

**MINUTES OF THE SPECIAL CALL MEETING
OF THE MAYOR AND BOARD OF ALDERMEN
OF THE CITY OF STARKVILLE, MISSISSIPPI
MAY 9, 2020 AT 11:00 A.M.**

Be it remembered that the Mayor and Board of Alderman met in a Special Call Meeting on May 9, 2020 at 11:00 a.m. in the second floor conference room of City Hall located at 110 West Main Street, Starkville, MS. Present in person were Mayor D. Lynn Spruill, Aldermen Ben Carver, Sandra Sistrunk, Hamp Beatty and Henry Vaughn, Sr. Aldermen Jason Walker and Roy A". Perkins attended telephonically or by videoconference as did City Attorney Chris Latimer. Alderman David Little was absent.

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.

**NOTICE OF SPECIAL CALL MEETING OF THE MAYOR AND BOARD OF ALDERMEN OF
THE CITY OF STARKVILLE
SATURDAY, MAY 9, 2020 AT 11:00 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
SECOND FLOOR CONFERENCE ROOM OF STARKVILLE CITY HALL,
110 WEST MAIN STREET
ON SATURDAY, MAY 9, 2020 AT 11:00 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 WITH A SIXTH RESOLUTION.**

Mayor Lynn Spruill called roll of the Aldermen. Having determined a quorum and assured those present, with exception of Alderman Little who was unable to attend, she called the meeting to order. The Mayor then read the proposed Sixth Resolution. Police Chief Ballard addressed the need for extending the City's curfew and recommended extending the City's curfew to allow a coordinated effort between law enforcement and jurisdictions throughout the Golden Triangle to wind down the curfew period.

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

SIXTH RESOLUTION OF THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF STARKVILLE, MISSISSIPPI, FOR THE CONTROL OF CONTAGIOUS AND INFECTIOUS DISEASES AND FOR THE PROTECTION OF PUBLIC HEALTH AND WELFARE AND FOR RELATED PURPOSES

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 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 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 worldwide outbreak of COVID-19, and the effects of its extreme risk of person-to-person transmission throughout the United States, Mississippi, and the City of Starkville, impact the life and health of Starkville’s citizens, as well as the economy of Starkville; and

WHEREAS, the risk of spread of COVID-19 within Starkville continues to constitute a public emergency that may result in substantial injury or harm to life and health in Starkville; and

WHEREAS, the Centers for Disease Control (CDC) guidance for responding to COVID-19 recommends avoiding crowds as much as possible, especially for older adults and individuals with serious chronic medical conditions and Mississippi State Department of Health has recommended avoiding social gatherings where 10 people or more may come into close contact; 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 May 8, 2020, there were at least 9,090 presumptive and confirmed cases in Mississippi that have tested positive for COVID-19, which have resulted in at least 409 deaths, and additional positive tests are anticipated; and

WHEREAS, as of May 8, 2020, there were at least 73 presumptive and confirmed cases in Oktibbeha County that have tested positive for COVID-19, which have resulted in at least four deaths, and additional positive tests are anticipated; and

WHEREAS, the President's Coronavirus Guidelines for America, as promulgated by President Donald J. Trump and the CDC on March 16, 2020, called upon Americans to slow the spread of COVID-19 over a 15 day period, which was subsequently extended, by avoiding social gatherings in groups of more than 10 people, using drive-thru, pickup, or delivery options at restaurants and bars, and avoiding visitation at nursing homes, among other steps; and

WHEREAS, on March 23, 2020, Mississippi Governor Tate Reeves issued Executive Order No. 1463, as supplemented on March 26, 2020, which limited social gatherings, limited operations of restaurants, bars, and other dining establishments to essential services, and limited attendance at hospitals, nursing homes and retirement or long-term care facilities until April 17, 2020. It further established statewide continuity of operations of critical infrastructure that ensured Essential Businesses or Operations, including those identified in the Executive Order as Supplemented and in the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency (CISA)'s March 19, 2020, "Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response," be able to operate at such level necessary to provide essential services and functions during this COVID-19 State of Emergency; and

