

**MINUTES OF THE SPECIAL CALL MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
MARCH 20, 2020 AT 3:00 P.M.**

Be it remembered that the Mayor and Board of Alderman met in a Special Call Meeting on March 20, 2020 at 3:00 p.m. in the Municipal court room of City Hall, located at 110 West Main Street, Starkville, MS. Present were Mayor Lynn Spruill, Aldermen Ben Carver, Sandra Sistrunk, David Little, Hamp Beatty, Roy A'. Perkins and Henry Vaughn, Sr. Alderman Jason Walker attended telephonically. Attending the Board were City Clerk / CFO Lesa Hardin and City Attorney Chris Latimer who also attended telephonically.

The meeting was properly noticed pursuant to Miss. Code Ann §§21-3-21 and 25-41-13 and a copy of that notice is included in the minutes. The public and media were welcomed and attended.

**NOTICE OF SPECIAL CALL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF STARKVILLE
FRIDAY, MARCH 20, 2020 AT 3:00 P.M.**

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 21-3-21 OF THE MISSISSIPPI CODE OF 1972, AS AMENDED, MAYOR D. LYNN SPRUILL DOES HEREBY GIVE NOTICE OF A SPECIAL CALL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE TO BE HELD IN THE COURT ROOM OF STARKVILLE CITY HALL, 110 WEST MAIN STREET ON FRIDAY, MARCH 20, 2020 AT 3:00 P.M. STARKVILLE, MISSISSIPPI 39759.

The Press and Public are invited to view via Facebook Live or on the City website www.cityofstarkville.org in that limited space will be available due to social distancing.

The specific subject of the meeting is as follows:

CITY OF STARKVILLE RESPONSE TO PANDEMIC OF COVID-19

Mayor Lynn Spruill called the meeting to order. She then read the following proposed Resolution:

A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DECLARING A CIVIL EMERGENCY, AND FOR THE CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES, AND RELATED PURPOSES

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. §33-15-11(b)(17), Governor Tate Reeves declared a State of Emergency existed in the State of Mississippi as a result of the outbreak of COVID-19; 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; on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and on March 13, 2020, the President of the United States declared a nationwide state of emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, on March 17, 2020, the City of Starkville, through its Mayor and Board of Aldermen, adopted a Proclamation of Existence of Local Emergency due to the coronavirus COVID-19 pandemic; and

WHEREAS, the emergence and risk of spread of COVID-19 within Mississippi constitutes a public emergency that has resulted in substantial injury or harm to life, health, and property within Mississippi, and in the City of Starkville, and COVID-19 has already been detected in numerous individuals in multiple counties throughout the State; and

WHEREAS, on March 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of COVID-19 in Mississippi, and as of March 20, 2020, there are at least 80 cases in Mississippi that have tested positive for COVID-19, resulting in at least one death; and

WHEREAS, the State of Mississippi and the City of Starkville is being adversely affected by the outbreak of the novel coronavirus, COVID-19, and there exists a continued threat to the public's safety, private property and the social and economic welfare to the state; and

WHEREAS, the Centers for Disease Control (CDC) guidelines for responding to COVID-19 recommends avoiding crowds or gatherings of more than 10 people, especially for older adults and individuals with serious chronic medical conditions; and

WHEREAS, the governmental authority of the City of Starkville has reviewed and accepts the findings and recommendations of the CDC; and

WHEREAS, the City of Starkville, as a college town, is densely populated, and contains significant populations of both older, at-risk individuals in the City's large retirement community, and younger individuals who travel broadly and frequently; and

WHEREAS, Miss. Code Ann. §45-17-3 allows the City of Starkville to proclaim a civil emergency if it determines that a natural disaster which has caused death or injury has occurred; and

WHEREAS, the City finds COVID-19 a natural disaster which has caused and will continue to cause injury to persons to such an extent that extraordinary measures must be taken to protect the public health, safety, and welfare of citizens and visitors to Starkville and Oktibbeha County, Mississippi; and

WHEREAS, Miss. Code. Ann. §45-17-5 allows the City of Starkville to order a general curfew as deemed necessary in the interest of the public health, safety and welfare of citizens and visitors to Starkville and Oktibbeha County, Mississippi; and

