

MINUTES  
SPECIAL CITY COUNCIL MEETING  
AUGUST 6, 2021

The special meeting was called to order by Mayor Merculief at 10:03 am. Councilmembers present were Daniel Porath, Joseph Kozloff, Raymond Melovidov, Jason Bourdukofsky, Dimitri Zacharof and Clmbr Victor Clarey joined by teleconference. A quorum was established. This meeting was broadcast on KUHB.

CALL TO  
ORDER

Clmbr Porath moved to approve the agenda, seconded by Clmbr Melovidov. Motion carried by voice vote.

AGENDA  
APPROVED

There are 9 community members present to address the council.

Nicolai Zacharof stated: Although everyone means well and is on the same team, the council cannot take the people's rights away. Forcing someone to get the vaccine because you are scared is wrong. He states that we have never been more divided as a community. He has started a petition that has 94 signatures right now with one youth signature. A hardcopy of the petition was not given to the City Clerk for the records.

PERSONS TO  
ADDRESS THE  
COUNCIL

The narrative on the petition reads: We the undersigned do not support the purposed City of Saint Paul's Emergency Ordinance 21-99 Section 15: COVID-19 Vaccine Requirement for City Employees. We the undersigned will not be getting the COVID-19 vaccination and do not support forced threats of termination or reprimands do to us not complying with this order that violates our civil rights. We the undersigned have the freedom to choose what goes into our bodies whether medical, religious, or personal choice. It is undersigned's choice. We purpose to continue to quarantine, test, mask, and social distance as that has been effective. We the undersigned will seek the route of legal representation if needed.

Michael Baldwin stated: Taking away personal rights of people is wrong. This feels as though our community is going backwards, we spent years trying to gain our rights back from the government days. We built that independence, and we are taking their rights, this is going backwards. Michael stated he is vaccinated and wears a mask and people that are vaccinated can still contract COVID and spread it. People who are vaccinated are spreading it just as much as those that are not vaccinated. You are taking away the choice for someone to support their family, not just you but anyone else in the world that is doing this is wrong.

Corporal Lamblez stated: While she was in Minnesota at a wedding 7 people who were vaccinated had COVID and didn't know it. Her grandpa ending up contracting it even if they kept their distance at the wedding. Their whole family ended up getting COVID and getting sick. Chief was really sick and ended up in the hospital. She and her family still do not want to get the vaccine because it is against their belief. You can still get it and can still pass it on even if you are vaccinated.

Marissa Merculief stated: The Tribe mandated the vaccine for their employees in January. This is taking a community perspective not an individual perspective

and people talk about individual rights but what about community rights. The vaccine reduces the risk of getting sick and the chances of spreading the sickness. Maybe down the line the mandate is removed if it is proven that the vaccine does not work but right now the best option is to get vaccinated.

Edward Paulus stated: The science is out there deepening what side you want to look at. There is weigh in on both sides, he hopes everyone takes the time to look at it from both sides. Showing 74% of breakthroughs with the new variant with people that are vaccinated. Please take the time to look at it from both sides.

Jamin Silva stated: The preliminary numbers from the State of Alaska for the period ending June 30<sup>th</sup> shows that 4% were breakthrough cases in vaccinated people. It also shows that 2.5% of going to the hospital for vaccinated people and 2.5% of going to the hospital for unvaccinated people. For vaccinated people you have a .3% chance of dying and for unvaccinated people you have .4% chance of dying. The numbers aren't showing that it's very effecting at either preventing COVID or death. What has proven effective is quarantine, that is what is going to prevent COVID from coming to this island whether you are vaccinated or unvaccinated. There is no 100% guarantee that a vaccinated person isn't going to get COVID.

Rena Kudrin stated: There are a lot of little kids that cannot get vaccinated, it is our job as adults to protect them. Our community was able to come together for the Fourth of July and Sts. Peter and Paul day, it was great. Then people got sick and then we had to be tested again and quarantine again. Being vaccinated is freedom we have. Polio didn't have a vaccine and people here got sick and died. Then a vaccine was created right away, and people here got vaccinated with no questions. This vaccine is out there for a purpose, it's to help us not get COVID, to protect us and to protect our children. Thank you all for protecting us during this time.

Richard Zacharof stated: There are millions of people dying cases rising all over the world. The variant is very powerful, and a lot of people are passing away. Being isolated on an island in the middle of nowhere, we can use this to our advantage, but this also means that our people are hours away from urgent medical care if they need it. We have to protect and respect our elders and our children. They may have immune disorders or illnesses that may affect them if they caught COVID. We have to think about our community not as individuals but as a community. We have to fight this together.