WHEREAS, on April 1, 2020, Governor Reeves issued Executive Order 1466 implementing a statewide "Shelter In Place" order, requiring, among other things, non-essential businesses to cease operations, closing public and private recreational facilities, restricting travel only for Essential Activities and Essential Travel as defined in the Order, and empowering local authorities to enforce the terms of the Order; and

WHEREAS, on April 17, 2020, Governor Reeves issued Executive Order 1473, which, among other things, extended the statewide "Shelter in Place" order through 8:00a.m. on April 27, 2020, amended the definition of Minimum Operations for Non-essential Businesses to allow drive-thru, curbside, and/or delivery of retail services, amended the definition of Prohibited Activities to allow beaches, state parks, state lakes, and reservoirs to re-open with certain restrictions, and amended the definition of Essential Activities to permit recreational boating, fishing, and use of beaches with certain restrictions; and

WHEREAS, on April 24, 2020, Governor Reeves issued Executive Order 1477 implementing a statewide "Safer at Home" order, expanding the definition of Essential Activities to include operation of a business and performance of job duties, expanding the definition of Essential Travel to include travel to and from work, stating that all businesses and non-profit entities may remain open or reopen subject to limitations, and expanding the definition of Healthcare Activities to include non-emergent elective medical and dental procedures and surgeries, among other things; and

WHEREAS, on May 4, 2020, Governor Reeves issued Executive Order 1478, amending the Safer at Home order to allow in-house dining at restaurants and bars, subject to limitations, and to allow the use of parks and outdoor recreational activities, subject to limitations; and

WHEREAS, on May 8, 2020, Governor Reeves issued Executive Order 1480, extending the Safer at Home order through May 25, 2020, but allowing the reopening of salons, barber shops, and other personal care and personal grooming facilities, and fitness and exercise gyms, subject to certain limitations; and

WHEREAS, nothing in the Governor's Executive Orders limits or alters the City of Starkville from adopting orders, rules, regulations, resolutions, and actions that are more strict than the Governor's Executive Orders provided that they do not impose restrictions that prevent any Essential Business Operations as identified in

Executive Order No. 1463 as Supplemented from operating at such level necessary to provide essential services and functions during this COVID-19 State of Emergency; and

WHEREAS, despite significant measures and recommendations, COVID-19 continues to remain a serious threat to Starkville that significantly impacts the life and health of Starkville residents, as well as the economy of Starkville; and

WHEREAS, it is necessary to take actions consistent with the Governor's Orders to protect the health, safety and welfare of Starkville residents in response to this COVID-19 State of Emergency; 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, Sections 45-17-3 and 33-15-17(d) of the Mississippi Code allows the City to proclaim local civil emergencies 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 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 and 33-15-17(d) 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 the 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 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: The City of Starkville hereby adopts the findings and regulations set forth in Executive Order 1480, as signed by Governor Tate Reeves on May 8, 2020. The City fully adopts the broad intent of that Order, including the reopening with restrictions of salons, barber shops, personal care and personal grooming facilities, and fitness and exercise gyms.

Section 2: Consistent with Executive Order 1478 Section I(b), the City of Starkville's parks shall open to the public at 8:00 a.m. on May 14, 2020. Daily hours of operation shall be from 8:00a.m. to 8:00p.m. Participants shall maintain a minimum of six feet distance between individuals and limit group gatherings/activities to a maximum of 10 individuals for any indoor space open to the public and a maximum of 20 individuals outdoors. Participants are also encouraged to follow the guidelines for Visiting Parks and Recreational Facilities promulgated by the Centers for Disease Control and Prevention relating to Coronavirus Disease (COVID-19). The City of Starkville's swimming pool and the Travis Outlaw Center shall remain closed to the public until further action of the Board of Aldermen.

