THE CITY OF CLEVELAND
BOLIVAR COUNTY
STATE OF MISSISSIPPI

MINUTES OF SPECIAL MEETING HELD ON FRIDAY, APRIL 3, 2020

This special meeting of the Mayor and Board of Aldermen of The City of Cleveland, Mississippi, was duly and legally begun and held remotely via Zoom at 8:30 o'clock a.m. on Friday, April 3, 2020, pursuant to the following order of the Mayor and Board, which was posted according to law.

Notice of Special Call Meeting of the
Mayor and Board of Aldermen of the City of Cleveland
April 3, 2020

Pursuant to Mississippi Code Annotated §21-3-21, Mayor Billy Nowell calls a special meeting of the Mayor and Board of Aldermen of the City of Cleveland to discuss the following matters:

1. Discussion of Governor Reeves' Shelter-In-Place Order; and
2. Ratification of the City's Emergency Orders to align with the Governor's Order.

Said meeting shall be held on **Friday, April 3, 2020 at 8:30 a.m.** via Zoom Video Communications per the following link and call-in information:

Join Zoom Meeting:
https://us04web.zoom.us/j/197885738

Meeting ID: 197 885 738

Notice of this special meeting shall be delivered to all aldermen who may be found. Notice of this meeting shall be placed in City Hall pursuant to Mississippi Code Annotated § 25-41-13 and shall be made a part of the minutes of said special call meeting.

So called this, the 2nd day of April, 2020 at 10:00 a.m.

/s/ Billy Nowell
BILLY NOWELL
Mayor City of Cleveland

Present were: Billy Nowell, Mayor; Kirkham Povall, Robert Sanders, Gary Gainspoletti and Danny Abraham, Aldermen; Danny Griffith, City Attorney; Dominique Green, City Clerk; Michelle Arbuckle, Deputy City Clerk; Charles "Buster" Bingham, Chief of Police; Paul Janoush, Ted Campbell and Maurice Smith, Aldermen, were absent.

The meeting was duly opened, and, upon due proclamation first made, the following proceedings were held, to-wit:

ORDER TO RATIFY PREVIOUSLY ISSUED EMERGENCY ORDERS IN RESPONSE TO COVID-19 TO ALIGN WITH GOVERNOR REEVES' EXECUTIVE SHELTER-IN-PLACE ORDER NO. 1466

After discussion, upon Motion by Alderman Gainspoletti, second by Alderman Sanders, and unanimously adopted, it is ordered to ratify previously issued Emergency Orders by the Mayor and Board of Aldermen in response to COVID-19 to align with Governor Reeves' Executive Order No. 1466 ordering Mississippians to Shelter-in-Place effective 5:00 PM on April 3rd through 8:00 AM on April 20th.

STATE OF MISSISSIPPI

Office of the Governor

EXECUTIVE ORDER NO. 1466

WHEREAS, on March 14, 2020, pursuant to the Constitution of the State of Mississippi and Miss. Code Ann. § 33-15-11(b)(17), I issued a Proclamation declaring that a State of Emergency exists 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, the worldwide outbreak of COVID-19 and the effects of its extreme risk of person-to-person transmission throughout the United States and Mississippi significantly impact the life and health of our people, as well as the economy of Mississippi; and

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

WHEREAS, on March 26, 2020, the Mississippi State Department of Health announced new and expanded measures to increase testing and data analysis to identify regions and localities that are at higher risk for transmission of COVID-19 and to provide more location-specific restrictions and limitation of movement and social interaction to combat the virus in those regions and localities; and

WHEREAS, additional measures are needed to further disrupt and slow the spread of the COVID-19 virus within the State and to manage needed healthcare and emergency management resources; accordingly, all individuals residing in the State of Mississippi will need to temporarily remain in their home or place of residence, and certain businesses and public amenities need to be temporarily closed to the public.

