



## Village Manager's Office

**SUBJECT:** COVID-19 Emergency Declaration

**MEETING DATE:** April 14, 2020 (updated from March 24, 2020)

**FROM:** Michael Braiman, Village Manager  
Jeffrey Stein, Assistant Village Manager/Corporation Counsel

**Budget Impact:** The service business grant program will be funded by the General Fund reserves.

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### **Recommended Motions**

Adoption of Resolution #2020-R-25 Extending the Emergency Affecting the Public Health and Wellbeing due to the Outbreak of COVID-19 Virus.

### **Background & Discussion**

On March 17, 2020, Village President Bielinski signed a Declaration of Local Disaster Public Health Emergency ("Emergency Declaration") in response to the ongoing COVID-19 pandemic. On March 24, 2020, the Village Board adopted Resolution 2020-R-17 which extended the Emergency Declaration to the next Village Board on April 14, 2020. After the March 24<sup>th</sup> meeting, the Governor of the State of Illinois issued additional emergency executive orders ("Executive Orders"), including "stay at home" orders that in relevant part required the residents of Illinois to practice social distancing of being no less than six (6) feet apart when outside and restricted gatherings of more than 10 people.

As part of the Executive Orders, the Governor authorized local law enforcement to enforce these restrictions in order to promote the public health. The Village's Police Department has instituted an enforcement protocol whereby an issuance of a citation would be a last, but necessary, resort for anyone in consistent violation of these orders. For the Village to enforce these orders as a local ordinance violation, these provisions should be first adopted by the Village as being made a part of a local disaster declaration.

Accordingly, on April 7, 2020, the Village President signed an amended emergency declaration ("Amended Emergency Declaration") that added the social distancing requirements and the

restrictions for gatherings of more than 10 people to the original Emergency Declaration. As such, the Village's police department can now enforce these provisions under local ordinance, in addition to other enforcement avenues.

In addition, the Amended Emergency Declaration amended the suspension of the local liquor sales provisions even further by allowing the sale of any alcoholic beverage in a closed sealed container, including sales of draft beer in sanitized and sealed "growlers" or "crowlers." Previously, only limited amounts of beer and wine was authorized to be sold.

The Amended Emergency Declaration will expire on April 14, 2020, and in order to continue to be in effect, the Village Board must extend it to their next Village Board meeting which is set for April 28, 2020. If for some unforeseen reason the Village Board cannot meet on April 28<sup>th</sup>, the Amended Emergency Declaration would extend to the date in which the Village Board does meet.

On March 24, 2020 the Village Board authorized \$375,000 for a sales tax rebate program as part of the disaster declaration. The sales tax rebate program rebated a portion of the Village's share of municipal sales tax to eligible local businesses to be used for short-term financial needs. The intent of the sales tax rebate program was to provide immediate financial assistance to support small businesses and preserve the local economy. Included in the attached Resolution is the expansion of the economic relief program to include a service business grant program as an additional grant of authority to the Village President. The service business grant program seeks authorization of an incremental \$125,000 for service-based businesses in the Village. This would bring the Village's total economic relief program to \$500,000 to support all aspects of the Wilmette business community. Similar to the sales tax grant program, the Resolution will authorize the Village President to expend the grant funds and staff will draft program guidelines and administrative rules. Agenda item 6.31 will discuss the program guidelines in further detail.

### **Budget Impact**

The service business grant program will be funded by General Fund reserves.

### **Documents Attached**

1. Resolution #2020-R-25 Extending the Emergency Affecting the Public Health and Wellbeing due to the Outbreak of COVID-19 Virus (amended declaration attached as Exhibit A)

## **RESOLUTION NO. 2020-R-25**

### **A RESOLUTION EXTENDING THE EMERGENCY AFFECTING THE PUBLIC HEALTH AND WELLBEING DUE TO THE OUTBREAK OF COVID-19 VIRUS**

**WHEREAS**, the Village of Wilmette, Cook County, Illinois (the “Village”) is a home rule municipal corporation as provided in Article VII, Section 6 of the 1970 Constitution of the State of Illinois and, pursuant to said constitutional authority, may exercise any power and perform any function pertaining to its government and affairs for the protection of the public health, safety, morals and welfare; which includes declaring emergencies concerning the declaration of local disasters or public health emergencies and providing for the authority of local officials to take such actions as may be necessary to protect the public health, safety and welfare in the event of a disaster or other local emergency; and

**WHEREAS**, State of Illinois Governor JB Pritzker issued a Gubernatorial Disaster Proclamation in response to the outbreak of Coronavirus Disease 2019 (“COVID-19”); and

