

Emergency Called Meeting Minutes

Forsyth City Council Meeting

March 25, 2020

Call to Order

Mayor Wilson called the meeting to order at 4:03 p.m.

Pledge of Allegiance, Invocation and Roll Call

Mayor Wilson led the Pledge of Allegiance. Mr. Dodd gave the invocation. Present for the meeting was Mayor Eric Wilson, Councilmembers Mike Dodd, Melvin Lawrence and Chris Hewett. Also present was City Attorney, Bobby Melton; City Manager, Janice Hall; and City Clerk, Regina Ivie.

Due to the concerns of the Coronavirus Covid 19 pandemic Councilmembers Julius Stroud, Greg Goolsby, and Mayor Pro-tem John Howard attended the meeting by way of video conference call.

All members of council were present either in person or by video conference call. Therefore; all unanimous votes will be six (6) votes (Dodd, Stroud, Goolsby, Howard, Hewett, and Lawrence). City Attorney, Bobby Melton recommended Mayor Wilson roll call to gather votes since all Council Members could not be seen but heard.

Gina Smith and Leigh Anne Mitchell with the Public Health Department attended via conference call. Simonia Blassingame with the Monroe County Chamber of Commerce attended via video conference call.

Mayor Wilson stated on Monday, March 23, 2020 he issued a declaration of a state of emergency arising because of Covid-19, an Ordinance taking immediate emergency measures. Mayor Wilson stated specifically within the declaration it addressed public gatherings of ten or more people at a specific location; we wouldn't allow gatherings of more than 10 people. Governor Brian Kemp made an announcement stating bars and night clubs would be closed as well as other executive orders. We have since received a template from Georgia Municipal Association as a model ordinance for us to consider. Mayor Wilson requested that Ms. Hall review procedure and operational changes within the government that has taken place in order for business to continue to run smoothly and so that we are protecting our employees during this time.

Ms. Hall reviewed procedural and operational changes in place since Monday, March 23, 2020.

- All City facilities and buildings have been closed to the public.
- City Hall is open on Tuesday, and Thursday only each week for customers to make cash only payments from 8:30 a.m. to 1:00 p.m.
- Employees are staggering working shifts and lunch breaks so interactions between staff is less than normal to reduce exposure.
- Public Works, and Public Utilities and the Electric Department are working four ten-hour shifts with staggered shifts and breaks working Monday thru Thursday only.
- Administration Staff is working four ten-hour shifts; staggered shifts to limit exposure. Lunch breaks have been reduced to 30 minutes; and staggered. Staff is working with office doors closed utilizing technology as much as possible to reduce physical interaction.
- Washer and Dryer has been purchased for Fire & Police to wash uniforms on premises.
- Investigators are staggering shifts to limit exposure.
- Purchased annual subscription to Zoom to facilitate Council meetings to reduce in person interaction as much as possible.
- Each department head has initiated a successor 2 deep within department in the event they cannot come to work due to the virus.
- Sergeant Asbell and Captain Rollins have been appointed as Infectious Control for the City.
- Certain staff are able to work from home with the remote access provided by Sophicity.
- Tammie & Monica are speaking with businesses in the area to determine who is currently remaining open. Chamber of Commerce is working to gather the same information and will post on the Chamber's Facebook page.

Consideration of Conditions during Local Emergency Declaration and Approval of Emergency Ordinance Granting Conditions

A sample ordinance from Georgia Municipal Association was provided to Council to review at this Emergency Called Meeting. Mayor and Council discussed at length the ordinance and all sections within the sample template as to how best to serve the citizens of the City.

Mr. Stroud offered a motion to exclude a curfew as part of the ordinance. Seconded by Mr. Hewett; the motion carried unanimously.

Ms. Hall recommended Council review her suggested highlighted changes within the template and discuss each section only if changes are preferred. Below Mayor and Council reviewed each section individually.

Section 1. Findings of Fact

For purposes of describing the circumstances which warrant the adoption of an emergency ordinance, the governing authority of the city hereby adopt and make the findings included in the “WHEREAS” clauses as findings of fact.

No changes were requested by Council.

Section 2. Declaration of Public Health State of Emergency

The City Council hereby declares a public health state of emergency within the city because of the proliferation of COVID-19 in the United States and the State of Georgia, which will remain in force and effect for thirty (30) days from the date hereof.

Mr. Melton stated the City’s code allows for an emergency ordinance for a maximum of 30 days unless it’s reinstated or extended.

No changes were requested by Council.

