

**I. CALL TO ORDER**

The Regular Meeting of the Dillingham City Council was held on Thursday, April 21, 2011, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:02 p.m.

**II. ROLL CALL**

Mayor and Council Members present and establishing a quorum were:

Mayor Alice Ruby  
Elizabeth Pearch, Seat A (*via teleconference*)  
Scott King, Seat B  
Bob Himschoot, Seat C (*via teleconference*)  
Keggie Tubbs, Seat D  
Tim Sands, Seat F

Staff in attendance were:

Don Moore, Interim City Manager  
Jody Seitz, Planning Director  
Janice Williams, City Clerk

**III. APPROVAL OF MINUTES**

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to postpone approval of the April 7 regular meeting (rescheduled to April 13).

GENERAL CONSENT: The motion passed without objection.

**IV. APPROVAL OF CONSENT AGENDA**

**APPROVAL OF AGENDA**

Mayor Ruby asked to add under New Business, item A, Clean-Up Day – free landfill.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the agenda as amended.

GENERAL CONSENT: The motion passed without objection.

**V. STAFF REPORTS**

**A. City Manager Report**

Interim City Manager Don Moore:

- commented on the passing away of Sue Mulkeit that she was a very diligent Council member;

- reported he was paying particular attention to the sewer main relocation project, because a project of this magnitude that would normally take place over a period of three years was being condensed to one construction season;
- reported he had been sharing the salary study with staff, that it probably was not going to achieve total agreement, but it was important that they know what all was involved in the survey;
- reported on the animal spay and neutering clinic that would be conducted in the coming weekend; and
- apologized for the manner in which he had departed from town back in January, and thanked Council Member Sands for attending to him so he could leave the hospital.

**B. Standing Committee Reports**

There were no reports, but Mayor Ruby reported there would be a meeting with the MOU committee the following day, which she noted was long overdue.

**VI. PUBLIC HEARINGS**

- A. Adopt Ordinance No. 2011-02, An Ordinance of the Dillingham City Council Authorizing the Disposition and Sale of Unredeemed Foreclosed Property
- B. Adopt Ordinance No. 2011-03, An Ordinance of the Dillingham City Council Amending the Budget By Adopting Budget Amendment No. 2, and Appropriating Funds for the FY 2011 City of Dillingham Budget

Mayor Ruby opened the public hearing on Ordinance No. 2011-02 and Ordinance No. 2011-03, and there being no one who wished to present testimony the public hearing closed.

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

- A. Deb Burton – Close Museum for Renovation

Deb Burton reported that after two years of hard work by the museum board, their plans to renovate the museum had finally come to fruition. As a result, the museum would be closed from around May 1 through June 15, depending on the volunteers' schedules. Included in the renovations in the museum would be repainting the ceilings, preparing the walls in order to install new wall coverings, and install new climate-controlled display cases due to arrive on the barge in May and reestablish the displays.

Mayor Ruby thanked Deb for all her efforts and for working to accommodate the library staff.

**VIII. ORDINANCES AND RESOLUTIONS**

- A. Adopt Ordinance No. 2011-02, An Ordinance of the Dillingham City Council Authorizing the Disposition and Sale of Unredeemed Foreclosed Property

**MOTION:** Tim Sands moved and Scott King seconded the motion to adopt Ordinance No. 2011-02.

City Manager Moore reported that the ordinance had been passed by the City's Attorney and met state regulations.

VOTE: The motion to adopt Ordinance No. 2011-02 passed unanimously.

- B. Adopt Ordinance No. 2011-03, An Ordinance of the Dillingham City Council Amending the Budget By Adopting Budget Amendment No. 2, and Appropriating Funds for the FY 2011 City of Dillingham Budget

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to adopt Ordinance No. 2011-03.

Keggie Tubbs, Chair of the Finance Committee, noted the information had been reviewed during its introduction and the committee was recommending approval in its entirety.

VOTE: The motion to adopt Ordinance No. 2011-03 passed unanimously.

- C. Resolution No. 2011-31, A Resolution of the Dillingham City Council Approving a Long Term Encroachment Permit for a Fiber Optic Cable in the Vortac Access Road Named Berry Picker's Lane

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to adopt Resolution No. 2011-31.

City Manager Moore reported the encroachment permit had been passed by the Planning Commission and recommended for approval to the Council.

