

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, February 7, 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:35 p.m. This meeting was preceded by a workshop at 6:00 p.m. to review the FY 2012 Audit Reports.

II. ROLL CALL

Mayor Alice Ruby was present.

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

Chris Maines, Seat B
Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Tracy Hightower, Seat E
Paul Liedberg, Seat F

Seat A, Vacant

Staff in attendance:

Rose Loera, City Manager
Dan Pasquariello, Chief of Police/Sergeant-at-Arms
Carol Shade, Finance Director
Janice Williams, City Clerk

III. APPROVAL OF MINUTES

A. Regular Council Meeting, January 10, 2013

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to approve the minutes of January 10, 2013.

VOTE: The motion to approve the minutes of January 10, 2013 passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

There was no consent agenda.

APPROVAL OF AGENDA

Manager Loera asked to remove Union Negotiation Update from item XV. Executive Session.

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to approve the agenda as amended.

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

V. STAFF REPORTS**A. City Manager Report**

City Manager Rose Loera reported the following:

- new fish box was reported on in the Bristol Bay Times;
- Public Works Director is out on FMLA;
- Landfill Committee – looking to reduce the number of days open from 5 to 3 days, compressing Sunday and Saturday, had discussed the new hours with Dillingham Refuse, not sure if new hours would reduce wages, because the City still needed two positions that could operate equipment in the absence of the other, needed to provide time for the technician to be able to make a concerted effort to address the deficiencies at the landfill, would be notifying the residents within the next week of the new hours, and would continue to monitor it.

Discussion:

- commented to be prepared that the community might push back for closing on a weekend day; and
- spoke in support for a protocol that would penalize someone for dumping personal trash in the fish box.

City Manager continued:

- signed an MOU with BBEDC which will be providing training funds to send an officer to the Police Academy next fall;
- deadline for returning a request for proposal for reroofing the library was March 2;
- proposing a public meeting on regulating commercial licenses, but found several cab services did not have business licenses and will be reviewing that in collections committee and code committee;
- legislative visit to Juneau - legislators were very supportive of keeping \$3.09M grant for the wastewater treatment plant in the budget, the CIP packet was well received, and the lobbyists did a great job organizing the trip;
- talked to the Commissioner of Public Safety regarding the need for a new building, addressed the ongoing overcapacity at the jail and provided a graph for the last year, and would continue to keep pushing forward; and
- fire equipment for breathing apparatus at the fire dept. will be expiring in June at a significant cost to fire depts. throughout the State, looking for Legislature to fund the required upgrades.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to support the efforts for legislative funding for replacement of the airpacs.

VOTE: The motion to support the request for legislative funding passed unanimously.

Mayor Ruby asked the Council to take up the petition to exempt locally made crafts from sales tax and vet it through the Code Committee for review, as outlined in the City Clerk's report. This could shortcut the effort of having to go through an election.

MOTION: Keggie Tubbs made a motion and Chris Maines seconded the motion to assign the ordinance to exempt certain items from sales tax to the Code Committee and bring back a recommendation to Council.

VOTE: The motion to send the ordinance to the Code Committee passed unanimously.

City Manager Loera confirmed that the Port of Dillingham Advisory Committee was scheduled to meet in February to review the proposed harbor fees that had been presented to them in January. Finance Director Shade reported that a majority of the raw fish tax refunds had been processed, there were several pending further review, and that the code allowed for processing until March. An analysis of the refunds would be presented at the next Council meeting.

B. Standing Committee Reports

Paul Liedberg, Chair of the Code Review Committee, reported that a big segment of the last meeting was reviewing the regulation of commercial licenses with a presentation by Jack Allen, [owner of Nushagak Cab Co] outlined in the meeting minutes. The committee also discussed amending penalty and interest rates on raw fish sales tax to be consistent with other taxes, and would continue to take up late filed appeals for property taxes at the next meeting.

Bob Himschoot, Chair, Finance and Budget Committee, reported they had reviewed ambulance fees, was expecting the results of the water and wastewater study soon, staff was working to bring the expenses more in line with revenues, reviewed animal shelter options, discussed paying for a survey resulting from an old land swap with Choggiung, and invited the rest of the Council to join in the upcoming budget meetings.

VI. PUBLIC HEARINGS

There were no public hearings.

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

There was no citizen's discussion.

VIII. ORDINANCES AND RESOLUTIONS

- A. Introduce Ordinance No. 2013-01, An Ordinance of the Dillingham City Council Amending Section 4.21.040 of the Dillingham Municipal Code to Limit the Penalty Assessed for Failure to File or Remit Raw Fish Sales Tax Returns to Ten Percent, and to Limit the Interest to 6%

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to approve Ordinance No. 2013-01.

Manager Loera reported this ordinance was being recommended to bring it in line with other sections of code in order to standardize penalties and interest.

VOTE: The motion to introduce Ordinance No. 2013-01 passed unanimously.

- B. Introduce Ordinance no. 2013-02, An Ordinance of the Dillingham City Council Amending Sections 4.15.110 Through 4.15.170 of the Dillingham Municipal Code to Amend the Procedures for Appeal Hearings Before the Board of Equalization and to Delete Repetitive Language in these Sections

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to introduce Ordinance No. 2013-02.

Manager Loera reported this ordinance would remove repetitive language included in the section on BOE and clean it up.

VOTE: The motion to approve Resolution No. 2013-02 passed unanimously.

- C. Resolution No. 2013-05, A Resolution of the Dillingham City Council to Offer Thanks and a Commendation to Mr. Doug Holt for his Service on the Dillingham City Council

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to approve Resolution No. 2013-05.

VOTE: The motion to adopt Resolution No. 2013-05 passed unanimously.

- D. Resolution No. 2013-06, A Resolution of the Dillingham City Council Supporting the Dillingham City School's Application to Participate in the 2012 BBEDC Arctic Tern Grant Program

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to approve Resolution No. 2013-06.

Keggie Tubbs, Mayor Ruby, and Chris Maines, disclosed that although their employer was supporting this grant, there was no financial interest on their part.

VOTE: The motion to adopt Resolution No. 2013-06 passed unanimously.

- E. Resolution No. 2013-07, A Resolution of the Dillingham City Council Accepting the Year End Audit for the Fiscal Year Ending June 30, 2012

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-07 with the correction to add John Bost's name in the blank.

Mayor Ruby commented she appreciated everyone's active involvement in reviewing the audit.

VOTE: The motion to adopt Resolution No. 2013-07 passed unanimously.

IX. UNFINISHED BUSINESS

- A. Animal Shelter Facility

Manager Loera reported that she had been discussing the possibility of using about 800 square feet of the National Guard building. The Governor's budget had \$550K earmarked for a National Guard facility, and they were looking at a relocatable building in Dillingham in about two years to find recruitments for the National Guard. She was also looking at the dock warehouse building, which would need upgrades, running water. This item would continue to be fielded through the Finance Committee.

Mayor Ruby reported when the discussion went toward upgrading a facility, she would advise bringing in the ad hoc Animal Committee to review.

B. Citizen Committee Appointments

1. Planning Commission – 3 Seats Expired December 2012

Mayor Ruby reported there were two planning commissioners who were interested in being reappointed, Terry Hoefflerle and Izetta Chambers, and recommended their reappointment.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to concur with the Mayor's recommendation and reappoint Terry Hoefflerle and Izetta Chambers to the Planning Commission.

GENERAL CONSENT: The motion passed with no objection.

2. Cemetery Committee – 4 Seats

Mayor Ruby noted she had no recommendations to make at this time.

3. Senior Advisory Commission – 1 Seat

Mayor Ruby reported that there was one resident, Susan Lambert, interested in being on the commission, and recommended her appointment.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to concur with the Mayor's recommendation to appoint Susan Lambert to the Senior Advisory Commission.

GENERAL CONSENT: The motion passed with no objection.

4. Parks and Recreation Committee – 2 seats

Mayor Ruby reported that there were two applicants, Jennifer Gardiner, and Brenda Spofford, who were strongly recommended by the chair, Patrick Solano-Walkinsaw.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to concur with the Mayor's recommendation to appoint Jennifer Gardiner and Brenda Spofford to the Parks and Recreation Committee.

GENERAL CONSENT: The motion passed with no objection.

