



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
MARCH 23, 2020, 5:00 P.M.**

IN AN EFFORT TO FACILITATE THE RESPONSE TO CORONAVIRUS DISEASE 2019 (COVID-19), THIS MEETING WILL BE CONDUCTED VIA CONFERENCE CALL. AN AUDIO/VIDEO RECORDING OF THE PROCEEDINGS WILL BE MADE AVAILABLE TO THE PUBLIC WITHIN 48 HOURS. MEMBERS OF THE PUBLIC ARE, BY LAW, ALLOWED TO ATTEND MEETINGS OF THE CLARKSVILLE CITY COUNCIL BUT ARE STRONGLY DISCOURAGED TO DO SO AT THIS TIME.

MINUTES

CALL TO ORDER

A special session of the Clarksville City Council was called to order by Mayor Joe Pitts on Monday, March 23, 2020, at 5:00 p.m. via conference call from the Mayor's Conference Room, 1 Public Square, Clarksville, Tennessee.

A prayer was offered by Councillady Valerie Guzman.

ATTENDANCE

PRESENT: Richard Garrett (Ward 1), Vondell Richmond (Ward 2), Ron Erb (Ward 3), Tim Chandler (Ward 4), Valerie Guzman (Ward 5), Wanda Smith (Ward 6), Travis Holleman (Ward 7), David Allen, Mayor Pro Tem (Ward 8), Jeff Henley (Ward 9), Stacey Streetman (Ward 10), Gary Norris (Ward 11), Jeff Burkhart (Ward 12)

All members responded verbally and were connected to the conference call.

ELECTRONIC MEETING AUTHORIZATION

In order to comply with the technical aspects of the Governor's Executive Order regarding holding open meetings in a forum other than in the open and in public, Councillady Smith made a motion that the governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak. The motion was seconded by Councilman Burkhart. A voice vote was taken; the motion unanimously passed.

RESOLUTION 49-2019-20 Approving Mayoral Executive Order No. 002 proclaiming a civil emergency to prevent the spread of the COVID-19 Disease

Mayor Pitts offered the following statement:

The Executive Order before you mirrors much of what Tennessee Governor Bill Lee put in his Executive Order issued yesterday, March 22, 2020. After considerable discussion with Montgomery Council Mayor Jim Durrett, we felt we should reflect the steps the Governor has outlined in order to reduce confusion for our citizens. There are other provisions in the Order that are consistent across the City and the County. This process in the environment we are in is unprecedented and obviously very fluid as evidenced by the Governor issuing another Executive Order today and we will discuss that in more detail later. We may need more stringent measures in the future, but this is the right next step to take to protect our community. We've discussed these measures such as requiring a mandatory closing of certain businesses and there is concern that doing so would be disastrous for the business and the employees. I can tell you that Mayor Durrett has reached out to most of the manufacturing companies in our city regarding keeping their employees safe. Most have responded very positively to the request. Some will temporarily shut down production, others have extraordinary measures in place to protect their employees. We've asked them to communicate with their employees and, for safety reasons, we won't be sharing those details with the public so that the employees will understand they are being protected. All of us have seen the email traffic of employees and families of employees who are concerned. Hopefully when these companies communicate with their employees, it will reduce email traffic.

Councillady Smith made a motion to adopt this resolution as presented. The motion was seconded by Councillady Guzman.

City Attorney Lance Baker said the Mayor's Executive Order incorporates the Executive Orders of the Governor, specifically regarding, but not limited to, the open meetings law, operations of restaurants and bars, gyms and fitness centers, nursing home visitation, social gatherings and businesses allowing employees to work from home when feasible. He noted the Mayor's Executive Order also required movie theaters, performing arts theaters, yoga and dance studios, bowling alleys, and arcades to close access to the general public, as well as closing the interior of malls and established a maximum occupancy law. Mr. Baker said no prohibitions were ordered for medical or pharmacy businesses, blood collection and there were exemptions for businesses, etc., deemed critical for infrastructure, national security, or public health and welfare. The Order did

not apply to Fort Campbell Military Reservation. The Mayor's Executive Order strongly encouraged citizens to comply with the Centers For Disease Control guidelines and remain calm and to resist panic purchasing. The effective date of the Order was 12:01 a.m. Wednesday, March 25, 2020, and, unless extended, would expire at 12:01 a.m. on April 1, 2020.

Answering Councillady Guzman's question, Mayor Pitts said stores at Governor's Square Mall that had an exterior entrance would be allowed to conduct business, but access to the interior of the mall would be closed to the general public.

In response to Councillady Smith's question, Mayor Pitts said there were no official restrictions regarding church congregational meetings and noted that Governor Bill Lee urged citizens to limit gatherings to more than ten people.

Councilman Garrett asked about the City's policing powers. Mayor Pitts said the local Executive Order was in line with the Governor's Executive Order. Mr. Baker said the Mayor's and City Council's powers are authorized by *Tennessee Code Annotated* and the Official Charter and Code of the City of Clarksville. He said local officials have authority to enforce the Governor's Executive Orders.

In response to Councilman Garrett's question, Mayor Pitts said Montgomery County Mayor Jim Durrett had reached out to local factories and day care centers and encouraged operators to exercise recommended precautions. Mr. Baker added that City regulations cannot conflict with the Governor's Executive Order and said maximum occupancy rules would apply.

Mayor Pitts replied to Councilman Allen stating the Mayor's Executive Order does not specifically address church meetings, but includes them in recommendations of social gatherings of no more than ten people.

Mr. Baker responded to Councilman Richmond stating the City Code established local curfews for minors. Mayor Pitts noted mandatory curfews were not addressed in the local Executive Order.

Councilman Richmond also asked about local virus testing sites. Mayor Pitts said he would obtain and share information from the Montgomery County Health Department.

Councillady Guzman expressed appreciation to the staff of Housing & Community Development for sharing information regarding non-profit agencies. Mayor Pitts thanked faith-based organizations for their efforts.

Councillady Smith said she was aware that some area church congregations were exercising social distancing by leaving space between seats.

Replying to Councilman Henley, Mayor Pitts said the restrictions for building occupancy were established by the Governor's Executive Order.

Mayor Pitts responded to Councilman Henley saying the effective date of the Mayor's Executive Order was determined to allow affected businesses time to prepare for the new restrictions.

Mayor Pitts said future meetings of the City Council would likely be conducted via conference calls or Google Meets.

After discussion, the following vote was recorded:

AYE: Allen, Burkhart's, Chandler, Erb, Garrett, Guzman, Henley, Holleman, Norris, Pitts, Richmond, Smith, Streetman

The motion to adopt this resolution unanimously passed.

ADJOURNMENT

The meeting was adjourned at 5:39 p.m.

ADOPTED: April 2, 2020