



Alice Ruby, **Mayor**

Council Members

- Brenda Akelkok (Seat A) • Chris Maines (Seat B) • Bob Himschoot (Seat C)
- Keggie Tubbs (Seat D) • Tracy Hightower (Seat E) • Paul Liedberg (Seat F)

DILLINGHAM CITY COUNCIL
MEETING AGENDA – JUNE 27, 2013 (REVISED JUNE 26, 2013)
David B. Carlson Council Chambers
Dillingham City Hall, 141 Main Street, Dillingham, AK 99576 (907) 842-5212

REGULAR MEETING	6:00 P.M.	JUNE 27, 2013
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I. CALL TO ORDER

II. ROLL CALL

III. APPROVAL OF MINUTES

- A. Board of Equalization Meeting - June 6, 2013
- B. Council Meeting - June 13, 2013

IV. APPROVAL OF CONSENT AGENDA

- A. Resolution No. 2013-34, A Resolution of the Dillingham City Council Amending the Bank Signature Cards for the City's Two Safety Deposit Boxes Due to a Change in Personnel

APPROVAL OF AGENDA

V. STAFF REPORTS

- A. City Manager Report
- B. Standing Committee Reports

VI. PUBLIC HEARINGS

- A. Adopt Ordinance No. 2013-09 (SUB-1), An Ordinance of the Dillingham City Council Authorizing Disposal of Municipal Property to Delta Western by Lease
- B. Adopt Ordinance No. 2013-12, An Ordinance of the Dillingham City Council Adopting the Budget and Appropriating Funds for the FY 2014 City of Dillingham Budget
- C. Adopt Ordinance No. 2013-13, An Ordinance of the Dillingham City Council Amending Section DMC 4.15.030, Exemptions, to Provide a Cap on Personal Property Tax for Boats and Vessels if the Assessed Valuation is More Than \$300,000
- D. Adopt Ordinance No. 2013-14 (SUB-1), An Ordinance of the Dillingham City Council Repealing and Reenacting Chapter 11.20 of the Dillingham Municipal Code Pertaining to the Use of Off-Road Vehicles Within the Boundaries of the City of Dillingham

VII. CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)

- A. Adam Kane, Ban Smoking in Bars

VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2013-09 (SUB-1), An Ordinance of the Dillingham City Council Authorizing Disposal of Municipal Property to Delta Western by Lease
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- E. Introduce Ordinance No. 2013-15, An Ordinance of the Dillingham Municipal Code to Amend DMC Section 8.10.060 Where Smoking Not Regulated, to Remove Section 8.10.060 A.6 Bars
- F. Introduce Ordinance No. 2013-16, An Ordinance of the Dillingham City Council Authorizing the Disposition and Sale of Unredeemed Foreclosed Property
- G. Resolution No. 2013-28, A Resolution of the Dillingham City Council Adopting the Waste Water Treatment Plant Facility Plan
- H. Resolution No. 2013-35, A Resolution of the Dillingham City Council Accepting a Grant Under the Terms of the BBEDC Community Block Grant Program
- I. Resolution No. 2013-36, A Resolution of the Dillingham City Council Accepting a Long Term Encroachment of Three Phase Power to Harbor Lease Lot 3
- J. Resolution No. 2013-37, A Resolution of the Dillingham City Council Approving Planning Commission Resolution No. 2013-12 Vacating Easements
- K. Resolution No. 2013-38, A Resolution of the Dillingham City Council Approving the Planning Commission Resolution No. 2013-14 Downtown Streets Walking Plan (*Clerk Note: The resolution will be made available early in the week.*)
- L. Resolution No. 2013-39, A Resolution of the Dillingham City Council Waiving Section 3.95 of the City's Personnel Regulations in Order to Allow Chelsea Wassily (Maines) to Continue her Employment as a Dispatcher with the City of Dillingham Department of Public Safety While Her Husband, Christopher Maines, Serves on the Council
- M. Resolution No. 2013-40, A Resolution of the Dillingham City Council Waiving the Purchasing Restrictions to Purchase a Bobcat, Trailer, and Accessories for the Landfill

