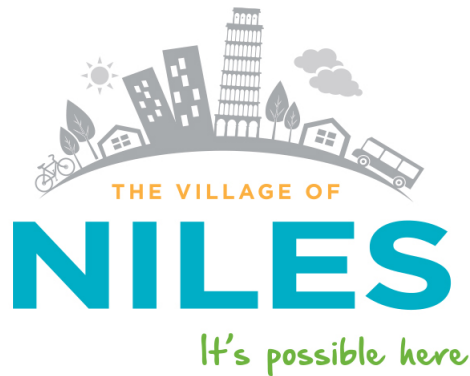


MAYOR
Andrew Przybylo

TRUSTEES
George D. Alpogianis
John C. Jekot
Danette O'Donovan Matyas
Denise M. McCreery
Craig Niedermaier
Dean Strzelecki



VILLAGE MANAGER
Steven C. Vinezeano

VILLAGE CLERK
Marlene J. Victorine

Phone: (847) 588-8000
Fax: (847) 588-8051
www.vniles.com

1000 Civic Center Drive, Niles, Illinois 60714

AGENDA
NILES VILLAGE BOARD SPECIAL MEETING
COUNCIL CHAMBERS
March 17, 2020
5:45 PM

SPECIAL MEETING

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

PROCLAMATIONS

Declaration of Public Health Emergency Due to the COVID-19 Virus - Village of Niles, Illinois

PUBLIC COMMENTS

The floor is open for public comments on agenda items only. Please step up to the microphone, state your name and city, and make your comment. You will be allotted three minutes. Please make sure you sign in at the reception desk.

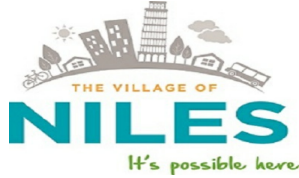
NEW BUSINESS

Item 1 Ordinance Declaring an Emergency Affecting the Public Health, Safety and Welfare Due to the Outbreak of the COVID-19 Virus in the State of Illinois President Przybylo

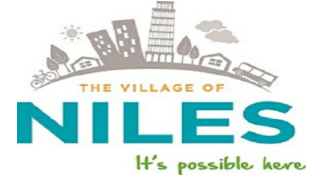
PUBLIC COMMENTS

EXECUTIVE SESSION (if necessary)

ADJOURNMENT



BOARD AGENDA ITEM EXPLANATION FORM



Declaration of Public Health Emergency Due to the COVID-19 Virus - Village of Niles, Illinois

Meeting Date 3/17/2020

Item Number

Requested by President Przybylo

Action Requested PROCLAMATION

Prepared by Marlene J. Victorine, Village Clerk

Assigned to: President Przybylo

ATTACHMENTS:

Type	Description
□ Proclamation	Declaration of Public Health Emergency

MOTION

Proclamation of Health Emergency Village of Niles, Illinois

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds?

If yes, is this a budgeted item?

ORG# Total Amount for Approval

ACCT# Budget Amount

Variance

**DECLARATION OF PUBLIC HEALTH EMERGENCY
DUE TO THE COVID-19 VIRUS
VILLAGE OF NILES, ILLINOIS**

WHEREAS, in late 2019, a significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged in China and has since spread throughout the world; and

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 to be a public health emergency of international concern and on March 11, 2020 declared a worldwide pandemic; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States; and

WHEREAS, the Governor of the State of Illinois has issued a disaster proclamation on March 9, 2020, due to the impact of the COVID-19 virus and has activated the State Emergency Operations Center; and

WHEREAS, the State Emergency Management Agency has declared a public health emergency due to the impact of the COVID-19 virus; and

WHEREAS, we are continuing our efforts to prepare for any eventuality given that this is a novel illness and given the known health risks it poses for the elderly and those with serious chronic medical conditions; and

WHEREAS, in response to the recent COVID-19 outbreaks worldwide, the Centers for Disease Control and Prevention (“CDC”) has deemed it necessary to prohibit or restrict non-essential travel to or from those countries; and

WHEREAS, the CDC has advised older travelers and those with chronic medical conditions to avoid nonessential travel, and has advised all travelers to exercise enhanced precautions; and

WHEREAS, the CDC currently recommends community preparedness and everyday prevention measures be taken by all individuals and families in the United States, including voluntary home isolation when individuals are sick with respiratory symptoms, covering coughs and sneezes with a tissue, washing hands often with soap and water for at least 20 seconds, use of alcohol-based hand sanitizers with at least 60% alcohol if soap and water are not readily available, and routinely cleaning frequently touched surfaces and objects to increase community resilience and readiness for responding to an outbreak; and

