

City of Guyton, Georgia  
CITY COUNCIL WORKSHOP  
SEPTEMBER 1, 2020 at 6:00 p.m.



**C.D. Dean, Jr., Public Safety Complex  
City of Guyton Gymnasium  
505 Magnolia Street, Guyton, GA 31312**

## AGENDA

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1. **Call to Order**
2. **Topics for Discussion**
  - a. Workshop format
  - b. Planning and Zoning Ordinances
  - c. CDBG Project
    - East Guyton Drainage
    - Housing Rehabilitation
  - d. SPLOST Projects
    - Crossgate Subdivision
    - Guardrails
    - Roundabout Light
    - Lawn Mower – Public Works
    - City of Guyton Gym
  - e. Sanitation
    - Waste Management
  - f. September Emergency Ordinance
  - g. TSPLOST Projects
  - h. CENSUS
  - i. City Hall Operations
  - j. City Newsletter
  - k. Open Discussion
3. **Dates to Remember**
  - a. Planning and Zoning Committee Public Hearing will be held on Tuesday, September 8, 2020 at 6:00 p.m. in the Leisure Services Room located at 505 Magnolia Street, Guyton, GA.
  - b. City Council Meeting will be held on Tuesday, September 8, 2020 at 7:00 p.m. at the C.D. Dean., Jr., Public Safety Complex, City Hall Gymnasium located at 505 Magnolia Street, Guyton, GA 31312
4. **Consideration to Adjourn this City Council Workshop**

**CITY OF GUYTON  
STATE OF GEORGIA**

**ORDINANCE NUMBER 2020-11**

**A DECLARATION OF A STATE OF EMERGENCY ARISING  
BECAUSE OF RESURGENCE OF COVID-19; AN ORDINANCE TAKING  
IMMEDIATE EMERGENCY MEASURES**

**WHEREAS**, the number of confirmed cases and deaths from COVID-19 is continuing to escalate rapidly in Georgia and surrounding states; and

**WHEREAS**, based upon the experience of other local governments in Georgia, a growing number of other cases are likely to occur; and

**WHEREAS**, it is vitally important that we all work together to decrease the widespread proliferation of COVID-19 among us; and

**WHEREAS**, the Charter of the City of Guyton, Georgia, provides the governing authority of the City with the authority to take actions deemed necessary to deal with such an emergency for the protection of the safety, health, and well-being of the citizens of the City; and

**NOW, THEREFORE, IT IS HEREBY DECLARED** that a local state of emergency exists within the City and shall continue until the conditions requiring this declaration are abated.

**THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GUYTON, GEORGIA IN A CALLED MEETING ASSEMBLED AND PURSUANT TO LAWFUL AUTHORITY THEREOF, AS FOLLOWS:**

**Section 1. Findings of Fact**

For purposes of describing the circumstances which warrant the adoption of this emergency ordinance, the governing authority of the City of Guyton, Georgia, hereby adopts and makes the findings included in the "WHEREAS" clauses as findings of fact.

**Section 2. Declaration of Public Health State of Emergency**

The City Council hereby declares a public health state of emergency within the City of Guyton, Georgia, because of the proliferation of COVID-19 in the United States and the

State of Georgia, which will remain in force and effect until 11:59 p.m. on Wednesday, September 9, 2020, which is twenty nine (29) days from the date hereof.

### **Section 3. Classification of City Services**

For the duration of the declared emergency, the City Manager shall be vested with the following discretion and authority, to wit:

- (a) To categorize City services as either “required” or “discretionary,” and to periodically review and modify such categories.
- (b) To assign specific employees to required or discretionary services, and to periodically review and modify such assignments.
- (c) To use his discretion to permit employees to telework.
- (c) To temporarily suspend the provision of discretionary services and to direct employees who provide discretionary services not to report to work until such time as the service suspension is lifted or until such time as the City Manager redirects the employee to other services.
- (d) To contract for and expend non-budgeted sums and services, as may in his discretion be required to meet the demands upon government and services of the City for the duration of the declared emergency, including therein authority to spend such sums from the reserves of the City. Any such non-budgeted expenditures shall be reported to the governing authority of the City.
- (e) To maintain, to the best of the ability of the resources of the City, the provision of essential services, which shall include, but not be limited to, public safety, public works, healthcare, and building permits.

