

# CODE REVIEW COMMITTEE MEETING

Thursday, September 16, 2021 at 5:30 PM

# **AGENDA**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations / during this meeting should notify the City of Dillingham at 907-842-5212 at least three working days before the meeting.

#### **MEETING INFORMATION**

CITY COUNCIL MEETING
CITY HALL COUNCIL CHAMBERS
Limited Seating Available - Masks Required
141 Main Street, Dillingham, AK 99576 (907) 842-5212

This meeting will also be available at the following online location: https://us02web.zoom.us/j/83414316112?pwd=aitPS0lvTnhGTTlHd3hPQk5BK0FkZz09

Meeting ID: 834 1431 6112; participant #; passcode: 406188 Or dial (346) 248-7799; or (669) 900-6833

CALL TO ORDER
ROLL CALL
APPROVAL OF MINUTES

1. Minutes of July 29, 2021

APPROVAL OF AGENDA UNFINISHED BUSINESS

- 2. Review Task List
- 3. Trapping in City Limits

# **NEW BUSINESS**

4. Develop Public Comment Policy

PUBLIC COMMENT/COMMITTEE COMMENTS
ADJOURNMENT



# CODE REVIEW COMMITTEE MEETING

Thursday, July 29, 2021 at 5:30 PM

# **MINUTES**

# CODE REVIEW COMMITTEE MEETING CITY HALL COUNCIL CHAMBERS

141 Main Street, Dillingham, AK 99576 (907) 842-5212

#### **CALL TO ORDER**

The Code Review Committee met on Thursday, July 29, 2021, in the City Council Chambers, Dillingham, AK. Council Member Chris Napoli chaired the meeting and called the meeting to order at 5:35 p.m.

# **ROLL CALL**

Committee Members present:

Mayor Alice Ruby Chris Napoli Gregg Marxmiller

Lori Goodell Chris Hladick

Aksel Buholm - Excused

## **APPROVAL OF MINUTES**

1. Approve Minutes of June 10, 2021 Code Review Committee Meeting

MOTION: Alice Ruby moved and Gregg Marxmiller seconded the motion to approve the minutes

of June 10, 2021.

VOTE: The motion passed unanimously by voice vote.

# APPROVAL OF AGENDA

MOTION: Gregg Marxmiller moved and Chris Hladick seconded the motion to approve the

agenda.

VOTE: The motion passed by unanimous consent.

#### **UNFINISHED BUSINESS**

- 2. Trapping Regulation Update
  - Alaska Trappers Association provided sample signs, and offered to assist with signage.
  - Signs could be placed along bike path, at the boat harbor, and on bulletin boards.
  - Education and outreach will be needed.
  - Safety concerns expressed regarding trapping in area that children and pets use.
  - Keep on agenda; waiting for attorney opinion regarding authority of City.

#### **NEW BUSINESS**

- 3. Sea Inn Liquor License Renewal Application
  - Prom note signed in April, includes real property and sales tax. Payments are current.

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July 29, 2021

- Utility payment 15 days late. Not yet past due.
- Noted hardship COVID imposed and vendor efforts to get accounts current.
- Remarked on public safety pattern of disturbances not extreme, within expected limits.
   Establishment responsibilities noted, including response to educating employees about assault.
- Effort of City staff to work with vendor mentioned.

MOTION: Alice Ruby moved and Chris Hladick seconded the motion to recommend to City

Council to waive the right to protest the license renewal.

VOTE: The motion passed unanimously by voice vote.

# **PUBLIC COMMENT/COMMITTEE COMMENTS**

- Reviewed To Do List:
  - Sales tax exemption 4.20.050 T, refers to tax cap no associated with a lease equipment should it? Is tax cap still needed? Wayfair decision has leveled tax situation.
  - Should taxation on marijuana be taken up again?
  - Due to COVID casual and isolated sales detail on data still lacking.
  - o DMC 15.04 update completed; remove from list.
  - o Does exempt list need to be reevaluated?
  - Vendor permits one solution for tracking businesses without burden to isolated sales.
  - o FOL item completed, remove from list.
  - Trapping in city limits, waiting for attorney opinion.

# **ADJOURNMENT**

The meeting adjourned at 6:29 p.m.

	Chris Napoli, Chair	_
ATTEST:		
Lori Goodell, City Clerk		
Approval Data:		

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# **CODE REVIEW COMMITTEE'S TO DO LIST**

Section . Item 2.

C#/YR	DATE ASSIGNED		STATUS Resolved?	Finance & Code
	12/6/2018	Review Sales Tax exemption regarding lease 4.20.050 T		
	4/11/2019	Sales Tax Code review for casual and isolated sales (Revisit in 9/2020 to allow for more data)		
	5/13/2021	Prohibit trapping in city limits		
	8/12/2021	develop public comment / participation policy		

# CITY OF UNALASKA UNALASKA, ALASKA

#### **RESOLUTION 2021-03**

A RESOLUTION OF THE UNALASKA CITY COUNCIL ADOPTING A POLICY FOR PUBLIC COMMENT AT CITY COUNCIL MEETINGS

WHEREAS, public comment is an essential part of local government meetings; and

WHEREAS, the purpose of public comment is for members of the public to inform the City Council about their views; and

WHEREAS, guidelines for public comment are necessary for fairness and consistency; and

WHEREAS, because the format of City Council meetings has evolved to include participation via telephone and online platforms, additional guidelines are necessary to manage public comment for these participants in an orderly fashion.

NOW THEREFORE BE IT RESOLVED that the attached Policy for Public Comment at Meetings of the Unalaska City Council is hereby adopted.

Vincent M. Tutiakoff, Sr.

Mayor

ATTEST:

Estkarlen Magdaong Acting City Clerk

# MEMORANDUM TO COUNCIL

To: Mayor and City Council Members

From: Marjie Veeder, City Clerk
Through: Erin Reinders, City Manager

Date: February 9, 2021

Re: Resolution 2021-03: Adopting a policy for public comment at Council meetings

**SUMMARY:** Guidelines for public comment are recommended to preserve fairness and consistency for members of the public wishing to provide public comment. Additionally, with participation in Council meetings by telephone and online platforms increasingly common, further guidelines are necessary to manage public comment in an orderly fashion without undue disruption. The proposed public comment policy is consistent with our Code of Ordinances and has been developed with the assistance of the City Attorney.

PREVIOUS COUNCIL ACTION: Unalaska Code of Ordinances at § 2.20.020 provides numerous opportunities for public comment and participation at regular council meetings: two opportunities for Community Input & Announcements, one near the beginning of the meeting and one near the end of the meeting; a separate time for Public Comment on Agenda Items; a separate time for items requiring public hearing by statute; and a period of public comment during council's discussion of each regular agenda item, provided the speaker has first notified the City Clerk of their intention to provide comment.

The presiding officer has at times set time limits for public comment.

Previous written policies about public comment at Council Meetings were not found.

Council discussed this item at their regular meeting on January 12, 2021; assigned three council members (Robinson, Coleman and Bell) to a committee to review and provide recommendations to the City Council; and postponed consideration of this item to January 26, 2021. As the committee had not completed their review by January 26, this item was further postponed to February 9, 2021.

<u>DISCUSSION</u>: A policy providing guidelines for public comment is recommended so that both Council and members of the public know what to expect and to provide a framework for fairness and consistency. Participation in council meetings by telephone and online platforms emphasizes the need for such a policy to better manage public comment without unduly disrupting the meetings and allowing everyone to be heard who wishes to speak.

In addition to the removal of redundant language, minor edits to wording and a slight reorganization of the document, the committee makes the following recommendations, which are included in the proposed policy presented this evening:

- 1. Wording changes to the background paragraph; and
- 2. Removal of the requirement that persons participating by telephone or online platforms notify the City Clerk one hour in advance of the start of the meeting. Rather, those participants must notify the Clerk, but may do so using the features available by telephone or online platforms (i.e. in ZOOM, the "raise your hand" feature or a chat notification; or \*6 by telephone). Notification may also be provided to the City Clerk during normal business hours in advance of the meeting.