IX. UNFINISHED BUSINESS

- A. Citizen Committee Appointments

1. Cemetery Committee, 4 Seats
2. Carlson House Committee, 3 Seats

X. NEW BUSINESS

- A. Action Memorandum No. 2013-15, Authorize City Manager to Contract with the Alaska Department of Public Safety for Special Services
- B. Action Memorandum No. 2013-16, Authorize the City Manager to Extend the Managed Services Agreement with Tekmate on a Month-by-Month Basis
- C. Action Memorandum No. 2013-17, Authorize the City Manager to Extend the Information Technology Contract with Nushagak Technical Services (NTS) on a Month-by-Month Basis
- D. Action Memorandum No. 2013-18, Authorize the City Manager to Enter into an Agreement with the Alaska Court System (ACS) to Execute Electronically on Defendants' Permanent Fund Dividend to Satisfy Unpaid Municipal Minor Offenses and Criminal Judgments Issued by the Dillingham Public Safety
- E. Action Memorandum No. 2013-19, Authorize the City Manager to Contract with the Alaska Department of Corrections, Division of Probation and Parole
- F. Action Memorandum No. 2013-20, Authorize the City Manager to Execute a Memorandum of Understanding Between the City of Dillingham and Curyung Tribal Council for the Bristol Bay Economic Development Corporation's (BBEDC) Community Block Grant Funds
- G. Action Memorandum No. 2013-21, Authorize the City Manager to Execute Task Order No. 1 with TekMate LLC to Assist the City in Implementation of Gmail to Replace Existing Email Solution
- H. Action Memorandum No. 2013-22, Authorize the City Manager to Enter into a Lease Agreement for the Rental of the Potato House
- I. Action Memorandum No. 2013-23, Adopt Electronic Communications System Policy

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

XII. COUNCIL COMMENTS

XIII. MAYOR'S COMMENTS

XIV. EXECUTIVE SESSION

- A. Personnel Matter
 1. City Manager's Contract

XV. ADJOURNMENT

CITY OF DILLINGHAM, ALASKA

ORDINANCE NO. 2013-15

AN ORDINANCE OF THE DILLINGHAM CITY COUNCIL AMENDING DMC SECTION 8.10.060 WHERE SMOKING NOT REGULATED, TO REMOVE SECTION 8.10.060 A.6 BARS

BE IT ENACTED BY THE DILLINGHAM CITY COUNCIL:

Section 1. Classification. This is a code ordinance.

Section 2. Amend Section 8.10.060 Section 8.10.060, Where Smoking Not Regulated, is amended to remove A.6 Bars, and renumber old section A.7 to be A.6 as follows with new text displayed in underlined font and deleted text displayed in strike out font.

8.10.060 Where smoking not regulated.

A. Notwithstanding any other provision of this chapter to the contrary, the following areas shall not be subject to the smoking restrictions of this chapter.

1. Private residences including residences used as places of employment, except during hours used as a childcare, adult day care, or health care facility;
2. Places of employment with two or less employees. For the purpose of this exception, the two or less employee limit includes on-site business owner(s), with the exception that in all uses cited in Section 8.10.030 smoking shall not be permitted;
3. Seventy-five percent of hotel, motel, and B&B guest rooms;
4. Retail tobacco stores;
5. Restaurants, hotel and motel conference or meeting rooms and public and private assembly rooms while these places are being used for private functions;

~~6. Bars;~~

6.7. Bingo halls and pull tab establishments.

B. Notwithstanding any other provision of this section, any owner, operator, manager or other person who controls any establishment described in this section may declare that entire establishment as a nonsmoking establishment. (Ord. 03-04 § 1 (part), 2003.)

Section 3. Effective Date. This ordinance is effective upon passage.

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on

_____.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-38

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPROVING PLANNING COMMISSION RESOLUTION NO 2013-14 DOWNTOWN STREETS WALKING PLAN

WHEREAS, the City of Dillingham nominated the area comprising Main Street to City Hall, Second Avenue West and D Street between the Post Office to Kanakanak Road for the State Transportation Improvement Program in 2001; and

WHEREAS, the City Council Resolution 2005-46 supports local control and an ordinance to control the streetscape design for the ADOT Downtown Streets Rehabilitation Project; and

WHEREAS, the City hosted workshops November 5, 2005 to establish its mission, goals, and objectives, and December 15, 2005, to review the ADOT reconnaissance report; and

WHEREAS, the City entered into a Memorandum of Agreement with the ADOT in December of 2006, for the rehabilitation and future maintenance of the Downtown Streets; and

WHEREAS, the City prepared comments on the reconnaissance report and recommended that the ADOT use FHWA Context Sensitive Solutions to design the City streetscape; and

WHEREAS, the Dillingham Planning Commission held six workshops in 2007 and 2008, including two with consultants using Context Sensitive Solutions to identify the community's preferences for intersections, pedestrian paths, curbs, lighting, and other improvements as part of the scoping process; and

WHEREAS, the ADOT timeline for completing 65% design is August 1; and

WHEREAS, the Planning Commission has updated its recommendations from September 4, 2008, and submits the attached plan for our concurrence;

NOW, THEREFORE, BE IT RESOLVED that the Dillingham City Council approves the improvements suggested by the Dillingham Planning Commission as stated in the City of Dillingham Downtown Streets Walking Plan, per Planning Commission Resolution 2013-14, passed June 24, 2013.

