

Debra Thompson

From: Aaron Hankins <general.hankins@gmail.com>
Sent: Friday, July 31, 2020 12:44 AM
To: Assembly
Subject: Re: Emergency civil ordinance 2020-19

To the Assembly,

I believe that holding the 3rd vote on ordinance 2020-19 was the correct course of action. I believe this because of special considerations that COVID 19 force the borough into.

It is my understanding that normally, the LEPC would have held a meeting available to the public and allow for additional presentation on this ordinance. If I understand correctly, this would have given the public the ability to further review and seek answers to questions prior to the assembly voting on it. If that is not the case, I apologize for my misunderstanding.

Going forward, when planning your meeting on this ordinance, I hope that the borough gives a Presentation first, on the ordinance, before opening the public to questions.

I recomend, if possible, allowing a period for only questions first (to be answered in order, to the best of the borough's ability), and then opening the floor to public recommendations and comments (if at all at this meeting, if not at a proper borough assembly meeting) so that questions get answered ahead of any testimony or opinions given that could be cleared up beforehand.

Lastly, I have included my original email with the suggestions I listed below. I didn't see it in the agenda packet so I'd though I'd send it again for your consideration.

Respectfully,
Aaron Hankins
503-602-9890

Note - Clerk Thompson mistakenly missed Mr. Hankins' email and did not have it included in the packet; however, added it to the August 3 packet on 7/31/20. DKT

The original suggestions,

To the Assembly,

I write in support of the planned ordinance 2020-19. My support for this ordinance stems from the need to act quickly in an emergency setting. I believe it is prudent to allow the assembly to bestow temporary powers to the chosen Incident Commander who can arrange a proper response in real time as the emergency unfolds.

However, upon further thought, I would request that the assembly consider the following,

1) Any emergency declared by the Borough Manager or thier chosen Incident Commander (IC) last for a period of 72 hours, instead of the 7 days listed in 3.72.040 - Authority to declare emergency.

I would also support language that automatically triggers a special assembly meeting to occur within that 72 hour period, for the purpose of having the Borough assembly ratify the emergency in a simple majority vote. I believe that

this should serve to reinforce any protocols that the IC might have or need to enforce during the emergency, as well as ensure that the assembly is in agreement with the IC's actions.

Should the 72 hr period lapse with no meeting, the emergency declaration ends.

2) Any lasting declaration that should greatly effect the public at large for a prolonged period, such as business closures, curfews, evacuations, etc should also have the backing of the assembly.

I recomend that the IC be given the authority to enact any of these restrictions for a period of no more than 72 hrs from the time the specific mandate is enacted. A Mandate lasting longer that 72 hrs should require an assembly vote, decided by simple majority. Should a vote on a mandate fail the vote or the 72 hr period lapse, the specific Mandate ends.

3) To give the assembly the power to decide on any such emergent matters, you should also consider language that automatically kicks in when an emergency is declared to change the voting requirements.

Section D of this ordinance allows for a special meeting to be called and allows for the waiver of the 24hr advanced notice.

Language should be added to allow assembly members to phone in and have their vote counted should they be unable to attend in person.

These special voting privileges should only be permitted for use on emergency matters and should not be used for ordinary borough business.

In closing, I believe these suggestions will better help the assembly protect and serve the public. I wish the borough good luck in its mission.

Respectfully,
Aaron Hankins
503-602-9890