

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, September 8, 2011, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Pro Tempore Keggie Tubbs called the meeting to order at 7:01 p.m.

II. ROLL CALL

Mayor Alice Ruby absent.

Council Members present and establishing a quorum (a quorum being four):

Scott King, Seat B
Keggie Tubbs, Seat D
Chris Napoli, Seat E
Tim Sands, Seat F

Council Members absent:

Elizabeth Pearch, Seat A - excused
Bob Himschoot, Seat C - excused

Staff in attendance:

Dan Forster, City Manager
Doug Dombroski, Chief of Police
Jody Seitz, Planning Director
Carol Shade, Finance Director
Janice Williams, City Clerk

III. APPROVAL OF MINUTES

- A. Regular Meeting, August 4, 2011
- B. Special Meeting, August 29, 2011

MOTION: Tim Sands moved and Chris Napoli seconded the motion to approve the minutes of August 4, 2011 and August 29, 2011.

VOTE: The motion to approve both sets of minutes passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

- A. Resolution No. 2011-75, A Resolution of the Dillingham City Council Amending the Bank Signature Cards for City Bank Accounts Due to a Change in Personnel
- B. Resolution No. 2011-76, A Resolution of the Dillingham City Council Amending the Bank Signature Card for the City Safety Deposit Box due to a Change in Personnel
- C. Proclamation to Join the National Moment of Remembrance of the 10th Anniversary of September 11th

MOTION: Chris Napoli moved and Tim Sands seconded the motion to approve the consent agenda as presented.

VOTE: The motion to approve the consent agenda as presented passed unanimously.

APPROVAL OF AGENDA

MOTION: Tim Sands moved and Chris Napoli seconded the motion to approve the agenda.

Mayor Pro Tempore Tubbs noted the agenda was the amended version handed out earlier in the day to add item D. Approve Application for Firefighter's Grant under Ordinances and Resolutions, and to add Planning Commission under Committee Appointments.

VOTE: The motion to approve the agenda passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Dan Forster reviewed his staff report:

- appointed as City Manager the previous week;
- annexation – instituted an outreach effort and attempts were being made to contact each of the seven communities, had a good exchange with 2 of the communities so far;
- LBC will be making their final decision on October 4, and on October 13 will issue a formal written notice;
- auctioning off of the City Apartment building will take place September 17;
- union negotiations with PSEA bargaining unit were progressing along; and
- future schedule: will be out of town September 12 and 13, appointing Carol Shade as Acting City Manager; first week in October will attend biannual Preparedness Conference in Anchorage along with several key staff; AML conference will attend November 6-11; and first week in November will be taking personal leave.

B. Standing Committee Reports

Tim Sands, Chair, Code Review Committee:

- committee met August 11 and had canceled the September 8 meeting due to shortage of members;
- asking for Council consideration to add several items to the Committee's To Do List as listed on the agenda under Code Review Committee Assignments; and
- recommending Council adopt Ordinance No. 2011-07 up for adoption.

Tim Sands, Chair, Finance and Budget Committee:

- committee met on August 29 and reviewed and recommended the resolutions regarding equipment purchases passed at the August 29 special meeting; and
- had reviewed a memorandum for a forklift purchase for the Port Department, were looking to receive more information at the Sept. 26 F & B meeting for a presentation at the October Council meeting.

Carol Shade, Finance Director, noted there was funding available in the Dock Fund.

VI. PUBLIC HEARINGS

- A. Adopt Ordinance No. 2011-07, An Ordinance of the Dillingham City Council Amending Section 3.10.075 of the Dillingham Municipal Code Related to the Election of Candidates to Fill a Vacancy on the City Council (*Clerk Note: this item was originally scheduled for a public hearing on Sept. 1, which was rescheduled to Sept. 8*)

Mayor Pro Tempore Keggie Tubbs opened the public hearing on Ordinance No. 2011-07. There being no comments the public hearing closed.

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

- A. Diane Folsom – Animal Shelter Facility

Diane Folsom was asking the Council to not purchase the current property being leased by the City for an animal shelter facility. She was basing it on several incidents, including the loud barking, that she had outlined in a letter to the Council and was included in the packet. She had originally been told the situation would only be a temporary one, and felt the current location was not appropriate for a residential area.

Discussion:

- noted the Project Manager had recently provided some options for a shelter that the Council would be reviewing possibly in October.

VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2011-07, An Ordinance of the Dillingham City Council Amending Section 3.10.075 of the Dillingham Municipal Code Related to the Election of Candidates to Fill a Vacancy on the City Council (*Clerk Note: this item was originally scheduled for a public hearing on Sept. 1, which was rescheduled to Sept. 8*)

MOTION: Tim Sands moved and Chris Napoli seconded the motion to adopt Ordinance No. 2011-07.

City Clerk Williams reported that the ordinance was to bring in line two sections of code that referred to filling a vacant seat on City Council.

Tim Sands noted the ordinance had been vetted through the Code Review Committee and was recommended for adoption.

VOTE: The motion to adopt Ordinance No. 2011-07 passed unanimously.