NOW, THEREFORE, I, Tate Reeves, Governor of the State of Mississippi, by the authority vested in me by the Constitution and laws of the State of Mississippi, do hereby order and direct as follows:

I. Shelter in Place

a. ***Duration:*** This Shelter in Place shall be effective at 5:00 p.m. on Friday, April 3, 2020, and shall remain in full force and effect until 8:00 a.m. on Monday, April 20, 2020, unless rescinded, modified or extended. The end date of the Lauderdale County shelter in place ordered by Executive Order No. 1465 is hereby amended to coincide with the dates established pursuant to this order.

b. ***Shelter in Place:***

i. Pursuant to the Mississippi Emergency Management Act including but not limited to Miss. Code. Ann. §§ 33-15-11(b)(1), 33-15-11(b)(4), 33-15-11(b)(6), 33-15-11(c)(1), 33-15-11(c)(4) & 33-15-31, with exceptions described herein, all individuals currently living in the State of Mississippi are ordered to stay at home or in their place of residence except as allowed in this Executive Order.

ii. For individuals whose residences are unsafe or become unsafe (for example, because of domestic violence, lack of sanitation or utilities) they may, and are encouraged to, seek alternate locations. Local law enforcement and other officials shall assist such individuals to secure such alternative locations.

iii. Individuals using outdoor space when outside their homes or residences at all times shall maintain social distancing of a minimum of 6 ft. distance between each individual and shall avoid gatherings in groups of more than 10 people.

iv. For purposes of this Executive Order the terms "home" and "residence" include single family homes, hotels, rental units, shelters, mobile home parks, and similar facilities used as an individual's principal dwelling.

c. ***Evictions Suspended:*** Pursuant to Miss. Code. Ann. §§ 33-15-11(c)(1) and 33-15-11(c)(4), evictions within the State of Mississippi are suspended, and all state, county and local law enforcement officers are directed to cease enforcement of orders of eviction for residential premises during this Shelter in Place Order. No provision contained within this Executive Order shall be construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.

d. ***Non-essential Business and Operations Cease***
   i. All businesses and non-profit entities operating within the State of Mississippi, except for Essential Business or Operations identified in Executive Order No. 1463 as Supplemented (which is incorporated herein by reference), shall cease operation and all activities except Minimum Operations as defined herein.
   ii. Minimum Operations are those activities necessary for the business or operation to maintain the condition of facilities, premises and equipment, value of business inventory, payroll, employee benefits, security, and to facilitate employees of the business or operation to continue to work remotely from their residences.

e. ***Essential Business or Operations Remain Open***
   i. Essential Businesses or Operations identified in Executive Order 1463 as Supplemented may remain open and shall operate at such level as necessary to provide essential services and functions.
   ii. For clarity, Essential Healthcare Operations identified within Executive Order 1463 as Supplemented shall be construed broadly to avoid impact or interruption of the delivery of essential healthcare, but does not include fitness and exercise gyms, dance studios, clubs, tattoo parlors, spas, salons, barber shops, and other similar personal care and grooming facilities.
   iii. Restaurants and Bars may remain open but are limited to drive-thru, curbside, and/or delivery service.

f. ***Prohibited Activities***
   i. Consistent with Executive Order No. 1463 as Supplemented, all public and private social and other non-essential gatherings in groups of more than 10 people in a single space at the same time where individuals are in close proximity (less than 6 ft.) to each other shall be cancelled or rescheduled.
   ii. All places of amusement and recreation, whether indoors or outdoors, including but not limited to amusement parks and rides, museums, playgrounds, children's party and play facilities, all parks including all beaches, lakes and reservoirs (but not including walking trails), movie theaters, bowling alleys, and social clubs shall be closed to the public.