WHEREAS, a vaccine or drug is currently not available for COVID-19; and

WHEREAS, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including staying at home when sick, when a household member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider and keeping away from others who are sick; and

WHEREAS, World Health Organization and the CDC indicate that COVID-19 is expected to spread; and

WHEREAS, the Village administration has coordinated its response with other Cook County governmental entities; and

WHEREAS, 20 ILCS 3305/10(j) of the Emergency Management Agency Act and 65 ILCS 5/8-10-5 of the Emergency Act and Section 15.5-32 (d) and Section 30-57 of the Village of Niles Municipal Code provides political subdivisions with certain emergency contractual authority; and

WHEREAS, the Village of Niles is a Home Rule Unit under the 1970 Illinois Constitution.

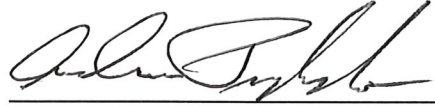
NOW, THEREFORE, I, Andrew Przybylo, President of the Village of Niles, pursuant to power granted to me by Section 30-57 of the Village of Niles Municipal Code, 1965, and relevant provisions of the Illinois Compiled Statutes, do hereby declare the existence of a local emergency in the Village of Niles.

Description of Emergency. The emergency is related to the COVID-19 virus, which is causing or anticipated to cause widespread impacts on the health of members of the community. In this matter, I am relying upon each and every matter recited in the preamble hereto, which is hereby incorporated by reference.

Call to Meet. Pursuant to this Declaration, the President hereby calls for a special emergency Board of Trustees meeting for March 17, 2020 at 5:45 p.m. at the Village of Niles Administration Building, Council Chambers.

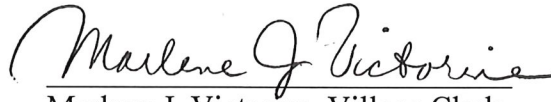
Posting. The Chief of Police or his designee shall provide copies of this Declaration to the news media and post copies at the Police Station, Post Office and Village Hall.

This Declaration is effective at 6:00 p.m. on the 15th day of March, 2020.



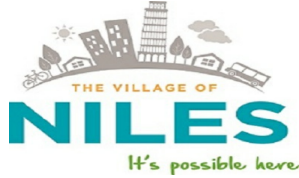
Andrew Przybylo, President

Attested:

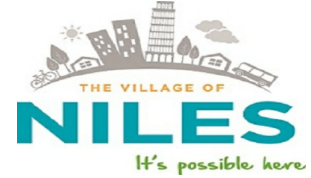


Marlene J. Victorine, Village Clerk





BOARD AGENDA ITEM EXPLANATION FORM



Ordinance Declaring an Emergency Affecting the Public Health, Safety and Welfare Due to the Outbreak of the COVID-19 Virus in the State of Illinois

Meeting Date 3/17/2020 Item Number 1
Requested by President Przybylo Action Requested RESOLUTION
Prepared by Katarzyna Thake, Assistant to the Village Manager Assigned to: President Przybylo

ATTACHMENTS:

Type	Description
☐ Department Memo	Ordinance

MOTION

I move for Board Approval of a Ordinance Declaring an Emergency Affecting the Public Health, Safety and Welfare Due to the Outbreak of the COVID-19 Virus in the State of Illinois.

REASON FOR REQUEST / BACKGROUND

Will this action involve an expenditure of funds?

If yes, is this a budgeted item?

ORG# Total Amount for Approval

ACCT# Budget Amount

Variance

ORDINANCE 2020-

ORDINANCE DECLARING AN EMERGENCY AFFECTING THE PUBLIC HEALTH, SAFETY AND WELFARE DUE TO THE OUTBREAK OF THE COVID-19 VIRUS IN THE STATE OF ILLINOIS

WHEREAS, on January 30, 2020 the World Health Organization declared the outbreak of COVID-19 to be a public health emergency of international concern and on March 11, 2020 declared a worldwide pandemic; and

WHEREAS, the U.S. Health and Human Services Secretary declared a public health emergency for the United States on January 31, 2020; and

WHEREAS, on March 9, 2020, in response to the COVID-19 outbreak Governor JB Pritzker issued a disaster proclamation (“Illinois”); and

WHEREAS, Cook County Board President Toni Preckwinkle issued a disaster proclamation on March 10, 2020, in order for Cook County to access resources, equipment and personnel needed to address the COVID-19 disease outbreak; and

