



EXECUTIVE DECLARATION NO. 2
UNDER CITY OF WAUSAU PROCLAMATION OF STATE OF EMERGENCY
PURSUANT TO WIS. STAT. §323.14(4)(b)

*RELATING TO “ESSENTIAL” AND “NON-ESSENTIAL”
MEETINGS AND AGENDA ITEMS*

WHEREAS, on the 18th day of March, 2020, the undersigned Mayor of Wausau proclaimed a State of Emergency pursuant to Wis. Stat. §§323.11 and 323.14(4)(b) (“Proclamation”); and

WHEREAS, such Proclamation, among other things provides that it is necessary and expedient for the health, safety, and protection of the City to temporarily suspend or modify applicable ordinances or resolutions to allow immediate response to meet the needs of the extraordinary existing conditions for as long as the emergency public health emergency remains in effect in this state; and

WHEREAS, such Proclamation, among other things further provides that the Mayor of the City of Wausau may authorize the closure or other appropriate limitations related to access by the public in all departments or City buildings and facilities as necessary and mandated as a result of the current emergency declaration; and,

WHEREAS, such Proclamation was ratified and affirmed by the Common Council on Tuesday, March 24, 2020; and,

WHEREAS, the State of Wisconsin, Department of Health Services, under the authority of Wis. Stat. §252.02(3) and at the direction of Governor Tony Evers has issued Emergency Order #8 Updated Mass Gathering Ban (“Emergency Order #8”); and,

WHEREAS, Emergency Order #8 encourages and permits the voluntary cancelation of any “mass gathering” that will bring together or is likely to bring together 10 or more people in a single room or single confined or enclosed space; and

WHEREAS, the State of Wisconsin, Department of Health Services, under the authority of Wis. Stat. §252.02(3) and (6) and powers vested pursuant to Executive Order #72, and at the direction of Governor Tony Evers has issued Emergency Order #12 Safer at Home Order (“Safer at Home Order”) on March 24, 2020; and,

WHEREAS, the Safer at Home Order provides “this is a critical moment in Wisconsin and we must all do our part to cease non-essential travel, business, and social interactions” while concurrently recognizing that certain essential activities must still occur, including Essential Governmental Functions as defined in Section 12 of the Safer at Home Order; and,



WHEREAS, the Open Meetings Law, Wis. Stat. §§19.81 to 19.98 affirms: it is declared to be the policy of this state that the public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of governmental business.” Wis. Stat. §19.81(1); and,

WHEREAS, to balance the significant and serious concerns for the safety of the public, the need to continue to provide Essential Governmental Functions, and the right of the public to the fullest and most complete information regarding the affairs of government, the undersigned hereby declares the following:

1. City of Wausau Boards, Committees and Commissions will suspend or cancel all “non-essential” public meetings until such time as Governor Tony Evers has terminated the public health emergency declared on March 12, 2020 for the State of Wisconsin.
2. The chairperson or presiding officer of each Board, Committee and Commission, or their designee, shall be the deciding authority, consulting with the Mayor and Council President as needed, as to whether a particular matter requires a public meeting during this time of public health emergency for the conduct of “essential” City business.
3. Any Board, Committee or Commission meeting required for the purpose of conducting “essential” City business shall limit its agenda to those items which pertain to “essential” City business.
4. Any meeting required for the purpose of conducting “essential” City business shall implement the social distancing requirements of the Safer at Home Order and comply with the provisions of the Wisconsin Open Meetings Law and related guidance issued by the Wisconsin Department of Justice.
5. For purposes of the application of this declaration the following guidance shall apply:

“Essential” means a matter requiring decision or action by the governmental body in order to: preserve or provide for the health, welfare or safety of the public; provide necessary supplies or services to the citizens of this City; to make contractual payment deadlines to third parties; meet state or federal statutory or regulatory deadlines; make budgetary amendments or expenditures needed to continue governmental operations; make decisions critical to those business entities operating within the City in support of their operations, including the approval or issuance of licenses related to business or their personnel in order to facilitate their business operations; or actions for Council ratification of declarations issued under the Proclamation.



“Non-essential” means a matter, decision or action that can be postponed for consideration at a later date without detriment to the operation of City, the provision of services to citizens or the health, welfare or safety of the public.

The foregoing guidance is for illustration purposes and not intended to be exhaustive. It is the intent of this declaration that government business which can be delayed is to be deferred during this time of emergency and taken up for consideration at another time to minimize gatherings of the public, City officials and City personnel in accordance with Emergency Order #8 and the Safer at Home Order.

This declaration will be submitted to the Common Council for ratification at its next meeting.

Dated this 26th day of March, 2020.

Issued and declared by:

Robert B. Mielke
Mayor of Wausau

COMMON COUNCIL ACTION:
(Accompanying Resolution)

Dated: _____

Ratified

Declined