

**MINUTES OF MARCH 21, 2020
MAYOR AND BOARD OF ALDERMEN**

Be it remembered that an emergency special meeting of the Mayor and Board of Aldermen, Long Beach, Mississippi, was begun and held at 1:00 o'clock p.m., on the 21st day of March, 2020, at the Long Beach City Hall, 201 Jeff Davis Avenue, in said City, and the same being the time, date and place fixed by order of the Mayor in accordance with the Laws of the State of Mississippi and ordinance of the City of Long Beach for holding said emergency meeting.

There were present and in attendance on said board and at the meeting the following named persons: Mayor George L. Bass, Aldermen Donald Frazer, Ronald Robertson, Bernie Parker, Kelly Griffin, Timothy McCaffrey, Jr., Mark E. Lishen, Patricia Bennett, City Clerk Stacey Dahl, and City Attorney James C. Simpson, Jr. Also present were Chief of Police Billy Seal and Chief of Fire/Civil Emergency Director Griff Skellie.

It was noted that Aldermen Donald Frazer, Ronald Robertson, Bernie Parker, Kelly Griffin, Timothy McCaffrey, Jr., Mark E. Lishen, and Patricia Bennett were present via telephone.

There being a quorum present sufficient to transact the business of this emergency special meeting, the following proceedings were had and done.

The Mayor recognized Attorney Simpson; who apprised Board of the contents of the Emergency Proclamation, as follows:

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EMERGENCY PROCLAMATION BY THE MAYOR THE CITY OF LONG BEACH PERTAINING TO TEMPORARY CLOSING OF ENTRANCES TO CITY BUILDINGS AND FACILITIES, AS WELL AS PROHIBITING GATHERINGS OF MORE THAN 10 PEOPLE, LIMITING GATHERINGS OF 10 PEOPLE OR FEWER, CLOSING VARIOUS ESTABLISHMENTS AND LIMITING ACCESS THERETO IN THE CITY OF LONG BEACH

WHEREAS, on March 13th, 2020, the President of the United States declared a national emergency due to the coronavirus (COVID-19) pandemic and the Governor of the State of Mississippi issued a similar declaration of emergency on March 14, 2020; and

WHEREAS, on March 16th 2020, Mayor George L. Bass under authority of 45-17-3, et seq., Miss Code Ann. and related statutes did find, proclaim and declare a Civil Emergency in the City of Long Beach, and therefor proclaimed a local state of emergency in the City of Long Beach, Mississippi, as of 12:00 noon CST, on March 16, 2020, as a result of the spread of Covid-19, a novel coronavirus, within Mississippi and the potential impacts thereof (illness, injury and death) which threaten the City of Long Beach and Harrison County in the State of Mississippi; and

WHEREAS, on March 17, 2020, the Mayor and Board of Aldermen of the City of Long Beach, Mississippi, pursuant to Miss. Code Ann. § 45-17-3, et seq. and Miss. Code Ann. § 33-15-17, et seq., issued a "Resolution By The Mayor And Board Of Aldermen Of The City Of Long Beach, Mississippi Ratifying And Confirming The Proclamation By The Mayor Of The City Of Long Beach Declaring A Civil And/Or Local Emergency To Exist As A Result Of A Threatened Or Existing Public Health Emergency Resulting From The Covid-19 Crisis, And For Related Purposes; and

WHEREAS, COVID-19 is a disease that can result in severe illness or death and can easily spread from person to person, and which is caused by a new strain of coronavirus that had not previously been identified in humans; and

WHEREAS, heretofore Federal, State, and Local Authorities have continually impressed upon the public the importance of heeding the guidance of the Centers for Disease Control and Prevention (CDC), state departments of health, and the President concerning steps necessary to stop the spread of this outbreak, which has now been turned into a pandemic, one of the most significant of which is the need to "social distance" ourselves from others in all places, including in the public; and

WHEREAS, authorities have previously advised the citizens of the State of Mississippi to practice social distancing measures and to avoid large gatherings; and

WHEREAS, on March 16, 2020, the President of the United States recommended the avoidance of gatherings of more than ten (10) people; and

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WHEREAS, unfortunately there are many in our communities who have continued to congregate in the public, including at places of business, all of which have and, if permitted to continue, will contribute to the spread of this disease and prolific exposure of our citizens to this emergent threat to public health and safety; and

WHEREAS, in an effort prevent the spread of this disease, and in an effort to curb the growth of cases of affected persons and conditions, authorities across the country have taken and are continuing to take extraordinary measures to limit and inhibit close personal contact in the community through the issuance of orders and enactment of legislation, many of which have restricted access to areas that are routinely used for gatherings of people; and

