

**Tyrone Town Council  
Special Called  
Meeting Minutes  
March 24, 2020**

Present:

Mayor, Eric Dial

Mayor Pro Tem, Gloria Furr

Council Member, Ken Matthews

Council Member, Linda Howard

Council Member, Melissa Hill

Town Manager, Brandon Perkins

Town Clerk, Dee Baker

Attorney, Dennis Davenport

Council Member, Ken Matthews was absent

Mayor Dial gave the invocation.

The meeting was called to order via Facebook Live at 5:00 pm.

**1. Consideration of a Local State of Emergency regarding COVID-19.**

Mayor Dial shared that it was Council's responsibility to protect the citizens and businesses during this time and that he would be asking Mr. Davenport to detail the ordinance, along with the specific language used. The mayor agreed with Governor Kemp's order urging cities to impose tougher restrictions. Tonight, we will decide what is best for our community.

Mr. Davenport explained the format of the ordinance. He shared that the ordinance gave a chronological order of events that had taken place, which then resulted in the State of Emergency for the Town.

He shared that Section 1.104 (rr) of the Town Charter stated that; Council had the power to establish procedures for determining and proclaiming that an emergency situation exists within or without the town, and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health or wellbeing of the citizens of the Town.

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He added that the ordinance also referred to COVID-19, the respiratory disease that was the cause for the emergency. He clarified the chronological order; March 11<sup>th</sup>, the World Health Organization declared the outbreak as a pandemic, March 13<sup>th</sup>, President Trump declared a national emergency response, and on March 14<sup>th</sup>, Georgia's Governor Kemp signed a public health state of emergency ordinance. He added that the Center of Disease Control (CDC) had since issued guidelines on how to minimize the risk for contracting the disease. He mentioned the CDC and Governor Kemp's websites as reference for additional information. Mr. Davenport also gave mention to the social distancing requirement of no more than ten people at a minimum of six feet apart.

Mr. Davenport stated that on top of page three of the ordinance, it stated that if Council decided that all of the aforementioned constituted a state of emergency, Council could move forward according to the Town Charter. He then clarified the many sections. First was affected businesses, beginning with restaurants. He stated that all restaurants were to cease dining room services and to conduct take-out or delivery only, while maintaining social distancing. Service industries were next on the agenda; any business providing a service to the public. More specifically one on one contact such as hair and nail salons. He added that the ordinance called for service industries to provide services by appointment only which would lower the number of people in one establishment at any given time.

Mr. Davenport shared that the next section in regards to social gatherings and group activities. These businesses should follow the CDC guidelines, no more than ten people all at six feet apart. He added that in regard to gymnasiums or establishments where physical activity was held, they were being asked to close for the duration prescribed by the ordinance. With these types of businesses social distancing is very difficult to maintain. He added that it would be a temporary closure that it was not a mandate but a call to close.

Mr. Davenport shared that section five asked for people to shelter in place that were considered medically high risk, with the exception of essential activities. He urged everyone to seek information on the websites he mentioned earlier and to familiarize themselves with the guidelines.

He stated that if Council agreed to the guidelines within the ordinance it could be in effect up to thirty days or less. This timeframe could also be renewed if required. He added that the final sections written were; adherence to State and Federal recommendations, severability, and repeal. He stated that the signatory page included a space for all signatures for complete support rather than just the Mayor's. He ended by stating that if the document met everyone's expectations, it was time for discussion.

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Council Member Hill shared that most regulations were already halfway into the thirty-day mark. Council Member Hill suggested two weeks. Mayor Dial agreed and stated that the time could always be extended. He added that in regard to businesses, shorter was better. Our businesses are very obedient and considerate and most have already begun following the guidelines. Mayor Dial added that he had spoken with several Tyrone businesses prior to the meeting and many of his comments may reflect what the business owners had shared.

Mayor Dial began the discussion regarding duration. He shared that Governor Kemp instituted the March 6<sup>th</sup> date. He asked Council's opinion. Council Member Howard agreed with two weeks. Council Member Furr stated that President Trump shared his opinion that Easter was a good deadline. Mr. Davenport stated that in two weeks it would be April 7<sup>th</sup>. All agreed to set the date at 5:00 pm on April 7<sup>th</sup>.

Mayor Dial began the discussion on gymnasiums. He added that people needed gyms to stay healthy however, they were germ factories. The discussion turned to 24/7 gyms. Council Member Furr shared that it would be difficult to place a number on attendees, twenty-four hours a day. Council Member Hill suggested changing the hours. Mayor Dial stated that fewer hours meant more people attending during that time-frame. Mayor Dial suggested four to six people at a time. Council Member Hill suggested having a manager on duty at all times. Mr. Davenport reminded everyone about social distancing.

The discussion continued regarding gymnasiums. Mr. Davenport suggested posting guidelines at gyms stating; we are calling on you to follow these guidelines, no more than ten people at a time, six feet apart. Mr. Perkins asked, how would this be policed? We are attempting social distancing with our officers and staff. "Gyms are giant petri dishes; we would be putting our officers at risk also." He suggested that Council may want to consider closing gyms altogether. Council Member Furr agreed. Mr. Perkins stated that it would be impossible to police and monitor who is there all hours of the day and night. Council Member Hill asked if it would be too difficult to set appointments for gyms. Mayor Dial stated that gyms may have a hard time recouping loss if closed. Members may ask for their money back for the two weeks the gym would be closed. Council Member Howard asked if the Town was "suggesting" gyms close? Mayor Dial and Mr. Davenport shared that it was a "call" for gyms to close. Mr. Davenport reiterated that Council was asking gyms to participate due to their high-risk factor. Mayor Dial added that he understood how difficult the decision may be.