Section 3. Public Gatherings on City Property

For the duration of the declared emergency, there shall be no public gatherings on any property owned or controlled by the City. To avoid confusion, the following definitions shall apply under this Section: a “public gathering” shall mean the organized gathering or assembly of ten (10) or more persons at a specific location; “property owned or controlled by the City” shall include any park, public square, public space, playground, recreational area, or similar place of public gathering, but nothing herein shall prohibit individuals or families from using sidewalks or designated pedestrian areas of parks for walking or other exercise if they are not participating in an organized gathering.

No changes were requested by Council.

Section 4. Utility Services

For the duration of the declared emergency, the City will not disconnect any public utility service provided by the City on account of non-payment. After the conclusion of the declared emergency, persons will have a period of () days to make such payments before service may be disconnected.

Ms. Hall recommends 30 days after the conclusion of the declared emergency for customers to make payments before services would be disconnected due to non-payment.

Section 5. Classification of City/County Services

For the duration of the declared emergency, the City Manager shall be vested with the following discretion and authority, to wit:

- (a) To categorize City services as either “required” or “discretionary,” and to periodically review and modify such categories.
- (b) To assign specific employees to required or discretionary services, and to periodically review and modify such assignments.

- (c) To use his or her discretion to permit employees to telework.
- (c) To temporarily suspend the provision of discretionary services and to direct employees who provide discretionary services not to report to work until such time as the service suspension is lifted or until such time as the City Manager redirects the employee to other services.
- (d) To contract for and expend non-budgeted sums and services, as may in his or her discretion be required to meet the demands upon government and services of the City for the duration of the declared emergency, including therein authority to spend such sums from the reserves of the City. Any such non-budgeted expenditures shall be reported to the governing authority of the City.
- (e) To maintain, to the best of the ability of the resources of the City, the provision of essential services, which shall include, but not be limited to, public safety, public works, and public utilities.

No changes were requested by Council.

Section 6. Tolling of Deadlines

Any deadlines for the purchasing or obtaining by persons or businesses of occupation tax certificates, permits or similar civil approvals mandated by the City Code shall be tolled for the duration of the emergency as established herein, and for 15 days thereafter. Such persons or businesses shall obtain necessary permissions required by law, but deadlines set by the City Code are tolled for the duration of the emergency as established herein, and for 15 days thereafter.

No changes were requested by Council.

Section 7. Eating Establishments

Restaurants and other eating and dining establishments where food is served must cease offering dine-in services but may continue preparing and offering food to customers via delivery, drive-through or take-out services. Patrons, employees and contractors of the establishments must maintain at least six (6) feet of personal distance between themselves and others. If a restaurant is licensed to sell beer and wine for on-premises consumption, such restaurant, during the effective dates of this ordinance only, shall be authorized to sell unopened bottles or cans of beer or wine for take-out consumption off-premises;

Gina Smith with the Public Health Department stated the Health Department is not mandating closures. However, customers are to maintain 6 feet apart per the ordinance.

Mayor Wilson stated under the Governor's order specifically said if you have a gathering of 10 or more people that you must maintain at least 6 feet apart.

Mr. Howard offered a motion to leave the language of Section 7 as it is currently stated; which would close dine-in services while take out, delivery and drive thru services would be allowed. Seconded by Mr. Stroud. The motion failed with two (2) votes in favor (Stroud and Howard) and four (4) votes against (Goolsby, Hewett, Lawrence, and Dodd).

Mr. Hewett offered a motion to only include the last sentence of Section 7. If a restaurant is licensed to sell beer and wine for on-premises consumption, such restaurant, during the effective dates of this ordinance only, shall be authorized to sell unopened bottles or cans of beer or wine for take-out consumption off-premises. Seconded by Mr. Dodd. The motion failed with two (2) votes in favor (Lawrence and Hewett) and four (4) votes against (Goolsby, Howard, Dodd, and Stroud).

Mr. Goolsby offered a motion for the City to follow the State's guidelines which is no more than 10 people in a restaurant; they must maintain 6 feet apart. Seconded by Mr. Dodd. The motion carried with four (4) votes (Dodd, Goolsby, Hewett, and Lawrence). Mr. Stroud and Mr. Howard voted against the motion.

City Attorney, Bobby Melton left the meeting at 5:27 p.m.

Section 8. Closure of Certain Businesses

Gyms, fitness centers, pools, social clubs, amusement facilities, bowling alleys, pool halls, theaters, massage parlors, nail salons, and any other similar facility, any facility used for an activity that involves prolonged physical proximity of individuals,

and any facility used for entertainment, social, grooming, or general health and wellbeing purposes, must close and remain closed for the duration of this emergency.

