



McAlester City Council

NOTICE OF MEETING

Emergency Meeting of the City Council Agenda

Monday, March 23, 2020 – 8:00 am
McAlester City Hall – Council Chambers
28 E. Washington

Attending in Person

John Browne..... Mayor
Weldon Smith Ward One
James Brown Ward Four
Maureen Harrison..... Ward Five
Peter J. Stasiak City Manager
William J. Ervin City Attorney
Cora M. Middleton City Clerk

Attending by Teleconference

Cully Stevens, Vice Mayor Ward Two
Steve Cox Ward Three
Zach Prichard Ward Six

This agenda has been posted at the McAlester City Hall, distributed to the appropriate news media, and posted on the City website: www.cityofmcalester.com with as much public notice as is reasonable or possible under the circumstances. Public call-in number is 918-470-9817.

The Mayor and City Council request that all cell phones and pagers be turned off or set to vibrate. Members of the audience are requested to step outside the Council Chambers to respond to a page or to conduct a phone conversation.

The McAlester City Hall is wheelchair accessible. Sign interpretation or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Clerk's Office at 918.423.9300, Extension 4956.

CALL TO ORDER

Announce the presence of a Quorum.

ROLL CALL

SCHEDULED BUSINESS

1. Discussion and possible action to extend the Order Proclaiming Existence of a Civil Emergency until April 14, 2020. (*John Browne, Mayor*)

ADJOURNMENT

CERTIFICATION

I certify that this Notice of Meeting was posted on this 20th day of March 2020 at _____ a.m./p.m. as required by law in accordance with Section 303 of the Oklahoma Statutes and that the appropriate news media was contacted. This agenda is also posted on the City of McAlester website: www.cityofmcalester.com.

**Stephanie Giacomo as designated by
Cora M. Middleton, City Clerk**

CITY OF MCALESTER, OKLAHOMA

PROCLAMATION

ORDER PROCLAIMING EXISTENCE OF A CIVIL EMERGENCY

WHEREAS, on March 20, 2020, pursuant to City of McAlester Code of Ordinances, Chapter 38, Article IV, and my authority as City Manager, I proclaim a civil emergency in the City of McAlester; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared COVID-19 (Coronavirus) to be a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency; due to the COVID-19 Virus pandemic; and

WHEREAS, on March 15, 2020, the Governor of the State of Oklahoma has declared an emergency caused by the impending threat of COVID-19 to the people of this State and the public's peace, health and safety; and

WHEREAS, on March 16, 2020, the Pittsburg County Commissioners declared an emergency from the potential effects of COVID-19; and

WHEREAS, on March 17, 2020, the Mayor of McAlester proclaimed a state of emergency in the city limits of McAlester; and

WHEREAS, on March 20, 2020, I consulted with the Chief of Police and Fire Chief and found that a civil emergency exists and that the invocation of the extraordinary powers conferred by the McAlester City Codes, Chapter 38, Title IV, Section 80, are necessary to ensure or to restore the public peace; and

WHEREAS, McAlester City Code of Ordinances, Chapter 38, Article IV, Section 83 provides that the City Manager, after proclaiming a civil emergency, may in the interest of the public "issue such other orders as are imminently necessary for the protection of life and property."

THEREFORE, by the power vested in me as City Manager of the City of McAlester, I find that due to the potential for rapid community spread and transmission of the COVID-19 virus, immediate action is required for public order preservation to protect public health, safety, and welfare, it is hereby declared and **ORDERED**, as follows:

1. Restaurants, food courts, cafes, coffeehouses, and other places of public accommodation offering food and beverage are closed for dine-in customers and guests and for on-premises consumption, are restricted and limited to curbside, drive-thru, takeout, and delivery services, excluding institutional or in-house food cafeterias that serve residents, employees, and clients of businesses, child care facilities, hospitals, and long-term facilities.
2. The following commercial establishments and places of public accommodation are closed to ingress, egress, use, and occupancy by members of the public:
 - a. Bars, taverns, brewpubs, breweries, microbreweries, distilleries, wineries, tasting rooms, clubs, and other establishments selling intoxicating liquor or beer by the drink.

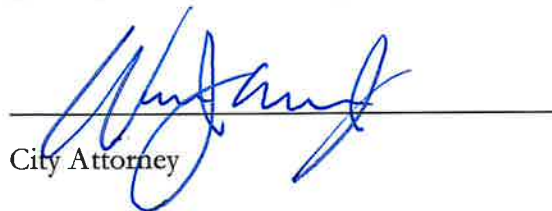
- b. Hookah bars, cigar bars, and vaping lounges offering their products for on-premises consumption.
 - c. Theaters, cinemas, indoor and outdoor performance venues, and museums.
 - d. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas.
 - e. Amusement parks, arcades, bingo halls, bowling alleys, skating rinks, and other similar recreational or entertainment facilities.
3. This order does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, existing, using, or occupying that place of public accommodation in their professional capacity.
4. The restrictions imposed by this order do not apply to any of the following:
 - a. Places for public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, dispensary, and food pantries, other than those portions of the place of public accommodation subject to the requirements of the section;
 - b. Health care facilities, child care facilities, residential care facilities, congregate care facilities, occupational and physical therapy facilities, and juvenile justice facilities; and
 - c. Crisis shelters, soup kitchens, or similar institutions.
5. For purposes of this order, “place of public accommodation” means a business, or an educational, refreshment, entertainment, or recreation facility, or an institution of any kind, whether licensed or not, whose goods, services, facilities, privileges, advantages, or accommodations are extended, offered, sold, or otherwise made available to the public.
6. This order does not alter any of the obligations under the law of an employer affected by this order to its employees or the employees of another employer.
7. This emergency shall terminate after 48 hours from issuance unless otherwise terminated or extended by the McAlester City Council.

This order shall take effect on the 21st day of March, 2020, at 12:01 a.m. and shall terminate on the 23rd of March, 2020, at 12:01 a.m. unless otherwise acted on by the McAlester City Council.



Peter J. Stasiak, City Manager

APPROVED as to FORM:



City Attorney