

The Mayor and Council met for an emergency called meeting, via Teleconference-Zoom.

Those Present:	John Howard	Mayor
	Wayne Adcock	Vice-Mayor
	Lee Malcom	Council Member
	Ross Bradley	Council Member
	Larry Bradley	Council Member
	Nathan Little	Council Member
	David Dickinson	Council Member
	Logan Propes	City Administrator
	Debbie Kirk	City Clerk
	Paul Rosenthal	City Attorney

Absent:	Myoshia Crawford	Council Member
	Norman Garrett	Council Member

Staff Present: Danny Smith, R.V. Watts, Bill Owens, Beth Thompson, Rodney Middlebrooks, Brian Thompson, Patrick Kelley, Chris Bailey, Sadie Krawczyk

Visitors: Sharon Swanepoel, David Clemons, Les Russell

I. CALL TO ORDER – JOHN HOWARD

1. Roll Call

Mayor Howard noted that all Council Members were present via Teleconference (Zoom Video / audio conferencing), except Council Member Norman Garrett and Council Member Myoshia Crawford. There was a quorum.

2. Approval of Agenda

To approve the agenda as presented.

*Motion by R. Bradley, seconded by Little.
Passed Unanimously*

To amend the agenda under New Business to add Item 5 – Ordinance to Impose a Curfew in the City of Monroe, Item 6 – Ordinance to Temporarily Close Certain Establishments in the City of Monroe, Item 7 – Late Fees and Disconnections, making Item 8 – Other Business. To approve the agenda as amended.

*Motion by Malcom, seconded by L. Bradley.
Passed Unanimously.*

II. NEW BUSINESS

1. Ordinance to Temporarily Amend Certain Alcoholic Beverages Ordinances

City Attorney Paul Rosenthal gave the reading of the ordinance to temporarily amend Article 6 of the Code of Ordinances regarding Alcohol Beverages All on-premises beer and wine sales alcohol license holders in City of Monroe, Georgia licensed pursuant to Code of Ordinances Section 6-85 *et seq* are permitted to sell unopened beer and wine containers to patrons for the purposes of said patrons partaking in off-premises consumption when accompanied by an order for takeout food. Said license holders are permitted to sell growler sized portions of beer to patrons for off-premises consumption when accompanied by an order for takeout food. Said growler portion containers shall not exceed sixty (60) fluid ounces per individual customer and must be contained in a properly sealed container. This Ordinance shall take effect immediately upon its adoption by the Mayor and Council, and shall remain in effect for ninety (90) days, unless sooner terminated or extended.

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City Attorney Paul Rosenthal stated as noted in the Ordinance, a second reading will be waived by an affirmative vote of City Council.

To adopt the ordinance.

*Motion by Dickinson, seconded by Adcock.
Passed Unanimously.*

2. Ordinance to Create and Fund the Downtown Development Authority Stabilization Fund of the DDA

City Attorney Paul Rosenthal gave the reading of the ordinance to create and fund for use, implementation and administration by the DDA for the purpose of rendering assistance, stabilization and support to downtown Monroe businesses experiencing an economic impact due to the ongoing and evolving Pandemic. City staff is hereby instructed to transfer \$100,000.00 from the Utility Capital Reserve Fund to the DDA to fund and establish the Stabilization Fund. The DDA will adopt and document criteria and terms of qualification for a business receiving assistance from the Stabilization Fund, keeping the Mayor and Council apprised of all actions and transactions.

City Attorney Paul Rosenthal stated as noted in the Ordinance, a second reading will be waived by an affirmative vote of City Council.

To approve the ordinance.

*Motion by R. Bradley, seconded by Dickinson.
Passed Unanimously.*

3. Ordinance to Temporarily Increase the Spending Authority of the City Administrator

City Attorney Paul Rosenthal gave the reading of the ordinance to temporarily increase the spending authority of the City Administrator's maximum purchasing cap. The current cap limit of \$10,000.00 pursuant to the enacted City Purchasing Policies will increase to a maximum purchasing cap of \$100,000.00 to allow the City Administrator to more effectively and efficiently manage the City's response to the ongoing Pandemic and any emergency actions or procurements needed to combat the ongoing Pandemic. Purchases made pursuant to the City Administrator's emergency purchasing power authority shall be subject to ratification and approval by the Mayor. This Ordinance shall take effect immediately upon its adoption by the Mayor and Council, and shall remain in effect for ninety (90) days, unless sooner terminated or extended.

