

**THE CITY OF CLEVELAND
BOLIVAR COUNTY
STATE OF MISSISSIPPI**

**MINUTES OF SPECIAL MEETING HELD
ON TUESDAY, JULY 21ST, 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 8:00 o'clock a.m. Tuesday, July 21st, 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
July 21, 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' Executive Order No. 1590;
2. Order Retaining the City's One-Half of All Road Tax Assessed to City Property by the Bolivar County Tax Assessor;
3. Designate Josh McPherson as the City's Agent for MEMA Hazard Mitigation Projects;
4. Approve Cleveland Collision Center Payment for Police Vehicle Repair; and
5. Employee Action Recommendations.

Said meeting shall be held on Tuesday, July 21, 2020 at 8:00 a.m. via Zoom Video Communications per the following link and call-in information:

Join Zoom Meeting:

<https://us02web.zoom.us/j/87228369959?pwd=VXRmdXhSTWZveWx0WTduM0h4TnhQZz09>

Meeting ID: 872 2836 9959

Passcode: 533826

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 20th day of July, 2020 at 10:00 a.m.

/s/ Billy Nowell

BILLY NOWELL
Mayor City of Cleveland

Present were: Billy Nowell, Mayor; Kirkham Povall, Robert Sanders, Danny Abraham, Theodore "Ted" Campbell, J. Paul Janoush, Gary Gainspoletti and Maurice Smith, Aldermen; Danny Griffith, City Attorney; Dominique Green, City Clerk; Michelle Arbuckle, Deputy City Clerk; Heather Williams, Human Resources Coordinator; Charles "Buster" Bingham, Chief of Police; Kenneth Taylor, Community Development Director; Jamie Gregory-Grant, Animal Shelter Manager; Ray Bell, Public Works Director.

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

**ORDER TO RATIFY EXECUTIVE ORDER NUMBER 1590 ISSUED BY
GOVERNOR REEVES**

After discussion, upon Motion by Alderman Gainspoletti, second by Alderman Sanders, and unanimously adopted, it is ordered to ratify Executive Order Number 1590 issued by Governor Reeves as detailed below.

STATE OF MISSISSIPPI

Office of the Governor



EXECUTIVE ORDER NO. 1509

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, 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, on May 28, 2020, I issued Executive Order 1492 establishing the statewide Safe Return order to restart the economy, open all businesses and non-profits operating within the State of Mississippi, and permit the resumption of community activities subject to limitations to minimize person to person interactions and associated risk of transmission of COVID-19 effective 8:00 a.m. on Monday, June 1, 2020, and remaining in full force and effect until 8:00 a.m. on Monday, June 15, 2020; and

WHEREAS, the Safe Return instituted in Executive Order 1492, as amended and extended by Executive Orders 1496, 1500, 1505 and 1508 has been extended and remains in full force and effect until 8:00 a.m. on Monday, August 3, 2020, unless it is modified, amended, rescinded, or superseded; and

WHEREAS, Mississippi must protect lives while restoring livelihoods, both of which can be achieved with the expert advice of medical professionals and business leaders; and

WHEREAS, while a majority of jurisdictions throughout Mississippi indicate a stabilized rate of diagnosis of new cases, it is necessary to maintain ample hospital ICU and ventilator capacity; and

WHEREAS, testing and contact tracing continues throughout the state, enabling healthcare providers and the State Health Officer to monitor and gauge the rate and locations of new cases with accurate information to promptly respond; and

WHEREAS, the State Health Officer has reported that data from certain jurisdictions and regions of the state (a) indicate periods of higher numbers of new cases over shorter periods of time accounting for larger percentage of the State's overall case count, (b) have higher percent incidence of positive cases per number of tests performed, (c) show evidence of shared workforce between jurisdictions with common risk factors, and (d) have other public health indicators reflecting on-going community transmission; and

WHEREAS, on July 10, 2020, upon counsel and recommendation of the State Health Officer, I issued Executive Order 1507 establishing additional measures necessary to disrupt the spread of

the COVID-19 virus within Claiborne, Desoto, Grenada, Harrison, Hinds, Jackson, Jefferson, Madison, Quitman, Rankin, Sunflower, Washington, and Wayne Counties; and

WHEREAS, upon counsel and recommendation of the State Health Officer, Bolivar, Covington, Forrest, Humphreys, Panola, Sharkey, Simpson, Tallahatchie, Tate and Walthall Counties have also been identified as additional regions that are at higher risk for transmission of COVID-19; accordingly, additional jurisdiction specific measures are necessary to disrupt the spread of the COVID-19 virus within those additional Counties to address and further limit person to person contact and other health and safety measures.