- B. Introduce Ordinance No. 2011-08, An Ordinance of the Dillingham City Council Amending DMC Section 4.15.080, Personal Property Returns

City Clerk Williams reported the amended ordinance was to bring in line a section of code that referred to two items 1) when personal property returns were due, and 2) to change business inventory from average monthly to year end, that had been amended the prior year in two other sections of code.

MOTION: Tim Sands moved and seconded the motion to introduce Ordinance No. 2011-08.

Discussion:

- noted the window of opportunity to count inventory at year end and meet the filing deadline of Feb. 1, was very narrow, especially for a small business with limited staff, holidays, and asked if staff would prepare a schedule that outlined the events to see if it was time sensitive and might allow for a wider window of opportunity.

VOTE: The motion to introduce Ordinance No. 2011-08 passed unanimously.

- C. Resolution No. 2011-77, A Resolution of the Dillingham City Council Supporting the Nutrition, Transportation, and Support Services Grant for the Continuation of the Dillingham Senior Center Services

MOTION: Tim Sands moved and Chris Napoli seconded the motion to adopt Resolution No. 2011-07.

VOTE: The motion to adopt Resolution No. 2011-77 passed unanimously.

- D. Resolution No. 2011-78, A Resolution of the Dillingham City Council Authorizing the City Manager to Apply for an Assistance to Firefighters Grant in the Amount of \$400,000

MOTION: Tim Sands moved and Chris Napoli seconded the motion to adopt Resolution No. 2011-78.

Malcolm Wright reported the Fire Dept. had used the Assistance to Firefighters Grant a/k/a FEMA grant several years ago for a new fire engine and were looking to apply for another new engine to replace an older model. It would also include a request for money for a driver training program that would be useful for the department. They had recently noted the grant also included dispatch center equipment and were looking to include that as well.

VOTE: The motion to adopt Resolution No. 2011-78 passed unanimously.

IX. UNFINISHED BUSINESS

- A. Annexation

Mayor Pro Tempore Tubbs noted it had been reported on under the City Manager's report and would also be discussed in more detail in Executive Session.

X. NEW BUSINESS

- 1. Committee Appointments
 - a. Senior Advisory Commission

Mayor Pro Tempore Tubbs reported there had been one letter of interest, from Basil Backford, and he had been recommended by the Mayor.

MOTION: Tim Sands moved and Chris Napoli seconded the motion to concur with Mayor Ruby's recommendation to appoint Basil Backford to the Senior Advisory Commission.

VOTE: The motion passed unanimously.

- b. Planning Commission

Mayor Pro Tempore Tubbs reported there had been an extensive recruiting period resulting in one letter of interest, from Petla Noden, and he was being recommended by the Department Head [Jody Seitz] and Mayor Ruby.

MOTION: Tim Sands moved and Chris Napoli seconded the motion to concur with the recommendation to appoint Petla Noden to the Planning Commission.

VOTE: The motion passed unanimously.

2. Code Review Committee Assignments

- a. Liquor Sales - Super Bowl Sunday
- b. Liquor Sales - New Year's Eve Falls on a Saturday or Sunday
- c. Write-in Ballots, Legislative Changes

Mayor Pro Tempore Tubbs reported that the three items had been reported on by the Code Committee Chair, Tim Sands, at the last Council meeting for consideration by the Council.

MOTION: Tim Sands moved and Chris Napoli seconded the motion to concur with the Code Review Committee's recommendation to add the three additional assignments.

Discussion:

- clarified the committee would bring back any recommended changes to the Council.

VOTE: The motion passed unanimously.

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

Jim Carty reported when he worked for the City the dog pound was located behind the City Hall building. Included in the facility was a concrete pad that drained into the sewer. The pad still existed, but could be expanded, and a building put over it. He noted it had worked fine in the past.

XII. COUNCIL COMMENTS

Chris: no comment

Scott King: no comment

Tim Sands:

- welcomed City Manager Forster, and offered his help if he needed it; and

- thanked staff for keeping the City running.

XIII. MAYOR'S COMMENTS

Mayor Pro Tempore Keggie Tubbs:

- welcomed City Manager Forster, noting it was good to have him on board; and
- asked for a moment of silence to recommend those that had been lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Annexation

MOTION: Tim Sands moved and Chris Napoli seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [7:33 p.m.].

VOTE: The motion passed unanimously.

(The meeting recessed at 7:34 p.m. for a two minute break before going into executive session.)

MOTION: Chris Napoli moved and Tim Sands seconded the motion to come out of executive session [8:36 p.m.].

GENERAL CONSENT: The motion passed with no objection.

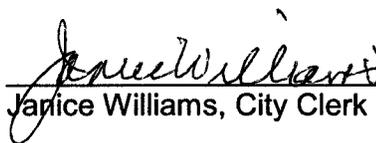
XV. ADJOURNMENT

Mayor Pro Tempore Tubbs adjourned the meeting at 8:36 p.m.



 Alice Ruby, Mayor

ATTEST:



 Janice Williams, City Clerk