Section 3: All businesses, agencies and units of government located within the City of Starkville shall continue to 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.

Section 4: While still being strongly encouraged to do so, it shall no longer be required that businesses open to the public compel their employees or customers to wear face coverings; provided, however, face coverings shall still be required for employees of restaurants and bars providing in-house dining pursuant to the Governor's Executive Order No. 1478(I)(a)(vi), for employees and customers of salons, barber shops, personal care and personal grooming facilities pursuant to Executive Order No. 1480(I)(a)(vii) & (ix), and for employees of fitness and exercise gyms pursuant to Executive Order No. 1480(I)(b)(viii).

Section 5: A general curfew remains in effect in the City limits of Starkville from 10:00 p.m. until 5:00 a.m. except for any travel or activities allowed by the Governor's Executive Orders related to Covid-19. This curfew runs through 5a.m. on May 19, 2020. The time period will allow for a coordinated effort between Starkville, Oktibbeha County, and other communities in the Golden Triangle to wind down the curfew periods.

Section 6: The City may issue such other orders as are necessary for the protection of life and liberty.

Section 7: 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.

Alderman Carver moved for adoption of the Resolution, which motion was seconded by Alderman Vaughn, said Resolution having been introduced in writing at a specially called meeting of the Mayor and Board of Aldermen of the City of Starkville, Mississippi, held on May 9, 2020, which was read, considered, debated and ultimately adopted, paragraph by paragraph, section by section, then as a whole, and the question being put to a roll call vote, the Mayor recorded the votes as follows:

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

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

2. MOTION TO ADJOURN UNTIL MAY 19, 2020 @ 5:30 IN THE COURT ROOM AT 110 WEST MAIN STREET.

Upon the motion of Alderman Vaughn, duly seconded by Alderman Beatty, for the Board of Aldermen to adjourn the meeting until May 19, 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: Absent
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.

D. Lynn Spruill
Mayor of the City of Starkville, Mississippi

Attest:

Christopher Latimer, City Attorney

(SEAL)



**NOTICE OF SPECIAL CALL MEETING OF THE MAYOR AND BOARD
OF ALDERMEN OF THE CITY OF STARKVILLE
SATURDAY, MAY 9, 2020 AT 11:00 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 SECOND FLOOR CONFERENCE ROOM OF STARKVILLE CITY HALL,
110 WEST MAIN STREET
ON SATURDAY, MAY 9, 2020 AT 11:00 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:

CITY OF STARKVILLE RESPONSE TO PANDEMIC OF COVID-19


MAYOR D. LYNN SPRUILL

Date / Time Signed: MAY 8, 2020, 4:00 P.M.

**RECORD OF SERVICE
OF SPECIAL CALLED MEETING TO BE HELD
SATURDAY - MAY 9, 2020 AT 11:00 A.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	5-8-20		SERVED BY EMAIL
ALDERMAN SISTRUNK 522 CHESTNUT DR 662-418-4574	5-8-20		SERVED BY EMAIL
ALDERMAN LITTLE 100 CYPRESS ROAD OR FARM BUREAU 515 ACADEMY ROAD / 418-5430	5-8-20		SERVED BY EMAIL
ALDERMAN WALKER 204 N NASH ST 662-617-0130	5-8-20		SERVED BY EMAIL
ALDERMAN BEATTY 112 ST CHARLES AVE 662-418-8978	5-8-20		SERVED BY EMAIL
VICE MAYOR PERKINS 628 Hospital RD OR 309 Dr Martin Luther King Jr Dr E Suite # 104 / 324-7300	5-8-20		SERVED BY EMAIL
ALDERMAN VAUGHN 105 HENDERSON ST 494-3420 / 323-2004	5-8-20 5:45 PM		SERVED BY OFFICER MADEEN
ATTORNEY LATIMER	5-8-20		SERVED BY EMAIL