City Attorney Paul Rosenthal stated as noted in the Ordinance, a second reading will be waived by an affirmative vote of City Council.

To approve the ordinance.

*Motion by Malcom, seconded by Little.
Passed Unanimously.*

4. Ordinance to Temporarily Modify Certain Personnel Policies of the City of Monroe

City Attorney Paul Rosenthal gave the reading of the ordinance to temporarily modify certain personnel policies. The City Administrator, as acting Personnel Administrator, shall have full authority to redefine the City's Reduction in Force provisions in consultation with the City Attorney, to approve updated work schedules and pay plans as needed, and take other City personnel related actions as required in order to address the evolving City response to the Pandemic. This shall remain in effect for ninety (90) days unless sooner terminated or extended.

City Attorney Paul Rosenthal stated as noted in the Ordinance, a second reading will be waived by an affirmative vote of City Council.

To approve the ordinance.

*Motion by Little, seconded by Adcock.
Passed Unanimously.*

5. Ordinance to Impose a Curfew in the City of Monroe

City Attorney Paul Rosenthal gave the reading of the ordinance to impose a mandatory curfew in the City Limits of Monroe lasting daily from 10:00 pm to 5:00 am to ensure the general welfare, health and safety of the public, and to combat the expansion of the Pandemic. Exceptions to the mandatory curfew are: when an individual must run an emergency errand; when an individual is traveling to or directly from an activity involving the exercise of their First Amendment rights of free speech, freedom of assembly or free exercise of religion; when an individual is engaged in interstate or intrastate travel through Monroe; when an individual is walking, biking, running, or engaged in some other form of physical exercise and traveling to and from their residence for fitness purposes; when an individual is procuring food, medicine or medical care; or when an individual is traveling directly from work to their residence or shelter.

City Attorney Paul Rosenthal stated as noted in the Ordinance, a second reading will be waived by an affirmative vote of City Council.

Council Member Lee Malcom questioned whether it should be spelled out about people that are employed to deliver food or deliver medication.

Mr. Rosenthal answered it is already spelled out within the ordinance, under exceptions about procuring food, medicine, medical care, or when they are traveling within the scope of their work. There is not any intent within the curfew to address people who are conducting deliveries.

Council Member Nathan Little stated he is not opposed to the ordinance. He questioned the reason the ordinance is needed and what the curfew will accomplish.

Council Member David Dickinson stated he is opposed to the curfew. He does not see that there is an emergency to such an extent to essentially impose martial law. It feels like overkill to him. He questioned how restricting people between 10:00 pm and 5:00 am will make anyone safer from the virus. He believes this it going way too far and intends to vote against the ordinance.

Council Member Wayne Adcock stated he agrees with Mr. Dickinson. He believes the police already have enough to do without trying to enforce a curfew.

Mr. Little questioned the advantages of the proposed curfew; he tends to agree with Mr. Dickinson and Mr. Adcock.

Mayor Howard explained the item was originally under other business but was moved. They had the ordinance ready just in case it was a route that Council wanted to take. He stated that he agrees with Mr. Dickinson, but wants to hear comments and have any questions answered prior to taking a motion.

Council Member Ross Bradley agreed with Mr. Dickinson; he doesn't understand how this is going to further protect people's concerns about the virus.

City Administrator Logan Propes stated the Governor's declaration puts a good-sized blanket over what the City is trying to accomplish here. He asked whether Chief Watts has any statements that he would like to note on this item.

Chief R.V. Watts stated he is in favor of the curfew personally. He discussed a block party that officers encountered the previous weekend, which had between 400 and 500 people in attendance. People think it is time to congregate and get together, because they are sheltered at home in place. He explained that this not only exposes them to one another, but it also exposes the officers to all of them. They are taking extreme measures trying to protect the officers from being exposed.