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, and in consultation with the State Health Officer do hereby order and direct as follows:

- I. This Executive Order applies only to Bolivar, Claiborne, Covington, Desoto, Forrest, Grenada, Harrison, Hinds, Humphreys, Jackson, Jefferson, Madison, Panola, Quitman, Rankin, Sharkey, Simpson, Sunflower, Tallahatchie, Tate, Walthall, Washington and Wayne Counties. For these counties the statewide Safe Return instituted in Executive Order 1492 as amended and extended by Executive Orders 1496, 1500, 1505, and 1508 shall remain in full force and effect as issued until 8:00 a.m. on Monday, August 3, 2020, except as follows:
 - a. **All Businesses and Business Operations:** All businesses and business operations shall attempt in good faith to follow the Mississippi State Department of Health's and CDC's regulations, orders and guidance to prevent the spread of COVID-19, including, but not limited to: social distancing; sending sick employees home or for further medical evaluation; actively encouraging sick employees to stay home or for further medical evaluation; separating and sending home employees who appear to have respiratory illness symptoms; adopting and enforcing regular and proper hand-washing and personal hygiene protocols; and daily screening of employees for COVID-19 related symptoms before beginning their shifts.
 - i. Each employee shall be screened at the beginning of their shift. Such daily screening shall include, at a minimum, the following questions, and any employee answering any question in the affirmative shall be sent home or for further medical evaluation:
 1. Have you been in close contact with a confirmed case of COVID-19 in the past 14 days?
 2. Are you experiencing a cough, shortness of breath, or sore throat?
 3. Have you had a fever in the last 48 hours?
 4. Have you had new loss of taste or smell?
 5. Have you had vomiting or diarrhea in the last 24 hours?
 - ii. All employees shall be required to report any symptoms of COVID-19 to their supervisor or designated company contact, and any employee who exhibits any of the symptoms of COVID-19 during their shift shall be immediately sent home or for further medical evaluation and advised to consult with their physician.
 - iii. Appropriate PPE shall be worn by all employees while at work or on duty based on their duties and responsibilities and in adherence to federal, state and local regulations and guidelines. Appropriate PPE shall include a face covering, covering the nose and mouth, for all employees who are unable to maintain a minimum of 6 feet of separation from customers and other employees, and such face coverings shall be cleaned or replaced at least daily.
 - iv. Hand sanitizer shall be provided to all employees and customers and shall be made available at points of entry and exit, in or near the bathrooms, and at the cashier stations. Hand sanitizer shall mean any hand antiseptic, hand rub, soap, or agent applied to the hands for purpose of removing common pathogens.
 - v. Employees who have contact with the public shall be provided a face covering, covering nose and mouth, and shall be required to wear that face covering while on duty, and such face coverings shall be cleaned or replaced at least daily.
 - vi. Customers shall wear a face covering, covering nose and mouth, while inside businesses and business operations, except face coverings are not required for the following:

1. Persons who cannot wear a face covering due to a medical or behavioral condition, who have trouble breathing or are incapacitated, or whose healthcare professional has recommended that a face covering not be worn;
 2. Persons seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;
 3. Persons while eating or drinking;
 4. Persons in a building or engaged in an activity that utilizes or requires security surveillance or screening (e.g., banking or financial institutions), and only during such times when these persons are under security surveillance or screening;
 5. Persons engaged in swimming activities or other activities while in a swimming pool;
 6. Persons engaged in exercising in fitness and exercise gyms or other sports activity;
 7. Persons while giving a speech, presentation or performance for a broadcast or to an audience;
 8. Persons actively providing or obtaining access to religious worship (*NOTE* wearing a face covering is strongly encouraged);
 9. Children under the age of six (6) (*NOTE* parents and guardians shall be responsible for ensuring proper use of face coverings by children six (6) years of age and older and must ensure that face coverings do not pose a choking hazard and can be safely worn without obstructing a child's ability to breathe.); and
 10. Other settings where it is not practical or feasible to wear a face covering, including, but not limited to, when obtaining or rendering goods or services (such as receipt of dental services) or would otherwise impede visibility to operate equipment.
- vii. Businesses and business operations shall make all reasonable efforts to maintain 6 feet of separation between customers (or parties of customers) at all times, including 6 feet of separation while in cashier lines, waiting rooms, and other public space, including displaying prominent signs at every entrance informing customers of the face covering requirements herein and that customers must practice social distancing (maintaining a minimum of 6 feet of separation from other customers (or parties of customers)).
 - viii. Carts and baskets and all other surfaces that are contacted by customers during the course of providing services shall be sanitized after each use by customers. All other high-touch areas, including all door handles shall be sanitized once every two hours at a minimum.
- b. Gatherings:**
- i. All individuals shall maintain social distancing of a minimum of 6 feet distance between individuals not in the same household.
 - ii. Social gatherings/activities shall be limited to a maximum of 10 participants indoor and a maximum of 20 participants outdoor. This limitation shall not apply to religious entities, students in classrooms, or gatherings in facilities governed by other capacity limitations.
 - iii. Face coverings must be worn indoors and outdoors (when unable to maintain a minimum of 6 feet of separation from other individuals not in the same household) when attending public events (including but not limited to attending events in outdoor sports complexes, multi-field complexes, and arenas). This face covering requirement shall not apply to individuals engaged in organized school athletic practices, including weight training and outdoor practices, or other outdoor exercising.
- 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 from enacting and enforcing more restrictive measures to contain and restrict transmission of COVID-19.

III. Enforcement:

- 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. This Executive Order shall remain in effect and in full force from 8:00 a.m. on Monday July 20, 2020 until 8:00 a.m. on Monday, August 3, 2020, unless it is modified, amended, rescinded, or superseded.

IN WITNESS 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 19th day of July, 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-fifth.


TATE REEVES
GOVERNOR



BY THE GOVERNOR



MICHAEL WATSON
SECRETARY OF STATE

ORDERED this July 21st, 2020.

ORDER RETAINING THE CITY'S ONE-HALF (1/2) OF ALL ROAD TAX ASSESSED TO CITY PROPERTY BY THE BOLIVAR COUNTY TAX ASSESSOR

After discussion, upon Motion by Alderman Janoush, second by Alderman Gainspoletti, the Board unanimously approved the retention of the One-Half (1/2) Road Tax assessed to the City Property by the Bolivar County Tax Assessor.

By retaining the one-half (1 /2) of road revenue the City of Cleveland rejects the assistance of the Bolivar County Supervisors acting through the Bolivar County Road Department for the 2020-2021 fiscal year to repair its roads.

Because of its election to retain the one-half (1/2) share of all road tax revenue assessed to City property, the City of Cleveland requests the Chancery Clerk of Bolivar County, Mississippi and the Tax Collector of Bolivar County, Mississippi transfer and pay its one-half (1/2) share of all road taxes assessed to City property to the City of Cleveland, Mississippi for the 2020-2021 fiscal year.

ORDERED this July 21st, 2020.

ORDER TO DESIGNATE JOSH MCPHERSON AS THE CITY'S AGENT FOR MEMA HAZARD MITIGATION PROJECTS

After discussion, upon Motion by Alderman Sanders, second by Alderman Abraham, and unanimously adopted, it is ordered to designate Josh McPherson, Eley-Barkley Engineer, as the City's Agent for MEMA Hazard Mitigation Projects.

DESIGNATION OF APPLICANT'S AGENT

BE IT RESOLVED BY: The Mayor and Board of Aldermen OF: The City of Cleveland
Governing Body City, County, Other Entity
THAT Josh McPherson Consulting Engineer
Name of Designated Agent Official Position
ADDRESS 306 Third Street PHONE (W) 662-846-0180 (H) 662-207-5055
Cleveland, MS 38732

is hereby authorized to execute for and in behalf of the City of Cleveland
City, County, Other Entity

a public entity established under the laws of the State of Mississippi, applications for the purpose of obtaining and administering certain federal financial assistance under the Disaster Relief Act of 1974 (Public Law 93-288), amended by Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988, (Public Law 100-707) and to file them with the Governor's Authorized Representative.