WHEREAS, the Mississippi Department of Health ("MDOH") has reported that as of March 19, 2020, there were eighty (80) positive cases of coronavirus in the State of Mississippi, including eight (8) in Harrison County, Mississippi, where the City of Long Beach is located; and

WHEREAS, the City of Long Beach does not have the luxury of a "wait-and-see" approach to the coronavirus pandemic and, trends across the world have demonstrated that such an approach can and will be costly in terms of public health, including an increase in deaths; and

WHEREAS, the MDOH is now recommending that all restaurants and bars suspend dine-in services immediately and that various social and public events be limited; and

WHEREAS, extraordinary measures related to the spread of the coronavirus are necessary and needed to be expedient for the health, safety, and welfare and good order to protect the public peace and save and preserve lives; and

WHEREAS, to comply with the directives and guidelines of the CDC and the MDOH, as well as the President of the United States, as part of an effort to thwart the spread of this disease and to safeguard the health and safety of the public, including City employees, public entrances to all municipal buildings and facilities should be closed to the public as of 11:59 p.m. on Saturday, March 21, 2020, and should not re-open until further notice, with the understanding that the public could still contact and perform business with City officials and employees through non-face-to-face contact via the telephone, e-mail, drive thru service (where available), and written communications (regular U. S. Mail, etc.) during this period of time; and

WHEREAS, in furtherance of these efforts and interests, all public parks should be closed to gatherings of individuals in excess of ten (10) persons, such to be effective as of 11:59 p.m. on Saturday, March 21, 2020, until further notice; and

WHEREAS, in further promotion of these efforts and interests, certain events and gatherings should be temporarily curtailed, and other orders issued pertaining to various other matters.

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THEREFORE, pursuant to the authority vested in me by Mississippi Law, including, but not limited to, Miss. Code Ann. § 47-17-7, et seq. and Miss. Code Ann. § 33-15-17, et seq., as amended, and in the public interest of the City of Long Beach, and to safeguard and protect the health, safety, and welfare of the public, As Mayor, I do hereby issue this Emergency Proclamation (also referred to as "Proclamation") as set out herein.

IT IS HEREBY ORDERED, that to comply with the directives and guidelines of the CDC, the Mississippi State Department of Health, as well as the President of the United States, as part of an effort to thwart the spread of the coronavirus (COVID-19), and to safeguard the health and safety of the public, including City employees, public entrances to all municipal buildings and facilities within the City of Long Beach shall be, and hereby are, temporarily closed to the public as of 11:59 p.m. on Saturday, March 21, 2020, and shall not re-open until further notice or expiration of the ongoing State of Emergency related to this pandemic issued by the City of Long Beach, whichever shall occur first, with the understanding that the public can still contact and perform business with City officials and employees through non-face-to-face contact via the telephone, e-mail, drive thru service (where available), and written communications (regular U. S. Mail, etc.) during this period of time. It is further,

ORDERED that (1) all events of more than ten (10) people in the City of Long Beach are hereby temporally prohibited; and (2) all events of ten (10) people or fewer in the City of Long Beach are limited, as provided herein:

1. An event, for purposes of this Proclamation, is an organized, orchestrated or sponsored gathering that people are invited to attend or encouraged to attend through advertising or membership. Further, an event is a gathering for business, social, or recreational activity, including, but not limited to, community, civic, public, leisure, or sporting event; parades; concerts; festivals; conventions; fundraisers, large private parties, celebrations, or banquets; and artistic performances and spiritual and faith-based gatherings.
2. An event, for purposes of this Proclamation, is not a public location where people pass through, such as transportation centers, airports, public squares, and shopping areas. Retail establishments such as grocery stores, gas stations, pharmacies, and banks are not events. Medical facilities, office environments, factories, schools, universities, and City-owned or leased buildings where essential functions and services are being carried out are not events.
3. Organizers of events of ten (10) people or fewer must ensure that:
 - (a) Older adults and individuals with underlying medical conditions that are at increased risk of serious COVID-19 are encouraged not to attend.

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- (b) Social distancing recommendations, as prescribed by the Mississippi State Department of Health must be met.
- (c) Proper hygiene and sanitation must be readily available to all attendees and individuals involved.
- (d) Environmental cleaning guidelines from the CDC are followed.

