

STATE OF TEXAS §

March 30, 2020

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Called Telephonic Meeting of the City Council of the City of Sherman, Grayson County, Texas was begun and held electronically on March 30, 2020.

MEMBERS PRESENT: MAYOR DAVID PLYLER; DEPUTY MAYOR WILLIE STEELE.
COUNCIL MEMBERS HOLLAND, HOWETH, MELTON,
STEVENSON, TEAMANN.

MEMBERS ABSENT: NONE.

CALL TO ORDER

Mayor Plyler called the meeting to order at 12:00 p.m. The Invocation was given by Mayor David Plyler.

CALL TO ORDER

Mayor Plyler introduced Ordinance No. 6288 and called for a public hearing:

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE LOCAL DECLARATION OF PUBLIC HEALTH DISASTER INDEFINITELY; ADOPTING AND APPROVING CERTAIN RULES TO PROTECT THE HEALTH OF PERSONS IN THE CITY DUE TO THE IMPACT OF COVID-19; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL CONTRACTS AND LEGAL DOCUMENTS NECESSARY FOR CONDUCTING BUSINESS FOR THE DURATION OF THE DECLARATION OF DISASTER; FIXING PENALTIES FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

ORD 6288
EXTEND
DECLARATION
OF PUBLIC HEALTH
DISASTER

Robby Hefton, City Manager, said the primary thing that the proposed ordinance does is to extend the declaration of disaster that was made by the Mayor on Monday, March 23, 2020.

The ordinance also does several other things that are typical during declared emergencies, such as giving the City Manager authority to sign contracts and do other operational things to conduct business for the City, that would normally come before the City Council. If this provision is used, there is a weekly report that must be made for any contracts or purchases made under that authority.

It also permits the City Manager to extend the time requirement for any Planning and Zoning appeal, and similar things of that nature; and allows the Mayor to cancel or postpone any Council Meetings or Planning and Zoning Commission Meetings. It cancels the April 6, 2020 regularly scheduled City Council Meeting and permits the Mayor to cancel any other regular or other meeting during the months of April and May 2020, as needed. The ordinance also postpones any Municipal Court proceedings.

Mr. Hefton said the ordinance is an extension of the emergency declaration that was made last Monday, by the Mayor.

Mayor Plyler asked if anyone from the public wished to speak on this item.

No citizens calling into the meeting wished to discuss Ordinance No. 6288.

The Public Hearing was closed.

ADOPTION OF ORDINANCES

Ordinance 6288

AN EMERGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, EXTENDING THE LOCAL DECLARATION OF PUBLIC HEALTH DISASTER INDEFINITELY; ADOPTING AND APPROVING CERTAIN RULES TO PROTECT THE HEALTH OF PERSONS IN THE CITY DUE TO THE IMPACT OF COVID-19; MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AUTHORIZING THE CITY MANAGER TO EXECUTE ALL CONTRACTS AND LEGAL DOCUMENTS NECESSARY FOR CONDUCTING BUSINESS FOR THE DURATION OF THE DECLARATION OF DISASTER; FIXING PENALTIES FOR VIOLATION THEREOF; DECLARING AN EMERGENCY; PROVIDING FOR SEVERABILITY; PROVIDING FOR A REPEALER.

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Council Member Melton confirmed that anything scheduled for the April 6, 2020 Council Meeting would be moved to the next City Council Meeting.

Council Member Teamann said the proposed ordinance did list some penalties for failure to comply, and he asked what would be considered failure to comply. He said it was a misdemeanor charge.

Mr. Hefton said a few of the City's facilities have been closed. There might be future requirements issued to close some businesses. The City hasn't done that yet, nor has the State. For the most part, it has been left to the individuals to do that. However, if the City did require certain things from individuals or businesses, they would have the ability to enforce that.

For example, Mr. Hefton said this weekend, a restaurant/bar that was precluded from having gatherings of more than 10 people, was having a gathering that was clearly in violation of the State's and the President's mandate.