Chief Lamblez stated: He went to Minnesota for his mother's funeral and while there he acquired COVID from someone that had been vaccinated. He was in the ICU for a while. His doctor told him with the level of COVID that he had acquired his immunity system right now he probably will not need the vaccination for at least a year. There are employees in Public Safety that have compromised immune systems that have been told by their doctors to not get the vaccination. That is a choice that should be up to them as individuals. Personally, he will not get the vaccination, he will not introduce that into his body. He has done enough research on his own to conclude that it is neither here nor there. He is sensitive to medicine and is certain he will have adverse side effects. He believes in freedom of choice; everyone has that right. Unfortunately, if this is passed or mandated this is already a decision that is being made without their

choice if they don't get the vaccine. About 80% of Public Safety are on the same page and do not want to get the vaccine. He is not influencing them. They have made this decision on their own. This would be a hardship that is placed on the community. He supports quarantine and wearing masks.

Cara Lestenkof-Mandregan stated: Everyone has their rights but the over all thing is this is about the community. We have a large population of 12 years and younger that cannot get vaccinated. There have been children as young as 9 years old that have asked when they can get the vaccine, when can they be protected. Kids that are that young are worried about getting COVID, it is our responsibility as adults to protect them, we can do something about it. We have the largest Unangan community, we have a special community that we must protect. The Health Center has 2 providers, they still have to still people in quarantine and that is exposure that can possibly be to all 10 employees. This vaccine was tested and there was trial and error. The vaccine lessens the chances of you dying or are admitted to the hospital. Hospitals are decreasing regular care and due to having to care for patients with COVID-19. Some patients have to wait longer to be sent to the E.R. due to no beds in the ICU, the Health Center has felt that here in Saint Paul. They will have to sit here and wait until there is a bed available in Anchorage.

Clmbr Zacharof stated that he would does not appreciate the Chief of Police pretty much threatening the Council with quitting if the Council enforces this mandate. He doesn't appreciate being threatened or bullied into a corner like this.

Chief Lamblez stated that he is not putting that foreign substance in his body, he has had COVID-19 and he lived. Whoever else decides they do not want to do it, he supports that.

Allen Clendaniel, Personnel Attorney for the City stated: Allen work with City Manager Zavadil on the Vaccination Policy. It is legally permissible to required City employees to get the vaccine under the terms of the policy. It doesn't mean the City Council has to enact it; it is your decision. There are accommodations for people who cannot get the vaccinations for medical reasons as well as religious objections, these are written into the policy.

## REVIEW OF EMPLOYEE COVID-19 VACCINATION POLICY

City Manager Zavadil stated: Based on what is in Emergency Ordinance 21-99 there is a 90-day clause and a clause directing City administration to develop the policy. The policy has been reviewed by Allen Clendaniel, the City's general legal counsel (Ashburn & Mason) and the City's insurance Company (Alaska Public Entity Insurance). The requirement as stated in this draft policy would be that all City employees be fully vaccinated by October 27, 2021. If employees don't comply then it leads to termination. Employees can get vaccinated on work time and get paid for one day if they have a reaction to the vaccine. A proof of vaccination will be required to be turned into the City Clerk. Any reasonable accommodations need to be made within 30 days. Employees would be notified in writing if their accommodation have been approved. The HR division would consult with legal counsel, medical providers here, Dr. Cooper if need be. Religious accommodations would have to document what that is, could be religious belief, doesn't have to be your religion per this policy. This would be evaluated on what is their position, what other accommodations can be made if that exemption is granted. If an accommodation is made those individuals can be

tested once or twice a week. As things change the policy can be modified.

Cmbr Melovidov stated: Other Municipalities have incorporated testing requirements for those that don't get vaccinated so they can continue working at their jobs. The intent is to mitigate the risk associated with unvaccinated employees like having an outbreak and it our responsibility to address that risk. Requiring a vaccine is rigid, he is not to comfortable making people do something to keep their job. In other places it is not as big of an issue since they can find somewhere to work if they don't want to get the vaccine but here there isn't many job opportunities. He believes in the effectiveness of the vaccine, but he also understands and respects people's hesitancy to get the vaccine, it is a personal choice. With all that said he can't agree or approve a policy that makes a vaccination a requirement for employment.

Cmbr Melovidov makes a motion to direct the City Manager to modify the policy a semi-weekly testing requirement for unvaccinated employees as an alternative to the vaccine requirement, seconded by Cmbr Zacharof.

A roll call vote was held:

Ayes- Clarey, Zacharof, Kozloff, Melovidov

No- Porath, Bourdukofsky, Mercurief

Motion carried.

Cmbr Zacharof moved to adjourn, seconded by Clarey. Motion carried by voice vote and the meeting was adjourned at 11:23 am.

ADJOURNMENT

SUBMITTED BY:

APPROVED:

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Monique Baker, City Clerk

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Date