PASSED AND APPROVED THIS 21st DAY OF July 2020
Billy Nowell Mayor
Name Title

CERTIFICATION

I, Dominique Green, duly appointed City Clerk
Title
of The City of Cleveland, do hereby certify that the above is a true
and correct copy of a resolution passed and approved by Billy Nowell, Mayor
the Board President
of The City of Cleveland on the 21st day of July 2020
Billy Nowell
Signature

ORDERED this July 21st, 2020.

ORDER TO APPROVE PAYMENT FOR PATROL VEHICLE REPAIR TO CLEVELAND COLLISION CENTER

After discussion, upon Motion by Alderman Campbell, second by Alderman Janoush, and unanimously adopted, it is ordered to approve payment for the repair of a patrol repair to Cleveland Collision Center totaling \$3,343.05.

ORDERED this July 21st, 2020.

ORDER FOR EXECUTIVE SESSION

After discussion, upon Motion by Alderman Povall, second by Alderman Sanders, and unanimously adopted, it is ordered that the Board go into closed session to consider going into executive session to discuss personnel matters in the Animal Shelter, Public Works, Police and Community Development Departments.

ORDERED this July 21st, 2020.

After discussion, upon Motion by Alderman Povall, second by Alderman Campbell, and unanimously adopted, it is ordered that the Board go into executive

session to discuss personnel matters in the Animal Shelter, Public Works, Police and Community Development Departments.

ORDERED this July 21st, 2020.

EXECUTIVE SESSION

Discussions ensued concerning each topic addressed in the above motion. However, no board action was taken, unless as noted otherwise.

Upon motion by Alderman Campbell, second by Alderman Janoush, and unanimously adopted, it is ordered to suspend Animal Shelter Caretaker, William Veazey, for two days for reasons stated per his personnel record on file in the office of Human Resources.

ORDERED this July 21st, 2020.

Upon motion by Alderman Sanders, second by Alderman Campbell, and unanimously adopted, it is ordered to approve the hire of two part time Police Department dispatchers as listed.

Employee Name	Type of Action	Requested Effective Date	Department		Job Title		Pay Rate	
			Currently	Requested	Currently	Requested	Currently	Requested
Tywanna Dentmond	New Hire	7/21/2020		Police Dept		Part time Dispatcher		\$19.12
Tameka McDaniel	New Hire	7/21/2020		Police Dept		Part time Dispatcher		\$19.12

ORDERED this July 21st, 2020.

Upon motion by Alderman Smith, second by Alderman Gainspoletti, and unanimously adopted, it is ordered to approve the transition of Community Development Assistant Director, Kim Chisolm, from the salaried to the hourly pay method.

ORDERED this July 21st, 2020.

Upon motion by Alderman Gainspoletti, second by Alderman Povall, and unanimously adopted, it is ordered to terminate Public Works Street Laborers Lewis Butler and Kavarius Evans for reasons stated per their personnel record, respectively, on file in the office of Human Resources.

ORDERED this July 21st, 2020.

Upon motion by Alderman Gainspoletti, second by Alderman Abraham, and unanimously adopted, it is ordered to notify delinquent water accounts, specifically accounts that have been delinquent for over sixty days, via a certified letter requesting the accountholder enter into a payment arrangement within thirty days of the letter. Failure to enter a payment arrangement within thirty days will result in service disconnection.

ORDERED this July 21st, 2020.

Upon motion by Alderman Povall, second by Alderman Gainspoletti, and unanimously adopted, it is ordered that the Board come out of executive session and re-enter open session.

ORDERED this July 21st, 2020.

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 Sanders, and unanimously adopted, it is ordered that the special called meeting of July 21st, 2020 thereof be adjourned.

ORDERED this July 21st, 2020.

Billy Nowell
BILLY NOWELL, Mayor

Attest:

Dominique Green
DOMINIQUE GREEN, City Clerk

Minutes approved this 4th day of August, 2020.

Billy Nowell
BILLY NOWELL, Mayor

Attest:

Dominique Green
DOMINIQUE GREEN, City Clerk