

Bellevue City Council Special Meeting

Monday, June 1, 2020 6:00 PM

Bellevue City Hall

1500 Wall Street

Bellevue, NE 68005

1. OPENING OF MEETING:

a. Pursuant to the Governor's Executive Order No. 20-03 and 20-24 and due to concerns related to the Coronavirus and for the safety of the City Council, City Employees and the General Public, tonight's Special Meeting (06-01-2020) of the Mayor and the Bellevue City Council will be closed to physical attendance by the public. The Mayor and Bellevue City Council will also be participating virtually from their home or office in order to limit the amount of people physically attending the meeting to less than 10 due to the current guidelines by the Governor and local Health Departments.

There are three ways the public can participate in the meeting.

1) Watch it live via Facebook Live on the City of Bellevue's Facebook Page which is located at www.facebook.com/bellevuene. Questions will also be able to be submitted in writing via this format in the comment's section.

2) Submit your question or concern via email to info.bellevue.net and it will be asked and submitted into the record (if related to an agenda item for public hearing).

3) Call the Community Relations Department at 402-515-6259 anytime during the meeting to receive a phone number and access code to join the meeting via gotomeeting.com.

The meeting will not be televised live but will be played back on the City of Bellevue's YouTube Channel withing a few days of the meeting. The City of Bellevue thanks you for your cooperation during these unprecedented times as we conduct this public meeting in the safest way possible for all those involved.

2. CALL TO ORDER AND ROLL CALL

3. OPEN MEETINGS ACT - Posted in the Entry to the Council Chambers and can also be found online under Nebraska Revised Statutes 84-1407 through 84-1414, as well as the Governor's Executive Order 20-03)

4. APPROVAL OF AGENDA, CONSENT AGENDA, CLAIMS, AND ADVISORY COMMITTEE REPORTS:

5. RESOLUTIONS:

a. Resolution No. 2020-27: Authorizing the Mayor and Chief of Police, after the declaration of any emergency, to enact certain orders to protect the community, for a period not to exceed 72 hours (Administrator / City Attorney)

6. ADJOURNMENT

CITY OF BELLEVUE, NEBRASKA
AGENDA ITEM COVER SHEET

5b.
06/01/2020

COUNCIL MEETING DATE: 06/01/2020		SUBMITTED BY: City Administrator		
AGENDA ITEM:		CONSENT AGENDA <input type="checkbox"/>	SPECIAL PRESENTATION <input type="checkbox"/>	
LIQUOR LICENSE <input type="checkbox"/>	ORDINANCE <input type="checkbox"/>	PUBLIC HEARING <input type="checkbox"/>		
RESOLUTION <input checked="" type="checkbox"/>	CURRENT BUSINESS <input type="checkbox"/>	OTHER <input type="checkbox"/>		

SUBJECT:

Resolution No. 2020-27; Approving a Resolution authorizing the Mayor and Chief of Police the authority to enact measures in the event of an emergency for a period, not to exceed 72 hours. This resolution is temporary until the passage and approval of an ordinance regarding the same.

SYNOPSIS/BACKGROUND:

The City has the authority to declare an emergency pursuant to Neb. Rev. Stat. 81-829.50, however after the declaration, there is no authority in the City Code to enact orders to protect the community. This Resolution will allow the Mayor and/or Chief of Police authority to enact measures in the event of an emergency for a period, not to exceed 72 hours. Any orders extending past 72 hours will need council approval. This Resolution is temporary until the passage and approval of the related ordinance.

FISCAL IMPACT: None BUDGETED FUNDS?: NO GRANT/MATCHING FUNDS?: NO

TRACKING INFORMATION FOR CONTRACTS AND PROJECTS:

IS THIS A CONTRACT?: NO COUNTER-PARTY: INTERLOCAL AGREEMENT: NO

CONTRACT DESCRIPTION: _____

CONTRACT EFFECTIVE DATE: _____ CONTRACT TERM: _____ CONTRACT END DATE: _____

PROJECT NAME: _____

START DATE: _____ END DATE: _____ PAYMENT DATE: _____ INSURANCE REQUIRED: NO

CIP PROJECT NAME: _____ CIP PROJECT NUMBER: _____

STREET DISTRICT NAME (S): _____ STREET DISTRICT NUMBER (S): _____

ACCOUNTING DISTRIBUTION CODE: _____ ACCOUNT NUMBER: _____

RECOMMENDATION:

Approve the Resolution authorizing the Mayor and Chief of Police, after the declaration of an emergency, to enact certain orders to protect the community.

ATTACHMENTS:

1. Resolution	2. _____	3. _____
4. _____	5. _____	6. _____

SIGNATURES:

LEGAL APPROVAL AS TO FORM: _____

FINANCE APPROVAL AS TO FORM: _____

ADMINISTRATOR APPROVAL AS TO FORM: _____

A. Bruce Robles

[Signature]

RESOLUTION NO. 2020-27

WHEREAS, the City of Bellevue, Nebraska by and through it's City Council hereby authorizes the Mayor to have the following temporary authority, until such time as a full ordinance related to these matters can be adopted:

1. The Mayor shall have the authority to declare an emergency within the city whenever conditions arise by reason of war, conflagration, flood, heavy snow storm, blizzard, catastrophe, disaster, riot or civil commotion, or acts of God, including conditions, without limitation because of enumeration, which impair transportation, food or fuel supplies, medical care, fire, health or police protection or other vital facilities of the city.
2. The mayor is hereby authorized, if he/she finds that the city or any part thereof is suffering or is in imminent danger of suffering civil disturbance, disorder, riot or other occurrence which will seriously and substantially endanger the health, safety and property of the citizens, to declare a state of emergency.
3. Whenever, in the judgment of the mayor, or, in the event of his/her inability to act, the council president, an emergency exists within the city, s/he shall have power to impose by proclamation any regulations necessary to preserve the peace and order of the city.
4. After proclamation of an emergency, or any order thereunder, the mayor or other person authorized to do so under this article shall forthwith provide for notice thereof to be given to members of the council, and any state or other local agencies are required under Nebraska Law.

WHEREAS, whenever a state of emergency has been declared as provided for herein the following is authorized for a period of 72-hours. Any orders after 72-hours shall be approved by the City Council.

1. The Chief of Police may issue an order prohibiting or limiting the number of persons who may gather or congregate upon the pubic highways, public streets, or public sidewalks, or in any outdoor place, except persons who are awaiting transportation, engaging in recreational activities at a usual and customary place, or peaceably entering or leaving buildings.
2. The Chief of Police may establish a curfew limiting the hours when persons may go upon or travel the public streets.

3. The Mayor or his/her designee may require the closing of cocktail lounges, taverns and bars and prohibit the sale or service of alcoholic beverages in any hotel, restaurant, club or other establishment, and require the closing of all other business establishments.
4. The Mayor may prohibit or restrict the sale of gasoline or other inflammable liquids.
5. The Mayor may prohibit the sale, carrying or possession on the public street or public sidewalks, or in any public park or square, of weapons including, but not limited to, firearms, bows and arrows, air rifles, slingshots, knives, razors or missiles of any kind.
6. The Mayor, his/her designee, or the Chief of Police may do any and all things and take such measures as are necessary to preserve the health, safety, and property of the citizens of this community.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF BELLEVUE, NEBRASKA, that:

The above measures are authorized when a state of emergency is declared.

ADOPTED AND APPROVED this _____ day of June, 2020.

Mayor

ATTEST:

City Clerk