

1. CALL TO ORDER

A special meeting of the Dillingham City Council was held on Tuesday, October 15, 2020, via video and conference call, in Dillingham, Alaska. Mayor Ruby called the meeting to order at 7:03 p.m. The council meeting was preceded by a workshop on the COVID Plan.

2. ROLL CALL

Mayor Ruby was present.

Council members present and establishing a quorum (a quorum being four):

Andy Anderson	Chris Napoli	Kaleb Westfall
Gregg Marxmiller	Curt Armstrong	

Bill Rodawalt - excused

Staff in attendance:

Lori Goodell	Tod Larson
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3. APPROVAL OF AGENDA

MOTION: Chris Napoli moved and Gregg Marxmiller seconded the motion to approve the agenda.

VOTE: The motion passed unanimously by roll call vote.

4. CITIZEN'S DISCUSSION (Open to the Public)

DMC 2.09.100. Addressing the council by the public.

C. Citizens' Discussion. Taxpayers or residents of the city or their authorized representatives may address the council by oral communication on any matters concerning the council's approved agenda; the speaker will be allowed three minutes.

The following remarks were expressed:

- Striving for balance is important. The burden of government mandates and restrictions cannot be maintained indefinitely.
- Going back to in-person meetings was suggested, noting that all need to be heard.
- Mentioned the importance of contact tracing, noting the state system has not been able to provide quick notification.
- Limiting travel and business is concerning. It is time to go back to business as usual. Mitigation needs to consider the economic impact.
- The Great Barrington Declaration was referred to. Focused protection applied where needed.
- Proposed Ordinance 2020-22 goes too far overboard. The COVID Plan needs to include clear guidelines between levels, and subsequent actions to follow. Concern for constitutional rights made.
- Measures from previous ordinance should be incorporated. Follow science and medical recommendations. Include strong testing, quarantine, and enforcement.
- Concern expressed about giving one person too much authority. Council should maintain emergency ordinance method.
- The social, mental health, and impact to cost of living need to be evaluated. Consideration for the educational aspect, students need to be in school.
- Travel permits are a nuisance, face masks are ineffective. The mortality rate is low and livable. Demand for freedoms was made.
- The restrictions are creating an unhealthy environment of fear. There is a pandemic of fear, we need to stop the fear.
- Increase in COVID cases, local and state wide was noted. There is a need to buckle down so all stay safe.

- Case numbers are increasing. There is a continued need to protect the community. 14 day quarantine and face masks have proven effective. Current loopholes need to be removed. At risk populations need to be protected.

5. SPECIAL BUSINESS

- a. **Introduce Ordinance 2020-22;** An Ordinance of the Dillingham City Council Authorizing the City Manager to Utilize the Emergency Operations Center to Promulgate and Enforce Regulations to Stop the Spread of COVID-19 in Accordance with the Recommendations in the City of Dillingham COVID-19 Mitigation Plan

MOTION: Chris Napoli moved and Andy Anderson seconded the motion to introduce Ordinance 2020-22.

This Ordinance is to allow the City to have a nimble response to changing conditions and new expert data as it becomes available. And to use the HMP and EOC already approved and in place.

- According to the plans approved and in place (HMP and EOP) the Incident Commander is the City Manager, who runs day-to-day operations under the direction of the Mayor and Council.
- This Ordinance is overreaching, does not have enough detail for a basis of decision, is totalitarian, Un-American, unconstitutional and against the oath of office.
- The manager was identified in 1987 as the Incident Commander. Authority already exists through previous actions, in an Emergency Operations Plan adopted in 1987 and readopted many times, as recently as 2018.
- Plan should be based on training and knowledge.
- Communication and outreach are important.
- Verified this document has been through a legal review.

VOTE: The motion passed 4 in favor, 1 opposed by roll call vote.
 Andy – Y Chris – Y Curt – Y Gregg – Y Kaleb – N

- b. **Adopt Resolution No. 2020-20,** A Resolution of the Dillingham City Council Accepting the Certification of the Canvassing Committee Results and Certifying the October 6, 2020 Regular City Election
DMC 3.7.040 B, Upon certification of a valid election, the city council shall direct the clerk to deliver to each person elected to office a "certificate of election" signed by the mayor and the clerk and authenticated by the seal of the city.

MOTION: Andy Anderson moved and Chris Napoli seconded the motion to adopt Resolution 2020-20.

VOTE: The motion passed unanimously by roll call vote.

- c. **Oath of Office for Newly Elected Council Members**
DMC 2.06.040 Election of Members, The regular term of office begins on the first Monday following the certification of election.
 - The oath of office was taken by Curt Armstrong, who was reelected to council seat D.
 - Aksel Buholm will be contacted to take the oath of office prior to being seated in council seat C.

6. COUNCIL COMMENTS

Kaleb Westfall:

- Stated Ordinance 2020-22 is overreaching and terrifying. Noting we cannot justify what it proposes, that it is treason.
- Commented he chooses to live in Dillingham and wants it to be the best community.
- Expressed concern that decisions not be based on loudest voice or highest position.
- Worries about people being shunned if they fight for what they believe is right.
- Stated it has been a pleasure to be on council.

Chris Napoli:

- Thanked Councilmember Westfall for his candor, debates, and offers of solutions.
- Welcomed Aksel Buholm to council and Curt Armstrong for three more years.
- Noted he is glad he does not live in a community that shuns people; he is proud of the place he lives and if he observed something like shunning, he would step in and stop it.
- Stated all are trying to get back to a normal life.

Gregg Marxmiller:

- Encouraged all to be skeptical, and to verify facts.
- Noted the need for all to go the extra mile and be gracious.
- Thanked Kaleb Westfall for his service, intellect, fervor and passion, which allowed for discussion on all sides of issues.
- Congratulated Aksel Buholm, and Curt Armstrong.

Curt Armstrong:

- Thanked Kaleb Westfall for stepping up and taking on the job of councilmember, and bringing a different perspective.
- Stated Dillingham is way above some of the comments that have been made. The community is one of comradery.
- Commented he looks forward to working with Aksel Buholm.

Andy Anderson:

- Noted Kaleb for his dedication and always giving his best efforts during his term.
- Congratulated the new and reelected members to city council and the school board.

7. MAYOR'S COMMENTS

Alice Ruby:

- Stated this is her home, and is a tight knit community.
- Expressed a difference of opinions, and debate are good, they help find the middle ground.
- Noted education is a big part of implementation with the COVID Plan.
- Commented this community is not about shunning for any reason.
- Thanked Kaleb Westfall for stepping into the seat when someone was needed, and for the interesting debates.
- Appreciates that Curt Armstrong keeps going, and Aksel Buholm for serving.
- Encouraged all to be safe, and don't take risks. Noting it is easy to wear a mask and maintain social distancing.


8. ADJOURNMENT

Mayor Ruby adjourned the meeting at 8:20 p.m.



Mayor Alice Ruby
[SEAL]

ATTEST:



Lori Goodell, City Clerk

Approval Date: Nov. 5, 2020