

1. CALL TO ORDER

A special meeting of the Dillingham City Council was held on Thursday, March 26, 2020, via video conference, in Dillingham, Alaska. Mayor Ruby called the meeting to order at 10:05 a.m.

2. ROLL CALL

Mayor Ruby was present.

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

Andy Anderson	Gregg Marxmiller	Kaleb Westfall
Chris Napoli	Curt Armstrong	Bill Rodawalt

Staff in attendance:

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3. APPROVAL OF AGENDA

MOTION: Chris Napoli moved and Curt Armstrong seconded the motion to amend the agenda to add public comment prior to 4. Emergency Business and approve the amended agenda.

VOTE: The motion to approve the amended agenda passed unanimously by roll call vote.

4. PUBLIC COMMENT

Local citizens made the following points regarding the proposed Emergency Ordinance:

- Consider necessary maintenance in Essential Travel.
- Will the public be allowed to assist with knowledge for Enforcement?
- Seafood industry focus is safety first, they are addressing screening, quarantine methods, and delayed arrival of staffing. Plans must be submitted to the State.
- A mechanism for pass-through travel was requested.
- School District focus is safety of students and staff. Pass through travelers was a concern.
- The status for fisherman was requested.
- It was stated a method to address unusual circumstances for travel not addressed in the ordinance would be needed.
- Authority to take action, and enforcement measures, and alternate means of travel were commented on.
- Concern for the public's health was remarked on. Comments on the need for isolation and learning from history was cited.
- It was stated the local system cannot handle an epidemic. The National Guard may be needed to assist with local enforcement.
- Clarification on timing for travel restrictions was requested.
- Several local businesses state they will comply with City directives.
- Commented a unified effort by citizens for isolation and quarantine is needed.
- Tribal entities spoke regarding resolutions and recommendations they have made.
- Expressed concern about attempting to control exit from the community.
- Question whether the city has the ability to enforce the ordinance.
- Question about how the requirements will affect guiding businesses that may begin gearing up soon.
- Need for some narrow exceptions for allowing transport of a child in order to unite families.
- Recommend consider ways to restrict other avenues of entry into the community such as boats, snow machine.

5. EMERGENCY BUSINESS

- a. Adopt **Emergency Ordinance 2020-05(A)**; An Emergency Ordinance of the Dillingham City Council; 1) Establishing a Temporary Land Use District Called the Essential Air Travel District; 2) Limiting Permitted Uses Within the Essential Air Travel District to Those Persons Engaged in Essential Air Travel and 3) Requiring Certain Persons Disembarking at Planes in Dillingham to Self-Quarantine for Fourteen Days

MOTION: Kaleb Westfall moved and Bill Rodawalt seconded the motion to adopt Emergency Ordinance 2020-05(A).

City Attorney Brooks Chandler reviewed the proposed Emergency Ordinance.

- Spoke regarding legal authority, geographic boundaries, land use regulations, and mechanism for enforcement.
- Stated it is beneficial include local conditions such as Curyung Tribe Resolution.
- State and Federal laws were considered, including constitutional rights.
- Noted this is a severe health emergency.

MOTION: Chris Napoli moved and Gregg Marxmiller seconded the motion to amend Emergency Ordinance 2020-05(A), to include Curyung Tribal Resolution 2020-11 under section 1, add permitting system to section 5 to allow consideration of travel not defined under essential travel, set the fine at \$1,000 in section 11, make the effective date March 27, 2020 at 11:59 p.m. through May 1, 2020.

VOTE: The motion to amend Emergency Ordinance 2020-05 passed unanimously by roll call vote.

MOTION: Gregg Marxmiller moved and Bill Rodawalt seconded the motion to amend Emergency Ordinance 2020-05(A), to delete section 5 and add permitting system as outlined in the Nome, Alaska ordinance.

VOTE: The motion to amend Emergency Ordinance 2020-05 passed by roll call vote: Andy Anderson, Gregg Marxmiller, Chris Napoli and Bill Rodawalt in favor. Curt Armstrong and Kaleb Westfall opposed.

VOTE: The motion to adopt Emergency Ordinance 2020-05 as amended passed by roll call vote. Andy Anderson, Gregg Marxmiller, Chris Napoli, Curt Armstrong, and Bill Rodawalt in favor. Kaleb Westfall opposed.

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

Local citizens made the following points regarding the proposed Emergency Ordinance:

- Concern was expressed regarding travel for medical situations.
- It was clarified that commercial fishing is a critical infrastructure, sport fishing is not essential.
- Council was thanked.
- Stated the permit system is a mistake.
- Noted this only addresses air travel.
- Spoke regarding the need to address impact on outlying communities.
- The honor system is required by all to keep the community safe. The issue is urgent and beyond the local capabilities.
- Uneasiness for transference of the virus was mentioned.
- Permitted use was questioned.

7. COUNCIL COMMENTS

Chris Napoli:

- Commented we must rely on personal responsibility.
- Stated all comments are appreciated.
- Noted the fisheries are working to take preventative measures, and will try to protect the community.

Bill Rodawalt:

- Encouraged staff to have the administrative regulations for the permitting process in place as soon as possible and share with the council in the next packet.

Kaleb Westfall:

- Stated he was worried about passing the ordinance without knowing what the amended language is.

Curt Armstrong:

- Noted there have been travel issues in the past and hopes air travel will be available.

Andy Anderson:

- Stated restrictions for out bound travel need to be looked at.

Gregg Marxmiller:

- Commented he appreciates all who joined the meeting and those that participated, especially considering the technical difficulties.
- Stated there are still some issues that need to be addressed.
- Noted all people have the duty to be responsible and consider the safety of the community.
- Hopes this is taken care of fast so the will be a safe fishing season.

8. MAYOR'S COMMENTS

- Stated this is our home and we want to keep everyone safe.
- Commented she appreciates everyone's patience with the meeting's difficulties.
- Noted this issue will be on the agenda for the meeting next week.
- City Attorney Brooks Chandler was thanked for his participation.


9. ADJOURNMENT

Mayor Ruby adjourned the meeting at 12:59 p.m.



Mayor Alice Ruby [SEAL]

ATTEST:



Lori Goodell, City Clerk

Approval Date: April 2, 2020