Bob Himschoot disclosed that he was an employee of GCI and was working on the project, but confirmed after being asked by the Mayor that he did not have a financial interest, therefore, there was not a conflict of interest.

MOTION: Keggie Tubbs moved the previous question. *(Clerk Note: The effect of this motion is to immediately stop debate.)*

VOTE: The motion to adopt Resolution No. 2011-31 passed unanimously.

- D. Resolution No. 2011-32, A Resolution of the Dillingham City Council Requesting FY 12 Payment in Lieu of Taxes Funding from the Department of Commerce, Community, and Economic Development

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to adopt Resolution No. 2011-32.

City Manager Moore noted this was an annual routine matter that required a resolution from the Council.

VOTE: The motion to adopt Resolution No. 2011-32 passed unanimously.

- E. Resolution No. 2011-33, A Resolution of the Dillingham City Council Establishing the Level of Funding for the Dillingham City School District for the Fiscal Year Ending June 30, 2012

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to adopt Resolution No. 2011-33.

Keggie Tubbs reporting for the Finance Committee noted this resolution had been discussed in the committee who recommended approving the same level of funding as the prior year pending Council review of the FY 2012 budget. He noted that the school had some additional needs that were not funded in the school's budget. In addition, he noted as part of the City's contribution, it included the commitment of 1% of sales tax.

VOTE: The motion to adopt Resolution No. 2011-33 passed unanimously.

## IX. UNFINISHED BUSINESS

### A. Annexation

Mayor Ruby noted that the Local Boundary Commission hearing would take place on Monday, April 25 at 4:00 p.m. The City's consulting team would be in town to participate in the process, and attendance was encouraged.

### B. City Manager Hire

Mayor Ruby noted that an update would be provided at the May 5 meeting.

## X. NEW BUSINESS

### A. Clean-Up Days

City Manager Moore reported that clean up days were scheduled for May 13, 14, and 15, that fees would be waived at the landfill for those days for bagged garbage only, that a flyer had already been circulated, and was asking for the Council to endorse the premature announcement.

MOTION: Tim Sands moved and Scott King seconded the motion to concur with the recommendation to have free landfill days during the clean-up days, May 13, 14, and 15, waiving the fees for bagged garbage only.

Discussion:

- voiced acceptance for one free landfill day and beautifying the town, but was concerned that waiving the fees had grown to three days, especially since the landfill did not pay for itself and was highly subsidized;
- asked why it was limited to bagged garbage only, answered it was financial and environmental reasons, that a free-for-all would have cars being brought that would need to be drained, freezers that would have to be drained, all costly items that ought to be taken to the landfill under normal conditions;
- voiced appreciation that this would be an incentive for residents to pick up their yards and the community, but should only waive fees for bagged garbage; and
- asked about brush and lumber, answered the landfill normally accommodated those deliveries, but the event was intended to be a positive thing and an incentive to help clean up roads and sidewalks, harbor, and airport, areas visible to visitors.

MOTION: Tim Sands moved the previous question. (*Clerk Note: The effect of this motion is to immediately stop debate.*)

VOTE: The motion passed with Tim Sands, Elizabeth Pearch, Bob Himschoot, and Scott King in favor, and Keggie Tubbs opposed.

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

There was no citizen's discussion.

**XII. COUNCIL COMMENTS**

Elizabeth Pearch:

- reported she would be returning to Dillingham May 2; and
- noted she appreciated the education on past free landfill days.

Bob Himschoot:

- welcomed Don Moore back to Dillingham.

Keggie Tubbs: no comment

Tim Sands:

- thanked staff for keeping the City running; and
- voiced his appreciation for the graded roads in Nerka.

Scott King: no comment

**XIII. MAYOR'S COMMENTS**

Mayor Alice Ruby:

- welcomed back Don Moore; and
- asked for a moment of silence to recognize those lost since the last meeting.

**XIV. EXECUTIVE SESSION**

MOTION: Tim Sands moved and Scott King seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [7:38 p.m].

GENERAL CONSENT: The motion passed without objection.

*(The meeting recessed for a 1-minute break.)*

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to come out of executive session [8:16 p.m.].

GENERAL CONSENT: The motion passed without objection.

**XV. ADJOURNMENT**

Mayor Alice Ruby adjourned the meeting at 8:16 p.m.



ATTEST:

  
Janice Williams, City Clerk

  
Alice Ruby, Mayor