

**SPECIAL MEETING
THE MAYOR AND CITY COUNCIL
CITY OF COLUMBUS, MS**

**July 8, 2020
4:00 P.M.**

PLEASE TAKE NOTICE that the Mayor and City Council of the City of Columbus will have a special meeting.

The meeting will be a virtual one via Zoom, and will be held at 4:00 P.M., Wednesday, July 8, 2020, as Ordered by the Mayor and City Council.

The following topic will be discussed:

- A. DISCUSS/APPROVE COVID-19 LOCAL MASK ORDER.**

So Ordered, on this the 8th day of July 2020.

As Determined by the Mayor and City Council

(To join the Zoom meeting, please follow instructions)

**SPECIAL CALLED MEETING
OF THE
MAYOR AND CITY COUNCIL
CITY OF COLUMBUS, MS**

**JULY 8, 2020
4:00 P.M.**

The Mayor and City Council met in a Special Called Meeting on Wednesday, July 8, 2020 at 4:00 p.m., proper notice being posted, after having recessed from their last regular meeting of July 7, 2020. The meeting was held via teleconference. Mayor Robert E. Smith, Sr. presided over the meeting and all Council Members participated, with the exception of Council Member Mickens, who was absent. The COO, CFO, General Counsel and Human Resources Director also participated.

I. CALL MEETING TO ORDER AND INVOCATION

Mayor Smith called the meeting to order and called upon Council Member Box to offer the Invocation.

II. DISCUSS/APPROVE COVID-19 LOCAL MASK ORDER

General Counsel Turnage apprised the Council of the proposed Resolution dealing with the adoption of COVID-19 LOCAL MASK ORDER for ages six (6) and older. Council Member Jones made a motion to adopt the Resolution to approve the COVID-19 Local Mask Order effective July 9, 2020 at 7:00 a.m. until rescinded. Council Member Stewart seconded the motion.

All Council Members present voted in favor of the motion.

The motion carried 5/0.

THE RESOLUTION FOLLOWS:

**SPECIAL MEETING OF THE
MAYOR AND CITY COUNCIL
JULY 8, 2020**

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF COLUMBUS, 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 January 31, 2020, United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020; and

WHEREAS, on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; and

WHEREAS, 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 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of COVID-19 in Mississippi, and as of March 30, 2020, there were at least 847 cases in Mississippi of individuals who have tested positive for COVID-19, including at least ten such cases in Lowndes County, and at least sixteen deaths in the State due to COVID-19; and

WHEREAS, on March 16, 2020, the President issued federal guidelines for social distancing urging Americans, among other things, to work from home when possible, avoid gatherings of more than ten people, avoid eating inside dining establishments, avoid discretionary travel, shopping trips, and social visits, and listen to and follow the directions of state and local authorities; and

WHEREAS, on March 21, 2020, the Mayor and City Council adopted an ordinance amending Chapter 1 Code of Ordinances of the City of Columbus, Mississippi – General Provisions, which specified penalties for violation of adopted resolutions of the Mayor and Council; and

WHEREAS, on March 21, 2020, the Mayor and City Council adopted its first Regulatory Resolution declaring a Civil Emergency, and for the Control of Infectious and Contagious Diseases and Related Purposes, implementing measures requiring, among other things, the closure of certain non-essential businesses to the public and limitation of crowds, assemblages and gatherings to no more than ten people; and

**SPECIAL MEETING OF THE
MAYOR AND CITY COUNCIL
JULY 8, 2020**

WHEREAS, on March 23, 2020, Governor Reeves signed Executive Order 1463 which, among other things, imposed certain restrictions on non-essential gatherings and dining establishments and provided for certain essential businesses and operations to remain open; and

WHEREAS, on March 26, 2020, Governor Reeves signed a Supplement to Executive Order 1463 clarifying that emergency measures enacted by political subdivisions in response to the COVID-19 pandemic may continue to be in effect if they are not less restrictive than the measures outlined in the Executive Order and do not impose restrictions that would prevent any essential business identified in the Executive Order from operating at such a level necessary to provide essential services and functions during the State of Emergency; and

WHEREAS, on March 30, 2020, the President extended the federal social distancing guidelines through April 30, 2020; and

WHEREAS, on April 1, 2020, Governor Reeves signed Executive Order 1466 implementing a statewide “shelter in place” order, requiring non-essential businesses to cease operations, suspending residential evictions, closing public and private recreational facilities, and empowering local authorities to enforce the terms of the Order; and

