



RESOLUTION 2020-0323-01

A RESOLUTION IMPLEMENTING EMERGENCY REGULATIONS NECESSARY TO PROTECT THE HEALTH, SAFETY AND WELFARE OF RESIDENTS AND EMPLOYEES OF THE VILLAGE OF CLAYCOMO, MISSOURI

WHEREAS, on March 11, 2020, the World Health Organization officially declared a pandemic due to the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on March 13, 2020, the President of the United States declared a national emergency in response to the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on March 13, 2020, the Governor of the State of Missouri signed Executive Order 20-02 declaring a state of emergency in Missouri in response to the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, on March 16, 2020, the Missouri Supreme Court issued an order suspending all in-person proceedings in all appellate and circuit courts, including all associate, family, juvenile, municipal and probate divisions, beginning March 17, 2020 through Friday April 3, 2020; and

WHEREAS, on March 18, 2020, the Clay County Commission, in coordination with the Clay County Public Health Center (CCPHC) and the Emergency Management Coordinator, declared a state of emergency in Clay County, Resolution 2020-97, in response to the Novel Coronavirus Disease (COVID-19) Outbreak; and

WHEREAS, RSMo. 80.090 states "Such board of trustees shall have power^{to} (10) prevent the introduction and spreading of contagious diseases."; and

WHEREAS, RSMo. 192.290 states in part "Nothing herein shall limit the right of local authorities to make such further ordinances, rules and regulations not inconsistent with the rules and regulations prescribed by the department of health and senior services which may be necessary for the particular locality under the jurisdiction of such local authorities."; and

WHEREAS, the power to protect health of the inhabitants of a municipality is wider in range than other police powers granted to a municipality by the State of Missouri; and

WHEREAS, COVID-19 poses a serious health risk for residents of the Village of Claycomo; and

WHEREAS, pursuant to the Village's Emergency Operations Plan, the Chairman is authorized to declare a state of emergency; and

Resolution 2020-0323-01

WHEREAS, the Village wishes to promulgate emergency regulations necessary to protect the public health, safety and welfare of its residents and employees; and

WHEREAS, the Village desires to more fully protect the health of the public by establishing certain rules and policies to be followed and applied during a health emergency such as the one the Village is presently experiencing involving the prevention of the introduction of COVID-19, a highly contagious disease, into the Village.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Village of Claycomo, Missouri, as follows:

That, the Village Board of Trustees of the Village of Claycomo, Missouri, does hereby find and determine that the Village should be prepared to adequately deal with and address the emergency created by COVID-19 in order to:

- a) insure that preparations are made and will continue to be made which will adequately deal with this declared emergency; and
- b) generally protect the public health, safety and welfare; and
- c) preserve lives and property of the citizens of the Village; and
- d) maintain government operations.

Further that, the Chairman hereby declares a state of emergency in response to COVID-19 and invokes and declares in full force and effect in Claycomo, Missouri, all laws, statutes of the State of Missouri, the County of Clay, for the exercise of all necessary emergency authority for the protection of the lives and property of the people of Claycomo, Missouri and the operation of local government with a minimum of interruption.

Further that, Village City Hall along with all Village-owned facilities will remain closed to the public during this state of emergency order to curb the spread of COVID-19 through close contact. The Administration Office will still be available 8am-5pm, Monday-Friday, by phone, email or by appointment only.

Further that, consideration will be given, on a case-by-case basis, for employees to work from home during the state of emergency. While not all positions are conducive to telework, those positions with primary job duties that can be effectively performed remotely will be given consideration.

Further that, during the state of emergency, we shall comply with all Federal and State Regulations, including, but not limited to, the newly established Families First Coronavirus Response Act, regarding FMLA and Employee Paid Sick Leave, among other provisions.

Further that, Administration shall pay all normal operating expenses, within the annual budget, without the prior consent of the Board of Trustees.

Further that, inasmuch as the CDC has recommended and the Clay County Public Health Emergency Order from Director Gary E. Zaborac orders no public gatherings of 10 or more people, and, although while exempt, the Village Board of Trustees wishes to observe the spirit of the law and the public safety and welfare that it is intended to protect, the April Village Board of Trustees

Resolution 2020-0323-01


Meetings are officially cancelled. The Board of Trustees may wish to modify this pronouncement by either extending or terminating this policy as they deem necessary.

Further that, the Powers of the Chairman under the Resolution of Health Emergency shall be:

- The authority to authorize payments of unbudgeted expenditures related to this health emergency, with the joint approval of the Village Clerk, up to \$10,000.
- The authority to handle personnel matters such as hiring, firing, disciplining and promoting.
- The authority to sign insurance agreements, such as selection of health insurance providers and other employee benefits in order to continue previously established benefits.
- The authority to temporarily waive routine administrative and budgetary requirements that may impede the effective delivery of essential public services.
- The authority to execute all documents necessary to continue normal business operations without interruption.
- The authority to order the evacuation of areas where there is a threat to public health and safety and to designate any public place, public street, thoroughfare, or parking area and other place closed to motor vehicles, persons or pedestrian traffic.
- To order the closing of any and all business establishments throughout the Village.
- To issue orders deemed necessary to protect life and property and to preserve critical resources with the purposes of this ordinance.
- To order adherence to all directives issued by the County, State and Federal authorities.

The Chairman is granted this authority for a temporary period of ³⁰~~90~~ days or until the Board of Trustees rescinds this grant of authority, whichever comes first.

PASSED AND APPROVED THIS 23rd DAY OF MARCH 2020, BY THE BOARD OF TRUSTEES AND CHAIRMAN OF THE VILLAGE OF CLAYCOMO, MISSOURI.


Norma Sulzberger, Chairman

ATTEST:


Jamie Wright, Village Clerk

