

The McAlester City Council met in an Emergency session on Monday, March 23, 2020, at 8:00 A.M. after proper notice and agenda was posted, March 20, 2020 at 6:50 P.M.

**Call to Order**

Mayor Browne called the meeting to order.

**Roll Call**

Council Roll Call was as follows:

Present in Person: Weldon Smith, James Brown, Maureen Harrison & John Browne  
Present via Telephone: Cully Stevens, Steve Cox & Zach Prichard  
Absent: None  
Presiding: John Browne, Mayor

Staff Present: Pete Stasiak, City Manager; Stephanie Giacomo, Grant Writer/Public Information Officer; and Cora Middleton, City Clerk  
Staff Present via Telephone: William J. Ervin, City Attorney

**Scheduled Business**

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

Mayor Browne explained that with the revised Open Meeting procedures if the meeting were to run longer than fifteen (15) minutes he would have to call roll.

Councilman Browne commented about what procedures some local restaurants had already implemented. He clarified that the steps that Manager Stasiak had taken on March 20, 2020 had actually began in Washington D.C. and had filtered down through the State Government to the municipalities.

Councilwoman Harrison commented that the Fifth (5<sup>th</sup>) Ward businesses were concerned, those that were in the food service industry and those that were not. She also inquired about possible hazard duty pay, the order of limiting gatherings to ten (10) people or less, how this might affect the school systems. She then clarified that as of today there was no dining in at restaurants.

Mayor Browne stated that only the businesses types that were referenced on the proclamation would be affected, there was no ten (10) person in a gathering order, it was only a recommendation and the schools would make their own policies.

Councilman Smith asked Manager to explain how the City had gotten to this point.

Manager Stasiak briefly explained that the City was following guidelines and what other Managers had done. He added this was an effort to limit contact and trying to prevent this from spreading.

There was discussion concerning mitigation, the six (6) foot distance recommendation, the day fourteen (14) day self-isolation period, the long lines at Walmart and Lowes, how small business seemed to be targeted, that those two (2) businesses were providing essential items, and going ahead and limiting those businesses in some way.

Mayor Browne stated that would be a Council decision.

Councilman Prichard inquired about addressing further limitations now.

Mayor Browne stated that there was nothing to keep the Council from doing that now. He then requested the City Attorney address the possibility of expanding that now.

Attorney Ervin explained that the item that was on the agenda was to ratify what the City Manager had done. He added that the Council could extend and expand.

Councilman Smith asked why not move forward with what Councilman Prichard had suggested.

Attorney Ervin commented that the limitation of the restaurants was from a public health concern and there was no equal protection issue.

Councilman Prichard recommended amending the declaration to limit number of people, enact social distancing not only in grocery stores but in other retail businesses and by closing the restaurants would create more demand on grocery stores.

Attorney Ervin stated that one of the things that the City was trying to manage was panic and to do this in a layered approach should help prevent unrest and panic. He encouraged that the Council take a measured approach.

Vice-Mayor Stevens agreed with the suggestions that had been made by Councilman Prichard and the Council needs to be very wise on how this was addressed and it was approached.

Mayor Browne called the roll at 8:20 A.M.

Mayor Browne commented that he was not against expanding on the declaration but the Council would need information. He then asked Attorney Ervin if this could be addressed s new business at the Tuesday, March 24, 2020 meeting.

Attorney Ervin stated that the Council could address as new business and he agreed that there needed to be some thought put into this.

There was discussion concerning any discussions with the County about implementing this across the County, meeting with the local Emergency Management office, Commissioner Selman was on that committee, what the City was doing with the Senior Nutrition program, possibly of the City making the that service broader, the limitations on the food delivery at the Stipe Center, thinking about the at risk populations, looking at fees to help mitigate some of the pressure on both businesses and citizens.

Attorney Ervin addressed the Council commenting that having an expiration date in the Order is appropriate. He stated that Economic Development had funds that was earmarked for the recruitment of new business but these funds could be used to help existing businesses.

There was discussion concerning the Federal help that was coming, the City having a plan for taking care of itself, the Order having an expiration date of the first meeting in April, 2020, adding the language of “unless action taken by Council prior to that date”, and amending the agenda for the meeting on Tuesday, March 24, 2020.

Mayor Browne called roll at 8:33 A.M.

There was discussion to clarify the use of new business on the agenda, not needing to vote to amend the agenda for Tuesday’s meeting, what the current meeting was for, what other areas cities were doing, what the Economic Development Fund balance was, who would be eligible to apply, the City’s need to put a program in place for businesses to use, how long to extend the Order, and having the City Attorney comment on the change of the Order’s expiration date.

Attorney Ervin stated that it was entirely the Council’s purgative.

Nicole Calen, owner of the Subway Restaurants in McAlester addressed the Council expressing her concerns about the City ordering restaurants to close to dine in customers but the Dollar General Stores, Walmart, grocery store and convenience stores closing could cause more issues and it would be unfeasible. She added that those businesses should implement stricter cleaning and sanitizing the buildings. She also commented on the location of the mobile testing lab when it arrived in the City.

Mayor Browne called roll at 8:48 A.M.

Alyssa Latty, McAlester Main Street addressed the Council informing them and the businesses that a group had been formed to help guide local businesses apply for the disaster relief loans.

Jason Fassio, owner of Fassio Fitness addressed the Council commenting that he was present to fight for his business. He commented that Spring was his busiest time. He stated that he was asking for a chance to remain open. He commented that the City of Owasso was allowing small businesses to remain open as long as they followed the CDC policies. He then reviewed the steps that he could implement or had already implemented to keep his gym clean.

Valarie Walton, owner of Signature Fitness addressed the Council expressing her concerns about the Order and how it would affect her business. She stated that she ran a private gym with private workouts that fall below the number recommended by the CDC. She added that she was also addressing the disinfecting recommendations.

Doug Marchant, owner of the Valley Inn Motel, RV Park and bar addressed the Council asking them to maintain a sense of normalcy. He stated that even though this Order did not affect the motel or RV Park it would close the Bar. He stated that he could limit the number of people in the bar and add more rigorous cleaning and sanitizing practices in the bar.

Mayor Browne moved to extend the existing Order Proclaiming the Existence of a Civil Emergency to Tuesday, March 24, 2020 at 6:00 P.M.

Manger Stasiak asked the Mayor to consider making the time 8:00 P.M. due to the length of the meetings.

Mayor Browne changed the time in the motion to 8:00 P.M. The motion was seconded by Councilman Brown. There was no further discussion, and the vote was taken as follows:

AYE: Councilmembers Brown, Stevens, Cox, Harrison, Prichard & Mayor Browne

NAY: Councilmember Smith

Mayor Browne declared the motion carried.

### **Adjournment**

There being no further business to come before the Council, Councilman Brown moved for the meeting to be adjourned. The motion was seconded by Councilman Smith.

There was no discussion, and the vote was taken as follows:

AYE: Councilmembers Brown, Smith, Stevens, Cox & Mayor Browne

NAY: None

Mayor Browne declared the motion carried, and the meeting was adjourned at 5:42 P.M.

ATTEST:

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John Browne, Mayor

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Cora Middleton, City Clerk