### **Section 4. Personal Distance**

Businesses must post signage on entrance doors informing consumers, invitees, and employees to maintain at least six (6) feet of personal distance between themselves and others and shall not allow more than ten (10) people into such establishment at any one time if such social distancing cannot be maintained.

### **Section 5. Face Coverings**

For the purpose of this Ordinance, a "Face Covering" is a cloth or other type of masking device that covers the wearer's nose and mouth. All persons entering any building open to the public in the City must wear a face covering or mask while inside the building.

All restaurants, retail establishments of every description, salons, grocery stores, and pharmacies located within the municipal boundaries of the City must require their

employees to wear a Face Covering at all times while in any area where the general public is allowed or when the employees must be in close proximity to one another. This requirement also applies to all businesses or employees while interacting with people in outdoor spaces, including, but not limited to, curbside pickup, delivery, and service calls.

Face Coverings are not required in the following circumstances:

- (a) Inside personal vehicles;
- (b) When a person is alone in enclosed spaces, such as their personal residence, or only with other household members;
- (c) During physical activity, provided the active person maintains a minimum of 6 feet from other people with whom they do not cohabitate at all times;
- (d) While drinking, eating, or smoking;
- (e) When wearing a face covering causes or aggravates a health condition;
- (f) When wearing a face covering would prevent the receipt of personal services;
- (g) When a person is 10 years of age or younger.

Buildings open to the public shall post conspicuous signage at all entrances informing its patrons of the requirements of this Ordinance.

### **Section 6. Enforcement**

Education and voluntary compliance are the desired means of enforcement. However, a person who fails to comply with any mandatory provision of this Ordinance shall be deemed guilty of a civil infraction, punishable by a fine not to exceed \$1000. Each day of a continuing violation of this Ordinance shall be considered a separate and distinct offense.

In addition to the fines established in this section, repeated violations of this Ordinance by a person who owns, manages, operates, or otherwise controls a business or establishment subject to this Ordinance may result in the business or establishment being declared a public nuisance, which may be abated by the City as provided by law. The foregoing notwithstanding every effort shall be made to bring the business into voluntary compliance with the terms of this Ordinance prior to the issuance of any citation.

For the purposes of this Ordinance, "person" shall be defined as any entity or individual associated with the business who has the control or authority and ability to enforce the social distancing requirements of this Ordinance within the business such as an owner, manager, or supervisor. "Person" may also include an employee or other designee that is

present at the business but does not have the title of manager, supervisor, etc. but has the authority and ability to ensure that the requirements of this Ordinance are met while the business is open to the public.

**Section 7. Emergency Interim Successor to City Manager**

The governing authority desires to make certain that the chain of authority within City management is clear. If the City Manager is unable to perform his duties, then the individual designated by the City Manager as the emergency interim successor pursuant to O.C.G.A. § 38-3-50 shall assume the duties of the City Manager. Should the emergency interim successor be unable or unwilling to perform those duties or should no individual be designated, the Mayor as Chief Executive Officer of the City shall assume those duties.

**Section 8. Procurement**

The governing authority hereby suspends the bid and competitive portions of the City's Procurement Policy or ordinances and authorizes the City Manager to utilize the single-source policy and to require departments to provide a written justification for the procurement during the effective dates of this Resolution and/or utilize any emergency procurement provisions contained. City officials shall continue to seek the best prices during the state of emergency.

**Section 9. Closure of City Hall and City Facilities to the Public**

City Hall, playgrounds, basketball court, and tennis courts will be closed to the public until this Ordinance expires. Employees will continue serving the city by phone, email, and if necessary outdoor meetings where social distancing efforts will be required.