<u>ALTERNATIVES</u>: Council may choose to (a) adopt the policy as presented; (b) make amendments to the policy; or (c) choose not adopt a policy about public comment at council meetings.

FINANCIAL IMPLICATIONS: Not applicable.

**<u>LEGAL</u>**: The City Attorney assisted in preparing the proposed policy and has reviewed and approved the recommendations of the committee.

**STAFF RECOMMENDATION:** Staff recommends a written policy to provide guidelines for public comment at their meetings. This is council's policy and therefore a council decision.

PROPOSED MOTION: I move to adopt Resolution 2021-03.

<u>CITY MANAGER COMMENTS</u>: I support the Staff Recommendation. Staff is prepared to revise according to Council's feedback.

# UNALASKA CITY COUNCIL POLICY FOR PUBLIC COMMENT AT MEETINGS OF THE CITY COUNCIL

Adopted by Resolution 2021-03 on February 9, 2021

**PURPOSE:** The purpose of this policy is to provide guidelines for public comment at meetings of Unalaska City Council.

**SCOPE:** This policy applies to all regular meetings, special meetings and work sessions.

**BACKGROUND:** City Council meetings are designed for the Council to discuss and make decisions on issues before the Council. A meeting of the City Council is held in public to provide transparency in the decision-making process. Opportunities for public input are provided and the City Council takes the input into consideration in making decisions.

For regular meetings, the Unalaska Code of Ordinances provides numerous opportunities for public comment:

- a) Community Input & Announcements § 2.20.020(A)(9) & (14): This is a time for members of the public to provide general information to council and to make announcements of interest to the community. This opportunity occurs twice, once early in the meeting and a second time immediately before the meeting adjourns.
- b) Public Testimony on Agenda Items § 2.20.020(A)(10): This is a time for members of the public to provide information to Council regarding items listed on the agenda if the speaker does not wish to wait until the specific item comes up on the agenda.
- c) Public Hearing § 2.20.020(A)(11): When an item requires public hearing by statute or ordinance, the presiding officer will open the public hearing for members of the public to provide comment.
- d) Public Comment during Council Discussion § 2.20.020(B): A period for public testimony for each agenda item shall occur during the City Council's discussion of the item. Members of the audience wishing to testify on an agenda item during a regular meeting must notify the City Clerk.

Opportunities for public comment at special meetings will be provided in accordance with the agenda for that special meeting, which shall include public comment during council discussion.

During a work session, members of the audience wishing to testify may raise their hand and be recognized by the Mayor.

**STATEMENT OF POLICY:** The purpose of public comment is for citizens to provide information and inform the City Council about their opinions. The Mayor and City Council value community input and encourage participation in public comment opportunities at meetings of the City Council.

Public comment opportunities are not a time for members of the public to ask questions of, or engage in dialogue with the Mayor, City Council Members or City Staff. Community members are encouraged to contact City Staff during normal business hours, or to contact the Mayor and City Council members directly.

These guidelines apply to all types of public comment opportunities described above.

- 1) Public Comment by spoken or written word is limited to three (3) minutes per person. Persons may not give their time to another person and may address a single topic or agenda item only once during a meeting.
- 2) If you wish to speak when an item appears on the regular agenda during council discussion, § 2.20.020(B), notify the City Clerk.
  - a) In person, the City Clerk may be notified by signing up on the public comment sign-up sheet available in chambers.
  - b) For telephone or online platforms, the City Clerk may be notified as described in 4(a) below.

# 3) PUBLIC COMMENT IN PERSON

- a) Wait to be recognized by the presiding officer.
- b) Use the microphone provided.
- c) State your name.
- d) Address all comments to the Mayor and City Council as a body.

# 4) PUBLIC COMMENT BY TELEPHONE OR ONLINE PLATFORMS

- a) In order to promote an orderly meeting, all persons participating by telephone or online platforms must notify the City Clerk using notification features available in the online platform (i.e. in ZOOM, the "raise your hand" feature or a chat notification; or \*6 by telephone). Participants may also choose to notify the City Clerk during regular business hours before the start of the meeting. By necessity, this requirement applies to all opportunities for public comment for persons participating by telephone or online.
- b) At the appointed time, the speaker will be allowed to un-mute.
- c) Wait to be recognized by the presiding officer.
- d) State your name.
- e) Address all comments to the Mayor and City Council as a body.

