

**MIDLAND CITY COUNCIL
MINUTES
March 31, 2020**

The City Council convened in a Special Session in the Council Chamber, City Hall, Midland, Texas, at 10:00 a.m. on March 31, 2020.

Council Members present: Mayor Patrick Payton, Mayor Pro Tem Spencer Robnett (At-Large), Council Member Scott Dufford (District 1), Council Member John Norman (District 2), Council Member Jack Ladd (District 3), and Council Member Lori Blong (District 4).

Council Members present via Zoom: Council Member Michael Trost (At-Large).

Mayor Payton called the meeting to order at 10:02 a.m.

MISCELLANEOUS

1. Discuss and consider the Mayor's issuance of an Order Declaring a Local State of Disaster for the City of Midland (the "Declaration") and the Resolution of the City Council ratifying and approving the Declaration and consenting to its continuation, and other matters related thereto. The City Council may take action on this matter. (CITY SECRETARY'S OFFICE)

Mayor Payton welcomed everyone noting Council Member Trost was attending via Zoom. The current order from the Governor is in effect until Friday evening and he fully expects that he will extend his order. This is an opportunity for Council to express any concern about the order and to offer any suggestions for change.

Dr. Pankaj "PK" Patel, a pulmonologist, made comments via Zoom. All doctors and staff in Midland are doing a great job. This same situation is happening all over the United States. There are currently 13 Covid-19 cases in Midland and 17 in the Permian Basin. This is of special concern for the elderly. The disease is different than the flu and most people are without symptoms for a couple of days when it can be spread all around. He expressed concern about false negatives. It is imperative that everyone work together to social distance to keep it from spreading. There are already 144,000 deaths in the United States including one in Midland and we can't afford to lose any lives. The person who died in Midland was a relatively healthy person. We need a good solid plan for social distancing. Midland has been doing an excellent job and he wants to ensure that we continue.

Mayor Payton opened the floor for the public to make comments.

Dr. Summer Merritt echoed Dr. Patel's comments noting that the entire board agrees on this issue. We cannot put our patients at risk. This is unprecedented. She commended Council for putting in the time to discuss this issue. The medical community wants to error on the side of caution. She would rather overreact than be sorry later. She has a 40-year-old friend who is a doctor and is currently on a ventilator. This person was completely healthy prior to contracting this virus. She is scared for her patients and the entire community.

City Attorney John Ohnemiller gave a brief history of what has taken place to date noting the Mayor declared a disaster and Council extended the declaration which is still in place. The Mayor has the right to issue orders similar to the governor. Today, Council can choose to make a vote on recommendations that the Mayor can implement through the order. Council cannot mandate the Mayor to do something, but they can put into place an ordinance.

Feedback was given about how businesses are changing to comply with the order. Staff noted that Dennis the Menace Park had to be shut down because too many people were congregating there. Staff has put in place other measures to calm the activity.

Council Member Blong noted that everyone seems to be stepping up to the plate and doing what is asked. She expressed concern that some people will get tired of doing the right thing.

Council Member Ladd expressed concern for social distancing. He is prepared to recommend that non-essential personnel such as hairdressers, nail salons and tattoo parlors be shut down. It only takes one asymptomatic person to spread the virus to several others.

Council Member Dufford noted that some of the big box stores have gotten carried away and are not allowing very many people in their stores at a time which is creating long lines outside. Bigger stores can accommodate more people as they have more room.

Council Member Trost noted that this virus is three times more likely to be transmitted than the regular flu. We need to be more aggressive. He asked what is going on at the airport.

Mayor Payton noted we are doing exactly what we have been told and screening passengers coming in from certain areas. Travel is down 85%.

Council Member Blong presented Council with a proclamation with two lines. One is asking for people to post on retail business places language substantially similar to the instructions to comply such as use wipes and don't crowd. The second is about how many people to allow in a business. If we assign 100 then a Walmart is substantially different than an Auto Zone. Her request is to allow 20% occupancy. The occupancy number is based on square footage of the business and is not an arbitrary number. Right now, Walmart is only allowing 50 people into the store at a time which is causing longer lines outside of the store which is also a problem in keeping people 6 feet apart.

Mayor Payton noted he was prepared to make the proclamation allowing a percentage of a business's occupancy. As far as hair and nail salons they are unable to socially distance themselves from people so they will have to make the hard decision.

Dr. Adriana Nur suggested that businesses have a rope outside to guide people where to wait. She also suggested doing the same thing in stores making people all go in one direction, so people are not all congregating in one aisle. She also suggesting having cameras in a secured entrance that can tell a person's body temperature to keep people out who are running a fever.

When asked if the 20% would include employees, Mayor Payton noted the 20% would apply to customers only and the store needs to ensure that their customers are social distancing.

Discussion ensued that some businesses will not put anything in place until directed to do so by the City. When asked by the Police, they have been telling them 50 people per the Mayor's initial declaration of groups of no more than 50.

Mayor Payton noted he would be making a proclamation about mandatory self-quarantine of people who have tested positive and enact business requirements of posting signs, having hand sanitizer available and limiting customer base to 10% of occupancy.

All the business at hand having been completed, the meeting adjourned at 11:19 a.m.

PASSED AND APPROVED the 14th day of April 2020.

Patrick Payton, Mayor

ATTEST:

Amy M. Turner, City Secretary