**Section 10.**

All ordinances or parts of ordinances in conflict with the provisions of this Declaration are hereby suspended during the effective dates of this Declaration (or any extension thereof) and the terms and provisions of this Declaration shall prevail.

This Ordinance after adoption by the Council and upon approval by the Mayor shall become effective immediately.

SO ORDAINED AND RESOLVED, this 11<sup>th</sup> day of August, 2020.

**CITY OF GUYTON**



Russ Deen, Mayor



Attest:


Approved as to form:



Tina L. Chadwick, City Clerk



Benjamin M. Perkins, Esq., City Attorney



Mayor Pro Tem Michael Johnson



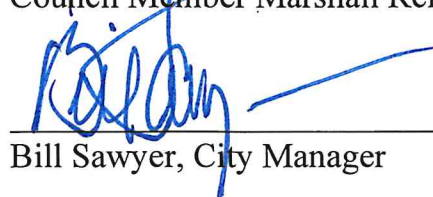
Council Member Joseph Lee



Council Member Hursula Pelote



Council Member Marshall Reiser



Bill Sawyer, City Manager

**CITY OF GUYTON  
STATE OF GEORGIA**

**ORDINANCE \_\_\_\_\_**

**A DECLARATION OF A STATE OF EMERGENCY DUE TO COVID-19; AN  
ORDINANCE TAKING IMMEDIATE EMERGENCY MEASURES**

**WHEREAS**, the World Health Organization declared COVID-19 a worldwide pandemic as of March 11, 2020;

**WHEREAS**, on March 13, 2020, President Donald Trump declared a national emergency in response to the outbreak of COVID-19;

**WHEREAS**, on March 14, 2020, Governor Brian Kemp declared that a public health emergency exists in the State of Georgia due to the spread of COVID-19 within Georgia;

**WHEREAS**, a significant number of Georgia residents are at risk of serious health complications, including death, from COVID-19;

**WHEREAS**, a large number of persons with serious infections can compromise the ability of the healthcare system to deliver necessary care to the public;

**WHEREAS**, individuals diagnosed with COVID-19 have been known to experience long-term health effects following recovery from acute COVID-19 symptoms;

**WHEREAS**, COVID-19 is a respiratory illness, transmitted through person-to-person contact or by contact with surfaces contaminated with the virus and persons infected with COVID-19 may become symptomatic two to fourteen days after exposure;

**WHEREAS**, asymptomatic (including presymptomatic) infected persons are known to be infectious and, without mitigation many infections occur from individuals without symptoms;

**WHEREAS**, respiratory droplets, including aerosols, from infected persons are a major mode of COVID-19 transmission. This understanding is the basis of the recommendations for physical distancing, and of the personal protective equipment guidance for healthcare workers. Droplets do not only come from coughing or sneezing; droplets are also generated via talking and breathing;

**WHEREAS**, evidence indicates that the use of face coverings reduces the transmissibility per contact by reducing transmission of infected droplets in both laboratory and clinical contexts. Public face covering wearing is most effective at stopping the spread of the virus when compliance is high. This evidence supports the conclusion that the adoption of more widespread face covering requirements can help to control the COVID-19 epidemic by reducing the shedding of droplets into the environment from asymptomatic and symptomatic individuals;

**WHEREAS**, evidence from the South Carolina Department of Health and Environmental Control announced on August 12, 2020, that parts of the State of South Carolina under public mask-



wearing mandates registered a 46.3% drop in coronavirus cases in the four weeks after they were introduced as compared to areas of the state which did not impose such mandates;

**WHEREAS**, evidence from data from the State of Alabama shows a 11% drop in COVID-19 cases in the four weeks since that state's mask mandate went into effect;

**WHEREAS**, according to a Vanderbilt University study, hospitals in the State of Tennessee where at least 75% of patients came from mask-mandate counties reported hospitalizations rising by only 30% since July 1, 2020, as compared to a rise of 200% in the same time period when 75% or more of patients came from counties without mask mandates in the State of Tennessee;

