

THE CITY AND BOROUGH OF JUNEAU, ALASKA
SPECIAL ASSEMBLY MEETING
Meeting Minutes – July 20, 2020

MEETING NO. 2020-38: The Special Meeting of the City and Borough of Juneau Assembly held by virtual webinar, was called to order at 5:30 p.m. by Mayor Beth Weldon.

I. CALL TO ORDER / ROLL CALL

Assemblymembers Present: Wade Bryson, Rob Edwardson, Michelle Bonnet Hale, Maria Gladziszewski, Loren Jones, Carole Triem, Alicia Hughes-Skandijs, Greg Smith, and Mayor Beth Weldon.

Assemblymembers Absent: None.

Staff Present: City Manager Rorie Watt, Deputy City Manager Mila Cosgrove, Municipal Clerk Beth McEwen, Deputy Clerk Diane Cathcart, City Attorney Robert Palmer, Library Director Robert Barr.

II. APPROVAL OF AGENDA

Deputy Manager Cosgrove asked to change the Manager's Recommendation on Ordinance 2020-40 and refer it to the Assembly Finance Committee on July 22 at noon and set it for public hearing at the next regular Assembly meeting.

Hearing no objection, the agenda was approved with that amendment.

III. AGENDA TOPICS

A. COVID-19 EOC Update

Ms. Cosgrove provided the EOC update for the Assembly. There were 64 confirmed resident cases, and there were 37 confirmed nonresident cases. All of the nonresident cases are related to the cluster at Alaska Glacier Seafoods (AGS). The Division of Public Health is continuing contract tracing, and they are currently investigating 38 individuals. Ms. Cosgrove gave a detailed explanation of the cluster at AGS, noting that the majority of those cases were asymptomatic and contained within that cluster.

B. PUBLIC HEARING:

Emergency Ordinance 2020-41 An Emergency Ordinance Requiring a Face Covering in Certain Indoor Settings and Providing a Penalty.

Numerous trusted public health officials have identified that mask wearing is one of the most important COVID-19 transmission mitigation measures. These health officials include the Alaska Chief Medical Officer, the Alaska Chief Epidemiologist, and the director of the Centers for Disease Control.

While it would be better if citizens voluntarily wore masks, they are not doing so in sufficient numbers to eliminate community transmission. Mitigation of this disease is critical for the well-being of our citizens, our businesses, our school system and our health care system.

This ordinance would require people to wear a face covering when in a publicly accessible indoor location or an indoor communal area outside the home. There are exceptions for people with disabilities or young children. The substance of this ordinance is nearly identical to Ord. 2020-35, except this ordinance would take effect immediately. This ordinance is very similar to the Anchorage mask mandate. As this is an emergency ordinance, it requires six votes to pass. **The Deputy City Manager recommends the Assembly adopt this emergency ordinance.**

Public Comment

Anne Connelly, a Tennakee Springs resident, referred to the medical professionals, such as Dr. Fauci and the CDC, who have repeatedly stated that wearing masks is a way to help slow the spread of the virus. She said she talks to people every day who seem confused by the things they are hearing, and she believes Juneau would benefit from the Assembly's leadership. Ms. Connelly urged the Assembly to keep the community safe by passing the mask mandate.

Kevin Ritchie, a West Juneau resident, said that earlier today, the director of the CDC stated that if we all wore face coverings for the next 6-12 weeks, the virus transmission would stop. He said that Juneau has to pass this ordinance before the virus becomes out of control. Mr. Ritchie added that CBJ is ensuring safety through safety regulations: speeding laws, building codes, etc. He would like to applaud the schools, stores, and facilities which have put safety protocols in place, and would like for that to be consistent throughout the community. He concluded by acknowledging that we all want to put this virus behind us, and to do that we must all work together to wear masks. He strongly urged the Assembly to pass the mask mandate.