WHEREAS, Miss. Code Ann. §45-17-7 allows the City of Starkville after declaration of civil emergency and in the interest of the public safety and welfare to issue such orders as are necessary for the protection of life of citizens and visitors to Starkville and Oktibbeha County, Mississippi; and

WHEREAS, Miss. Code Ann. §21-19-3 allows the City of Starkville to make regulations to prevent the introduction and spread of contagious or infectious diseases; to make quarantine for this purpose and enforce same within five miles of the corporate limits; and

WHEREAS, Miss. Code Ann. §21-19-17 allows the City of Starkville to restrict movement for public safety and allows the City of Starkville the power to make such regulation to protect the health and lives and to enhance the general welfare of the community by restricting such movements of its citizens, or any group thereof, when there is eminent danger to the public safety because of freedom of movement thereof; and

WHEREAS, Miss. Code Ann. §21-19-29 allows the City of Starkville to regulate the entrances to public halls and buildings, and the way of ingress and egress to and from the same.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD of Aldermen of the City of Starkville, that the City of Starkville hereby adopts the following emergency measures that shall take effect immediately and remain in effect until rescinded by the governmental authority of the City of Starkville (unless a different effective date is stated in such measure(s)), to protect the public health, safety, and welfare of the community from the spread of a contagious or infectious disease and to eliminate or limit injuries or deaths that may occur in the absence of such measures:

Section 1: Effective immediately and for a period of thirty days unless extended by Motion and Order of the governing authority of the City of Starkville, all restaurants shall only serve food using drive-through, curbside (only) pick-up, or delivery methods, and shall not allow the use by the public of interior or exterior common dining or bar facilities.

Section 2: Effective immediately and for a period of thirty days unless extended by Motion and Order of the governing authority of the City of Starkville, the businesses, clubs, organizations, places of worship, or other gatherings within the City's boundaries shall adhere to the guideline of the Centers for Disease Control (CDC) to limit crowds or gatherings to no more than 10 people, with the exclusion of essential services including, but not limited to, hospitals, nursing homes, health clinics, drug stores, pharmacies, banks, grocery stores, convenience stores, and gas stations.

Section 3: The City, through future action of the Mayor and Board of Aldermen, may order a general curfew or shelter-in-place applicable to such geographical areas of the municipality, or to the municipality as a whole, as advisable, and applicable during such hours of the day or night as necessary in the interest of the public safety and welfare, with such curfew only to remain in effect for a period not to exceed five days, or an earlier date of rescission as may be ordered by the Mayor and Board of Aldermen.

Section 4: The City may issue such other orders as are necessary for the protection of life and liberty.

1. CONSIDERATION OF A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DECLARING A CIVIL EMERGENCY, AND FOR THE CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES, AND RELATED PURPOSES

Alderman Walker made the motion, which was seconded by Alderman Beatty to adopt the foregoing Resolution, which was introduced in writing at a specially called meeting of the Mayor and Board of Aldermen of the City of Starkville, Mississippi, held on March 20, 2020, and was at said meeting, read, considered, and adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the result was as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

Mayor Spruill then read the following proposed Ordinance:

Ordinance 2020-01

ORDINANCE AMENDING CHAPTER 1, CODE OF ORDINANCES OF THE CITY OF STARKVILLE, MISSISSIPPI – GENERAL PROVISIONS

BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI AS FOLLOWS:

SECTION I. That Section 1-10, General penalties, continuing violations; is hereby amended as follows:

Change title of section as follows:

General penalties, continuing violations; penalties for violations of resolutions or orders related to emergencies.

Add new subsection (c) to read as follows:

(c) Any time the Mayor and/or Board of Aldermen shall make any resolution, rule, order, or regulation to prevent the introduction and spread of contagious or infectious diseases, to prevent or alleviate eminent danger to the public safety because of freedom of movement of the City’s residents, to regulate the entrances and the way of ingress and egress to and from buildings, in furtherance of a proclamation or declaration of a local or civil emergency, or as otherwise necessary for emergency management purposes, any such rule, order, or regulation shall have the full force and effect of law once recorded in the office of the city clerk. The violation of any such rule, order, or regulation shall be punished by a fine not exceeding \$1,000.00 or imprisonment for a term not exceeding 90 days, and the cost of prosecution, or by both such fine and imprisonment, in the discretion of the municipal judge, except as provided otherwise by state law. Each day any violation of any such resolution, rule, order, or regulation shall continue shall constitute a separate offense.