**WHEREAS**, the Governor also has repeatedly and strenuously urged Georgians to adopt a practice that is simple but highly effective at preventing the spread of COVID-19: wearing a face covering or mask when in public;

**WHEREAS**, specifically, Governor Kemp, through Executive Order 05.12.20.02 and subsequent Executive Orders, has recommended that individuals wear facial coverings over the nose and mouth to mitigate the spread of COVID-19 when they are in public places where they cannot practice social distancing (i.e., staying at least six feet away from other individuals who do not share the same household);

**WHEREAS**, in early July, Governor Kemp embarked on a statewide "Wear a Mask Tour" flying to numerous Georgia cities to publicly emphasize the need for Georgians to wear masks;

**WHEREAS**, on July 6, 2020, Governor Kemp introduced the "Georgia Safety Promise," a safety campaign to remind Georgia businesses and the public of following COVID-19 safety guidelines, including wearing face coverings;

**WHEREAS**, guidelines published by the U.S. Centers for Disease Control (CDC) recommend that all people wear cloth face coverings in public settings where other physical distancing measures may be difficult to maintain. The CDC also advises the use of simple cloth face coverings to slow the spread of the virus and help people who may have the virus and do not know it from transmitting it to others;

**WHEREAS**, the White House Coronavirus Task Force has repeatedly called for the wearing of masks to be mandatory in the State of Georgia;

**WHEREAS**, decreased transmissibility due to face covering use could substantially reduce the number of illnesses, hospitalization, and deaths and reduce the negative economic impact of the COVID-19 pandemic and the cost of the intervention of mandating the wearing of masks is extremely low;

**WHEREAS**, O.C.G.A. § 38-3-28(a) grants political subdivisions the power to supplement the Governor's Executive Orders so long as such actions are consistent with the Governor's Orders;

**WHEREAS**, this Ordinance is intended to be entered with due regard to the scientifically proven uniform principle that masks or facial coverings will slow the spread of COVID-19;

**WHEREAS**, pursuant to O.C.G.A. § 38-3-51, the Governor's declared public health emergency



authorizes the City Commission to use emergency powers in O.C.G.A. §§ 38-3-1 through 38-3-64;

**WHEREAS**, pursuant to O.C.G.A. § 38-3-6, during an emergency, O.C.G.A. §§ 38-3-1 through 38-3-64 are supposed to be liberally construed to effectuate their purposes;

**WHEREAS**, on August 15, 2020, Governor Kemp issued Executive Order 08.15.20.01 which specifically offers guidelines for local government mask mandates;

**WHEREAS**, the United States Supreme Court has previously held that “[u]pon the principle of self-defense, of paramount necessity, a community has the right to protect itself against an epidemic of disease which threatens the safety of its members;”

**WHEREAS**, the following actions related to requiring facial coverings in public are necessary and appropriate to balance the public’s interest in not being unduly burdened with the compelling public interest of providing for the health, safety and welfare of the residents of the City;

**WHEREAS**, the goal of this Ordinance is to increase the usage of facial coverings and masks and not revenue generation; and

**THEREFORE, IT IS HEREBY ORDAINED BY THE GOVERNING AUTHORITY OF THE CITY OF GUYTON, GEORGIA IN A CALLED MEETING ASSEMBLED AND PURSUANT TO LAWFUL AUTHORITY THEREOF, AS FOLLOWS:**

**SECTION 1.**

For purposes of describing the circumstances which warrant the adoption of this emergency ordinance, the governing authority of the City of Guyton, Georgia, hereby adopts and makes the findings included in the “WHEREAS” clauses as findings of fact.