Mr. Larry Bradley questioned whether the block party would fall under the Governor's Declaration of ten or less.

Chief Watts stated the curfew gives the officers more legal authority to disperse individuals as they congregate together.

Mr. Rosenthal stated the Executive Order from the Governor focuses on businesses, establishments, and organizations not allowing more than ten to gather. The technical problem would be that when the Executive Order addresses organizations and businesses, it is envisioning

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businesses like gyms, movie theaters, and churches. Unfortunately, the block party would not be subjected to the terms of the Governor's Executive Order dated March 23, 2020.

Ms. Malcom requested each Council Member to respectfully reconsider their position on the curfew, in light of what Chief Watts has brought to attention. She stated it is Council's job to support the Police Officers, and the curfew would make their jobs easier.

Mr. Dickinson stated that he supports the Police Department, but he still thinks the curfew goes too far. Times are difficult, but essentially going into a Declaration of Martial Law is too far.

To deny the curfew ordinance.

*Motion by Dickinson, seconded by Adcock.
Abstaining: L. Bradley.
Opposed: Malcom.
Passed 4-1.*

6. Ordinance to Temporarily Close Certain Establishments in the City of Monroe, due to the COVID-19 Pandemic

City Administrator Logan Propes stated the ordinance is trying to get everything in accordance with what the Governor declared on Monday. They had the ordinance ready just in case Council wanted to take some action today. The ordinance basically specifies provisions as to whether businesses are essential or non-essential, with the most impactful one being restaurants.

City Attorney Paul Rosenthal explained the ordinance is drafted similar to other Cities and Counties that have passed ordinances closing gyms, fitness centers, theaters, bowling alleys, arcades, and other similar establishments where people congregate and gather together. It also closes all restaurants, food courts, and eating establishments for in-house dining and outdoor patio service. It still allows for takeout, delivery, walk in and order, or drive-thru. It exempts cafeterias that are in nursing homes and hospitals. The ordinance has an effective date of 30 days, so it would be in effect from today until April 25.

City Attorney Paul Rosenthal gave the reading of the ordinance to temporarily close certain establishments, where the public gathers and where social distancing recommendations can not be maintained in the City of Monroe to help slow the spread of COVID-19 in order to help protect the health and safety of the residents and businesses. The ordinance states that all gyms, fitness centers, fitness studios, theaters, live performance venues, bowling alleys, arcades, or other similar establishments within the City shall be temporarily closed. All restaurants, food courts, and other establishments within the City shall cease offering dine-in and/or outdoor/patio service. Such eating establishments may continue to prepare and offer food to customers through delivery, takeout, and/or drive-thru service. Cafeterias or on-site dining services in hospitals, nursing homes, assisted living facilities, or other similar facilities within the City following previously issued State and Federal public health guidelines shall not be subject to the closure requirements of this Ordinance. The closures required by this Ordinance shall remain in effect for thirty (30) days, unless sooner terminated or extended.

City Attorney Paul Rosenthal stated as noted in the Ordinance, a second reading will be waived by an affirmative vote of City Council.

Council Member Wayne Adcock questioned whether the ordinance applies only to the business types listed in Article I.

Mr. Rosenthal answered yes that is correct.

Mr. Propes stated that the Governor's Order has a lot of bearing on all of the other types of businesses that will be affected. The ordinance only refers to the businesses listed in Article I that would come under the City's purview for additional action.

Mayor Howard discussed the Downtown Stabilization Fund helping some of the businesses that will be required to shut down within the Downtown Corridor and the adverse impact on local businesses.

Council Member David Dickinson stated he is not opposed to the ordinance. He stated that he has some reservations about the 30-day time period, but it can be repealed in less than 30 days.

He questioned whether Council would be meeting for a regular meeting on April 7, at which time it could be reviewed.

Council Member Lee Malcom stated hopefully the Curfew Ordinance that was denied could be revisited at the April meeting. She suggested having Chief Watts report back on how things have progressed and whether parties of ten have abided.

