

STATE OF ALABAMA
ST. CLAIR COUNTY

The City Council of the City of Pell City met in a Special Called Council Meeting at City Hall at 4:30 p.m. on Friday, March 20, 2020. Present were Council President James McGowan, Councilmen Jay Jenkins, Blaine Henderson, Jud Alverson and Jason Mitcham. Those present constituting the entirety of the council, the following business was transacted:

The invocation was led by City Attorney John Rea.

The pledge to the American Flag was led by Police Chief Paul Irwin.

The City Clerk had roll call for attendance.

On motion of Councilman Alverson, seconded by Councilman Mitcham, the Council unanimously approved the following resolution declaring a State of Emergency in the City of Pell City:

RESOLUTION NO. 2020 – 5280

**A RESOLUTION DECLARING A STATE OF EMERGENCY
IN THE CITY OF PELL CITY, ALABAMA**

WHEREAS, President Trump has declared a National State of Emergency based on the impact of COVID-19 becoming a pandemic event; and

WHEREAS, Governor Ivey has also declared a State of Emergency as relates to COVID-19 in the State of Alabama; and

WHEREAS, the administration and personnel of the City of Pell City, Alabama, in partnership with our regional partners and especially the St. Clair County Emergency Management Agency, have been proactive in addressing the COVID-19 impacts to mitigate the spread of COVID-19 in the City of Pell City, Alabama; and

WHEREAS, the City Council of the City of Pell City, Alabama, on advice of emergency management personnel, hereby determines to immediately take further action in this emergency circumstance on a continuing basis to address the COVID-19 impacts on our City and community and to further declare a State of Emergency in the City of Pell City, Alabama; and

WHEREAS, it is vital that City emergency management personnel and other City departments are authorized to expend City funds for additional personnel, supplies, and equipment as needed, so that action can be taken without delay to protect the lives and the safety of our residents and visitors to our City; and

WHEREAS, COVID-19 poses a serious public health risk to our City because it is a novel respiratory disease impacting our City services, including public access to our City facilities, and further impacting City utility and department services, impacting our schools, impacting our businesses, and impacting our industries; and

WHEREAS, the extent and level of impact from COVID-19 cannot be determined at present and City administration and departments need the authority and funding to react promptly and without delay at this critical time.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PELL CITY, ALABAMA, AS FOLLOWS:

1. That the City Council of the City of Pell City, Alabama hereby declares a State of Emergency in the City of Pell City, Alabama, in accordance with the applicable provisions of Alabama law, including § 31-9-10, Ala. Code 1975, effective March 16, 2020.

2. That all City facilities shall be closed to the general public during this State of Emergency and until further notice as provided by the City Manager, provided, however that City staff shall continue to report to work locations until directed otherwise, and all essential services and emergency services shall continue without interruption.

3. That the City Manager is hereby appointed as the director of the City's emergency management response to the COVID-19 emergency in accordance with §31-9-10(a), Ala. Code 1975.

4. That the City Manager is hereby authorized to suspend all late fees associated with the filing of sales and use tax returns to the extent provided by the Alabama Department of Revenue (ADOR) and to suspend all late fees and disconnect procedures associated with the non-payment of City-provided utility services.

5. That, in order "to provide for the health and safety of persons and property," §31-9-10(b)(1), Ala. Code 1975, the City administration and staff, with the guidance and approval of the City Manager, are hereby authorized to suspend the issuance of business licenses for Door-to-Door Sales activities, as defined in the City's business license ordinance, and to prohibit said activities during the term of this Emergency Declaration.

6. That the City administration and staff, with the guidance and approval of the City Manager and City Finance Director, are hereby authorized to expend City funds and use additional personnel hours necessary to respond to the impacts of COVID-19 (some known and some unknown) in our City and community.

7. That the Mayor, City Manager, Police Chief, Fire Chief, and other City departments shall continue to cooperate and coordinate their work, where appropriate, with the St. Clair County Emergency Management Agency and other appropriate agencies.

8. That the City Council hereby determines that this action is required in order to be proactive in continuing the previous work of City administration and personnel and enabling their future work to combat the COVID-19 crisis.

9. That the Mayor, City Manager, and all City departments are requested and authorized to record the additional expenses incurred in the past and future as a result of the COVID-19 impacts and to seek reimbursement to the extent provided and authorized by Federal and State Laws.

10. That the provisions of this Resolution are hereby declared severable, and if any portion of this Resolution shall be held invalid by a court of competent jurisdiction, such ruling shall not affect the remaining portions of this Resolution.

11. That this Resolution shall continue in force and effect until repealed by action of the City Council or until the Governor terminates the State of Emergency as relates to COVID-19 in the State of Alabama, whichever occurs first.

On motion of Councilman Alverson, seconded by Councilman Mitcham, the Council adjourned subject to the call of the Council President.


James McGowan - Council President

ATTEST:


Penny Isbell - City Clerk