PASSED and ADOPTED by the Dillingham City Council June 27, 2013.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk



2013 Dillingham Downtown Streets Walking Plan

Prepared for Alaska Department of Transportation and Public Facilities
Project #57180, June 24, 2013

The Dillingham Downtown Streets Walking Plan is a multi-agency, long term effort to improve pedestrian safety and walking conditions, encourage walking as a mode of transportation and enhance safe pedestrian connections to key destinations. The Dillingham planning commission recognizes that communities that have been most successful at providing pedestrian transportation options recognize that a safe and usable pedestrian environment requires more than meeting minimum standards. High-quality pedestrian environments are places where pedestrians are anticipated, encouraged and will congregate.

The need to improve downtown circulation, encourage non-motorized transportation by providing a more enjoyable, safer environment for pedestrians is a goal of the 2010 Update of the Dillingham Comprehensive Plan, chapter 5, pages 19 and 20.

The November 22, 2006, Memorandum of Understanding between the Alaska Department of Transportation and Public Facilities further states that the purpose of the MOU is to establish an effective cooperative effort between the ADOT&PF and the City to facilitate the sharing of information, keep the project within the budget, and construct a project that will rehabilitate the roadways and provide pedestrian facilities, resulting in the greatest good for the community and limiting negative effects.

The following guidelines have been developed over the period 2005-2013. The 2008 Recommendations for the project are updated here:

Recommendations:

Curbs:

- Install vertical curbs wherever possible, use rolled (mountable) curbs when necessary.
- City of Dillingham to raise funds for curb stops and fencing to better define parking lots.

Intersections:

- Main Street and the Port Access Road: Create a three-way stop and T intersection. Smooth out the curve somewhat and pull Main Street north some to straighten out the street and allow more room for big trucks to enter Main Street from the Port Access Road.
- City Hall and Main Street: Turn the intersection at City Hall into a 4-way stop or, at least, a 2 way stop. Pull the curb out from City Hall and the curb from Smeaton's house.
- Kananak Road and D Street: Turn into a T intersection.

Sidewalks:

- D Street: The City requests a detached 8 ft path on the north side with a 5' path on the south side of the street.
- Main Street: The City requests an 8 foot multi-use path on the south side of the street and a 5 foot sidewalk on the north side of the street.
- Second Avenue West: The City requests an 8 foot multi-use path on the west side of the street.

Potential Crosswalks:

The Dillingham Planning Commission requests DOWL and ADOT&PF to use their best judgment in locating crosswalks and meridians in the project area. The following are areas which the Planning Commission feels need improvement and possibly crosswalks or another method of allowing pedestrians to cross the street safely.

- Just East of Kenny Wren Road from the North side of Kananak Road to the bike path.
- Across D Street between the Bristol Express and the Hockey Rink.
- Across D Street Between the Bank and the L&M Hardware Store, or at the property line between the Bank and the Post office and L&M.
- Across Seward Street and D Street at the intersection of Seward and D Street.
- The T intersection at Main Street and Port Access Road.
- The 2 or 4 way stop at City Hall.
- Across Main Street between N&N and the parking lot, depending on the N&N remodel design.

The Planning commission recommends use of raised crosswalks where appropriate, as well as colored material, whether concrete or asphalt, for crossing areas, crosswalks and accesses to sidewalks.

Ordinances:

The Planning Commission recognizes that changes in local laws will enhance and improve the effectiveness of local road projects regarding improving the safety of the Downtown Streets . The following new types of ordinances will be researched and presented to the City Council for their approval for this project:

- Right-of-way ordinance for platting streets, requested by the ADOT&PF.
- Lower speed limits in the downtown area, slowing Main Street to 10-15 mph.
- School zones around the schools and university and library area.
- Parking standards regarding backing onto streets.
- Require loading zones for customers with disabilities to be able to get out of the street to load and offload.