**WHEREAS**, Governor Pritzker has issued multiple Executive Orders to help combat the spread of COVID-19; and

**WHEREAS**, in order to prevent the spread of COVID-19 in the Village, and to protect the residents, employees and officials of the Village from disease and death, to help assist businesses in the short term to remain viable and open to the public, to provide the residents with ability to obtain food items in the safest and most efficient way possible, and to provide the Village’s business community with the ability to continue to safely serve patrons as allowed by the Executive Orders, the Village President issued a Declaration of Local Disaster and Public Health Emergency on March 17, 2020, pursuant to Illinois Municipal Code Section 5/11-1-6, the Illinois Emergency Management Agency Act Section 3305/11 and Chapter 2, Article XL of the Village Code; and

**WHEREAS**, on March 24, 2020, the Village Board adopted Resolution 2020-R-17, A Resolution Declaring an Emergency Affecting the Public Health and Wellbeing due to the Outbreak of COVID-19 Virus (“Emergency Declaration”) which extended the Village President’s Declaration of Local Disaster and Public Health Emergency to April 14, 2020 or until the Village Board could legally and safely conduct its next Village Board Meeting; and

**WHEREAS**, On April 7, 2020, the Village President issued an amended emergency declaration (“Amended Emergency Declaration”) which mirrored the existing Emergency Declaration, but also added provisions for the enforcement of social distancing requirements and prohibitions against gatherings of more than ten people.

**WHEREAS**, the Amended Emergency Declaration also authorized the sale of all alcoholic beverages in a sealed container for pickup or delivery from restaurants within the Village; and

**WHEREAS**, the Village Board desires to further extend the Emergency Declaration until its next scheduled meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the President and Board of Trustees of the Village of Wilmette as follows:

**SECTION ONE: Recitals Incorporation.** The above recitals are incorporated into this section one as if fully set forth.

**SECTION TWO: Extension of Local Disaster and Public Health Emergency.** The Emergency Declaration adopted by the Village Board pursuant to Resolution 2020-R-17, and the Amended Emergency Declaration issued by the Village President, are hereby extended to April 28, 2020, which may be further extended by the Village President if the Village Board cannot lawfully and safely conduct its meeting. Such an extension shall be made in writing and

delivered to the Village Clerk and each Village Trustee and shall be in effect until the Village Board can legally and safely conduct a Village Board meeting. The Amended Emergency Declaration is attached as Exhibit A.

**SECTION THREE: Additional Powers Granted to the Village President.** The Village President is authorized to direct staff to create administrative rules and procedures to provide Village of Wilmette personal service and entertainment businesses with a grant. The Village President shall have the authority, during the duration of the local disaster and public health emergency, to expend up to \$156,000.00 from the Village’s general fund to aid and assist Wilmette businesses in the manner and form prescribed in the administrative rules and procedures. Any expenditure made by the Village President shall be submitted to the Village Board for ratification at meeting immediately following said expenditure. Nothing in the provision shall create a right to any business to receive any Village funds or create an obligation of the Village to expend any funds.

**SECTION FOUR:** This Resolution shall be in full force and effect from and after its passage as provided by law.

**ADOPTED** by the President and Board of Trustees of the Village of Wilmette, Illinois, on the 14<sup>th</sup> day of **April 2020** according to the following roll call vote:

<b>AYES:</b>	<u>None.</u>
<b>NAYS:</b>	<u>None.</u>
<b>ABSTAIN:</b>	<u>None.</u>
<b>ABSENT:</b>	<u>None</u>

\_\_\_\_\_  
Village Clerk

**Approved on April 14, 2020**

\_\_\_\_\_  
Village President

Attest:

\_\_\_\_\_  
Village Clerk

EXHIBIT A

AMENDED DECLARATION OF LOCAL DISASTER AND PUBLIC HEALTH  
EMERGENCY – VILLAGE OF WILMETTE

# **Amended Declaration of Local Disaster and Public Health Emergency Village of Wilmette April 7, 2020**

I, Robert T. Bielinski, do hereby issue this Amended Declaration of Local Disaster and Public Health Emergency for the Village of Wilmette, this 7<sup>th</sup> day of April 2020 (“Amended Declaration”).

## Introduction

WHEREAS, the Village President issued a Declaration of Local Disaster and Public Health Emergency on March 17, 2020 (“Declaration”) in response to the outbreak of Coronavirus Disease 2019 (“COVID-19”); and

WHEREAS, the Village Board approved and extended Declaration to April 24, 2020; and

WHEREAS, since that time COVID-19 has continued to spread; and

WHEREAS, Governor Pritzker has issued multiple additional Executive Orders (“Executive Orders”), since the Declaration was issued, to help combat the spread of COVID-19; and

WHEREAS, as part of those Executive Orders, Governor Pritzker has issued stay-at-home orders, social distancing requirements, closed all public and private schools, closed all non-essential business, and prohibited gatherings of more than 10 people; and

WHEREAS, the Executive Orders authorize the local governments to help enforce the social distancing requirements and the restrictions on gatherings over 10 people; and

