



**CLARKSVILLE CITY COUNCIL
SPECIAL SESSION
APRIL 7, 2020, 5:00 P.M.**

**COUNCIL CHAMBERS
106 PUBLIC SQUARE
CLARKSVILLE, TENNESSEE**

AGENDA

IN AN EFFORT TO FACILITATE THE RESPONSE TO CORONAVIRUS DISEASE 2019 (COVID-19), THIS MEETING WILL BE CONDUCTED VIA GOOGLE MEETS AND LIVE STREAMED ON CITYOFCLARKSVILLE.COM. 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.

- 1) CALL TO ORDER *Mayor Joe Pitts*
- 2) PRAYER
- 3) ATTENDANCE *City Clerk*
- 4) APPROVAL OF ELECTRONIC MEETING

MOTION: *“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, this governing body determines that meeting electronically is necessary to protect the health, safety, and welfare of its citizens due to the COVID-19 outbreak.”*

- 5) **ORDINANCE 71-2019-20** (Second Reading; *Proposed Amendment*) Amending the 2019-20 Operating and Capital Budget (ORDINANCE 76-2019-20) for the Governmental Funds for Crow and Burt Cobb Recreation Centers (\$450,000 from previously issued debt funds) and for Cemetery Retaining Wall (\$180,000 from reallocation of existing funds)

6) **RESOLUTION 52-2019-20** Approving extension of Mayoral Executive Order No. 003 pertaining to the Novel Coronavirus in order to limit the spread of the COVID-19 Disease

7) ADJOURNMENT

ORDINANCE 71-2019-20

AN ORDINANCE AMENDING THE 2019-20 OPERATING AND CAPITAL BUDGET (ORDINANCE 76-2018-19) FOR THE GOVERNMENTAL FUNDS FOR CROW AND BURT COBB RECREATION CENTERS (\$450,000 FROM PREVIOUSLY ISSUED DEBT FUNDS) AND FOR CEMETERY RETAINING WALL (\$180,000 FROM REALLOCATION OF EXISTING FUNDS)

WHEREAS, The Crow Recreation Center is in dire need of work done to the exterior and interior walls to eliminate moisture seepage. Last year the roof was repaired and sealed in an attempt to eliminate the moisture issue. The moisture is seeping through the walls making the interior paint peel off the walls; and

WHEREAS, the Burt Cobb Recreation Center was previously budgeted to repair the roof, but requires a roof replacement. This is the original roof from the original construction of the center. Operating funds of \$75,000 were budgeted for this purpose, will now necessitate capital; and

WHEREAS, there are excess funds in salaries and wages that can be returned to the general fund.

WHEREAS, a previous approved budget amendment moved excess funds from a Street Department capital project to the Fire Maintenance Facility capital project. It has been determined the street project for the Cemetery Retaining Wall is in need of funds as soon as possible as the bid exceeds the budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CLARKSVILLE, TENNESSEE:

The following budget amendment be made:

Capital Projects Fund

Crow Community Center 40450003-4450-17504	Construction Services	Increase	\$250,000
Burt Cobb Recreation Center Roof (create project) 40450003-4450-20504	Construction Services	Increase	\$200,000
Fire Maintenance Facility 40422003-4450-16221	Construction Services	Decrease	\$180,000
Cemetery Retaining Wall 40431003-4450-20305	Construction Services	Increase	\$180,000

General Fund

10451003-4450-815	Construction Services	Decrease	\$ 75,000
10451001-4112	Salaries (part-time)	Decrease	\$250,000

BE IT FURTHER ORDAINED \$325,000 will be returned to the general fund thereby increasing the fund balance. The capital project additional funds will be provided from prior debt issuances for a total of \$450,000 – no new debt will be issued.