g. ***Essential Activities***: Individuals may leave their residences only to perform the following Essential Activities:
   i. To engage in activities or perform tasks necessary to their health and safety, or the health and safety of their family or household members (including pets) or the health and safety of those persons who are unable to or should not leave their home.
   ii. To obtain necessary food, services or supplies for themselves and members of their household needed to maintain the safety, sanitation and essential operation of the home or residence, or to deliver those services or goods to those persons who are unable to or should not leave their home.
   iii. To engage in individual outdoor activity and recreation.
   iv. To perform work providing essential products and services at Essential Businesses or Operations (as defined in Executive Order No. 1463 as Supplemented) or to carry out activities permitted in this Executive Order, including Minimum Operations.

h. ***Essential Travel***: Individuals engaged in Essential Travel must adhere to both the CDC and the Mississippi State Department of Health recommendations and guidance to prevent the spread of COVID-19, including social distancing (6 ft. between individuals) and aggressive hygiene including frequent handwashing (minimum 20 seconds) and use of hand sanitizer. For purposes of this Executive Order, Essential Travel includes travel for the following purposes:

i. Travel for Essential Business or Operation, as defined in Executive Order No. 1463 as Supplemented.
ii. Travel for Essential Activities, as defined herein.
iii. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons including to obtain COVID-19 testing for such individuals.
iv. Travel to or from educational institutions including public and private K-12 schools, colleges and universities, and other educational institutions for purposes of receiving materials for distance learning, for receiving meals, and other education related purposes.
v. Travel to or from their place of residence.
vi. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.

i. ***County and Local Municipal Authority***: Nothing in this Executive Order shall limit or alter the authority of any local or county authority from adopting orders, rules, regulations, resolutions, and actions that are more strict than established herein, provided that they do not impose restrictions that prevent any Essential Business or Operation 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.

II. Delegate Authority to Issue and Enforce Quarantine and Isolation Orders:
a. Pursuant to Miss. Code Ann. § 33-15-11(b)(5) and § 33-15-31, the State Health Officer in consultation with the Governor is authorized and empowered to issue such orders as necessary to carry out, implement, and enforce any quarantine or isolation orders to contain and restrict transmission of COVID-19.
b. That this authority is in addition to, and consistent with, the Mississippi State Department of Health's authority to issue, maintain and enforce isolation and quarantine orders pursuant to Miss. Code Ann. § 41-23-5 and other controlling law.
c. Nothing in this Executive Order limits or alters the authority under Miss. Code Ann. § 21-19-3 for a governing authority of a municipality to enact and enforce more restrictive measures to contain and restrict transmission of COVID-19.

III. Enforcement of Shelter in Place:
a. This Executive Order may be enforced by all State, County and Local law enforcement, as well as by other governmental entities (such as State and local departments of health) to the fullest extent under Mississippi law including, *inter alia*, Miss. Code. Ann. §§ 33-15-11(b)(5) and 33-15-11(b)(6).
b. Violations of this Executive Order are subject to the provisions of Miss. Code Ann. § 33-15-43.

IV. That all departments, commissions, agencies, institutions, and boards of the State of Mississippi, political subdivisions thereof, counties, municipalities and school districts are authorized and directed to cooperate in actions and measures taken in response to COVID-19 during the State of Emergency.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Mississippi to be affixed.

DONE in the City of Jackson, on the 1st day of April, in the year of our Lord, two thousand and twenty, and of the Independence of the United States of America, the two hundred and forty-fourth.

TATE REEVES
GOVERNOR

BY THE GOVERNOR

MICHAEL WATSON
SECRETARY OF STATE

ORDER TO ADJOURN

With there being no further business to come before the Board at this session of this special meeting, upon motion duly made by Alderman Povall, second by Alderman Gainspoletti, and unanimously adopted, it is ordered that the special called meeting of April 3, 2020 thereof be adjourned.

ORDERED this April 3, 2020.

Billy Nowell
BILLY NOWELL, Mayor

Attest:

Dominique Green
DOMINIQUE GREEN, City Clerk

Minutes approved this 5th day of May, 2020.

Billy Nowell
BILLY NOWELL, Mayor

Attest:

Dominique Green
DOMINIQUE GREEN, City Clerk