WHEREAS, in order to prevent the spread of COVID-19 in the Village, and to protect the residents, employees and officials of the Village from disease and death, to provide the residents with ability to obtain food items in the safest and most efficient way possible, and to provide the Village’s business community with the ability to continue to safely serve patrons as allowed by the Executive Orders, I find it necessary to issue this Amended Declaration to implement emergency regulations and orders, all as set forth in the Amended Declaration; and

WHEREAS, in order to prevent the spread of COVID-19 in the Village, and to protect the residents, employees and officials of the Village from disease and death, the Village residents shall comply with and follow the Executive Orders’ requirements of social

## Statement of Authority

This Declaration is issued pursuant to the authority vested in the office of Village President by the Illinois Municipal Code Section 5/11-1-6, the Illinois Emergency Management Agency Act Section 3305/11 and Chapter 2, Article XL of the Village Code.

## Declaration

I hereby declare that a local disaster and public health emergency exists in the Village of Wilmette, for the reasons set forth in this Declaration.

## Emergency Regulations and Orders

I hereby direct and order the following:

1. *Emergency Purchasing.* Pursuant to Section 6-132 (Emergency Procurement) of the Village Code, the Village Manager shall make emergency purchases as necessary under the circumstances without prior approval from the Village Board. Any such purchases, over the Village Manager's purchasing authority, shall be submitted to the President and Board of Trustees for ratification at their next regular meeting.
2. *Emergency Staffing.* The Village Manager may implement such emergency staffing protocols and procedures as may be necessary for the preservation of the public health and safety, and for the preservation of the health of Village employees. The Village Manager is authorized to implement alternative staffing protocols, procedures, and shifts for the Village's various departments, including the Village's Police Department and Fire Department. The Village Manager is also authorized to hire any personnel or engage a consultant on a temporary basis needed to preserve the health, safety and welfare of the Village's residents.
3. *Closure of Public Buildings to the Public.* The Village's owned and operated buildings, except the front lobby of the Village's police department, shall be closed to the general public.
4. *Meeting Cancellation/Postponement.* The Village Manager shall cancel or postpone, to the extent possible and feasible, all regularly scheduled public meetings in month of April of 2020. Pursuant to the Executive Orders, all necessary and required meetings may be held electronically and shall only have agenda items that require immediate action by the relevant board, committee or commission. Such meetings shall attempt to comply with the encouragements stated in the Executive Orders when holding electronic meetings. A summary of all meetings shall be posted on the Village's website within 48 hours from the conclusion of said meeting.
5. *Social Distancing and Groups of More than Ten People Prohibited.*
  - A. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person.
  - B. Gatherings of more than ten people is prohibited unless exempted by one or more of the Executive Orders.

6. *Suspension of Certain Village Regulations.*

- A. The Village shall authorize the curbside pickup or the offsite delivery of alcoholic beverages to patrons for all Village of Wilmette liquor licensed establishments where consumption of alcohol can take place on such premises ("Licensee") in the following manner:
1. the Licensee may offer for sale alcoholic beverages; and
  2. the Licensee may offer for sale beer from a tap in a Growlers or Crowlers (whether manufactured at the establishment or sold for resale) for consumption off site. All Growlers and Crowlers must be properly sealed and sanitized as required by the Illinois Liquor Control Act.
  3. the alcoholic beverages shall be in the original sealed packaging; and
  4. the alcoholic beverages shall be sold in conjunction with the sale of food; and
  5. the alcoholic beverages cannot be delivered, sold, or possessed by anyone under the age of 21; and
  6. the Licensee's employee or agent must first obtain adequate proof of age from the patron that ordered the alcoholic beverage prior to that patron receiving that alcoholic beverage.
- B. The Village shall waive the application and permit requirements needed to allow for curb loading zones and install signage for such loading zones next to or in close proximity of a Licensee's front door. This loading zone shall be used for patrons to be able to easily receive and pay curbside for purchases of menu items from the Licensee.
- C. The Village shall not issue any permits for solicitors, public demonstrations when such demonstrations may include ten (10) or more people, or a temporary use for the purpose of holding a special event if such event will include ten (10) or more people.

Duration of Local Disaster Declaration

The Village, based upon the public gathering guidelines of the federal and state governments, and pursuant to the encouragement of public bodies to postpone consideration of public business when possible per the Executive Orders and, in accordance with this Declaration, the Village Board will not be able to physically meet at its next regularly scheduled Village Board meeting. The Village Manager is directed and authorized to schedule an electronic meeting within seven (7) days unless doing so is unfeasible, then such an electronic meeting shall be held as soon as practically possible thereafter.

Therefore, pursuant to Section 2-1124 of the Village Code, this Declaration herein shall be in effect for seven (7) days, which shall automatically extend past the period of seven (7) days until such time as the Village Board shall conduct its next meeting.

Signed and sealed with the official seal of the Village of Wilmette on this 7<sup>th</sup> day of April 2020.

By:



Robert T. Bielinski,  
Village President – Village of Wilmette



Village Seal