



SPECIAL (EMERGENCY) COUNCIL MEETING AGENDA

AFTON CITY COUNCIL CHAMBERS

3033 St. Croix Trail South

Thursday, March 26, 2020

At 4:15 p.m.

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF AGENDA – March 26, 2020 Special (Emergency) Council Meeting**
- 4. CITY COUNCIL BUSINESS**
 - A. Mayoral Emergency Declaration - Resolution 2020-18**
 - B. Council Consent to and Extension of Emergency Declaration – Resolution 2020-19**
 - C. Options for Council Meeting and Public Hearing Processes**
- 5. ADJOURN**

A quorum of the City Council or Other Commissions may be present to receive information at, but not limited to, any of the following meetings: Planning Commission; the Public Works Committee; Parks Committee; Design Review and Heritage Preservation Commission; Lower St. Croix Cable Commission; LSCWMO; MSCWMO; I-94 Corridor Coalition and the 5-City Mayor's Alliance.

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Meeting Date March 26, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members
From: Ron Moorse, City Administrator
Date: March 25, 2020
Re: Mayor Declaration of Local Emergency – **Proclamation 2020-18**

Attached is a Mayoral proclamation declaring a local emergency regarding Covid-19. This proclamation is made by Mayor Palmquist, and remains in effect for three days, unless the Council extends the period of the local emergency.

COUNCIL ACTION REQUESTED:

The Mayor adopts Proclamation 2020-18 declaring a local emergency.

PROCLAMATION 2020-18

CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA

PROCLAMATION AND DECLARATION OF EMERGENCY

WHEREAS, the Mayor of the City of Afton, Minnesota (“Mayor”) finds that the following situation (the Situation) exists in the City of Afton, Minnesota (“City”); and

WHEREAS, the virus named “SARS-CoV-2,” is a new strain of coronavirus that has not previously been identified in humans and can easily spread from person to person and which causes a disease named “coronavirus disease 2019,” commonly known as “COVID-19,” which is a respiratory disease that can result in serious injury or death; and

WHEREAS, on January 21, 2020 the first case of COVID-19 was detected in the United States; on March 6, 2020 the first case of COVID-19 was detected in the State of Minnesota; and as of March 16, 2020, there are fifty-four known cases of COVID-19 in Minnesota; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and

WHEREAS, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

WHEREAS, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize all necessary resources to be used in support of the COVID-19 response; and

WHEREAS, COVID-19 has been identified by the World Health Organization as a pandemic, and the United States Centers for Disease Control has provided guidance for individuals, healthcare professionals, and businesses to slow the spread of COVID-19, which include cancelling or postponing in-person events that involve more than fifty people for eight weeks; and

WHEREAS, additional local cases will trigger a more aggressive public health response that is predicted to impact residents of Afton and those who work in or travel through the City, including City employees; and

WHEREAS, the need for social distancing, school closings, and quarantine methods to stop the spread of COVID-19 is expected to cause significant challenges and will require expending significant public resources; and

WHEREAS, the Mayor finds that the Situation threatens the health, safety, and welfare of the citizens of the community and will cause a significant impact on the ability of public safety personnel to address any immediate dangers to the public as a result of COVID-19; and

WHEREAS, the Mayor finds that traditional sources of financial aid, assistance and relief will not be able to compensate for the potential impact of COVID-19, and have determined that the necessary

resources to respond to and recover from this pandemic will exceed those resources available within the City of Afton, and additional resources will be needed from Washington County and state and federal sources; and

WHEREAS, Minnesota Statutes, section 12.29 authorizes the Mayor to declare the existence of a local emergency, invoke necessary portions of the City's Emergency Operations Plans and authorize aid and services in accordance with inter jurisdictional agreements, such as mutual aid agreements; and

WHEREAS, under Minnesota Statutes, section 12.37 this emergency declaration authorizes the City to enter into contracts and perform other duties without following many of the time-consuming legal procedures normally required, including:

- Arranging for the performance of public work
- Contracting
- Incurring obligations
- Employing temporary workers
- Renting equipment
- Purchasing supplies and materials
- Complying with limitations on tax levies
- Appropriating and expending public funds, including publication of ordinances and resolutions, advertisement for bids, provisions of civil service laws and rules, competitive bidding, and budget requirements; and

WHEREAS, the Mayor finds that the Situation is sudden and unforeseen and could not have been anticipated; and

WHEREAS, the Mayor finds that the conditions in Minnesota and the threat to visitors to and residents of the City of Afton has worsened considerably as a result of the Situation; and

WHEREAS, the Mayor finds that the Situation is a local emergency.