Hillary Reynolds, an Auke Bay resident, thanked the Assembly for handling this situation with effective leadership. She said that because the Assembly has not made masks mandatory, several stores have chosen to implement their own safety measures. She said that it is inaccurate to enforce mandates based on the number of COVID-19 cases, which she claimed are only increasing because of widespread availability of testing. She referenced the two deaths of Juneau residents due to COVID-19, saying that since those residents died out of town, it means that Juneau has had no local deaths. Ms. Reynolds said that this is evidence that the virus is being held accurately for our town. She encouraged the Assembly to lead off of American principle rather than fear, saying that what is in place has been working.

Kirby Day, a Juneau resident, asked the Assembly to pass the ordinance this evening. He believes the goal of the ordinance is to reduce the spread of the virus in our community, and face coverings do reduce the risk. He encouraged the Assembly to follow the guidance of medical and health professionals of the world, including Dr. Zink.

Phillip Moser, a valley resident, said he believes it is important that this not become a political issue, and that this is entirely a health issue. He shared that he has been working with JSD after-school programs, and feels the JSD staff are trying very hard to ensure that everyone is safe. Although he believes the JSD staff has been doing a great job at keeping children safe, he said he does not feel JSD has an adequate plan to prevent transmission when school opens. Mr. Moser

urged the Assembly to pass the mask mandate to ensure that JSD can begin its school year as safely as possible.

John Sisk, a Douglas resident, spoke in support of the ordinance. He mentioned that COVID-19 is surging in the Lower 48, and Alaska is experiencing that surge as well. He said that we should take this additional measure to protect the health of ourselves and each other. Mr. Sisk added that wearing a mask should not be a political issue. They are a demonstration of respect and care for all of the members of our community. He said by enforcing the mask mandate, it will reduce the number of COVID-19 cases in Juneau, which will ultimately be better for businesses, families, and everyone who lives here.

Tom Williams, an Auke Bay resident, said that there has not been a significant spike in hospitalizations and deaths, saying that most of those infected with the virus recover without being hospitalized. He added that Juneau has gone four months since the declaration of emergency without imposing a mask mandate, which he said has caused very little adverse effect towards our residents and visitors. Mr. Williams asked the Assembly what has suddenly changed for them to pass a mask mandate, to which he claimed the answer was nothing. He mentioned that several stores have imposed their own mask protocols, saying that those who are concerned about their safety can choose to shop at those locations. Mr. Williams concluded by telling the Assembly to stop promoting fear and infringing upon civil liberties, and not to pass this ordinance.

Kelly Fishler, a valley resident, urged the Assembly to not pass the emergency ordinance. She said that there have been multiple studies published that show the transmission of COVID-19 can pass through masks, and the mask mandate would not resolve this issue. Ms. Fishler added that the wearing of masks can cause anxiety for anyone who has been the victim of assault, saying that the difficulty in breathing causes a negative experience. Ms. Fishler shared that she used to serve in the military and was sexually assaulted. She said that the times she had to wear a mask in the doctor's office was an awful experience. She also added that she has physical disabilities that limit her breathing, but not her immune system. She told the Assembly not to pass this ordinance, saying that it is not good for the economy or for victims.

John Heueisen, a valley resident, said that he noticed other residents, like on Juneau Community Collective, who have developed political and ideological positions on this issue. He said that wearing masks feels like a uniform, and he is not sure on how the Assembly plans to enforce the mandate. He added that he would hate to see the Assembly make criminals out of law-abiding citizens of this town over a political or philosophical position. He concluded by claiming the Assembly hopes to maintain fear, in order to have a particular election result that they desire to see.

Mike Pierson, a valley resident, spoke against this ordinance stating he believes it is too early to impose this. He said that the measures currently in place in the community are adequately addressing the concerns. He referenced Item F and Item G of the ordinance, and is concerned about individuals who may publicly shame those who are not wearing masks. Mr. Pierson asked the Assembly to consider adding a violation clause against shaming others on social media.

