORRESPONDENCE AND STAFF REPORTS

- A. City Attorney Report
- B. City Manager Report

2. DISCUSSION ITEMS

- A. None

3. ADJOURNMENT

NOTE: Background information is available for review in the office of the City Clerk prior to the meeting.

The Public Comment section is to allow members of the public to address the Council on matters pertaining to any business within the scope of Council authority and not appearing on the Agenda. Kansas Statutes prohibit the Council from taking action on any item not appearing on the Agenda, *except where an emergency is determined to exist.*

REQUEST FOR COUNCIL ACTION

DATE: 4/3/2020

TITLE: Resolution 2020-6 State of Local Emergency Declaration

ORIGINATING DEPARTMENT:

Administration

TYPE OF ACTION:

ORDINANCE

RESOLUTION

FORMAL ACTION

OTHER

RECOMMENDATION:

I recommend passing Resolution 2020-6 State of Local Emergency Declaration.

BACKGROUND:

Traditionally in the State of Kansas, cities of our classification are generally covered under a county declaration of emergency. Mitchell County declared a state of local emergency on March 17th, 2020 in response to the COVID-19 pandemic. Kansas League of Municipalities is now considering it good practice to declare a city declaration, even though we fall under the county declaration, as a an abundance of caution for future disaster and other recovery funding.

FINANCIAL IMPACT:

There is no direct cost associated with this agenda item.

OPTIONS:

DISCUSSION:

Respectfully submitted,
Jason Rabe
City Manager

A RESOLUTION OF THE CITY OF BELOIT, KANSAS DECLARING A LOCAL STATE OF EMERGENCY; TEMPORARILY EXPANDING THE AUTHORITY OF THE CITY MANAGER TO ACT ON BEHALF OF THE CITY; AND RATIFYING PREVIOUS DECISIONS REGARDING THE COVID-19 EMERGENCY.

WHEREAS, COVID-19, a respiratory disease that spreads easily from person to person and may result in serious illness or death has been confirmed in Kansas; and

WHEREAS, a State of Disaster Emergency was proclaimed by the Governor for the State of Kansas in its entirety on March 12, 2020; and

WHEREAS, the President of the United States declared a national emergency on March 13, 2020 regarding the COVID-19 pandemic; and

WHEREAS, the health, safety, and welfare of persons within the City of Beloit are of critical importance and have been endangered by the threat and spread of COVID-19; and

WHEREAS, the Governing Body of the City of Beloit, in response to the COVID-19 pandemic desires to protect the public health, safety, and welfare by declaring a local state of emergency and by temporarily expanding the authority of the City Manager, to act on behalf of the city during such time of emergency.

NOW, THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF BELOIT:

Section 1. A Local State of Emergency is declared regarding the COVID-19 Pandemic. All local ordinances and resolutions pertaining to times of emergency passed under the Home Rule Authority of the City of Beloit, granted by Art. 5 Sec. 12 of the Kansas Constitution, are now in effect to the extent that they do not contradict or conflict with the State Emergency Plan or Emergency Plan of Mitchell County.

Section 2.

- A. The City Manager is hereby vested, temporarily, with the authority to make all decisions in regard to personnel and City operations without the need to obtain Council approval for said action. This grant includes the authority to close City Facilities or suspend City operations; the authority to temporarily amend, extend, or suspend policies and procedures, including purchasing and personnel policies, of the City in response to the emergency; the authority and discretion to make decisions concerning the grant of additional leave and/or benefits to City employees; the authority to make decisions and purchases exceeding previously established purchasing authority granted by the Council; and the authority to make other decisions deemed necessary to continue city operations and secure the well-being and safety of City employees and the public at large in response to the COVID-19 pandemic.

B. The City Manager shall keep the Governing Body informed of the actions taken pursuant to this grant of authority by reporting them to the Governing Body at the next meeting after the action was taken.

Section 3. The Governing Body hereby ratifies the emergency decisions made by the City Manager in response to COVID-19 prior to the date of this Resolution.

Section 4. This resolution shall take effect and be in force immediately upon its adoption and shall remain in effect until future action is taken by the Governing Body.

ADOPTED this 3rd day of April, 2020 and **SIGNED** by the Mayor.

Tom Naasz, Mayor

Attested:

Amanda Lomax, City Clerk

REQUEST FOR COUNCIL ACTION

DATE: 4/3/2020

TITLE: FFCRA City of Beloit Exemption Action

ORIGINATING DEPARTMENT:

Administration

TYPE OF ACTION:

ORDINANCE

RESOLUTION

FORMAL ACTION

OTHER

RECOMMENDATION:

I recommend formal action affirming the FFCRA City of Beloit Exemption Policy.

BACKGROUND:

With the recent passage of the Families First Coronavirus Recovery Act and even more recent publishing of Department of Labor Rules regarding its usage, it has become apparent that municipalities need to set a list of exemptions as allowed by the legislation. These exemptions revolve around key and critical personnel that supply and maintain critical infrastructure. Exempted employees will be able to care for loved ones using traditional means and we will continue to provide flexibility, however it could have a severe impact on critical departments if we had several employees need access to 12 weeks of time off as outlined by the EFMLEA (Extended Family Medical Leave Expansion Act).

FINANCIAL IMPACT:

There is no direct cost associated with this agenda item.

OPTIONS:

DISCUSSION:

Respectfully submitted,
Jason Rabe
City Manager

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City of Beloit COVID 19 Action Plan FFCRA Exclusion Notice
Effective April 1, 2020

As part of the City of Beloit COVID 19 Action Plan, the City of Beloit reserves the right to exempt emergency responders as defined by the Secretary of Labor from the COVID 19 Emergency Family and Medical Leave Expansion Act (EFMLEA) and Emergency Paid Sick Leave Act (EPSLA).

As allowed in the Families First Coronavirus Response Act, the following employees are classified by the city as emergency responders and may be excluded from the benefits of the Act:

- City Hall administrative staff;
- Police Department;
- Animal/Code Enforcement;
- All Public Works employees, including the following departments:
 - Water Production
 - Water Distribution
 - Wastewater Treatment
 - Wastewater Collection
 - Electric Production
 - Electric Distribution
 - Cemetery

For the purposes of employees who may be excluded from paid sick leave or expanded family and medical leave by their employer under the FFCRA, an emergency responder is an employee who is necessary for the provision of transport, care, health care, comfort, and nutrition of such patients, or whose services are otherwise needed to limit the spread of COVID-19. This includes but is not limited to military or national guard, law enforcement officers, correctional institution personnel, fire fighters, emergency medical services personnel, physicians, nurses, public health personnel, emergency medical technicians, paramedics, emergency management personnel, 911 operators, public works personnel, and persons with skills or training in operating specialized equipment or other skills needed to provide aid in a declared emergency as well as individuals who work for such facilities employing these individuals and whose work is necessary to maintain the operation of the facility. This also includes any individual that the Governor determines is an emergency responder necessary for that state's response to COVID-19.

The following positions are not considered emergency responders by the City of Beloit and therefore are not exempted from the EPSLA and EFMLEA:

- Parks and Recreation
- Transportation
- Municipal Court Clerk
- Distribution Office Staff
- Janitor/Maintenance

For more information, contact City Manager Jason Rabe at 785-534-3439.

Jason M. Rabe

Date

Adopted by Formal Action of the Beloit City Council on April 3, 2020