FIRST READING: April 2, 2020

SECOND READING:

EFFECTIVE DATE:

A RESOLUTION APPROVING THE EXTENSION OF MAYORAL EXECUTIVE ORDER No. 003 PERTAINING TO THE NOVEL CORONAVIRUS IN ORDER TO LIMIT THE SPREAD OF THE COVID-19 DISEASE

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a respiratory disease caused by the SARS-CoV-2 virus that can result in mild or severe symptoms, including fever, cough, and shortness of breath, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

WHEREAS, in late 2019, a significant outbreak of COVID-19 occurred, and this disease has since spread to many countries; and

WHEREAS, to date, according to the Centers for Disease Control and Prevention (CDC), there have been ___ cases of COVID-19 identified in the United States, which have resulted in ___ deaths; and

WHEREAS, to date, according to the Tennessee Department of Health, there have been ___ cases of COVID-19 identified in the State of Tennessee, which have resulted in ___ deaths; and

WHEREAS, to date, according to the Tennessee Department of Health, there have been ___ cases of COVID-19 identified in Montgomery County, Tennessee; and

WHEREAS, on January 16, 2020, the Tennessee Department of Health activated the State Health Operations Center (SHOC), and on January 21, 2020, following CDC guidance, the Department designated COVID-19 as a reportable disease in Tennessee; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the novel coronavirus (COVID-19) outbreak a global pandemic; and

WHEREAS, on January 31, 2020, the U.S. Secretary of Health and Human Services declared a public health emergency to aid the nation's healthcare community in responding to COVID-19; and

WHEREAS, a state of emergency has been declared through Executive Order issued March 12, 2020, by Governor Bill Lee of the State of Tennessee in connection with the COVID-19 disease outbreak; and

WHEREAS, City Mayor Joe Pitts, has previously declared a local state of emergency by Executive Order issued March 18, 2020 in connection with the COVID-19 disease outbreak; and

WHEREAS, the spread and identification of additional cases of COVID-19 in Tennessee is likely to continue, and therefore, taking proactive steps to prevent a substantial risk to public health and safety is paramount; and

WHEREAS, the City Mayor and the City Council have a responsibility to take all reasonably prudent actions to ensure public health, safety, and welfare in the event of an infectious disease pandemic; and

WHEREAS, empirical medical evidence and expert reports strongly indicate and advise that the spread of the COVID-19 disease is effectively slowed by frequent hand washing, social distancing, self-quarantine, and the reduction of public interactions and gatherings of groups of people; and

WHEREAS, the provisions of this Order are necessary to maximize efforts to protect the public health, safety and welfare; and

WHEREAS, Tennessee Code Annotated §58-2-110 and §58-8-104 provides the City Mayor with the power and authority to declare a local state of emergency, to include in cases of disease outbreaks and epidemics, which shall have an immediate effect when declared for a period of seven (7) days, but may have continuing effect beyond seven (7) days in seven (7) day increments upon approval by the City Council by resolution; and

WHEREAS, Tennessee Code Annotated §38-9-102 provides the City Mayor with the power and authority to proclaim a civil emergency in cases of any natural disaster within the geographic limits of the City resulting in death or injury of persons to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare; and

WHEREAS, the state law, private act, City Charter confers general police powers upon the City, and authorizes the City to act and to regulate in the interests of public health and welfare; and

WHEREAS, the City Code Section 1-1204, provides that the Mayor shall power and authority to declare a state of emergency, which shall have an immediate effect when declared for a period of seven (7) days, but may have continuing effect beyond seven (7) days upon approval by the City Council by resolution; and

WHEREAS, the Honorable City Mayor Joe Pitts has previously issued City Mayor Executive Orders Nos. 001, 002, and 003; and

WHEREAS, the City Council finds that the Mayor's previously issued Executive Orders are in the public interest and serve to further public health and welfare.

NOW, THEREFORE, the Mayor's previously issued Executive Orders, to include No. 003 pertaining to the novel coronavirus and issued in order to limit the spread of the COVID-19 disease, is hereby approved to be extended, and this extension of same shall be effective as of 12:01 a.m. on April 8, 2020, and same shall have effect for a period seven (7) days, and is hereby approved to be extended, in seven (7) day increments, by the Mayor in his discretion during the period of the local state of emergency due to the novel coronavirus, in order to limit the spread of COVID-19, as provided by law.

ADOPTED: