

I. CALL TO ORDER

The Rescheduled Regular Meeting of the Dillingham City Council was held on Thursday, October 13, 2011, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:18 p.m.

II. ROLL CALL

Mayor Alice Ruby present.

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

Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Tracy G. Hightower, Seat E
Tim Sands, Seat F

Council Members absent:

Elizabeth Pearch, Seat A - excused
Seat B, Vacant

Staff in attendance:

Dan Forster, City Manager
Steve Cropsey, Project 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, September 8, 2011

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the minutes of September 8, 2011.

VOTE: The motion to approve the minutes of September 8, 2011 passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

APPROVAL OF AGENDA

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the agenda as revised October 12, 2011.

VOTE: The motion passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Dan Forster reported on the following:

- recognized the City Clerk for serving as Acting City Manager during his absence while working on the election, preparing the council packets for three meetings, and distributing the changes during the week;
- Knutsen boat removal was taken care of by the family;
- Leasing discussions were underway with Gary Korthius of NAPA for a lot at the harbor, and the State of Alaska Job Service to renew discussions to lease the Potato House;
- a dedication ceremony was scheduled for Sunday at 2:00 p.m. renaming Tower Road as Lil' Larry Road;
- would be out of the office first week in November on personal leave, and second week to attend the AML Manager's conference;
- tentative approval was given to store the remains of a killer whale and fetus in one of the container vans at the port until spring, and had instructed the group to ensure they were following the federal guidelines for appropriate approvals; and
- CIP requests approved by the Planning Commission would be coming back to the Council at a later time.

Project Manager Steve Cropsey reported on the following:

- introduced Freeman Roberts III and Patrick Rawls, contractors on the Senior Center remodel, for their outstanding work on the Senior Center;
- City apartment building sale netted the City \$377,443, which would offset outstanding taxes, penalties and interest due on the property;
- Tower Road project was almost completed with the exception of installing street lights, and the road was to be renamed;
- Elementary school renovation was scheduled for a final inspection in the next several weeks;
- High school reroofing over the band room was completed; and
- an assessment of the schools would take place coincident with overseeing/observing the Picnic Park Erosion project.

Discussion:

- thanked Steve Cropsey for all the work he had done on the auction; and
- noted the Port Director's request for a new forklift had been vetted through the Finance Committee, although supportive wanted to be assured the procurement process was followed, and awaiting more information.

B. Standing Committee Reports

Tim Sands, Chair of Code Review Committee and Finance and Budget Committee:

- working on an ordinance to allow liquor sales on Super Bowl Sunday, and New Year's Eve when it falls on a Saturday or Sunday;
- reviewed the recommendation from the attorney to add language that allowed the election board to ascertain the intent of the voter on written candidate names;

- as a result of the write-in challenges brought up during the most recent election, was researching other municipalities and looking at whether there should be a minimum percentage of votes to seat a candidate and whether a letter of intent should be on file;
- had postponed review of several proposed codes on annexation following the workshop; and
- had reviewed the consultant's work on other options available in health plans, and the committee had asked the manager to seek input from staff.

Discussion:

- asked if the City was going to change its health plan before the fiscal year was over; *answered* the two year period with AETNA had expired in June, and the City could make a change with a 60-day notice, but was not proposing anything at this time.

Mayor Ruby, Public Outreach Committee:

- noted discussion on annexation was put on hold pending the workshop.

Bob Himschoot, School Facility Committee:

- appreciated getting the school assessment in place so the school could qualify for construction monies from the State.

VI. PUBLIC HEARINGS

- A. Adopt Ordinance No. 2011-08, An Ordinance of the Dillingham City Council Amending DMC Section 4.15.080, Personal Property Returns (*Clerk Note: This item was originally scheduled for a public hearing on October 6; meeting was rescheduled to October 13.*)

Mayor Ruby opened the public hearing on Ordinance No. 2011-08. There being no comments the public hearing closed.

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

There was no citizen's discussion.

VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2011-08, An Ordinance of the Dillingham City Council Amending DMC Section 4.15.080, Personal Property Returns (*Clerk Note: This item was originally scheduled for a public hearing on October 6; meeting was rescheduled to October 13.*)

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

City Clerk Williams reported that two sections of code that dealt with personal property returns were amended last year. Unfortunately another section of code that dealt with the same issues was overlooked and this ordinance was to amend that section. An analysis of the steps leading up to mailing out personal property returns would be available for the next meeting.

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

- B. Resolution No. 2011-80, A Resolution of the Dillingham City Council Awarding a Contract for Construction of the Dillingham Picnic Park Interim Erosion Protection Project

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Resolution No. 2011-80.

Project Manager Cropsey reported the City had received two bids. Southwest Alaska Contractors LLC, operating primarily out of Naknek, was the low bidder. The base bid plus the added alternate, which was the Snag Point revetment, was \$633,900. The other bidder provided a total bid of \$811,800. The City was approved to use a State legislative appropriation from 2009 for harbor erosion to provide rip-rap (rock armor) on the Snag Point area. A local contractor was providing the rock for the project. He further noted that Additive 1 was approximately 60 lineal feet of armor rock in front of the failing seawall at Snag Point, and Additive 2 was for patching the sheet pile at Snag Point.

VOTE: The motion to approve Resolution No. 2011-80 passed unanimously.