Mr. Adcock questioned whether this ordinance takes the Governor's Executive Order further.

Mr. Rosenthal answered yes; the Governor's Executive Order specifically closes operations of bars; it only limits the ten persons when it comes to actual closures of businesses other than bars.

Council Member Ross Bradley questioned whether this ordinance addresses retail establishments.

Mr. Rosenthal stated this ordinance does not address retail establishments. The Governor's Executive Order affects retailers, but it leaves some room for interpretation. The Order states that businesses shall not allow more than ten persons to be gathered at a single location if such gathering requires them to be standing or seated within six feet of another person. The City's Ordinance does not affect general retail operations such as dress shops or dry good stores, but they are still subject to the no more than ten gathering social distancing requirement. He stated this ordinance only addresses gyms, fitness centers, fitness studios, theaters, live performance venues, bowling alleys, arcades, or other similar establishments. The only other establishments would be an interpretation by Code Enforcement Officer Patrick Kelley to determine whether those other similar establishments are in that vein and are essentially entertainment facilities and fitness facilities. He would have certain codes and classifications of businesses in his Zoning Ordinance. Mr. Rosenthal discussed examples of businesses that would be required to close.

Mayor Howard stated the ordinance is limiting very few people the ability to earn a living; it is only putting a limit on a handful of establishments.

Ms. Malcom stated the ordinance will be protecting a great number of people.

To approve the ordinance.

*Motion by Malcom, seconded by L. Bradley.
Passed Unanimously.*

7. Late Fees and Disconnections

City Administrator Logan Propes explained it was administratively approved to not have any utility disconnections or late fees through the end of March. He stated some Council Members have requested that the no disconnections and the waiver of late fees be extended until April 30, 2020.

To suspend disconnections and to waive late fees until April 30, 2020.

*Motion by Malcom, seconded by R. Bradley.
Passed Unanimously.*

8. Other Business

Council Member Larry Bradley questioned who would take over the responsibilities of the City Administrator duties during this emergency if he were unable to do his job, and whether an ordinance needs to be passed stating who will take over the role to perform those duties.

City Administrator Logan Propes stated he doesn't think an ordinance is needed; it could just be an internal policy document. He explained it would be the Assistant City Administrator, and then the Police Chief and Fire Chief, but a full document can be drafted if Council wants one.

Mr. Larry Bradley stated he would like a document to formalize that process.

Council Member Lee Malcom stated the document should spell out the assignments in the order that was given.

Mr. Propes explained per the City Charter all of the Department Heads report to Council should the City Administrator be incapacitated for any reason. Therefore, it may not be necessary to immediately appoint an Acting City Administrator.

Council Member Lee Malcom requested Mr. Propes to review the process to access City Hall for the public.

Mr. Propes stated that City Hall is closed to foot traffic. The drive-thru is open for dropping off documents, which are generally for Customer Service and the Code Department. It is preferred for everyone to do as much online as possible via the website, which is www.monroega.com. The Call Center is operational 24 hours a day at 770-267-3429. The City is still open for business; some employees are teleworking, but all business is getting taken care of as needed.

City Attorney Paul Rosenthal suggested Mr. Propes clarify when the next Council Meeting is expected to occur and whether it is expected to occur in this same online Teleconference format.

Mr. Propes explained Council has not discussed changing meeting dates at this time. He would expect that this format or a similar format will be utilized for the meeting.

Mayor, Council, and Mr. Propes discussed possible meeting options and decided the next Called Council Meeting will be on April 7, 2020 via Teleconference.

City Attorney Paul Rosenthal stated if the April 14 Meeting occurs in a Teleconference format that Public Comments will be available, but there will have to be certain protocols in place to get people setup for Public Comments. There will need to be a deadline for those wishing to engage in Public Comments; they will have to notify the City IT staff, most likely by April 13. If the April 14 Meeting occurs in a Teleconference format, the information will be posted appropriately on the City's website and on social media outlets.

No Action.

III. ADJOURN

*Motion by Little, seconded by Adcock.
Passed Unanimously.*



MAYOR

CITY CLERK