The Police Department was sent out to disperse that gathering. The business was not cited or fined, even though the City had the ability to do so, because it was a violation of a restriction placed by the State government.

Mr. Hefton said if that happened again, with that same business, they would probably be fined because they had been warned. He said it would be a Class B misdemeanor.

Brandon Shelby, City Attorney, clarified that a violation of this ordinance would be a Class C misdemeanor because that's all the City's ordinance would allow. But the State penalty for violation of the Governor's Executive Order is a \$1,000 fine and 180 days in jail. The fine limit for a Class C, if it's "health and safety" is up to \$2,000.

Mr. Hefton added that this ordinance doesn't set out additional guidance for things not allowed, but it anticipates things that might be needed in the coming days and weeks. If and when that time comes, those things will be communicated to the community, the businesses, and the citizens, through social media, the news media, Facebook, the City's website, and if needed, postings on doors for businesses.

Council Member Howeth asked if the City needs to enact an order for "stay in place," can the Mayor do that on his own, or does it take a vote of the Council. Mr. Shelby said the City Council has extended the emergency declaration indefinitely, and as long as that order is in effect, the Mayor has the power to do that.

ACTION TAKEN.

Motion by Council Member Stevenson to adopt Ordinance No. 6288, as presented. Second by Council Member Holland.

VOTING AYE: Holland, Howeth, Melton, Steele, Stevenson, Teamann.

VOTING NAY: None.

MOTION CARRIED.

COUNCIL COMMENTS

CORONA VIRUS RESPONSE

Council Member Stevenson encouraged everyone to follow social distancing protocols as much as possible. He encouraged them to check on their neighbors over the coming weeks and to abide by all guidelines because it is for everyone's protection.

**CORONA VIRUS
RESPONSE**

CORONA VIRUS RESPONSE

Council Member Holland agreed with Council Member Stevenson and encouraged all citizens to keep their hands clean and to abide by the rules and regulations.

**CORONA VIRUS
RESPONSE**

CORONA VIRUS RESPONSE

Council Member Teamann said Mayor Plyler and Mr. Hefton are going to have a tremendous amount of responsibility in the upcoming weeks and months. He said the other Council Members are here to help them if needed. He said they appreciate them taking on that responsibility.

**CORONA VIRUS
RESPONSE**

CORONA VIRUS RESPONSE

Council Member Melton urged everyone to stay safe and clean, and do what needs to be done to get through this. She offered prayers for everyone.

CORONA VIRUS
RESPONSE

CORONA VIRUS RESPONSE

Council Member Howeth complimented the citizens that are following the regulations of not meeting in more than groups of 10 and are doing social distancing.

CORONA VIRUS
RESPONSE

She also recognized citizens that are posting on Facebook and Twitter to help local cancer patients that are in need of Clorox Wipes or hand sanitizer. She urged everyone to continue working together to help their fellow citizens.

CORONA VIRUS RESPONSE

Mayor Plyler said he appreciated everyone's service to the community and to the citizens. He said they are blessed to serve such a great City. The citizens are rallying around each other, taking care of each other, and are observing guidelines from the CDC.

CORONA VIRUS
RESPONSE

He reminded citizens to check on their friends, family, and neighbors, and make sure no one does without. He said the Sherman Independent School District provided over 22,000 meals last week. He added that "we will get through this together."

CORONA VIRUS RESPONSE

Mr. Hefton said the City is making changes daily and responding to things in the community. He said he didn't know when the next City Council Meeting or Planning and Zoning Commission Meeting would be, but the City has the ability to call a meeting at any time.

CORONA VIRUS
RESPONSE

He urged the Council to "stick by their phones" and it will be communicated to them. These are uncharted waters and every City is dealing with the same thing. He said he appreciated their patience with the staff as they work through these issues.

ADJOURNMENT

On Motion duly made and carried, the meeting adjourned at 12:24 p.m.

ADJOURNMENT

MAYOR

CITY CLERK