Jessi Lambert, a valley resident, said that the increase of positive COVID-19 cases in Alaska can be attributed to the increased availability of widespread testing. She believes it is important to take widespread testing into consideration when forming public policies. Ms. Lambert gave statistics that compared the percentage of COVID-19 related deaths, to the percentages of deaths related to car accidents, firearms, and choking on food. She believes a mask mandate would further divide the community, and said it violates others' rights to privacy and personal safety.

Stephen Paddock, a valley resident, said that this would take away personal liberties by not allowing people to decide what they want to put on their faces. He referenced studies that call into question the effectiveness of N95 masks. He concluded by saying that masks do not do anything.

Martin Stepetin Sr., a Douglas resident, spoke in support of the mask mandate. He appreciates the Assembly for taking the time to listen to the concerns of the community, and said that they would be doing so by passing the emergency ordinance. He added that the only way to manage this pandemic is to keep it from spreading, saying that our ability to do that is by wearing masks. Mr. Stepetin believes that by passing this ordinance, the Assembly would be sending a clear message to the community.

Paul Kelly, a Douglas resident, shared that he is an elected member of the Juneau Board of Education, but is speaking tonight as a private citizen. Mr. Kelly said that most research indicates students learn best in an in-person classroom with a teacher. He added that members of the community have a responsibility to protect our students, teachers, parents, and elders. He mentioned that JSD's current plan of converting to distance learning due to community transmission would result in students falling behind. Mr. Kelly stated that masks have been proven to lower the spread of the virus. He shared that the Board of Education recently implemented its own mask mandate for JSD, and strongly urged the Assembly to enforce this mandate city-wide.

Ray Russo, a valley resident, said that neither the United States of America nor the State of Alaska has enforced a country or statewide mask mandate and he did not think the City of Juneau should implement a mask mandate throughout the city.

Paul DeSloover, a Juneau resident encouraged the Assembly to pass this ordinance, and believes it would help the economy. He explained that he and his friends and family do not like to go into businesses where the staff are not wearing masks, and passing this ordinance would accelerate the economy. Mr. DeSloover thanked the Assembly for listening, and encouraged them to pass the mask mandate.

Matthew Maxiner, a downtown resident said he represents the Alaska Libertarian Party Southeast Region. Mr. Maxiner said he opposed this ordinance, sharing that he has an autoimmune disease. He said that this ordinance causes issues with civil liberties and sends conflicting messages. He added that a citywide mask ordinance is not right, and wearing masks is something that should be voluntary.

Chris Sperry, a valley resident, shared that he is a board-certified pharmacist who has been trained in infectious diseases. He said that the medications they have to treat COVID-19 are very limited, and only improve survival by a small margin. He added that the data that they do have about masks is overwhelmingly favorable. Mr. Sperry pleaded with the Assembly to approve this ordinance, saying that it protects everyone.

Ryan Stanley, a Juneau resident, spoke in favor of the ordinance, and thanked the Assembly for their leadership.

Max Rosen, a downtown resident, spoke in support of the mask mandate, saying that the data clearly shows that masks can assist in blocking transmission from infectious diseases. He added that wearing masks is a small individual action to protect the whole community. Mr. Rosen believes that this preventive measure will help all of us down the line.

Amy Paige, a downtown resident, spoke in support of the ordinance. She suggested that the Assembly avoid placing the responsibility of enforcing this ordinance onto JPD. She recommended hiring other qualified CBJ staff who have good de-escalation skills to enforce the ordinance. She also suggested working with businesses and supporting them with creating their own mask mandates.

Crystal Nelson, a downtown resident, spoke in support of the ordinance. She shared that she has autoimmunity issues and has been terrified of this virus, often using curbside pickup for groceries. She said that when she does occasionally enter a store, she has consistently seen people who are not wearing masks or social distancing. She added that this virus is life or death for some people, and finds it hard to protect herself and her family when other people are not doing their part. Ms. Nelson said she appreciates the Assembly for considering this.

MOTION by Ms. Gladziszewski for the Assembly to adopt Emergency Ordinance 2020-41 and asked for unanimous consent.

