

The Estelline City Council held a special meeting on Thursday, March 26, 2020 in the City Council Chambers. Those present included Mayor Donald Zafft, Ryan Miller, Cheryl Squires, Ross Brandsrud, Mike Gunderson, Josh Cokens, Julie Rieckman and Mary Saathoff. Mayor Zafft called the meeting to order at 6:00 PM.

Motion was made by R. Miller, second by J. Cokens to approve Resolution 2020-04 as follows:

**CITY OF ESTELLINE, SOUTH DAKOTA
RESOLUTION 2020-04**

WHEREAS, on March 11, 2020, the World Health Organization (WHO) declared the coronavirus COVID-19 disease 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 13, 2020, the Governor of the State of South Dakota has declared a public health 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 26, 2020, the Estelline City Council met in an emergency meeting at 6:00pm to discuss the COVID-19 Pandemic and local public health issues and considerations, and take further action relating to the COVID-19 Pandemic; and,

WHEREAS, on March 26, 2020, the Estelline City Council approved Resolution 2020-04, declaring the existence of a health emergency in the City of Estelline as a result of COVID-19; and

WHEREAS, SDCL §9-32-1 gives a municipal governing body power to do what may be necessary or expedient for the promotion of health and suppression of disease.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ESTELLINE, SOUTH DAKOTA, PURSUANT TO SDCL §9-32-1 AND THE POLICE POWERS GRANTED BY STATUTE, THAT DUE TO THE POTENTIAL FOR RAPID COMMUNITY SPREAD AND TRANSMISSION OF THE COVID-19 VIRUS IMMEDIATE ATTENTION IS REQUIRED TO PROTECT THE PUBLIC HEALTH, SAFETY, AND WELFARE, IT SO 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; and, if able, are restricted and limited to curbside, drive-thru, takeout, and delivery services. The following exclusions apply: institutional or in-house food cafeterias that serve residents, employees, and clients of businesses, child care facilities, hospitals, assisted living, and long-term care facilities.
2. The following commercial establishments and places of public accommodation shall be and are hereby closed to ingress, egress, use, and occupancy by members of the public:
 - a. Bars, taverns, and other places of public accommodation offering alcoholic beverages for on-premises consumption.
 - b. Indoor and outdoor performance venues, and museums.

- c. Gymnasiums, fitness centers, recreation centers, indoor sports facilities, indoor exercise facilities, exercise studios, and spas. However, such facilities may operate with ten (10) or fewer total persons inside the facility at any time, and such premises are not open for walk-in business.
- 3. This Order does not prohibit an employee, contractor, vendor, or supplier of a place of public accommodation from entering, exiting, 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 of public accommodation that offer food and beverage not for on-premises consumption, including grocery stores, markets, convenience stores, pharmacies, drug stores, and food pantries, other than those portions of the place of public accommodation subject to the requirements of section;
 - b. Health care facilities, child care facilities, residential care facilities and congregate care facilities.

However, owners, operators, and managers of such are strongly encouraged to implement CDC recommendations, to include social distancing and sanitization guidelines, in their place of business, until the expiration of this emergency order.

- 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. All other businesses not mentioned in this order are strongly encouraged to implement CDC recommendations, to include social distancing and sanitation guidelines in their place of business, until the expiration of this emergency order.
- 7. This Order does not alter any of the obligations under law of an employer affected by this Order to its employees or to the employees of another employer.
- 8. That any violation of this Resolution and Order shall be punishable as a Class II Misdemeanor with a fine not to exceed \$500 and or 30 days in jail or both for each violation.

9. That this resolution is necessary for the immediate preservation of the public peace, health, safety, and welfare of the City of Estelline, South Dakota and shall become effective immediately upon passage.
10. This Order shall take effect March 27, 2020 at 8:00 AM and remain in effect for a period of sixty (60) days, unless extended or terminated by further resolution.

AND I DO FURTHER PROCLAIM, that public notice of this resolution shall be given to and filed with the City Finance Officer of the City of Estelline. ADOPTED and SIGNED this 26th day of March, 2020.

Donald C. Zafft, Mayor

With all voting aye, motion carried.

A motion was made by J. Rieckman, second by C. Squires for the following:

To assure proper social distancing strategies as recommended by the Center for Disease Control (CDC), the Estelline City Council has decided as of March 30, 2020, the Estelline City Office and Estelline City Shop will be closed to the public. This is for the concern of the safety of our community members and staff. Staff will be working and most all city business can be done via telephone, mail or email. Any bills can be placed in the City Drop Box located on the front of the building. With all voting aye, motion carried.

A motion to adjourn at 6:58 PM was made by M. Gunderson, second by J. Rieckman. With all voting aye, motion carried.

Donald Zafft, Mayor

Mary Saathoff, Finance Officer