ORDERED that all restaurants located in the City of Long Beach, with or without drive-in or drive-through services, may only provide take-out, pick-up, delivery, or drive-through services as allowed by law. There shall be no in-house dining or available sitting areas for the public. It is further,

ORDERED that all bars, nightclubs, lounges, taverns, and private clubs located in the City of Long Beach shall close, except to the extent that such establishments may only provide take-out, pick-up, delivery, or drive-through services for food as allowed by law. It is further,

ORDERED that only to the extent allowed by state and federal law and the United States Constitution, this Proclamation of Executive Order prohibiting and limiting events is applicable to spiritual and faith-based gatherings. It is further,

ORDERED that this Proclamation shall be: (1) filed with the City Clerk; (2) distributed to the news media and other organizations reasonably calculated to bring its contents to the attention of the general public; and (3) distributed to others as necessary to ensure proper implementation of this Proclamation. It is further,

ORDERED that violations of this Proclamation may be subject to misdemeanor prosecution pursuant to State Law, including, but not limited to, Miss. Code Ann. § 45-17-9, as amended, as well as the City's Code of Ordinances, including, but not limited to, § 1-9 of the City's Code of Ordinances. It is further,

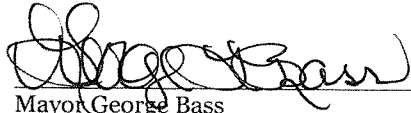
ORDERED that, except for what is otherwise set out herein, this Emergency Proclamation shall be, and hereby is, effective at 11:59 p.m. on Saturday, March 21, 2020. It is further,

ORDERED that all municipal parks and recreational facilities within the City of Long Beach shall similarly be, and hereby are, temporarily closed to the public as of 11:59 p.m. on Saturday, March 21, 2020, and shall not re-open until further notice of expiration of the ongoing State of Emergency issued by the City of Long Beach, whichever shall occur first. It is further,

ORDERED that this Emergency Proclamation shall be, and hereby is, effective Saturday, March 21, 2020, at 11:59 p.m. and shall remain in effect until amended, rescinded, or superseded by another applicable Proclamation or Order or the termination of the current (and ongoing) State of Emergency related to this pandemic issued by the City of Long Beach, whichever shall occur first.

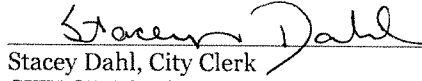
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THIS, the 21st day of March 2020, at 1:00 p.m.



Mayor George Bass
CITY OF LONG BEACH, MISSISSIPPI

ATTEST:



Stacey Dahl, City Clerk
CITY OF LONG BEACH, MISSISSIPPI

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The Mayor and Board of Aldermen of the City of Long Beach and took up for consideration the matter of a Proclamation by the Mayor of the City Of Long Beach pertaining to temporary closing of entrances to city buildings and facilities, as well as prohibiting gatherings of more than 10 people, limiting gatherings of 10 people or fewer, closing various establishments and limiting access thereto in the City Of Long Beach. After a discussion of the subject Alderman Frazer offered and moved the adoption of the following resolution:

A RESOLUTION BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF LONG BEACH, MISSISSIPPI RATIFYING AND CONFIRMING THE PROCLAMATION BY THE MAYOR OF THE CITY OF LONG BEACH PERTAINING TO TEMPORARY CLOSING OF ENTRANCES TO CITY BUILDINGS AND FACILITIES, AS WELL AS PROHIBITING GATHERINGS OF MORE THAN 10 PEOPLE, LIMITING GATHERINGS OF 10 PEOPLE OR FEWER, CLOSING VARIOUS ESTABLISHMENTS AND LIMITING ACCESS THERETO IN THE CITY OF LONG BEACH.

WHEREAS, finding the COVID-19 outbreak in the United States to constitute a national emergency, President Donald J. Trump, did find and proclaim that the COVID-19 outbreak in the United States constitutes a national emergency, beginning March 1, 2020 and issued his declaration regarding same; and

WHEREAS, on March 14, 2020, the Governor of the State of Mississippi did issue his Proclamation wherein he did declare a state of emergency under his authority contained in Mississippi Code Annotated Section 33-15-11, in order to protect and provide for the public interest and general welfare of the citizens of the State of Mississippi due to the COVID-19 outbreak in the United States; and

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WHEREAS, on March 16th 2020, Mayor George L. Bass under authority of Mississippi Code Annotated Section 45-17-3, *et seq.*, and related statutes did find, proclaim and declare a Civil Emergency in the City of Long Beach, and therefor proclaimed a local state of emergency in the City of Long Beach, Mississippi, as of 12:00 noon CST, on March 16, 2020, as a result of the spread of Covid-19, a novel coronavirus, within Mississippi and the potential impacts thereof (illness, injury and death) which threaten the citizens of the City of Long Beach and Harrison County in the State of Mississippi; and