C. Appoint Council Member to Seat A – Interim Appointment

Mayor Ruby reported she had received two letters of interest, Brenda Akelkok and Kathryn Murphy. She was recommending Brenda Akelkok, a former Council member, who would come with a lot of experience.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to concur with the Mayor's recommendation to appoint Brenda Akelkok to Council Seat A.

GENERAL CONSENT: The motion passed with no objection.

Mayor Ruby asked City Clerk Williams to swear in Brenda Akelkok who was appointed to Council Seat A.

X. NEW BUSINESS

- A. Schedule a Regular Meeting of the Board of Equalization for May 23, 2013, at 5:30 p.m.

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to schedule the Board of Equalization meeting for May 23, 2013 at 5:30 p.m.

GENERAL CONSENT: The motion passed with no objection.

- B. Reschedule the April 4 and April 18, 2013, Council meetings, to April 11 and April 25, 2013 at 7:00 p.m.

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to reschedule the April 4 and April 18 meetings to April 11 and April 25 at 7:00 p.m.

Mayor Ruby reported the meetings were being rescheduled to accommodate staff scheduling and getting the council packets out.

GENERAL CONSENT: The motion passed with no objection.

- C. Reschedule the May 2 and May 16, 2013, Council meetings to May 9 and May 23, 2013 at 7:00 p.m.

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to reschedule the May 2 and May 16 meetings to May 9 and May 23 at 7:00 p.m.

GENERAL CONSENT: The motion passed with no objection.

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

Susan Lambert addressed the Council commenting she was the new Tribal Services and Community Liaison for SAFE, and wanted to serve on the commission, partly due to her age,

seniors have a huge gap in services with domestic violence and sexual assault, and SAFE gave 2 hours a week for community service.

XII. COUNCIL COMMENTS

Brenda Akelkok:

- commented it was an honor to serve on the Council, would strive to do her very best, and appreciated all the Council's time and good examples that they set.

Paul Liedberg:

- welcomed Brenda to the Council;
- reported he would be attending a meeting regarding SB32 relative to the potential for hydropower, and would be available for questions if the Council had an interest; and
- wanted to recognize the good representation by our representatives in Juneau.

Manager Loera noted there would be something regarding Senate Bill 32 on the next agenda.

Tracy Hightower:

- welcomed Brenda Akelkok to the Council.

Keggie Tubbs:

- welcomed back Brenda;
- thanked Tracy, Bob, and Rose for lobbying in Juneau, emphasized the importance of making a presence in Juneau, and hoped at some point the City would visit more than once a year.

Chris Maines:

- noted his appreciation for the visual of the new fish box, that it was a drastic improvement over the prior equipment, and thanked the City for purchasing it.

Bob Himschoot:

- welcomed Brenda and wished good luck to Doug Holt;
- thanked staff for all their effort prepping for Juneau, Rose's leadership, impressed with the lobbyists who did a good job lining them up; and
- thanked John Bost for his presentation.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- welcomed Brenda;
- thanked everyone who was interested in serving on the various committees, and would at some point work on the committee descriptions, responsibilities, and structure;
- thanked staff for working so hard on snow removal, even though the City may get some complaints, they really did an outstanding job with just a few employees moving snow;
- noted she would be attending SWAMC conference, February 20-22, Council were welcome to go, need to budget how much spent on travel, and had received suggested resolutions, including energy issues; and

- asked for a moment of silence to recognize those lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Union Negotiations Update
2. Public Safety Update

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to move into executive session for the purpose of discussing legal matters, public safety update.

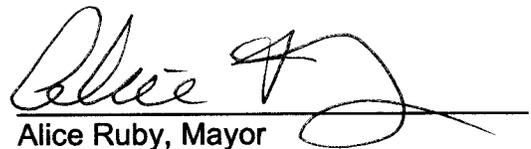
Manager Loera was invited into the executive session along with City Clerk Williams and Chief of Police Dan Pasquariello.

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to come out of executive session [9:25 p.m.].

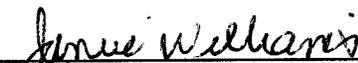
GENERAL CONSENT: The motion passed with no objection.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:25 p.m.


Alice Ruby, Mayor

ATTEST:



Janice Williams, City Clerk

Approved: March 7, 2013