NOW, THEREFORE, MAYOR BILL PALMQUIST OF THE CITY OF AFTON PROCLAIMS, DECLARES, REQUESTS, AND DIRECTS AS FOLLOWS:

1. Under the authority given by Minnesota Statutes, Section 12.29, The Mayor of the City of Afton declares that a local emergency exists within the City of Afton, effective March 26, 2020, with all the powers and responsibilities attending thereto as provided by Minnesota Statutes, Chapter 12, and further proclaims that such emergency constitutes a declared emergency pursuant to Minnesota Statute 12.31 and City Code Section 211.06.
2. City Staff is directed to review ordinance and regulatory requirements, operations, civil and legal proceedings, events, and resources to determine whether the foregoing should be adjusted or suspended, and to make recommendations regarding additional emergency regulations to support the employees and residents of the City of Afton.
3. All City departments and offices are directed to operate and support the response to this incident, including implementing new employee protocols, strategies, and processes to ensure that public services are maintained.

4. The City Administrator is granted authority to implement the City's Continuity of Operations Plan as needed and, as necessary exercise the powers granted to the City by Minn. Stat. 12.37.
5. The City Administrator and other appropriate City staff are directed to request and coordinate appropriate aid and resources from surrounding jurisdictions, Washington County, the State of Minnesota, and the Federal government, as needed.
6. Pursuant to Minnesota Statutes, Section 13D.021, the Mayor has the authority, as necessary, to determine that in-person meetings of the City Council, Planning Commission, and other advisory commissions of the City of Afton are not practical or prudent due to the COVID-19 health pandemic and the peacetime emergency declared by Governor Walz pursuant to Minnesota Statutes, Chapter 12 and by the Mayor, and that the Mayor may direct that meetings of the City Council, Planning Commission, and other advisory commissions of the City shall be conducted by telephone or other electronic means, and that City Staff be directed to take such action as may be necessary to enable such meetings to occur via telephone or other electronic means pursuant to Minnesota Statutes, Section 13D.021, until such time as it is no longer impractical or imprudent for the City Council, Planning Commission, and other advisory commission to resume in-person meetings.
7. This emergency declaration shall continue for a period of three (3) days from its effective date of March 26, 2020, unless further extended by or with the consent of the City Council pursuant to Minnesota Statutes, Section 12.29, subd. 1.
8. That this declaration be given prompt and general publicity and that it be filed promptly by the City Clerk.

Adopted by the Mayor of the City of Afton, Minnesota this 26th day of March, 2020.

Bill Palmquist, Mayor

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Meeting Date March 26, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: March 25, 2020

Re: Extension of the Period of the Mayor-Declared Local Emergency – **Resolution 2020-19**

The Mayor is to declare a local emergency regarding Covid-19 through the adoption of a proclamation at the March 26, 2020 emergency Council meeting. The emergency declaration remains in effect for three days unless it is extended by the City Council. Because of the uncertainty regarding the length of time during which emergency measures will be needed to address the effects of Covid-19, the attached resolution extends the period of the Mayor-declared local emergency until such time as the City Council, by further action, shall determine such emergency no longer exists.

COUNCIL ACTION REQUESTED:

Motion regarding the adoption of resolution 2020-19 extending the period of the Mayor-declared local emergency.