Mr. Hewett offered a motion to make no changes to Section 8. Closure of Certain Businesses stated above. Seconded by Mr. Dodd; the motion carried with four (4) votes (Goolsby, Dodd, Lawrence, and Hewett). Mr. Howard abstained. Mr. Stroud voted against the motion.

Section 9. Personal Distance

All other establishments not covered in Section 7 of this Ordinance such as grocery stores, pharmacies, and other businesses which remain open during the emergency must post signage on entrance doors informing consumers to maintain at least six (6) feet of personal distance between themselves and others and shall not allow more than ten (10) people into such establishment at any one time if such social distancing cannot be maintained.

Mr. Dodd offered a motion to make no changes to Section 9. Personal Distance. Seconded by Mr. Lawrence; the motion carried unanimously.

Section 10. Gatherings

All public and private gatherings of more than ten (10) people occurring outside of a household or living unit are prohibited. Nothing in this ordinance, however, prohibits the gathering of individuals for the purposes of carrying on business certified as “essential” by the Georgia Emergency Management Agency pursuant to O.C.G.A. § 38-3-58 or designated by the Governor as “critical infrastructure” or the provision of medical or health services.

No changes were requested by Council.

Section 11. Emergency Interim Successor to Manager/Administrator

The governing authority desires to make certain that the chain of authority within City management is clear. If the City Manager is unable to perform his or her duties, then the individual designated by the City Manager as the emergency interim successor pursuant to O.C.G.A. § 38-3-50 shall assume the duties of the City Manager. Should the emergency interim successor be unable to perform those duties the Mayor as Chief Executive Officer of the City shall assume those duties.

Mr. Stroud inquired as to who would be the interim successor in the event Ms. Hall is unable to perform her duties. Ms. Hall stated the successor would be Regina Ivie. Regina Ivie as she understands the City budget and this will need to be followed closely in an emergency situation. She has approval process within our systems and is familiar with where things are in my office.

Section 12. Curfew

A curfew is imposed from 9:00 p.m. to 5:00 a.m. effective immediately. Residents, unless “exempt individuals” as defined herein, shall remain in their homes or on their property during the curfew period. Exempt individuals include those individuals engaged in the provision of designated, essential services, such as (1) fire; (2) law enforcement; (3) medical and hospital services, including veterinary services; (4) military services; (5) utility emergency repairs; (6) persons seeking emergency medical services or hospital services and those persons assisting such persons; (7) individuals traveling to and from their jobs with appropriate identification and persons traveling to medical facilities; (8) individuals engaged in the delivery of food, medicine, medical supplies, fuel including, but not limited to, the re-stocking of grocery stores, pharmacies, and convenience stores; (9) news media employees; (10) designated employees or agents of businesses designated by the Georgia Emergency Management Agency as “essential” pursuant to O.C.G.A. § 38-3-58; (11) persons providing necessary care of companion animals in the custody and care of an animal shelter, boarding facility, or kennel and persons walking personal animals; and (12) critical infrastructure businesses and employees as designated by the Governor or identified by U.S. Department of Homeland Security Cybersecurity and Infrastructure Security Agency.

Mayor Wilson stated Section 12. Curfew had been deleted at the beginning of the meeting with a motion to exclude a curfew with this ordinance.

Section 13. Procurement

The governing authority hereby suspends the bid and competitive portions of the City's Procurement Policy or ordinances and authorize the City Manager to utilize the single-source policy and to require departments to provide a written justification for the procurement during the effective dates of this Resolution and/or utilize any emergency procurement provisions contained. City officials shall continue to seek the best prices during the state of emergency.

No changes were requested by Council.

Section 14.

All ordinances or parts of ordinances in conflict with the provisions of this Declaration are hereby suspended during the effective dates of this Declaration (or any extension thereof) and the terms and provisions of this Declaration shall prevail.

No changes were requested by Council.

Mr. Hewett offered a motion to approve the emergency ordinance with the amendments discussed. Seconded by Mr. Dodd; the motion carried with four (4) votes in favor (Goolsby, Lawrence, Dodd, and Hewett) and two (2) votes against (Stroud and Howard).

Adjourn

Mr. Dodd offered a motion to adjourn the Emergency Called Meeting. Seconded by Mr. Hewett; the motion carried unanimously. The meeting adjourned at 5:47 p.m.