#### 5) WRITTEN COMMENT

- Written comment is accepted by e-mail, regular mail, fax or hand delivery.
- b) The name of the person providing written comment must be included.
- c) Written comment shall be submitted to the City Clerk's Department no later than one hour prior to the start of the meeting, to be read into the record by the City Clerk or presiding officer's designee.
- d) A person submitting written comment may request that it be read at any one of the points on the agenda where public comment is allowed. If the person does not request otherwise, the written comment will be read during Community Input & Announcements.

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# **Phone Testimony Sign up Deadline**

PLEASE NOTE: The deadline to sign up to provide testimony *over the phone* during an Assembly meeting is **5 p.m. the day before the meeting**. There is no sign-up list for in-person testimony – the Chair will invite the public to speak on a first come basis. Scroll down this page for more information on how to provide testimony to the Assembly over the phone, in writing, or in-person.

#### Updated 2020-1113

# **Accessing and Participating in Meetings**

Assembly Worksessions Page: Upcoming Worksessions, Worksession Materials, Listening to Worksessions

Please see below for instructions on how to provide testimony and general comments by email, over the phone, or in person at the Chambers.

# **How to Watch Regular Assembly Meetings**

Assembly meetings are streamed and televised. To find meeting agendas or streaming of regular Assembly meetings at the Chambers, please go to <a href="http://www.muni.org/watchnow">http://www.muni.org/watchnow</a>. Please be advised that some items (laid on the table items or floor amendments), may not be on that evening's agenda, but will be projected on the live streaming or Channel 9 during the meetings.

# How to Provide Testimony at Assembly Meetings During COVID-19 Phases (Hunker Down, Easing Up and Maintenance, Safe Anchorage)

The Assembly receives public comments during Audience Participation, as well as public testimony on all open public hearings items. Initial Audience Participation (Agenda Section 9) ends at 6 p.m. Final Audience Participation (Agenda Section 16) lasts, as time allows, until adjournment.

There is no sign-up list for in-person testimony – the Chair will invite the public to speak on a first come basis. Please do not sign up to provide phone testimony if you plan to attend in person.

RESOLUTION NO. AR 2020-296, AMENDED AND APPROVED ON AUGUST 11, 2020, IS A RESOLUTION OF THE ANCHORAGE ASSEMBLY REQUIRING THE ASSEMBLY CHAMBERS TO ACCOMMODATE INDIVIDUALS WISHING TO TESTIFY ON PUBLIC HEARING ITEMS OR IN AUDIENCE PARTICIPATION AT ASSEMBLY MEETINGS.

# If you wish to provide written testimony:

The Assembly encourages anyone wishing to provide written Public Testimony to email written comments to Testimony@anchorageak.gov.

 In the Subject Line: The agenda item you are providing testimony for(Example: 13.A. Ordinance No. AO 2020-15)

These comments will become part of the Assembly record.

# If you wish to provide testimony on the phone:

Anyone wishing to provide testimony over the phone during a meeting should email <a href="mailto:Testimony@anchorageak.gov">Testimony@anchorageak.gov</a> by <a href="mailto:5:00 p.m.">5:00 p.m.</a> the day before the meeting and include:

- Your Name
- Phone Number
- Agenda Item Number/Title for which you wish to provide testimony
- In the Subject Line: Phone Testimony
- Assembly meetings sometimes run until midnight. If you do not want to be called after a certain time in the
  evening, please let us know in your sign up email.

#### Public Comment Information (MOA, and Fairbanks)

If you signed up for phone testimony before the 5:00 p.m. deadline, you are on our call list. When the Assembly reaches your agenda item, the Clerk will phone you at the number you have provided. You will have 3 minutes to provide testimony on each item you wish to speak on.

These comments will become part of the meeting record.