- C. Resolution No. 2011-81, A Resolution of the Dillingham City Council Awarding a Contract for the Delivery of Fuel for the Period October 1, 2011 through September 30, 2012

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Resolution No. 2011-81.

City Manager Forster reported this was an annual contract awarded to a firm to top off the City's fuel storage. He had also asked and had received assurance that the tanks would be topped off regularly.

Discussion:

- asked if the vendor was current on their taxes, *answered* had not looked into it, but would have the information for the next meeting.

VOTE: The motion to approve Resolution No. 2011-81 passed unanimously.

- D. Resolution No. 2011-82, A Resolution of the Dillingham City Council Approving a Long Term Encroachment Permit for Nushagak Cooperative to Install Six Poles with Street Lighting and an Anchor Pole Along the Newly Renamed Lil' Larry Road

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Resolution No. 2011-82.

Manager Forster reported the resolution had been approved by the Planning Commission, and would allow an encroachment for Nushagak to install street lights on the City's road.

VOTE: The motion to approve Resolution No. 2011-82 passed unanimously.

IX. UNFINISHED BUSINESS**A. Annexation**

Mayor Ruby reminded the Council of the workshop scheduled for the following day.

X. NEW BUSINESS**A. Action Memorandum No. 2011-15, Approve RFP for Animal Control Shelter**

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Action Memorandum No. 2011-15.

Project Manager Cropsey reviewed the draft RFP with the Council. He suggested the Council appoint a panel of five people to consider all the options, and choose the proposal that would be the best solution. The RFP addressed an earlier concern that the site would not interfere with neighboring property owners' use of their property. The advertising period would be at least thirty days.

Discussion:

- opposed any option that had a sale auction that would take taxable land off of the tax rolls; and
- voiced concern for the fairness of possibly excluding someone whose had taxable property to use for the shelter.

VOTE: The motion to approve Action Memorandum No. 2011-15 passed unanimously.

B. Action Memorandum No. 2011-16, Authorize City Manager to Work on a Proposal to Lease a Lot at the Boat Harbor for Council Approval

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve Action Memorandum No. 2011-16.

Manager Forster reported he had made several site visits with Mr. Korhthius of NAPA to look at leasing land to relocate his operation to the harbor. This would be subject to Council approval. The proposed business would be in operation year round. The site would be about 150' X 175'. He had approved Mr. Korhthius doing soil samplings, which had come back favorable showing the area could support a building.

VOTE: The motion to approve Action Memorandum No. 2011-16 passed unanimously.

C. Select Several Possible Dates for School Open House after 3rd Week in October

Mayor Ruby reported money had budgeted for a celebration. Manager Forster was directed to work with the school superintendent to find suitable dates sometime after November 14.

D. Set a Date for an Open House at the Senior Center after October 24

A date for the open house was deferred to the City Manager.

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

There was no citizen's discussion.

XII. COUNCIL COMMENTS

Mayor Ruby asked the Council to address the following two items:

- reschedule the November Council meeting; and
- declare a vacancy on Seat B and start the recruiting period.

MOTION: Tim Sands moved and Bob Himschoot to declare a vacancy on the Council.

VOTE: The motion passed unanimously.

Mayor Ruby reported Manager Forster would be away from the office the first week in November, and would be attending the AML conference the second week as well as the Finance Director and City Clerk.

Discussion:

- noted the vacant Seat B would need to be filled within 45 days from October 13; and
- suggested scheduling their regular Council meeting for November 17, recognizing several Council Members were traveling, but might be able to attend via teleconference.

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to schedule the meeting for November 17.

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

VOTE: The motion passed unanimously.

Bob Himschoot:

- welcomed Mr. Forster and Mr. Hightower; and
- apologized to Keggie Tubbs for the way he had responded to his comment on the animal shelter discussion, in which he felt he had vented.

Keggie Tubbs:

- congratulated Tracy and Bob; and
- responded to Bob that there was no need to apologize for sharing his opinion.

Tim Sands:

- congratulated the three newly elected Council Members for being willing to serve;
- thanked the staff for keeping the City running, and the Clerk for doing double duty; and

- commented that he appreciated Steve Cropsey's reports, for seeing the school projects winding down, and appreciated all his work in getting all the other projects closed out.

Tracy Hightower:

- thanked the Council for making him feel welcome;
- thanked all the voters; and
- commented he was looking forward to the job ahead.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- noted she would be asking the Council Members for their preference or interest for serving on the various committees;
- encouraged their attendance at the renaming of the Tower Road dedication;
- thanked the City staff and Council who participated in the Mental Health Trust tour;
- noted she would be looking to schedule a long range planning session; and
- asked to join her in a moment of silence to recognize those who had been lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Legal Matter

- Annexation
- Local 71 Petition to Organize

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [8:42 p.m.].

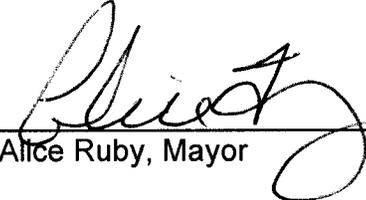
VOTE: The motion passed unanimously.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to come out of executive session [9:54 p.m.].

GENERAL CONSENT: The motion passed with no objection.

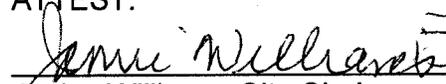
XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:54 p.m.



Alice Ruby, Mayor

ATTEST:



Janice Williams, City Clerk

Approved: 12/1/11

