

EXECUTIVE ORDER NO. 1

CITY OF LOWELL, BENTON COUNTY, ARKANSAS

**AN EXECUTIVE ORDER ESTABLISHING TEMPORARY
PROTOCOLS FOR PUBLIC MEETINGS DURING TIMES OF
NATIONAL OR STATEWIDE EMERGENCY.**

WHEREAS, on March 11, 2020, Arkansas Governor Asa Hutchinson issued an Executive Order to Declare a State of Emergency due to the outbreak of coronavirus disease 2019 (COVID-19) across the United States and in Arkansas;

WHEREAS, public schools and universities across the state have been closed due to this State of Emergency and further orders by Governor Hutchinson;

WHEREAS, the disease is known spread from person to person contact;

WHEREAS, public events, meetings, and gatherings have been cancelled throughout the state of Arkansas due to continued transmission of the disease throughout the state and the Arkansas Supreme Court has ordered that all in-person proceedings in Arkansas Courts are suspended;

WHEREAS, businesses throughout the state of Arkansas have closed or have employees working from home in order to limit the transmission of the disease;

WHEREAS, continued public events, meetings, and gatherings pose an immediate threat to the health, safety and welfare of the general public and the Governor has ordered that public gatherings, with limited exceptions, of more than ten (10) persons are prohibited;

WHEREAS, due to the nation-wide and state-wide emergencies that have been declared, the state mandated orders and the city's authority under Arkansas law to use police powers to protect the health, safety and welfare of citizens and the general public, the City of Lowell must establish a protocol for the conduct of public meetings during times of such emergencies in order to safely and appropriately conduct public business while best adhering to the principals of the Arkansas Freedom of Information Act ("FOIA") and Arkansas law; and

WHEREAS, such a protocol shall apply to the City Council, Planning Commission, Board of Zoning Adjustments and other public meetings and hearings involving the City of Lowell ("Public Meetings") as required by the FOIA and Arkansas law; and

WHEREAS, in accordance state law, the Mayor of Lowell signed a declaration of emergency on March 19, 2020 which provides for the issuance of executive orders to further the purposes of protecting the public and promoting the safe and stable continuation of governmental functions during this time of emergency.

**NOW, THEREFORE BE IT ORDERED BY THE MAYOR OF LOWELL,
ARKANSAS:**

1. Public Meetings and hearings through electronic or virtual participation by city officials, city employees or the general public shall be allowed during a time of a nation-wide or state-wide emergency upon the order of the Mayor of Lowell.
2. City Council members, Planning Commissioners, members of the Board of Zoning Adjustments may choose to be physically present or to attend any Public Meetings or hearings during this temporary period of time through a conference call or telephone or a computer device which allows an audio or video to be transmitted and recorded. Such electronic or virtual participate shall ensure that that an official can hear other official participants of the meeting and also be heard by other participants of the meeting.
3. For Public Meetings in which city officials, city employees or the general public or present, proper distancing guidelines as recommended by the Centers for Disease Control shall be observed, if necessary.
4. Public participation in Public Meetings is encouraged and permitted and shall be conducted through a virtual web conference application or publicly accessibly video stream and audio stream that will allow public participants to hear the discussion and make public comments at the appropriate times in the meeting. Public comments will also continue to be encouraged through email, US mail, or other forms of appropriate transmission to the City of Lowell.
5. Notice of this Order shall be made by the posting it on the City of Lowell website as well all City of Lowell social media sites and accounts. In addition, this order shall be made available to any person who requests it. This order shall be filed with the City Clerk's office.

SIGNED and ORDERED this 13th day April, 2020.

APPROVED:



CHRIS MOORE, Mayor