

**AGENDA
OF THE CITY
COUNCIL SPECIAL MEETING
CITY OF EAST GRAND FORKS
FRIDAY, MAY 29, 2020 – 5:00 PM**

CALL TO ORDER:

CALL OF ROLL:

DETERMINATION OF A QUORUM:

1. Mayoral Declaration of Amended Local Public Health Emergency
2. Consider adopting Resolution No. 20-05-35 assisting in the accommodations for businesses to open under the Governor's Executive Order while they follow guidelines and ratifying the Mayor's amended local emergency.

ADJOURN:

Upcoming Meetings

Regular Council Meeting – Tuesday, June 2, 2020 – 5:00 PM
Work Session – Tuesday, June 9, 2020 – 5:00 PM
Regular Council Meeting – Tuesday, June 16, 2020 – 5:00 PM
Work Session – Tuesday, 23, 2020 – 5:00 PM

Individuals with disabilities, language barriers or other needs who plan to attend the meeting and will need special accommodations should contact Nancy Ellis, ADA Coordinator at (218)-773-2208. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements. Also, materials can be provided in alternative formats for people with disabilities or with limited English proficiency (LEP) by contacting the ADA Coordinator (218)-773-2208 five (5) days prior to the meeting.

Mayoral Declaration of Amended Local Public Health Emergency

WHEREAS, the City of East Grand Forks, Minnesota, has a current local public health emergency resulting from imminent health conditions caused by presence of the Coronavirus Disease (COVID-19); and

WHEREAS, the City of East Grand Forks is a public entity within the State of Minnesota; and

WHEREAS, the Center for Disease Control identifies the potential public health threat posed by COVID-19, and has advised that person-to-person spread of COVID-19 will continue to occur; and

WHEREAS, the State of Minnesota has confirmed multiple positive test results for COVID-19; and

WHEREAS, the United States and the State of Minnesota have both declared states of emergencies related to urgent conditions created by the presence of COVID-19; and

WHEREAS, the necessary resources to respond to and recover from the COVID-19 pandemic may exceed the resources available in the City of East Grand Forks; and

WHEREAS, the Mayor of the City of East Grand Forks Declared a Local Emergency to protect the public health, safety, and welfare during this emergency; and

WHEREAS, the purpose of flattening the curve to allow medical facilities and personnel to gear up and acquire necessary PPE and capacity to manage the influx of patients with COVID-19 has been achieved; and

WHEREAS, restaurants, bars and other places of public accommodation were closed by Executive Order 20-04 which was extended by Executive Order 20-33

WHEREAS, Minnesota is now ahead of the curve on COVID-19 prevention and response which is supported by Executive Order 20-56;

WHEREAS, Minnesota is reopening bars, restaurants beginning on June 1, 2020 to provide limited outdoor public accommodations and;

WHEREAS, The City of East Grand Forks wants to provide assistance to bars and restaurants in quickly opening outdoor areas; and

WHEREAS the State of Minnesota continues to operate under a declared emergency due to Covid-19; and

WHEREAS, a local emergency still exists and there continues to be a need for a local Emergency to protect public health Safety and wellbeing; and

NOW, THEREFORE, I, Steven Gander, Mayor of the City of East Grand Forks, do hereby declare a local Emergency and amend the Local Emergency previously declared pursuant to Minnesota Statutes, Ch. 12.29, and East Grand Forks City Code of Ordinances , Section 34.05 and the City Charter Section 3.15 to resume under the same conditions and to include the following:

I further declare that:

1. To assist bars, restaurants and other public accommodations the City of East Grand Forks will provide guidelines and allow City staff authority to expedite the application process and upon compliance approve the use of public parking lots and public sidewalks to operate the bars and restaurants for outdoor dining in compliance with the Governor's Executive Order, without prior council approval.
2. Should the State allow Cities the discretion for use of non-contiguous areas for outdoor dining/liquor service the City of East Grand Forks will develop and provide guidelines to allow City staff the authority to expedite the application process to permit bars and restaurants the use of non-contiguous public parking lots, public sidewalks and other private property to operate bars and restaurants for outdoor dining without prior Council approval and subject to approval by the Alcohol and gambling Enforcement division of the Department of Public Safety.
3. This declaration extends to other public accommodations that have been deemed non-essential and closed but now allowed to be open in limited capacity, such as retailers, to apply for the use of public parking lots and public sidewalks contiguous to its business.
4. Emergency regulations promulgated by mayoral proclamation to protect the public health, safety, and welfare during this emergency as authorized by the City Code Section 34.06(C) are subject to rescission by the City Council at any time. If not sooner rescinded, every such regulation shall expire at the end of thirty (30) days after its effective date or at the end of the declared emergency, whichever occurs first.

Date

Steven Gander, Mayor of East Grand Forks

ATTEST:

City Clerk, Megan Nelson

RESOLUTION NO. 20 – 05 - 35

RESOLUTION ENACTED UNDER AUTHORITY OF MINNESOTA STATUTES SECTIONS 12.29 AND 12.37 TO AMEND THE MAYOR-DECLARED LOCAL EMERGENCY FOR THE CITY OF EAST GRAND FORKS, COUNTY OF POLK DUE TO LOCAL PUBLIC HEALTH EMERGENCY.

WHEREAS, the City of East Grand Forks is a public entity within the County of Polk, State of Minnesota; and

WHEREAS, the Mayor of East Grand Forks previously found that imminent health conditions caused by the presence and increased number of cases of Coronavirus Disease (COVID-19) in the State of Minnesota;

WHEREAS, the mayor declared that the situation is a local emergency; and

WHEREAS, the City Council agreed with the mayor’s findings and further found that the situation wouldlast for more than three days and found that the declaration was to protect the public health, safety, and welfare during this emergency; and

WHEREAS, the Mayor has Amended the Emergency Declaration to assist bars and restaurants in opening quickly in light of Governor Walz approving the reopening of bars and restaurants limited to outdoor public accommodations to serve food and alcohol

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EAST GRAND FORKS, MINNESOTA AS FOLLOWS:

1. The city council declares that the local public health emergency is amended to:

- a. To assist bars, restaurants and other public accommodations the City of East Grand Forks will provide guidelines to allow staff authority to expedite the application process to allow the use of public parking lots and public sidewalks to operate the bars and restaurants for outdoor dining in compliance with the Governor’s Executive Order; and
- b. Should the State allows cities the discretion for use of non-contiguous areas for outdoor dining/liquor service the City of East Grand Forks will develop and provide guidelines for City staff to expedite the application process to allow bars and restaurants use of non-contiguous public parking lots, public sidewalks and other private property to operate bars and restaurants for outdoor dining subject to approval by the Alcohol and gambling Enforcement division of the Department of Public Safety; and
- c. This declaration extends to other public accommodations that have been deemed non-essential and closed but now allowed to be open in limited capacity, such as retailers, to apply for the use of public parking lots and public sidewalks contiguous to its business.

2. This declaration shall officially ratify the Mayor’s amended local emergency and will invoke the City’s emergency executive authority to allow for the assistance of bars, restaurants and other places of public accommodations as determined by the council.

Voting Aye:

Voting Nay:

Absent:

The President declared the resolution passed. Passed: May 29, 2020

Attest:

City Administrator/Clerk-Treasurer

President of Council

I hereby approve the foregoing resolution this 29th of May, 2020.

Mayor

DRAFT