Mayor Weldon asked the Assemblymembers if they would like to make a brief comment regarding their vote on this matter.

Mr. Jones had no comment.

Ms. Gladziszewski said that this is an important issue that they have heard hundreds of constituents weigh in on. She shared that several citizens support this ordinance, and she supports this ordinance as well. She also mentioned Dr. Fauci's statement on Friday that urges city and state leaders to be as forceful as possible in getting their citizenry to wear masks. Ms. Gladziszewski said that she is in support of this ordinance because she would like to see schools open, and believes it is important for kids to get to school.

Mr. Edwardson echoed Ms. Gladziszewski's comments, and said that the experts say that masks work. He added that as elected officials, they have a public responsibility to do what they can to protect the public and look out for their safety. He supports this ordinance.

Ms. Triem thanked everyone who called in and sent emails of their testimony. She also echoed Ms. Gladziszewski and Mr. Edwardson's comments, saying that the science is very clear on masks. She said that the faster we can kick COVID-19 out of Juneau, the faster we can return to normal. Ms. Triem urged the community to comply with this emergency ordinance.

Ms. Hale thanked her fellow Assemblymembers for not objecting to this ordinance. She stated that they are passing this ordinance for our schools, our children, our businesses, and our senior citizens. Ms. Hale thanked everyone for providing their testimony, and said she is 100% in support of this ordinance.

Mr. Bryson said he knew at some point that the mask mandate was going to come to the Assembly, but did not know if the community had reached the point to where it was necessary. He shared that the events that transpired over the past weekend – the increase in cases, and the positive test his father received yesterday – proves to him that Juneau has reached a point to where they must take action.

Ms. Hughes-Skandijs echoed comments of senior members of the Assembly, and is doing this based on safety and public health. She added that she is following the advice of the experts, and it is pretty clear that everyone needs to wear a mask. She supports this ordinance, and reminded the community that the Assembly cannot legislate kindness. She urged the community to be kind to our fellow residents.

Mr. Smith thanked all the members of the public for writing in so the Assembly could hear from them. He said that he supports this ordinance, because it is another thing to ask people to do what they can to protect our community and our neighbors.

Mayor Weldon said she was not in favor of mandating anything, saying that it rubs her the wrong way. She has heard a lot of people say that they do not want to go back to hunkering down. She thanked everyone for all of their emails and sharing their testimony. She said that she is reluctantly voting for this ordinance, in order to reduce community spread and to open the schools. She reiterated what Ms. Hughes-Skandijs said about being kind to one another, and implored people to be considerate towards others.

Hearing no objection, Emergency Ordinance 2020-41 passed by unanimous consent.

IV. CONSENT AGENDA

MOTION by Mr. Jones to pass the Consent Agenda with the changes requested by the Deputy City Manager, and asked for unanimous consent. *Hearing no objection, the Consent Agenda passes by unanimous consent.*

Ms. Triem asked about the AFC meeting that was noted in Ms. Cosgrove's recommendation. Mayor Weldon clarified that the AFC meeting was just scheduled today and will be held on Thursday, July 22 at 12:00 p.m.

V. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS

Amy Paige, a downtown resident, spoke in support of the Systemic Racism Review Committee, saying that it is the least we can do after the protests that were held in June. She added that she hopes that the organizers who brought their concerns to the public have been consulted in bringing this ordinance forward. She believes it is a first step, and we need to start this discussion somewhere. Ms. Paige also shared that it is very difficult to find information on the Juneau Human Rights Commission on the CBJ website, and asked that they address that.

Terri Lauterbach, a downtown resident, said that she would like to see the roof at Augustus Brown Swimming Pool be repaired. She urged the Assembly to ask the City Manager to go forward with the roof renovations, and to protect it from the rain.

VI. ADJOURNMENT

There being no further business to come before the Assembly, the meeting adjourned at 6:50 p.m.

Signed: _____
Elizabeth J. McEwen, Municipal Clerk

Signed: _____
Beth A. Weldon, Mayor