

**MINUTES OF THE SPECIAL CALL MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
MARCH 24, 2020 AT 10:00 A.M.**

Be it remembered that the Mayor and Board of Alderman met in a Special Call Meeting on March 20, 2020 at 10:00 a.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.

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
TUESDAY, MARCH 24, 2020 AT 10:00 A.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 TUESDAY, MARCH 24, 2020 AT 10:00 A.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:

**CONSIDERATION OF FURTHER BOARD ACTIONS AND CITY OF STARKVILLE
RESPONSE TO THE CORONAVIRUS COVID-19 PANDEMIC.**

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

**SECOND RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE
CITY OF STARKVILLE, MISSISSIPPI, DECLARING ADDITIONAL MEASURES FOR
THE CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES AND FOR THE
PROTECTION OF PUBLIC HEALTH AND WELFARE AND FOR 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, on March 20, 2020, the City of Starkville, through its Mayor and Board of Aldermen ratified this Proclamation, and adopted a Resolution declaring a Civil Emergency, and for the Control of Infectious and Contagious Diseases and Related Purposes, which made certain findings and required, among other things, restaurants to close dining rooms and provide services through curbside pick-up, drive through and delivery methods only, and prohibited the use by the public of interior or exterior common dining or bar facilities; and

WHEREAS, on March 20, 2020, the Mayor and Board of Aldermen adopted an ordinance amending Chapter 1 Code of Ordinances of the City of Starkville, Mississippi – General Provisions, which specified penalties for violation of the adopted resolution; and

WHEREAS, the emergence and risk of the spread of COVID-19 within Mississippi continues to constitute 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 in several individuals within Oktibbeha County, Mississippi; 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 23, 2020, there were at least 249 cases in Mississippi of individuals who have tested positive for COVID-19, resulting in at least one death in the State; and

WHEREAS, the State of Mississippi and the City of Starkville continue to be adversely affected by the outbreak of COVID-19, and there exists a continued threat to the public's safety, private property and the social and economic welfare of this City, County, and State; and

WHEREAS, the Centers for Disease Control (CDC) and the Mississippi Department of Health guidelines for responding to COVID-19 recommend avoiding crowds or gatherings of more than 10 people; and

WHEREAS, the governing authority of the City of Starkville has reviewed and accepts the findings and recommendations of the CDC and the Mississippi Department of Health; and

WHEREAS, the population of the City of Starkville is comprised of college students, substantial numbers of nurses, aides and support staff for physicians, employees and staff of a regional hospital and several long term care facilities, and contains significant populations of both older, at-risk individuals and individuals who travel broadly and frequently, and the City of Starkville is a location frequently visited by individuals from surrounding counties, towns, and cities; and

WHEREAS, Section 45-17-3 of the Mississippi Code allows the City to proclaim a civil emergency if it determines that a natural disaster which has caused death or injury has occurred, which the City has done; and

WHEREAS, the Mayor and Board of Aldermen continue to find that COVID-19 is a natural disaster which has caused and will continue to cause injury, illness and/or death to persons to such an extent that additional extraordinary measures must be taken to protect the public health, safety, and welfare of citizens and visitors to the City of Starkville; 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 hereby adopts the following additional 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 and date for continuing effectiveness 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: Because of the likelihood of close person-to-person contact, which increases dramatically the likelihood of the spread of infectious disease, effective immediately and for a period of fifteen days unless extended by Motion and Order of the governing authorities of the City of Starkville, all non-essential businesses and business functions including all bars, entertainment venues, meetings of fraternal and civic organizations, theatres, recreational facilities, tattoo parlors, barbershops, hair/beauty/nail/tanning salons, spas, gyms, convention centers, community centers and parks (except for walking trails), shopping centers, retail stores (except where curbside is available and utilized) shall be closed to the public. This Section also applies to municipally owned convention spaces, community centers, and parks (except for walking trails). Persons who have rented municipally owned facilities shall be entitled to a full refund of any rental sums and deposits paid, with such refunds to be paid as determined by the Mayor of the City of Starkville.

Section 2: Effective immediately and for a period of fifteen days unless extended by Motion and Order of the governing authorities of the City of Starkville, all churches, temples and places of worship, assemblages and gatherings, including but not limited to private clubs within the City limits of the City of Starkville, shall adhere to the guidelines of the Centers for Disease Control (CDC) and the Mississippi Department of Health, and shall limit crowds, and assemblages or gatherings to no more than 10 people. This provision shall apply (non-exclusively) to funerals, weddings, and other social gatherings.