To make your telephonic testimony more effective, please be consider the following:

- The Anchorage Assembly will call you between 5:00 p.m. and 12:00 midnight from the following number: (907) 343-4066.
- Mute your television or the live stream if you are following along. If not, there is a delay and it will echo and will complicate your testimony.
- Do not have your phone on speaker. Speaker phones introduce a myriad of extraneous noise into your testimony.
- Make sure there is limited ambient noise from your location and make sure you are in a location that has good cell service, if you are on a cell.
- If you have a headset, please use it. Headsets will give a more consistent signal and reduce room noise.

# If you wish to provide <u>in-person testimony</u>:

As the Chambers fall under "political expression" under Emergency Order EO-14 v3, capacity in the Assembly Chambers is required to remain at less than 50 percent, so no more than 60 members of the public can enter at one time. The Assembly is excited to welcome its neighbors back into the Chambers, with a focus on keeping the community safe. These simple steps can ensure, together, that we keep Assembly members, the administration, and the public safe and healthy in meetings:

- · Comply with six feet of physical distancing requirements between non-household members
- Wear face coverings at all times within the Assembly Chambers except while speaking, drinking, or eating, or pursuant to an applicable exemption under law
- Complete a "contact tracing" log with first name, last name, and telephone number. The log will be kept
  confidential unless access is requested by a public health official requiring the information as it relates to an
  outbreak or spike in COVID-19 cases at or related to this location.
- Allow a forehead temperature check that will be recorded in the "contact tracing" log.

# **Assembly Priorities and Vision**

As the legislative branch of the Municipality of Anchorage, the Anchorage Assembly is charged with setting policy for the Municipality.

On December 17, 2019 the Assembly passed AR 2019-436, As Amended, a resolution of the Anchorage Municipal Assembly establishing and adopting the Anchorage Assembly's Vision and Goals for 2019-2021.

The Assembly is pleased to present the 2019-2021 Municipality of Anchorage Assembly Priorities. As always, the Assembly appreciates any feedback you may have. You can find personal Assembly member contacts at <u>Your Assembly Members</u> or you can email all Assembly members at wwmas@muni.org.

2019-2021 Assembly Priorities and Vision Working Document

# **Stay Connected with the City Council**

PARTICIPATING IN CITY COUNCIL MEETINGS
DURING THE COVID-19 PANDEMIC

Quick Take:

- All Regular and Special City Council meetings and Finance Committee meetings are currently being conducted via Zoom (Zoom meeting information is posted below). However, you may still attend in person in the City Council Chambers.
- Sign-up for remote or written testimony is available by clicking one of the buttons at the bottom of this page and completing the applicable form. Do not complete the sign-up form unless you intend to provide testimony.
- These procedures are subject to change, so please check this page often and prior to attending a City Council Meeting or Finance Committee Meeting.

# HOW TO LISTEN TO CITY COUNCIL MEETINGS

There are three ways to listen to City Council meetings. 1) Zoom webinar, 2) live webcasts from the City website, and 3) live broadcast on KFBX AM 970 (Regular Meetings only).

**Zoom** (This method *must* be used if you sign up to provide testimony remotely)

The City Council is using Zoom to conduct its meetings. Citizens can listen via Zoom by clicking on the link below. Meeting information may be updated routinely to reflect any changes.

# Web Stream

All City Council Regular, Special, and Finance Committee meetings are livestreamed through the City of Fairbanks website. <u>Click here for information on how</u> <u>to live-stream the meeting</u>.

# Radio

Only Regular City Council Meetings are broadcast on KFBX Radio AM 970 live at 6:30 p.m.

# HOW TO OBTAIN AGENDAS AND OTHER MEETING DOCUMENTS

City Council agenda packets are available at the City website the Thursday afternoon prior to a Monday meeting. Hard copies of agendas and other meeting documents are available at each meeting at City Hall Council Chambers. The public may access City Hall 30 minutes prior to the start of a Council meeting. To view upcoming meeting information, visit https://www.fairbanksalaska.us/meetings.

# HOW TO PROVIDE TESTIMONY\*

<u>In-person Testimony</u>

Individuals subject to quarantine due to recent travel may not attend City public meetings in person. Any individual exhibiting symptoms of the COVID-19 virus, OR who has tested positive for the COVID-19 virus and is not considered fully recovered by their healthcare provider, OR who has had a known exposure to a person who has tested positive for the COVID-19 virus may not attend a City public meeting in person.