SECTION II. REPEALING CLAUSE

All ordinances or parts of ordinances in conflict herein shall be, and the same are hereby repealed.

SECTION III. EFFECTIVE DATE

The Mayor and Board of Aldermen find that this ordinance is adopted for the immediate preservation of the public peace, health and safety of the residents of the City of Starkville. For the reasons set forth in the Resolution Declaring a Civil Emergency adopted at their specially called meeting on March 20, 2020, the Mayor and Board of Aldermen further find that this ordinance should be effective immediately upon its adoption by unanimous vote of the Board of Aldermen.

2. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 1, CODE OF ORDINANCES OF THE CITY OF STARKVILLE, MISSISSIPPI – GENERAL PROVISIONS

The above ordinance having being first reduced to writing and read and considered section by section at a public meeting of the governing authorities of the City of Starkville Mississippi on motion of Alderman Walker, seconded by Alderman Sistrunk, and the roll being called, the same was approved by the following votes:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A’. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, the Mayor declared the motion passed.

3. MOTION TO ADJOURN UNTIL APRIL 7, 2020 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.

Upon the motion of Alderman Vaughn, duly seconded by Alderman Little, for the Board of Aldermen to adjourn the meeting until April 7, 2020 @ 5:30 at 110 West Main Street in the Court Room of City Hall, the Board voted as follows:

Alderman Ben Carver	Voted: Yea
Alderman Sandra Sistrunk	Voted: Yea
Alderman David Little	Voted: Yea
Alderman Jason Walker	Voted: Yea
Alderman Hamp Beatty	Voted: Yea
Alderman Roy A'. Perkins	Voted: Yea
Alderman Henry Vaughn, Sr.	Voted: Yea

Having received a majority affirmative vote, Mayor Spruill declared the motion passed and the meeting adjourned.

SIGNED AND SEALED THIS THE _____ DAY OF _____ 2020.

Attest:

D. LYNN SPRUILL, MAYOR

Lesia Hardin, City Clerk

(SEAL)



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OF ALDERMEN OF THE CITY OF STARKVILLE
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110 WEST MAIN STREET
ON FRIDAY, MARCH 20, 2020 AT 3:00 P.M.,
STARKVILLE, MISSISSIPPI 39759.

The Press and Public are invited to view via Facebook Live in that limited space will be available due to social distancing.

The specific subject of the meeting is as follows:

CITY OF STARKVILLE RESPONSE TO PANDEMIC OF COVID-19


MAYOR D. LYNN SPRUILL

Date / Time Signed: MARCH 20, 2020, 9:30 A.M.

**RECORD OF SERVICE
OF SPECIAL CALLED MEETING TO BE HELD
FRIDAY MARCH 20, 2020 AT 3:00 P.M.**

**OFFICIAL DATE/TIME/PLACE OFFICER ELECTED
OFFICIAL'S SIGNATURE**

MAYOR SPRUILL CITY HALL	—	—	SIGNED NOTICE
ALDERMAN CARVER 703 GREENSBORO ST. OR 662-769-0792			
ALDERMAN SISTRUNK 522 CHESTNUT DR 662-418-4574	—	—	emailed receipt
ALDERMAN LITTLE 100 CYPRESS ROAD OR FARM BUREAU 515 ACADEMY ROAD / 418-5430	—	—	emailed receipt
ALDERMAN WALKER 204 N NASH ST 662-617-0130	—	—	emailed receipt
ALDERMAN BEATTY 112 ST CHARLES AVE 662-418-8978			
VICE MAYOR PERKINS 628 Hospital RD OR 309 Dr Martin Luther King Jr Dr E Suite # 104 / 324-7300	—	—	emailed received
ALDERMAN VAUGHN 105 HENDERSON ST 494-3420 / 323-2004			
ATTORNEY LATIMER	—	—	SERVED BY E-MAIL