WHEREAS, on April 24, 2020, Governor Reeves signed Executive Order 1477 lifting the statewide “shelter in place” order, allowing for the opening of most non-essential businesses, allowing elective medical procedures and surgeries, and allowing local authorities to enact more restrictive measures to contain and restrict transmission of COVID-19; and

WHEREAS, on May 8, 2020, Governor Reeves issued Executive Order 1480 extending Executive Order 1477 as amended extending the Safer at Home order until 8:00 a.m. on Monday, May 25, 2020; and

WHEREAS, on May 22, 2020, Governor Reeves issued Executive Order 1488, further extending the Safer at Home order until 8:00 a.m. on Monday, June 1, 2020; and

WHEREAS, on May 27, 2020, Governor Reeves issued Executive Orders 1491 and 1492, in which the Governor set strict social distancing guidelines for Mississippians, for businesses, for public and private buildings, for healthcare professionals, for outdoor recreation and for indoor recreational facilities, under Executive Order 1492, and further laid out strict social distancing guidelines to allow ballparks, movie theaters, and more to safely reopen under the terms of Executive Order 1491; and

WHEREAS, Governor Reeves has continued to issue new Executive Orders regulating various businesses and activities in an effort to mitigate and reduce the spread of COVID-19 including, but not limited to Orders 1494, extending Order 1471, Orders 1497 and 1503, extending immunity for COVID-19 care providers, Order 1500 extending Safe Return Order 1492 and Order 1505, extending Order 1496 to July 20, 2020; and

**SPECIAL MEETING OF THE
MAYOR AND CITY COUNCIL
JULY 8, 2020**

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

WHEREAS, the State of Mississippi and the City of Columbus 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 ten people; and

WHEREAS, the governing authorities of the City of Columbus have reviewed and accept the findings and recommendations of the CDC and the Mississippi Department of Health, and have further received the same findings and recommendations from health professionals within the City of Columbus and Lowndes County and accept those findings and recommendations; and

WHEREAS, the population of the City of Columbus is comprised of college students, active duty military personnel, substantial numbers of physicians, 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 and at-risk individuals and individuals who travel broadly and frequently, and the City of Columbus 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 City Council 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 Columbus; and

WHEREAS, Section 45-17-7 of the Mississippi Code allows the Mayor and City Council of the City of Columbus, after declaration of a civil emergency and in the interest of the public safety and welfare, to issue such orders as are necessary to protect the lives of citizens and visitors to the City of Columbus, Mississippi; and

**SPECIAL MEETING OF THE
MAYOR AND CITY COUNCIL
JULY 8, 2020**

WHEREAS, Section 21-19-29 of the Mississippi Code allows the Mayor and City Council of the City of Columbus to regulate the entrances to public halls and buildings, and the way of ingress and egress to and from the same; and

WHEREAS, Section 21-19-3 of the Mississippi Code grants the Mayor and City Council of the City the power to make regulations to prevent the introduction and spread of contagious or infectious diseases; and

WHEREAS, the Mayor and City Council re-adopt and re-incorporate the findings made in their prior resolutions of March 21 and thereafter related to the COVID-19 virus and the safety measures contained in such resolutions; and

WHEREAS, the Mayor and City Council recognize that, according to statistics published by the Mississippi State Department of Health and consultation with local medical professionals, the spread of COVID-19 continues to put at risk the capacity of health care facilities to treat COVID-19 patients; and

WHEREAS, various health care professionals have advised the City that masks have the potential to prevent the spread of COVID-19, but also serve as social cues, reminding others to keep their distance and be mindful of their actions; and

WHEREAS, State Health Officer, Dr. Thomas Dobbs and the National Institute of Allergy and Infectious Diseases director Dr. Anthony Fauci, have also stated that masks effectively limit the spread of COVID-19;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL of the City of Columbus, that the City adopts the following measures 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: : *Continued Safeguards For Business Entities.* Except as otherwise provided herein or otherwise prohibited in any currently effective Executive Orders, all business and governmental entities operating within the City of Columbus but 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 with proper hand-washing and personal hygiene protocols and daily screening of employees and volunteers for Covid-19 related symptoms before beginning shift, 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;

**SPECIAL MEETING OF THE
MAYOR AND CITY COUNCIL
JULY 8, 2020**

Section 2: *Additional Safeguards Required.* To the extent any business or City Government Operation located in Columbus, Mississippi remains open or re-opens to serve customers or citizens inside the business' facilities, such business must take appropriate actions to minimize close person-to-person contact and enforce appropriate social distancing, to include the following where applicable:

- a) Prominent signs at every entrance informing customers and citizens that masks are required and that customers must stay 6 feet away from employees and other customers who did not accompany them to the store;
- b) For businesses with existing public-public address systems, regular announcements instructing customers to stay six feet away from each other;
- c) Markers on floors and signage measuring six-foot intervals and instructing people where to stand in checkout lanes and other lines;
- d) For businesses that utilize such technology, signage encouraging cashless purchases, online ordering and pickup, and use of self-service checkout stations.
- e) Employers of all operating businesses shall require employees to wear masks that completely cover the nose and mouth. Note! Masks lessen the chance of exposure. Even with a mask, employers shall insist on 6 foot minimum social distancing.
- f) Employers shall not be required to enforce regulations and shall not engage with customers who refuse to comply but are encouraged to notify law enforcement of customers who are not social distancing or compliant with the mask requirement.
- g) **Exceptions:**
 - i. Customers of Restaurants and Bars who are eating or drinking are not required to wear masks; however, customers in common areas such as lobbies and waiting areas shall wear face masks; and
 - ii. Customers of Fitness Centers and Gymnasiums who are working out shall not be required to wear masks; however, customers who are not working out shall wear face masks.
 - iii. This regulation shall not require children under the age of six (6) years to wear a mask.

Section 3: *Child-care facilities.* All child-care facilities are permitted to be open, provided that they:

- a) have all licenses required by the State of Mississippi;
- b) Ensure that children who cough or sneeze are segregated from the rest until they may be removed by their parents or legal guardians;

**SPECIAL MEETING OF THE
MAYOR AND CITY COUNCIL
JULY 8, 2020**

- c) Check temperature daily of all support staff to ensure that no staff personnel are actively infected;
- d) Require parents to acknowledge in writing that they will not drop off a sick child and that they will report to the facility any positive tests for Covid-19 in the households to which their child lives;
- e) Follow other regulations and guidance from the Mississippi Department of Health and the CDC about safe-distancing and operations of child day care operations; and
- f) Require employees to wear, at a minimum, cloth face masks and if possible to attain, face shields and gloves when employees are reasonably expected to be within six feet of a child.

Section 4: The Mayor may issue such other orders as are necessary for the protection of life and liberty. The Mayor is also empowered and authorized to interpret the terms of this Resolution and any executive order incorporated and referenced herein to the extent necessary to enforce this resolution or any such order.

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 Columbus, Mississippi – General Provisions, which the City of Columbus adopted on or about March 21, 2020.

Section 6: To the extent any current or subsequent Executive Order of the Governor precludes the implementation of any of the terms of this Resolution, the restrictions and limitations of the current or subsequent Executive Orders of the Governor shall govern. The intent of this Resolution is not to be less restrictive in any way than any current or subsequent Executive Order.

Section 7: This Resolution shall supersede and revoke any prior Resolutions of the Mayor and City Council of the City that passed regulations or restrictions related to COVID-19.

Council Member **JONES** moved for adoption of the Resolution, which motion was seconded by Council Member **STEWART** , said Resolution having been introduced in writing at a Special meeting of the Mayor and City Council of the City of Columbus, Mississippi, held on July 8, 2020, which was read, considered, debated and ultimately adopted unanimously, paragraph by paragraph, section by section, then as a whole, and the question being put to a vote, the Mayor recorded the votes as follows:

**SPECIAL MEETING OF THE
MAYOR AND CITY COUNCIL
JULY 8, 2020**

Yes or No

Council Member Taylor-Stewart:	<u>YES</u>
Council Member Mickens:	<u>ABSENT</u>
Council Member Box	<u>YES</u>
Council Member Beard:	<u>YES</u>
Council Member Jones:	<u>YES</u>
Council Member Gavin:	<u>YES</u>

Robert E. Smith, Sr.
Mayor of the City of Columbus, Mississippi

Attest: Deliah Vaughn
Municipal Clerk,

ADJOURNMENT:

The Mayor then asked if there was any other business to come before the Mayor and City Council. There being none, Council Member Jones moved that the meeting be adjourned. Upon second by Council Member Beard and unanimous vote, the Mayor announced that the meeting was ADJOURNED.

Approved by: _____
Robert E. Smith, Sr., Mayor

**Deliah T. Vaughn
CFO- Secretary-Treasurer**