In-person testimony during City Council meetings will be taken in the usual manner; social distancing measures will be in place, and all attendees are required to wear a mask or face covering. Masks will be available to anyone who does not have one. Public seating in Council Chambers has been arranged to accomplish social distancing. No more than 30 people will be allowed in City Council Chambers at the same time (including elected officials and staff). Capacity is based on ensuring all attendees can maintain social distancing within the limited space. Citizens arriving after the maximum number has been reached will be directed to wait in another area until it is their turn to speak to the Council. Those who are asked to wait in another area should practice social distancing.

# Written Testimony

Written testimony continues to be the easiest way to provide testimony at City Council meetings. Submit your comments by using the "<u>Submit Written Citizens</u>' <u>Comments or Public Testimony</u>" form below. Your comments will be read into the record at the meeting. The three-minute time limit for in-person testimony also applies to written testimony.

# Virtual/Telephonic Testimony

To sign up for virtual/telephonic testimony, complete the "<u>Sign Up for Citizens</u>' <u>Comments or Public Testimony</u>" form below. Please be as specific as possible if you are signing up to speak during a public hearing for a certain agenda item. The three-minute time limit for testimony applies to virtual/telephonic comments.

<u>\*NOTE</u>: Public testimony is not available during Finance Committee meetings. However, citizens can still listen in or attend Finance Committee meetings in person.

# WHAT TO EXPECT WHEN TESTIFYING VIRTUALLY/TELEPHONICALLY

In-person comments will be taken first, then citizens attending virtually/telephonically will be heard in the order of sign-up. Finally, written comments will be read into the record in the order they were received. The Clerk will call upon citizens who have signed up in advance and who are attending telephonically/virtually when it is their turn to speak, and the citizen will be temporarily un-muted for their allotted time to speak. [Please note: If you are not available at the time your name is called to testify, the Clerk will move on to the

next citizen.] Once you are placed into the meeting, the Mayor will ask that you state your name and provide your neighborhood or place of residence for the record, then your three-minute allotted time will begin. You will hear a beeping tone when your three-minute limit has been reached.

<u>Helpful Hints</u>: If you are listening to the meeting on another device when you are called upon to speak, please silence that device during your testimony. Speak loudly and clearly, and try to avoid distractions and background noise.

# SHOULD I SIGN UP FOR CITIZENS' COMMENTS OR PUBLIC HEARING?

After reviewing the <u>agenda</u> for the next City Council meeting, you may complete one of the forms below to either sign up to speak or to submit written comments to be read into the record at the meeting. You may sign up for both Citizens' Comments and Public Hearing if you have items to address under each category. Please read the following information before signing up:

<u>Signing up for Citizens' Comments</u>: By selecting Citizens' Comments, you will have three minutes to speak on any matter not appearing on the agenda or on agenda items not scheduled for public hearing [agenda items not scheduled for public hearing are typically indicated by an asterisk (\*)].

<u>Signing up for Public Hearing</u>: During a public hearing for a specific agenda item, you may provide a three-minute testimony specific to that item only. Agenda items that commonly have public hearings include ordinances up for second reading and liquor/marijuana licenses.

# Sign Up for Citizens' Comments or Public Testimony

**Citizens' Comments:** By selecting Citizens' Comments, you will have three minutes to speak on any matter not appearing on the agenda or on agenda items not scheduled for public hearing [agenda items not scheduled for public hearing are typically indicated by an asterisk (\*)].

**Public Hearing:** During a public hearing for a specific agenda item, you may provide a three-minute testimony specific to that item only. Public hearing items commonly include ordinances up for second reading and liquor / marijuana licenses.

First Name *	
1 IISt I Vallic	
Last Name *	

# Email Address \*

If you are dialing into the Zoom webinar by phone, the phone number listed here MUST match the phone number you use to dial into the Zoom webinar.

# Phone Number \*

Select the date of the Council meeting you are signing up to provide testimony at. \*\*Please note that if you submit this form after 5:00 p.m. on the day of the meeting, your comments will not be heard at the meeting.\*\*