Section 3: Effective immediately and for a period of fifteen days unless extended by Motion and Order of the governing authorities of the City of Starkville, all essential businesses, agencies and units of government located within the City of Starkville shall take all reasonable measures to ensure that such businesses comply with the CDC and the Mississippi Department

of Health recommendations and guidance, and shall implement appropriate safeguards to prevent the spread of infectious disease, including but not limited to: mandating social distancing, sending home sick employees and actively encouraging sick employees to stay home, separating and sending home employees who appear to have respiratory illness symptoms, emphasizing work-from-home policies where possible, mandating respiratory etiquette and proper hand hygiene, maintaining clean and sanitary workplaces, cautioning employees regarding travel, and taking all such additional measures to prohibit and/or reduce the spread of infectious disease, and especially Covid-19. To the extent the enforcement of this Section 3 might impair or impede the practical and safe operation of essential service businesses, the following are to remain operational following the CDC guidelines: City government services (police stations, fire stations, courts, garbage/sanitation, utilities, and such other services as the Mayor shall determine), hospitals/clinics and healthcare operations (nursing homes and assisted living facilities), veterinarian offices, gas stations, drug stores and pharmacies, food services (grocery stores, farmers markets, food banks, convenience stores, discount/dollar stores, take-out, curbside and delivery restaurants), hardware stores, security companies, businesses providing services necessary to maintain the safety, sanitation and essential operation of residents (plumbers, electricians, landscapers, HVAC services, and the like), banks, community benefit organizations on a case-by-case basis (United Way, OSERV, Salvation Army, Red Cross, etc.), laundromats/laundry services, cemeteries, manufacturing and industry in support of essential service businesses or in the supply chain for essential service businesses, and professional services which service companies and individuals who or which are essential businesses, agencies, or governmental units (such as accountants, attorneys, engineers, architects, etc.), to the extent such professional services are able to operate under CDC and the Mississippi Department of Health regulations. In determining essential services versus non-essential services, the City of Starkville adopts the guidelines contained in the Memorandum on Identification of Essential Critical Infrastructure Workers During Covid-19 Response, promulgated by the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency, on March 19, 2020.

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

Section 5: The penalties for violation of this adopted resolution shall be the same as those listed in the ordinance amending Chapter 1, Code of Ordinances of the City of Starkville, Mississippi – General Provisions, which the City of Starkville adopted on or about March 20, 2020.

1. CONSIDERATION OF A RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, DECLARING ADDITIONAL MEASURES FOR THE CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES, AND FOR THE PROTECTION OF PUBLIC HEALTH AND WELFARE AND FOR RELATED PURPOSES.

Alderman Sistrunk offered a 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 24, 2020, and was at said meeting, read, considered, paragraph by paragraph, section by section, then as a whole with motion to include “or delivery” as it relates to retail and striking “shopping centers” from Section One.

Following discussion, Alderman Carver called the question.

The motion was put to a roll call vote with the result as follows:

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

Having not received a majority affirmative vote, the Mayor declared the motion failed.

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

Upon the motion of Alderman Little, duly seconded by Alderman Vaughn, 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

Lesa Hardin, City Clerk

(SEAL)



**THERE WILL BE A SPECIAL CALLED MEETING ON
TUESDAY, MARCH 24, 2020
AT 10:00 AM ON THE FIRST FLOOR IN THE BOARD ROOM
OF STARKVILLE CITY HALL
110 WEST MAIN STREET
OF
THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
OFFICIAL AGENDA**

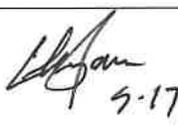
- 1. CALL THE MEETING TO ORDER**
- 2. CONSIDERATION OF FURTHER BOARD ACTIONS AND CITY OF STARKVILLE RESPONSE TO THE CORONAVIRUS COVID-19 PANDEMIC.**
- 3. ADJOURN UNTIL APRIL 7, 2020 @ 5:30 PM IN THE BOARD ROOM ON THE FIRST FLOOR OF CITY HALL LOCATED AT 110 WEST MAIN STREET.**


MAYOR

Date Agenda Signed: MARCH 23, 2020
2:00 P.M.

**RECORD OF SERVICE
OF SPECIAL CALLED MEETING
ON MONDAY, MARCH 23, 2020
AT 1:30 P.M.**

OFFICIAL DATE/TIME/PLACE OFFICER OFFICIAL'S SIGNATURE

MAYOR SPRUILL CITY HALL	----- ----	----- -	-----
ALDERMAN CARVER 703 GREENSBORO STREET 662-769-0920	electronic Response @ 2:28pm		
ALDERMAN SISTRUNK 522 CHESTNUT DRIVE 662-418-4574	electronic response @ 2:29pm		
ALDERMAN LITTLE 100 CYPRESS ROAD OR FARM BUREAU 515 ACADEMY ROAD / 418-5430	electronic Response @ 2:49pm		
ALDERMAN WALKER 405 SHADOWOOD 662-617-0130	electronic Response @ 2:19pm		
ALDERMAN BEATTY 112 ST CHARLES AVE 601-935-2538	3/23/20 Residence	 5-17	
ALDERMAN PERKINS 628 HOSPITAL RD OR 309 Dr M L King Jr Dr E, # 104 662-324-7300	electronic response @ 2:43pm		
ALDERMAN VAUGHN 105 HENDERSON ST 323-2004	3/23/20 Residence	 5-19	
ATTORNEY LATIMER	X	X	X