RESOLUTION 2020-19

**CITY OF AFTON
WASHINGTON COUNTY, MINNESOTA**

A RESOLUTION ENACTED UNDER AUTHORITY OF MINNESOTA STATUTES SECTIONS 12.29 AND 12.37 TO EXTEND THE PERIOD OF A MAYOR-DECLARED LOCAL EMERGENCY

WHEREAS, the Mayor of Afton (the “Mayor”) has found that the following situation (the “Situation”) exists:

WHEREAS, the virus named “SARS-CoV-2,” is a new strain of coronavirus that has not previously been identified in humans and can easily spread from person to person and which causes a disease named “coronavirus disease 2019,” commonly known as “COVID-19,” which is a respiratory disease that can result in serious injury or death; and

WHEREAS, on January 21, 2020 the first case of COVID-19 was detected in the United States; on March 6, 2020 the first case of COVID-19 was detected in the State of Minnesota; and as of March 16, 2020, there are fifty-four known cases of COVID-19 in Minnesota; and

WHEREAS, on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19, beginning on January 27, 2020; and

WHEREAS, on March 13, 2020, President Donald Trump declared that the COVID-19 outbreak in the United States constitutes a National Emergency; and

WHEREAS, on March 13, 2020, Governor Tim Walz declared a Peacetime State of Emergency to authorize all necessary resources to be used in support of the COVID-19 response; and

WHEREAS, COVID-19 has been identified by the World Health Organization as a pandemic, and the United States Centers for Disease Control has provided guidance for individuals, healthcare professionals, and businesses to slow the spread of COVID-19, which include cancelling or postponing in-person events that involve more than fifty people for eight weeks; and

WHEREAS, additional local cases will trigger a more aggressive public health response that is predicted to impact residents of Afton and those who work in or travel through the City, including City employees; and

WHEREAS, the need for social distancing, school closings, and quarantine methods to stop the spread of COVID-19 is expected to cause significant challenges and will require expending significant public resources; and

WHEREAS, the Mayor finds that this situation threatens the health, safety, and welfare of the citizens of the community, threatens the provision of City services and will cause a significant impact on the ability of public safety personnel to address any immediate dangers to the public as a result of COVID-19; and

WHEREAS, the Mayor finds that traditional sources of financial aid, assistance and relief will not be able to compensate for the potential impact of COVID-19, and have determined that the necessary resources to respond to and recover from this pandemic will exceed those resources available within the City of Afton, and additional resources will be needed from Washington County and state and federal sources; and

WHEREAS, Minnesota Statutes, section 12.29 authorizes the Mayor to declare the existence of a local emergency, invoke necessary portions of the City's Emergency Operations Plans and authorize aid and services in accordance with inter jurisdictional agreements, such as mutual aid agreements; and

WHEREAS, under Minnesota Statutes, section 12.37 this emergency declaration authorizes the City to enter into contracts and perform other duties without following many of the time-consuming legal procedures normally required, including:

- Arranging for the performance of public work
- Contracting
- Incurring obligations
- Employing temporary workers
- Renting equipment
- Purchasing supplies and materials
- Complying with limitations on tax levies
- Appropriating and expending public funds, including publication of ordinances and resolutions, advertisement for bids, provisions of civil service laws and rules, competitive bidding, and budget requirements; and

WHEREAS, the Mayor finds that the Situation is sudden and unforeseen and could not have been anticipated; and

WHEREAS, the Mayor finds that the conditions in Minnesota and the threat to the visitors to and residents of the City of Afton has worsened considerably as a result of the Situation; and

WHEREAS, the Mayor has declared that the Situation is a local emergency; and

WHEREAS, the City Council of Afton agrees with the Mayor's findings and further finds that the Situation will last for more than three days;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AFTON MINNESOTA AS FOLLOWS:

The city council declares that the Situation constitutes a local emergency continuing until such time as the City Council by further action shall determine that such emergency no longer exists.

This declaration of a local emergency will invoke the city's Emergency Operations Plan. The portions that are necessary for response to and recovery from the emergency must be used.

Passed by the City Council of Afton, Minnesota this 26th day of March, 2020.

Bill Palmquist, Mayor

Attested:

Ronald J. Moore, City Clerk

City of Afton
3033 St. Croix Trl, P.O. Box 219
Afton, MN 55001

Meeting Date March 26, 2020

Council Action Memo

To: Mayor Palmquist and City Council Members

From: Ron Moorse, City Administrator

Date: March 25, 2020

Re: Options for Holding Council Meetings and Public Hearing Processes

As part of efforts to limit the spread of Covid-19, strategies such as social distancing and limiting the size of gatherings are being used. These strategies need to be applied to Council meetings and public hearings held by the Planning Commission in a way that meets the key goals of facilitating public comment and providing transparency.

