

Resolution #2020-38

A Resolution Establishing City of Albion Policies Promoting Expeditious Restoration of Municipal Operations and City Services to the Maximum Extent Permissible Under Governor Whitmer's Executive Orders in Effect

WHEREAS, the City of Albion collects income and property taxes to provide city services as well as pay the salaries and benefits for our municipal employees without regard to the COVID-19 pandemic; and

WHEREAS, Albion resident tax-payers continue to pay their full property and income taxes during the COVID-19 pandemic to continue funding city services and provide full pay and benefits to our municipal employees; and

WHEREAS, no City of Albion municipal employee has been furloughed or has suffered any loss in pay due to the COVID-19 pandemic; and

WHEREAS during this COVID-19 pandemic, City of Albion municipal employees have spent in excess of 2200 hours, at their residences, drawing full pay and benefits; and

WHEREAS, in contrast, the Marshall municipal government has pro-actively been participating in the Work Share program and multiple Marshall city employees have taken furlough days when not at work with no loss of pay; and

WHEREAS, Governor Whitmer's Executive Order **EO 2020-110** does NOT prohibit work to be performed in person which **cannot otherwise be performed remotely**, nor does it require municipalities to defer work that cannot be performed remotely, rather it specifies that work that is **capable of being performed remotely** must be performed remotely; and

WHEREAS, Governor Whitmer's Executive Order **EO 2020-114** specifies minimum safeguards to protect Michigan's workers from COVID-19 who are required to leave their homes or residences for work; and

WHEREAS, Governor Whitmer's Executive Order **EO 2020-115** authorizes diverse indoor facilities such as arcades, bowling alleys, cinemas, climbing facilities, convention centers, performance spaces, meeting halls, night clubs, sports arenas, theaters and similar venues may be open for business; and

WHEREAS Governor Whitmer's Executive Order **EO 2020-129** uses permissive rather than mandatory language to specify "A meeting of a public body **may be held electronically**" but does not prohibit in person physical meetings nor justify failure for city employees to provide the necessary support in City Hall; and

WHEREAS, on or before 6 July 2020, Jackson and various municipalities in Calhoun County, in full compliance with all of Gov Whitmer's' COVID-19 E.O.s in effect, restored public access to multiple municipal facilities and restored many municipal services to the public with appropriate COVID-19 Social Distancing safeguards implemented; and

WHEREAS, restoring as many municipal city services as is permissible and increasing public access to City of Albion municipal facilities with necessary COVID-19 health safeguard measures in place is essential to moving Albion forward in a new-normal condition with the anticipated long term COVID-19 health concerns; and

WHEREAS, City of Albion residents want and are entitled to the expeditious re-establishment of municipal operations and city services to the maximum extent legally permissible under Governor Whitmer's Executive Orders now in effect.

Council Member Mayor Atchison moved, supported by Council Member Smith, to approve the following resolution.

RESOLVED, the Albion City Council hereby specifies it is the policy of the City of Albion that:

- a. **EO 2020-110** does not prohibit city employees from performing any municipal work in person that **otherwise cannot be performed remotely**; and
- b. **EO 2020-110** does not require municipalities to defer work that cannot be performed remotely; and
- c. **EO 2020-129** authorizes a public body **may** hold meetings electronically but does not prohibit meeting physically as long as the COVID-19 safeguard requirements specified in **EO 2020-114** are implemented and the total number of people present indoors at the meeting does not exceed 50 people as specified in **EO 2020-115**; and
- d. at the discretion of the City Manager, city employees may be assigned to physically perform work necessary to support the Albion City Council, city boards and commissions, or other city officials performing official work for the City of Albion; and
- e. expeditiously restoring all municipal operations and city services to the maximum extent permissible under Governor Whitmer's Executive Orders is in the best interest of City of Albion employees, residents, tax-payers, local businesses and visitors to our community.

I hereby certify that the above resolution was adopted on 14 July, 2020 in a special session of the Albion City Council and this is a true copy of that resolution.

Ayes 6

Nays 0

Absent 1 (Lawler)

Jill Domingo / 7-30-2020
Jill Domingo, Albion City Clerk / Date