

MINUTES, BOARD OF ALDERMEN, BOOK NO. 19

DEMENT-MERIDIAN 61-2994

**SPECIAL CALLED BOARD MEETING
CITY HALL BOARD ROOM
MARCH 31, 2020
5:00 P.M.**

BE IT REMEMBERED THAT THE MAYOR AND BOARD OF ALDERMEN MET IN THE CITY HALL BOARD ROOM WITH THE FOLLOWING MEMBERS PRESENT:

MAYOR MAURICE HOWARD, ALDERMAN ALONZO SYKES, ALDERMAN DOUG STONE, ALDERMAN DAVID EWING, ALDERWOMAN CAROLYN ODOM, AND ALDERMAN JIM BUFFINGTON; JACKIE BENSON, CITY CLERK; AND ROBERT FAULKS, CITY ATTORNEY.

Invocation: Alderman Doug Stone.

Alderwoman Odom attended the Board meeting by telephone.

A motion was made by Alderman Ewing, seconded by Alderman Buffington to contact the local Food Giant Grocery Store (which is deemed an "Essential Business" per the Governor's Executive Order 1463) and recommend that Food Giant undergo a professional cleaning of the store, after the Monroe Journal newspaper reported a confirmed case of the COVID-19 coronavirus involving an employee at the Aberdeen Grocery Store. On a roll call vote, all present voted "Aye".

Aberdeen Police Chief Henry Randle presented information and a proposed Ordinance that he had drafted, and asked the Board of Aldermen to adopted a curfew and requested that violations be subject to criminal prosecution.

A motion was made by Alderman Buffington, seconded by Alderman Sykes to adopt a City-wide curfew from 10:00 p.m. to 5:00 a.m. On a roll call vote, Aldermen Sykes and Buffington voted "Aye"; and Aldermen Stone and Ewing and Alderwoman Odom voted "Nay. Motion failed.

City Attorney Faulks read out loud a proposed Curfew Ordinance for consideration by the Board:

"ORDERED that a Curfew shall be, and hereby is, instituted and in place as to all persons found within the City of Aberdeen's corporate limits from 10:00 p.m. to 4:00 a.m. each day of the week until further notice or modification or recession of the Curfew.

This **Curfew** applies to all persons, with the exception of the following:

- (i) public safety officers, or any person engaged in fire-rescue, police or related emergency services, health or medical emergency personnel;
- (ii) persons working for federal, state and local government or law enforcement, including but not limited to the Aberdeen Police Department, the Monroe County Sheriff's Department, and the Mississippi Highway Patrol and all persons assisting federal, state and local government or law enforcement;
- (iii) persons employed by a hospital, urgent-care type facility, medical clinic, medical laboratory, or physician's office or ambulance service and who are traveling to or from such facility or place of employment;
- (iv) persons engaged in utility emergency repairs;
- (v) persons going to and from work as permitted in this Ordinance or the "Emergency Executive Orders" adopted by the Aberdeen Board of Aldermen;
- (vi) persons suffering a health or medical emergency who are traveling to a hospital, urgent-care type facility, medical clinic, medical laboratory, or physician's office or similar type facility;
- (vii) individuals traveling through the City of Aberdeen along the Highway Bypass or Highway 145 or Highway 25 and who do not stop in the City of Aberdeen;
- (viii) persons actively involved in the provision of services of an "Essential Business";
- (ix) persons engaged in food delivery and third-party food delivery services; and
- (x) persons engaged in travel to and from work outside the City limits of the City of Aberdeen.

ORDERED that violations of this Ordinance shall be subject to misdemeanor prosecution in the City of Aberdeen Municipal Court.

Any person violating the provisions of this Curfew shall be guilty of a misdemeanor and be punished by a fine not exceeding One Hundred Dollars (\$100.00) for a first offense, and shall

be punished by a fine not exceeding Five Hundred Dollars (\$500.00) for a second or subsequent offense.

The parent(s) or other person having legal custody of any minor under the age of eighteen who violates the provisions of this Curfew shall be jointly and severally liable for any fine imposed by the City of Aberdeen Municipal Court.

The City of Aberdeen Police Department shall give notice of the charge to all offenders and to all parent(s) or other person having legal custody of any minor charged, by misdemeanor affidavit."

A motion was made by Alderman Ewing, seconded by Alderman Stone to adopt the Ordinance for a City-wide curfew from 10:00 p.m. to 4:00 a.m. On a roll call vote, all presented voted "Aye".

A motion was made by Alderman Buffington, seconded by Alderman Stone to adopt the criminal fine of \$100.00 for the first violation and \$500.00 for the seconded violation of the Curfew Ordinance. On a roll call vote, all present voted "Aye".

City Attorney Faulks next read out loud a proposed Public Safety Ordinance for consideration by the Board:

"Effective at 10:00 p.m. April 1, 2020 and to remain in effect until amended, rescinded, or superseded by another Ordinance or Executive Order of the Aberdeen Board of Aldermen, the following mandates shall take effect.

Restaurants shall close their dining rooms and bar areas. Restaurants may continue to use drive thru, curbside delivery, or other delivery services.

Churches and other places of worship shall limit persons inside their churches to less than 10 persons at one time.

Non-essential businesses shall limit persons inside their establishments to less than 10 persons at one time.

All essential businesses are reminded to follow all federal, state and local guidelines, proclamations, ordinances and orders, and to comply with all COVID-19 pandemic response guidelines of the CDC, the Mississippi Department of Health and the President of the United States.

All private gatherings shall be limited to 10 persons or less at one time.

ORDERED that violations of this Ordinance shall be subject to misdemeanor prosecution in the City of Aberdeen Municipal Court.

Any person violating the "private gathering" maximum of 10 persons at one time shall be guilty of a misdemeanor and be punished by a fine not exceeding Five Hundred Dollars (\$500.00) per offense. Any restaurant violating the closed dining rooms and bar areas provision, any church or place of worship, or any "non-essential business" violating the 10 persons at one time provision shall be guilty of a misdemeanor and be punished by a fine not exceeding One Thousand Dollars (\$1,000.00) per offense.

The Private Property owner or tenant in possession, or the restaurant, church or place of worship, or "non-essential business" owner or "non-essential business" tenant in possession, having control of the location in violation of this Ordinance shall also be liable for any fine imposed by the City of Aberdeen Municipal Court.

The City of Aberdeen Police Department shall give notice of the charge to all offenders, by misdemeanor affidavit."

A motion was made by Alderman Sykes, seconded by Alderman Ewing to adopt the Public Safety Ordinance as proposed. On a roll call vote, all present voted "Aye".

Mayor Maurice Howard asked the Board to "reinstate his salary due to the Corona virus". There was no motion made.

DEMENT-MERIDIAN 61-2994

SPECIAL CALLED BOARD MEETING
March 31, 2020
PAGE 3

A motion was made by Alderman Buffington, seconded by Alderman Ewing to adjourn until the April 7, 2020 Board Meeting. On a roll call vote, all present voted "Aye".


Maurice Howard, Mayor

ATTEST: 
Jackie Benson, City Clerk