WHEREAS, the public health of the residents, employees, employers and visitors, in the Village of Niles (“Village”) and Village employees is affected by the outbreak of the COVID-19 disease in Illinois; and

WHEREAS, the United States Centers for Disease Control and Prevention (“CDC”) and the Illinois Center for Disease Control reports the most effective strategies to spread the illness, is through taking proactive measures and following established CDC guidelines; and

WHEREAS, Section 8-10-5 of the Illinois Municipal Code, 65 ILCS 5/8-10-5, provides that the Village Board may declare an emergency when the public health or safety is affected pursuant to a majority vote of its members and such a declaration allows for contracts to be let by the Village without formal bidding; and

WHEREAS, Section 30-57 of the Niles Village Code (“Village Code”) further provides that “Whenever an emergency exists, the President shall declare the existence by means of a written declaration setting forth the facts which constitute the emergency;” and

WHEREAS, Section 30-58 of the Village Code further provides that, upon issuing the proclamation the Chief of Police shall notify the local news media and shall post copies in the Village Hall, the Police Station and the Post Office.

WHEREAS, President Andrew Przybylo issued a Declaration of Emergency on March 15, 2020 pursuant to Section 30-57 of the Niles Municipal Code; and

WHEREAS, the Board of Trustees considered the existence of a public health emergency and disaster in acting upon this ordinance and actions required to promote the health, safety and

welfare of its citizens; and

WHEREAS, the Village of Niles is a Home Rule Unit of government under the 1970 Constitution; and

WHEREAS, the Village of Niles Municipal Code and 20 ILCS 3305/10(j) of the Emergency Management Agency Act and 65 ILCS 5/8-10-5 of the Illinois Municipal Code grants the Village of Niles emergency contractual authority.

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Niles, Cook County, Illinois, in the exercise of its home rule powers, as follows:

SECTION 1: Recitals Incorporated. The above recitals are incorporated herein as though fully set forth.

SECTION 2: Declaration of Emergency Affecting the Public Health. This ordinance shall be construed as a declaration of an emergency pursuant to Section 65 ILCS 5/8-10-5 of the Illinois Municipal Code as well as a local disaster pursuant to 20 ILCS 3305/11. Upon the approval and execution of this Ordinance and any extension thereof, this Ordinance shall constitute a statement required by 20 ILCS 3305/11 signed under oath by the Village President finding this ordinance properly describes the nature of the emergency herein and the standards necessary to find the existence of a local emergency have been met, and a declaration that a state of emergency continues to exist.

SECTION 3: Village Board Meetings. That any regular or special meetings of the Village Corporate Authorities may be conducted at the call of the President or two Trustees via electronic means including audio or video conference. Such meetings may be held, providing such notice to the public and media as is reasonable under the circumstances, and if possible, providing access to the public and media as is reasonable under the circumstances, and if possible, providing access to the public and including reasonable means for public participation. All such meetings shall be considered “emergency meetings” under the law. During this period of emergency, Board of Trustee Rules are hereby modified to require an affirmative vote of a majority of a quorum present, electronically or physically, at the meeting for the passage of any official action by the Board of Trustees or to provide policy direction.

SECTION 4: Meetings of Boards and Commissions. The President may cancel meetings of any board or commission to which the President or the Board of Trustees appoints members. Any cancellation hereunder shall automatically extend such deadlines for required actions by such board or commission as is specified in the cancellation notice.

SECTION 5: Licensed or Permitted Activities. The Village President, upon the recommendation of the Village of Manager or his designee, may suspend licenses or permits for special events or any other licenses or permits issued by the Village, which in the judgment of the President and Village Manager could affect the public health or well-being of residents or visitors to the community.

SECTION 6: Purchases. The Village Manager may authorize any purchase for which funds are available reasonably related to the emergency (“Outbreak Purchases”). These Outbreak Purchases may be made without following each formal requirement of the Village of Niles Purchasing Policy or Municipal Code.

SECTION 7: Personnel Policies. The Village Manager is authorized to adjust any personnel policies related to leave time, other benefits or terms and conditions of employment as are reasonably related to providing sufficient staffing during the term of the emergency.

SECTION 8: Pay of Village Employees. The Village Manager is authorized to establish administrative rules and procedures for the continuation of Village employee wages and benefits in the event that an employee of the Village is exposed to COVID-19 or the Village employee must care for an immediate family member who shares the same household who is exposed to COVID-19 for up to fourteen (14) days as established by the United States Center for Disease Control and Prevention (“CDC”).