Parking Improvements

The City requests consultation with DOWL and ADOT to create a parking plan that improves safety for pedestrians and bicyclists and reduces the number of parking lots where drivers back out onto the city streets.

- City to work with landowners to improve their parking lots to better define parking spaces

Education

Education of both pedestrians and motorists is an important component of improving the safety of streets. The City proposes to write and distribute information about safe use of the City's multi-use path network, as well as a map of the network.

Landscaping

Encouraging walking and use of non-motorized transportation are important for community wellness and improving fitness and decreasing rates of obesity and diabetes in the population. The City recognizes that attractive streets encourage residents to walk and use bicycles. Landscaping and public art are important for making areas attractive and enticing citizens and visitors to use non-motorized forms of transportation. The City requests that landscaping and lighting are provided between the city streets and separated pathways and used at bulb-outs and intersections. The City requests consultation with DOWL and ADOT to identify needs that are above the project scope so that the City may continue to fundraise to improve on the Downtown Streets streetscape.

Utilities

The City requests where possible that utilities are buried rather than overhead. Some important areas for this are at Main Street and A Street East; Main Street and Second Avenue West.

Dillingham Planning Commission
June 24, 2013

RESOLUTION 2013-14
A RESOLUTION OF THE DILLINGHAM PLANNING COMMISSION

Approving and Recommending the Downtown Streets Walking Plan to the Dillingham
City Council

WHEREAS, the City of Dillingham and the Alaska Department of Transportation and Public Facilities (ADOT&PF) have a Memorandum of Understanding that describes the roles and responsibilities of the City and the ADOT&PF for the Downtown Streets; and

WHEREAS, the City agreed to compile and prioritize its wants and needs for possible inclusion in the project as the budget permits; and

WHEREAS, the City agreed to coordinate its comments in a timely manner consistent with the project schedule; and

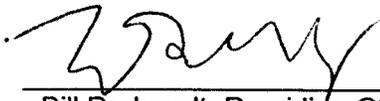
WHEREAS, the project schedule was updated this spring to have completed 65% design by August 1; and

WHEREAS, the attached recommendations for the Downtown Streets represent extensive documented community participation and numerous meetings to thoroughly vet the project; and

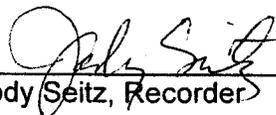
WHEREAS, the attached recommendations are anticipated to improve the safety, appearance and walkability of the downtown area; and

THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Dillingham, Alaska, recommends the attached Walking Plan for approval by the Dillingham City Council.

APPROVED AND ADOPTED THIS 24th DAY OF June, 2013.



Bill Rodawalt, Presiding Officer



Jody Seitz, Recorder

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2013-40

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL WAIVING THE PURCHASE RESTRICTIONS TO PURCHASE BOBCAT, TRAILER AND ACCESSORIES FOR THE LANDFILL

WHEREAS, the City of Dillingham received a grant from the Department of Environmental Conservation (DEC) in 1999; and

WHEREAS, the grant has been extended numerous times over the years but is now terminating on June 30, 2013 according to DEC; and

WHEREAS, there remains \$124,280 in the grant and DEC is encouraging us to spend it before the grant has to be closed; and

WHEREAS, the remaining funds cannot be used for anything that is a daily operation function and must be used for improvements only; and

WHEREAS, the grant has a 30% match which the City will apply for through BBEDC; and

WHEREAS, the City is receiving quotes, from NC Machinery and Construction Machinery for a Bobcat and accessories; and

WHEREAS, the total cost FOB Dillingham for a Bobcat, trailer and accessories should not exceed \$161,000 which includes the balance of the grant and a 30% match; and

WHEREAS, Dillingham Municipal Code (DMC) 4.30.130, Exemptions, Section B., allows exemptions to the purchasing restrictions if the City Council determines that the public interest would be best served by waiving the procedures, and that such determination must be made in the form of a resolution adopted prior to the proposed action; and

WHEREAS, the purchase of Bobcat at this time will add to the landfill equipment needs and utilize most of the remaining funds in the DEC grant.

NOW, THEREFORE, BE IT RESOLVED that the City Council authorizes the City Manager to waive the advertising requirements and proceed with the purchase of a Bobcat, trailer and accessories.

PASSED and ADOPTED by the Dillingham City Council on June 27, 2013.

SEAL:

Alice Ruby, Mayor

ATTEST:

Janice Williams, City Clerk