**SECTION 2.**

- (a) The provisions of this Ordinance shall only be enforced when the prevalence of confirmed cases of COVID-19 over the previous fourteen (14) days is equal to or greater than one hundred (100) cases per one hundred thousand (100,000) people according to the Georgia Department of Public Health.
- (b) For purposes of this Ordinance, the following terms are hereby defined as follows:
  - (1) *Entity* means any private business, establishment, corporation, non-profit corporation, or organization, including the curtilage thereof.
  - (2) *Facial covering or mask* means a device to cover the nose and mouth of a person and impedes the spread of saliva, respiratory droplets, or other fluids during speaking, coughing, sneezing or other intentional or involuntary action. Medical grade masks are not required; coverings may be fashioned as advised by the CDC and from other suitable fabrics. The mask must cover the mouth and nose of the wearer.

- (3) *Polling place* means the room provided in each precinct for voting at a primary or election.
  - (4) *Public place* means any place other than a personal vehicle, residential property, or an entity including the curtilage thereof.
- (c) Except as otherwise provided in this Ordinance all persons in an entity or a public place shall wear a facial covering or mask over the mouth and nose at all times where other physical distancing measure may be difficult to maintain from non-cohabitating persons.
- (d) Facial coverings or masks are not required in the following circumstances:
- (1) In personal vehicles or upon residential property;
  - (2) When a person is alone in enclosed spaces or only with other household members;
  - (3) When the individual has a religious objection to wearing a facial covering or mask;
  - (4) While drinking or eating;
  - (5) When a licensed healthcare provider has determined that wearing a facial covering or mask causes or aggravates a health condition for the individual or when such person has a bona fide medical reason for not wearing a facial covering or mask;
  - (6) When wearing a facial covering or mask would prevent the receipt of personal services or performing work in the course of employment;
  - (7) When complying with the directions of a law enforcement officer or for the purposes of verifying a person's identity, such as when purchasing alcohol, tobacco, or prescription drugs or when engaging in a financial transaction;
  - (8) Children under the age of ten (10) years;
  - (9) When the individual is having difficulty donning or removing a face mask or face covering without assistance;
  - (10) At any polling place and no individual shall be denied ingress or egress to or from a polling place for failure to wear a facial covering or mask; and
  - (11) When outdoors and maintaining social distancing from anyone other than individuals with whom they cohabitate.
- (e) (1) Every entity subject to this Ordinance which does not consent to enforcement of this Ordinance upon its property shall post a clearly legible sign in one inch Arial font at all public entrances of such entity stating the following: "This location does not consent to enforcement of any local face covering requirement upon this property."
- (2) If an entity does not post the signage described in subparagraph (1) of this paragraph it shall be conclusively presumed to have consented to enforcement of this

Ordinance on its property and failures by individuals to wear facial coverings or masks as required by this ordinance shall be determined to be violations and enforced as contemplated in paragraph (f).

- (f) Violations of this Section 1 may be enforced by a notice of ordinance violation issued by any police officer, code enforcement officer, or other authorized law enforcement official, as provided below:
- (1) A person who fails to comply with paragraph (c) of Section 1 of this Ordinance shall be first given a warning and an opportunity to put on a facial covering or mask, leave the entity, or comply with one of the exceptions in paragraph (d) of Section 1.
  - (2) If the person violating this Ordinance refuses or fails to comply with this Ordinance after being given a warning pursuant to subparagraph (1) of this paragraph then such person may be subject to a civil penalty of not more than \$25.00 on the first offense and not more than \$50.00 on the second and any subsequent offenses.
  - (3) A notice of violation may be served by delivery into the hands of the suspected violator or by other reasonable process for serving notice of ordinance violations used by the City.
  - (4) Violations of this ordinance shall not be enforced against any entity and shall not be taken against any owner, director, officer, or agent of an entity for the failure of their customers to comply with this ordinance.
  - (5) Notwithstanding the foregoing, every effort shall be made to bring an individual into voluntary compliance with the terms of this Ordinance prior to issuance of any notice of violation, including providing complimentary masks, explaining the importance of wearing facial coverings during this pandemic, and issuing verbal and written warnings.
- (g) In all locations where facial coverings or masks are not required to be worn pursuant to this Ordinance, they are strongly encouraged to be worn.