In-Person Council Meetings

In Afton, the Covid-19 strategies would be difficult or impossible to implement with an in-person Council meeting or in-person Planning Commission meeting. The Council dais does not provide a sufficient distance between Council members. While the Council could spread out onto the tables below the dais to create a sufficient distance, a regular Council meeting includes five staff members who also sit at the lower tables. In addition, applicants and residents interested in agenda items also attend the Council meetings. The number of people in attendance could easily exceed the room's ability to provide sufficient social separation. It would be problematic to have to turn members of the public away from a Council meeting due to exceeding the much-reduced capacity of the room.

Alternatives to In-Person Council Meetings

There are a number of alternatives to in-person Council meetings. Attached is a PowerPoint presentation that includes the statutory authority for electronic/ telephonic meetings, creative methods to facilitate public comment, and information regarding a continuum of electronic meeting alternatives, from simple to complex, including factors to consider in selecting an alternative.

Call Bridge/Conference Call

The simplest option is a call bridge or conference call with a dial-in number. A challenging element of this option is managing public comments, unless the members of the public mute their audio until the time for public comment.

Virtual Meeting

Beyond the call bridge, the next level of complexity is a virtual meeting, which at its simplest operates like a conference call, but also enables video such as the agenda packet materials to be shown during the meeting. This option requires a virtual meeting application such as Go To Meeting or Zoom. The Council, staff and public would all use a code to log into the meeting and a phone number and participant code to dial-in to the audio portion of the meeting, unless they wanted to use the speaker and microphone on their laptop. Members of the public could be given a participant code that mutes their audio until the time for public comment.

Council member Ross has used Go To Meeting extensively. Staff will discuss in detail with Council member Ross the capabilities of Go To Meeting as they relate to the requirements of a public meeting with the opportunity for public comments prior to the emergency Council Meeting, and will share that information at the meeting.

Additional Methods of Facilitating Public Comments

In addition to facilitating public comments through a conference call process or a virtual meeting process, public comments could be allowed through written or telephonic submissions prior to a meeting/public hearing or through

email/chat during the meeting/hearing. These would require a specific phone number and/or email address and monitoring of both by specific staff.

Communication Regarding Meeting Method

It is important that the selected meeting method and public comment method(s) be communicated to the public and that agenda packets and hearing notices include that information.

COUNCIL ACTION REQUESTED:

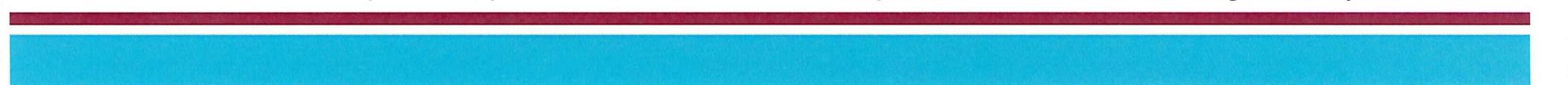
Motion regarding the method for holding Council meetings and public hearings during the Covid-19 emergency.

Electronic/Telephonic Meetings (13D.021)

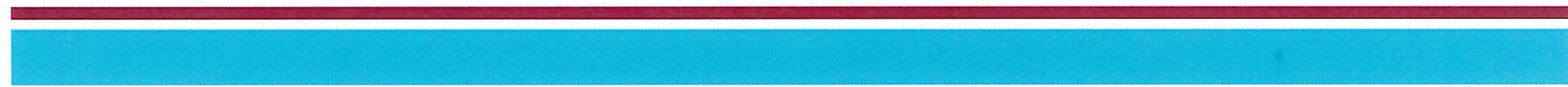
Public bodies may hold meetings via telephone or other electronic means as long as:

- The public body has made a determination that an in-person meeting **is not practical or prudent due to a health pandemic or an emergency declared under chapter 12.**
- **All participating members in the meeting can hear one another;**
- Members of the public at the physical meeting location can hear all discussion "unless attendance at the regular meeting location is not feasible due to the health pandemic"
- At least one member of the public body is present at the meeting location, "unless unfeasible due to the health pandemic"; and
- **All votes are taken by roll call**
- **Notice of electronic/telephonic meetings** – to be posted in accordance with timing requirements for type of meeting it is and shall contain the regular meeting location, that some members may participate by telephone/other electronic means and that the public may monitor the meeting remotely