Discussion ensued regarding the language of using "shall, or "called" in regard to closing gyms. Council Member Hill shared that since the park was open, people could work-out there while applying the social distancing guidelines.

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She also reminded everyone that the basketball and tennis courts were still closed. Mayor Dial shared that so far everyone has done a great job of adhering to the direction given from doctors and the elected state officials.

Council Member Howard asked for clarification; we are keeping the gyms open with no more than ten people at a time for the next two weeks? Mayor Dial added the term “shall” should be used. Council Member Howard agreed with the terms. Mr. Davenport shared that the language was consistent with the Governor’s orders without highlighting gymnasiums. Council Member Howard asked if gym owners were going above and beyond in regard to extra cleaning. Mayor Dial stated that he was aware of one gym that was, and they were including signage in regard to extra cleaning. Council Member Hill asked, if gyms were not adhering to the rules the first two weeks, could Council ask them to shut down the following two weeks. Mayor Dial stated, yes. Mr. Perkins stated that in regard to what President Trump hoped to happen around Easter, we need to focus on keeping our people safe and those at risk safe. The numbers are still rising, we need to take hard steps and gyms may be the first line of action. Council Member Furr added that gyms do carry a lot of germs, children attend and take the germs home to their grandparents. Council Member Howard agreed that not only are folks putting themselves at risk but that they are bringing the germs home to their families. Mayor Dial shared that he was glad that the issue weighed heavily on Council, we do not want to close businesses, we are taking this matter seriously.

Council Member Furr suggested closing the gyms. Mr. Davenport asked, do you want to ask these businesses to close or require them to close? Council Member Furr shared that she wished to ask the businesses first. Mayor Dial reiterate, to “call” the businesses to close immediately until April 7, 2020 at 5:00 pm. Mr. Davenport stated that the language was currently in the ordinance. Council Member Furr asked if that was the order from Governor Kemp? Mayor Dial stated that Governor Kemp did not address gyms in his order. We are going above and beyond.

Mayor Dial began the discussion regarding restaurants. He shared that Fayetteville currently had language in their ordinance stating that; if a restaurant currently had a license to sell beer and wine, during this time while dinning rooms were closed, they could sell unopened beer or wine with drive-up orders. The containers would need to remain unopened until folks reached their destinations. He suggested Tyrone use the same language only for the duration the ordinance stated. Council Member Furr agreed to place the language within Tyrone’s ordinance.

Mayor Dial opened the discussion regarding service industries in particular, hair and nail salons. He shared that the language within the ordinance stated that service businesses should be providing service by appointment only. Mayor Dial stated that if Council wished to make the language stricter, they had that option.

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Mayor Dial shared that he had spoken to two barbers prior to the meeting; one was operating by appointment only the other was closing for the duration. Council made no objection to the current language. Mayor Dial added that the ordinance also stated that optometrists and dentists were to only provide urgent care services.

Mayor Dial then moved to the “shelter in place” section of the ordinance. He stated that the section that all Tyrone citizens, especially those considered medically high risk, were called to shelter in place. This was with the exception of essential activities, for the duration of the emergency. Council Member Furr inquired about manufacturing and insurance companies. Mayor Dial stated that he was not clear on where the Governor stood regarding those types of businesses, however, the social distancing rule must still be followed with no more than ten people in one place at a time, six feet apart. Mr. Davenport shared that the gathering of ten would be a guide in the workplace. Mayor Dial noted to separate your employees for no more than ten on staff at a time.

Mayor Dial stated to Council that he understood that this was not an easy process and that every city was not the same, they are not Tyrone. He thanked them and added that he realized it was a heavy burden to bear and the he knew that Council cared about Tyrone citizens and businesses greatly. He added that hopefully this would be over soon.

Mayor Dial asked Mr. Davenport if he was comfortable with moving forward. Mr. Davenport asked Council to turn to page three, section two. He shared that he would add language similar to that of Fayetteville’s, in regard to restaurants, and beer and wine sells. He also referred to page, four, section seven regarding the duration. The date would be effective immediately through April 7, 2020 at 5:00 pm. He added that only those two changes were made per Council’s request. He would make the changes and return the document as soon as possible.

Council Member Furr made a motion to approve Ordinance number 2020-01 with the added language regarding licensed restaurants having the ability to sell unopened beer and wine with take-out orders and to change the duration date to April 7, 2020 at 5:00 pm.

Council Member Howard seconded the motion. Motion was approved 3-0.

Mayor Dial stated that within the two weeks if changes needed to be made, Council would meet again regarding this unique circumstance.

Mr. Perkins shared that since the emergency ordinance had been adopted, it would now allow Council leverage to meet remotely for future meetings. Mr. Perkins added that he would be working on initiation for future meetings by phone or webcam.

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He stated that the public would be able to see and or hear what was taking place and they should be available on Facebook Live. He added that he would reach out to Council Members for testing prior to the meetings so everyone would feel comfortable with the process.

Mayor Dial asked Council if they had anything to say to the listening public. Council Member Furr said, “keep up the good work”. Council Member Howard stated that “everyone was doing well with all of the restrictions”. Council Member Hill shared, “hang in there, keep on doing what you’re doing”. Mayor Dial shared that all services businesses that have one on one contact, please conduct your business by appointment only. We do not want people sitting in waiting rooms. He thanked everyone for their part.

### **Adjournment**

Council Member Howard made a motion to adjourn. Motion was approved 3-0. The meeting adjourned at 5:58 pm.

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Eric Dial, Mayor

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Dee Baker, Town Clerk