### **SECTION 3.**

This Emergency Ordinance shall be effective immediately and shall remain in effect until 11:59 p.m. on Thursday, October 8, 2020, which is thirty (30) days from the date hereof.

### **SECTION 4.**

Should any provision, paragraph, sentence, or word of this Ordinance be rendered or declared invalid by any final court of competent jurisdiction, the remaining provisions, paragraphs, sentences, or words of this Ordinance shall remain in full force and effect.

**SECTION 5.**

Should any ordinance or part thereof be found to conflict with this ordinance or the provisions thereof, then those sections contained herein shall be deemed controlling.

SO ORDAINED AND RESOLVED, this 8<sup>th</sup> day of September, 2020.

**CITY OF GUYTON**

\_\_\_\_\_  
Russ Deen, Mayor

Attest:

Approved as to form:

\_\_\_\_\_  
Tina L. Chadwick, City Clerk

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Benjamin M. Perkins, Esq., City Attorney

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Mayor Pro Tem Michael Johnson

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Council Member Joseph Lee

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Council Member Hursula Pelote

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Council Member Marshall Reiser

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Bill Sawyer, City Manager

T-SPLOST Project

Final List

Glenmore Drive	43,000.00
Exit to Guyton Elementary	40,000.00
W Central Blvd (119 to Halfway Rd)	217,550.00
Powell Rd (4th Street to Brogdon)	50,000.00
Central Blvd (PO to Lynn Bonds)	70,000.00
Del A Rae Circle	182,500.00
Brogdon Rd (Magnolia to City Limits)	135,000.00
Lynn Bonds (17 to Church)	57,905.00
Reese Ln	15,000.00
Dilmus Jackson Ln	75,000.00
Cherry St (Samual Small's to Brogdon)	45,000.00
Crossgate Subdivision	200,000.00
Drainage Improvements	25,000.00
Contingency 10%	93,095.50
Surveying / Engineering / Testing	99,924.04
Total Costs	<u><u>1,348,974.54</u></u>



# Life is GOOD in Guyton!



## STAY INFORMED

Go to [CITYOFGUYTON.COM](http://CITYOFGUYTON.COM)  
and subscribe to our News Alerts

**CONGRATULATIONS**  
to the city of Guyton  
for winning the 8/10-8/14  
GMA 2020 Census Challenge!

If you haven't completed your  
Census, call 844-330-2020 or go  
to [2020census.gov](http://2020census.gov) for help.  
A low count will effect our  
community for a decade.



Call City Hall at  
912-772-3353  
and place a  
**WORK ORDER**  
for your yard debris  
to be picked up on  
**TUESDAYS**



## COVID19 TIPS

Wash your hands

Stay 6 feet from others

Wear a mask

Stay home if you're sick







Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

## CALENDAR OF EVENTS

Tuesday, September 1, 2020 at 6:00 p.m.  
City Council Workshop Via Teleconference

Tuesday, September 8, 2020 at 7:00 p.m.  
City Council Meeting Via Teleconference

Tuesday, September 22, 2020 at 7:00 p.m.  
Planning and Zoning Meeting Via Teleconference

Check [www.cityofguyton.com](http://www.cityofguyton.com) or our Facebook page for more up-to-date information!

### Small Business Economic Recovery Grant

Complete your Small Business Economic Grant Application if you have not submitted one. Deadline for submission is September 18th.

Drop your completed Application off at City Hall or email it to [tina.chadwick@cityofguyton.com](mailto:tina.chadwick@cityofguyton.com)



### T-SPLOST will be on the ballot in November!

Guyton's List of Projects if T-SPLOST Passes:

Brogdon, Central, Cherry, Crossgate, Del-a-rae, Dilmus Jackson, Glenmore, Guyton Elementary Exit, Lynn Bonds, Powell, Reese, W. Central and City Drainage Improvements.

This 1% sales tax is a way for all citizens and businesses to help prepare for the future of Effingham County. These funds can ONLY be spent on the projects listed. If you have questions, reach out to your elected officials and the Effingham Chamber of Commerce for more information.