NOTE: To the extent practical, public bodies should allow the public to monitor the meeting remotely



Meeting Tools



Complexity ~ Equity ~ Experience

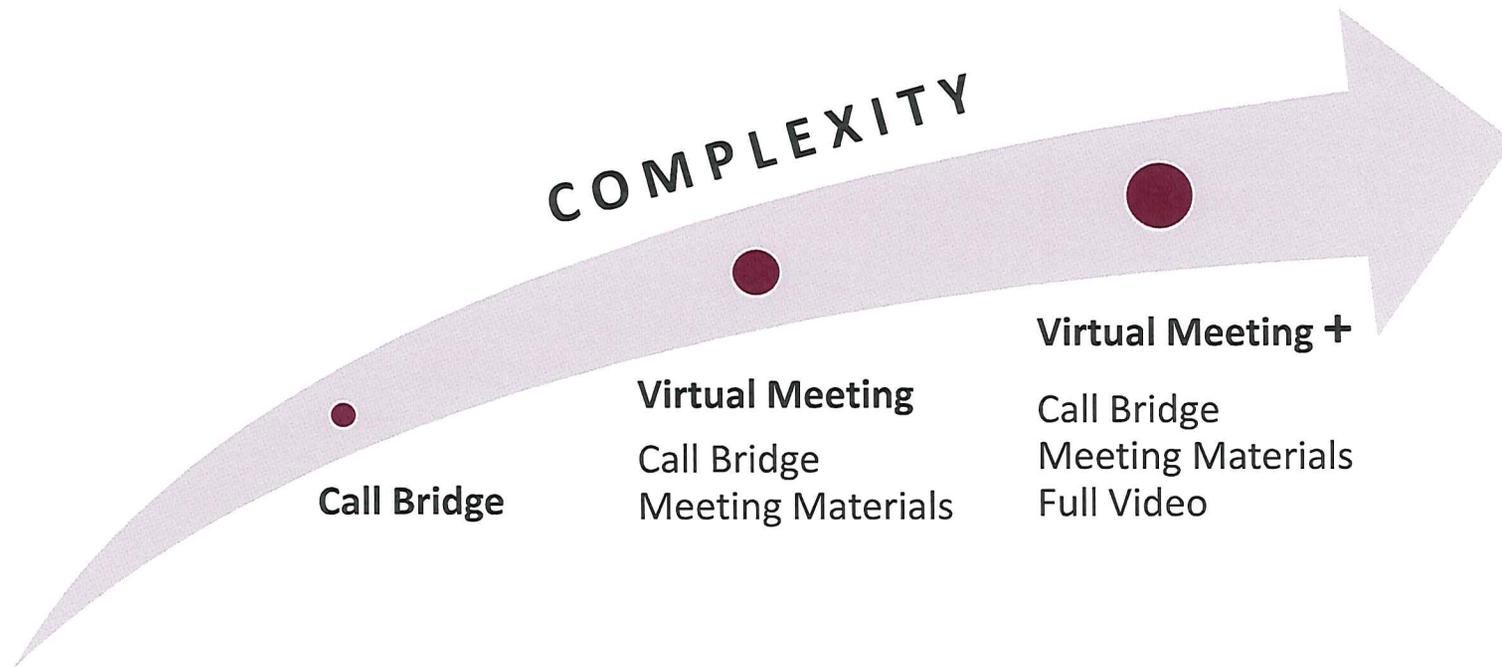
- What will be the Best Experience?
 - Residents
 - City Staff
 - Governing Body
- Consider Access
 - Traditional Telephone
 - Internet
 - Demographic
 - Timelines
- Opportunity
 - Increased Interest
 - Civic Engagement
 - Remove Barriers

Public Hearings

- Public right to comment still needs to be protected.
 - Need to get creative.
 - Allow for written and telephone submissions.
 - Allow for email/chat comments during hearing.
 - Put alternative methods in notice.
 - Publish alternative methods on website/social media.
 - Post ways to submit comments on city hall door.
 - Send/publish recap and ask for additional comments.
 - Publish comments on website prior to hearing.
 - Practice with technology before using.
- Reasonable for city to suspend general public input portion of meetings.