WHEREAS, on March 17, 2020 the Governing Authorities of the City of Long Beach did ratify and affirm the said proclamation and further did confirm, extend and declare a "state of emergency" to protect the health and safety of persons as a result of the impending crisis by virtue of §33-15-17, *et seq.* and §45-17-1, *et seq.*, Miss. Code Ann., as amended, and related statutes, and Sec. 1-70, Code of Ordinances of the City of Long Beach; and

WHEREAS, finding such state of emergency continues to exist as of the date hereof, and in an effort prevent the spread of this disease, and in an effort to curb the growth of cases of affected persons and conditions, authorities across the country have taken and are continuing to take extraordinary measures to limit and inhibit close personal contact in their communities through the issuance of orders and enactment of legislation, many of which have restricted access to areas that are routinely used for gatherings of people; and

WHEREAS, the Mayor of the City of Long Beach has issued a further

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Proclamation attempting to better respond to the impending crisis, closing public buildings, park and recreation facilities, and further limiting the operations of certain business and gatherings in the City of Long Beach; and

WHEREAS, the Board of Aldermen does wish to hereby express its support and affirmation of the said Proclamation by the Mayor in this time of emergency.

**NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND BOARD
OF ALDERMEN OF LONG BEACH, MISSISSIPPI, AS FOLLOWS:**

SECTION 1. That the matters, facts, and things recited in the Preamble hereto are hereby adopted as the official findings of the Governing Authority.

SECTION 2. That due to the threat of Covid-19 coronavirus within the geographic limits of the City of Long Beach causing or threatening to cause illness, injury or death to persons to such an extent that extraordinary measures must be taken to protect the public health, safety, and welfare, a "state of emergency" is hereby found to continue to exist, and same is hereby officially again declared and proclaimed for the reasons stated in the Preamble hereto, and that all such measures as are necessary, proper and allowed under law shall be authorized and directed, and all such measures necessary, proper and allowed under law should be taken in order to protect the health and safety of persons and property that may be affected by the threat of Covid-19 crisis described above.

SECTION 3. The Proclamation By The Mayor Of The City Of Long Beach Pertaining To Temporary Closing Of Entrances To City Buildings And Facilities, As Well As Prohibiting Gatherings Of More Than 10 People, Limiting Gatherings Of 10 People

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Or Fewer, Closing Various Establishments And Limiting Access Thereto In The City Of Long Beach is hereby ratified and confirmed.

SECTION 4. It is further proclaimed and declared that said state of emergency shall be deemed to continue to exist in the City of Long Beach until its termination is ordered and proclaimed by the Mayor or Governing Authority; a copy of this proclamation is hereby filed with the Municipal Clerk of the City of Long Beach, and made a public record.


SO RESOLVED, on this the 21st day of March 2020.

Alderman Parker seconded the motion to adopt the foregoing resolution, and the question being put to a roll call vote by the Mayor, the result was as follows:


Alderman Ron Robertson	voted	Aye
Alderman Timothy McCaffrey, Jr.	voted	Aye
Alderman Kelly Griffin	voted	Aye
Alderman Bernie Parker	voted	Aye
Alderman Mark E. Lishen	voted	Aye
Alderman Patricia Bennett	voted	Aye
Alderman Donald Frazer	voted	Aye

The question having received the Affirmative vote of all the Aldermen present and voting, the Mayor declared the motion carried and the resolution and order adopted and approved this 21st day of March, 2020.

APPROVED:


George L. Bass, Mayor

ATTEST:


Stacey Dahl, City Clerk

The Mayor apprised the Board of Administrative pay qualifications that are in place and the possible impact on the city's budget. There was no official action required or taken on the matter.

There being no further business allowed regarding the emergency special meeting, Alderman Robertson made motion seconded by Alderman Parker and unanimously carried to adjourn until the next regular meeting in due course.

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APPROVED:

Alderman Donald Frazer At-Large

Alderman Ronald Robertson, Ward 1

Alderman Bernie Parker, Ward 2

Alderman Kelly Griffin, Ward 3

Alderman Timothy McCaffrey, Jr., Ward 4

Alderman Mark E. Lishen, Ward 5

Patricia Bennett, Ward 6

Date

ATTEST:

Kini Gonsoulin, Deputy City Clerk