SECTION 9: Bargaining Units. The Village Manager is provided the authority to enter into such temporary agreements or a memorandum of understanding with the Village’s bargaining units in order to provide and promote Village services and the health, safety and welfare of the public and employees during the emergency.

SECTION 10: Village Facilities. The Village Manager’s action to close certain Village facilities and programs is hereby ratified. Any additional closures or cancellations of Village Facilities or programs is authorized by the Village Manager, upon consultation of the Village President.

SECTION 11: Ordinance Violations. The Village Attorney or Prosecutor, after consultation of the Village Manager, may extend the timeframe for payment or filings as relates to Village ordinance violations in the state of emergency.

SECTION 12: Amounts Due and Owing. The Village Manager, with the advice and recommendation of the Finance Director, may extend deadlines for payment of monies owed to the Village, including but not limited to municipal utilities.

SECTION 13: Other Emergency Powers. The Village President, after consultation with the Village Manager, may issue such orders, which shall have the force of law, which may include without limitation the following:

- A. Temporarily close any and all streets, alleys, sidewalks, bike paths, public parks or public ways.
- B. Temporarily suspend or modify, any regulation or ordinance of the Village, including, but not limited to, those regarding health, safety, and zoning.
- C. Order a curfew for some or all persons.
- D. Suspend or limit the use of the water resources or other infrastructure.
- E. Control, restrict, allocate, or regulate the use, sale, production, or distribution of food, water, fuel, clothing, and/or other commodities, materials, goods, services and resources.
- F. Approve application for local, state, or federal assistance.

- G. Order reasonable continuances to any Administrative hearings, including but not limited to liquor license suspension or revocation hearings.
- H. Approve electronic hearings of the Local Liquor Commission or any other administrative hearing process, upon the approval of a procedure to conduct such hearings.
- I. Establish and control routes of transportation, ingress or egress.
- J. Approve the transfer the direction, personnel, or functions of Village departments and agencies for the purpose of performing or facilitating emergency or disaster services.
- K. Accept services, gifts, grants, loans, equipment, supplies, and/or materials whether from private, nonprofit, or governmental sources.
- L. Declare, issue, enforce, modify and terminate orders for quarantine and isolation of persons posing a threat to the public.
- M. Exercise such powers and functions in light of the exigencies of emergency or disaster including the waiving of compliance with any time-consuming procedures and formalities and notices.
- N. Issue any and all such other orders or undertake such other functions and activities as the Village President reasonably believes is required to protect the health, safety, and welfare of persons or property within the Village or otherwise preserve the public peace or abate, take actions as are provided herein.

In the event imminent action is necessary and the Village President, or his successor, is not present or available, the Village Manager has the ability to carry out the above powers and shall promptly notify the Village President of the specific powers utilized.

SECTION 14: Absence or Incapacity. In the absence or incapacity of the Village Manager, the Deputy Village Manager, or the next person in succession under the Village of Niles Municipal Code, shall act as the interim successor who may take such actions as are provided herein. In the absence or incapacity of the President, the majority of the Board of Trustees shall appoint a President Pro Tem, and such individual shall take actions as are provided herein.

SECTION 15: Authority. The authorizations granted to the Village President and the Village Manager in this ordinance may be used or not used by the Village President and the Village Manager in their absolute discretion based on the circumstances and information then available. Said authorizations are not intended to automatically or permanently provide additional benefits, rights, responsibilities or restrictions for Village staff, officials, representatives, residents, or for any other person or persons.

SECTION 16: Duration of Emergency Declaration. The emergency declared herein shall be in effect until April 17, 2020 unless extended in increments of 7 days each by the Village President, with consultation of the Village Manager, or until the emergency precipitated by the pandemic outbreak of the COVID-19 Virus has been brought under control, or such time as the Village Board shall conduct its next meeting where a quorum is physically present pursuant to Sections 2.01 of the Illinois Open Meetings Act, 5 ILCS 120/2.01, whichever comes first.

SECTION 17: Severability and Repeal of Inconsistent Ordinances and Resolutions.

If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any of the other provisions of this Ordinance. All ordinances, resolutions or adopted motions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 18: Effective Date. This Ordinance shall be in full force and effect upon its passage and approval.

PASSED: This 17th day of March, 2020.

AYES:

NAYS:

ABSENT:

ABSTAIN:

APPROVED by me this 17th day of March, 2020.

President of the Village of Niles
Cook County, Illinois

ATTESTED AND FILED in my office this 17th day of March, 2020, and published in pamphlet form as provided by law in the Village of Niles, Illinois.

Village Clerk