Technology

- What fits for your City?



Call Bridge

- How
 - Schedule or Instant using call bridge system
 - Provide a phone number and meeting code
 - Use traditional telephone. Call, enter meeting code and gain entry to meeting
- Advantage
 - Easy setup
 - Free solutions available
 - Traditional telephone is widely available
- Challenges
 - Long distance charges may apply
 - No social queues – verbal only
 - Susceptible to unintentional interrupting / talking over each other
 - Success relies on good meeting order and practices

Call Bridge Tools



Features for FREE	FreeConferenceCall.com	FreeConference.com
Max participants	1000	1000
Audio Recording	X	First 2 months, then 9.99/mo.
Dial in (Traditional Phone)	Yes, Long Distance Rates Apply	Yes, Long Distance Rates Apply
Options Video & Screen Share	X	X
Mobile and Desktop Apps	X	X
Call Controls Lecture, Q&A, Muted	X	X

Virtual Meeting

- What
 - Real-time interactions that take place over the Internet using integrated audio and video
 - How
 - Schedule virtual meeting with system provider
 - Provide virtual meeting link AND information for traditional call
 - Participants use electronic devices (computer, smart phone, tablet and cameras) to connect
 - Advantage
 - Free solution (some limitations)
 - Full video experience
 - Challenges
 - Can require an operator who is not participating in meeting.
 - Higher complexity for participants – equipment with speaker/microphones; software
 - Internet stability and bandwidth
 - Pricing
- 

Virtual Meeting Tools



Features	Zoom Free / Pro (14.99 mo.)	GoToMeeting* Pro \$12 mo. / Bus 16 mo.	Cisco Webex Free / Starter (13.50 mo.)
Max participants	100 / 100	150 / 250	100* / 50
Recording	No / Yes	No / Yes	No / Yes
Max Length of Meeting	40 min. / 24 hrs.	Unlimited / Unlimited	Unlimited* / Unlimited
Mobile and Desktop Apps	Yes / Yes	Yes / Yes	Yes / Yes
Call Controls Lecture, Q&A, Muted	Yes / Yes	Yes / Yes	Yes / Yes
Dial in (Traditional Phone)	Yes / Yes	Yes / Yes	Yes / Yes
		*Emergency Work Kit (3 months free for munis)	*Special offer during COVID

Technology to be Successful

- Test!
- Headsets (even for cell phones)
- Speaker/microphones for gatherings (social distancing)
 - USB, Bluetooth. Echo canceling
- Conference phones
- TV/computer
- Consider your assembled packet
 - Include call-in numbers packet
 - Numbering agenda and pages



Bluetooth
speaker/mic



Conference
phone

Best Practices for Online meetings

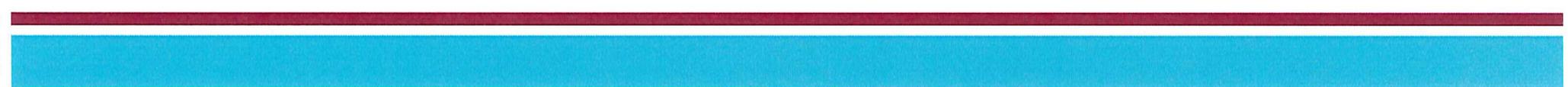
- Use rules of process
 - One person (mayor or designated person) is running the meeting to ensure orderly discussion and enabling everyone the chance to speak
 - Role call vote
 - Ensure there is dedicated staff person online or in conference for minute taking
 - Learn how to mute microphone
 - Be patient with yourselves and each other
 - Protect your meeting space/workspace
 - Perform a soundcheck – but do not talk official city business
- 

Be Leaders



Delegate





Summary

Do the best you can:

- Keep public informed and involved.
- Continue to meet deadlines.
- Continue to provide services.
- Document, document, document.
- Share success and failures with LMC and on Memberlink
- <https://www.lmc.org/resources/covid-19-resources/>

