

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, May 3, 2012, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:02 p.m. This meeting was preceded by a Board of Equalization Meeting at 5:30 p.m.

City Clerk Williams swore in Doug Holt, Council Member, appointed by the Council at their March 1, Regular Council meeting to complete an unexpired term until the October 2012 Municipal election.

II. ROLL CALL

Mayor Alice Ruby was present.

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

Doug Holt, Seat A
Paul Liedberg, Seat B
Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Tracy Hightower, Seat E
Tim Sands, Seat F

Staff in attendance:

Dan Forster, City Manager
Carter Cole, Public Works Director
Doug Dombroski, Chief of Police
Dan Boyd, Animal Control Officer
Jody Seitz, Planning Director
Carol Shade, Finance Director
Janice Williams, City Clerk

Guests: Tim Pearson, Pearson Consulting

III. APPROVAL OF MINUTES

A. Regular Meeting, April 19, 2012

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to approve the minutes of April 19, 2012.

VOTE: The motion passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

A. Proclamation: National Bike/Walk to Work and School Day, May 18, 2012

B. Proclamation: Public Service Recognition Week, May 6-12, 2012

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

VOTE: The motion passed unanimously.

APPROVAL OF AGENDA

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve the agenda that was revised to include Ordinance No. 2012-10.

VOTE: The motion passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Forster:

- Harbor Lease Lot Proposals – City received two proposals, and both applicants were looking to use the entire lot; and
- Harbor Lots 1 and 4 - Lot 1 would be squared off, and didn't think there would be a significant impact on parking. Lot 4 contained a settling pool making that part of the lot unusable, but possibly the renter of Lot 3 would lease Lot 4 as well.

It was recommended that harbor lease lots be maintained in the City Manager's report as a standing item.

Paul Liedberg commented on snow mobile trails being taken up in Planning Commission meetings, and as part of the Comprehensive Plan, that virtually all the existing named trails had been plotted on a GPS. They were looking to bring it to a wider audience, and would be working toward securing safe permanent, and legal access.

Carter Cole reported the RFP for the directional drilling project would bid no later than May 21, and confirmed completion of construction this summer. Staff was working to locate funds in the FY 2012 budget for a fish waste container estimated at \$20K, including shipping.

Manager Forster reported there were monies remaining in an existing landfill grant which the City could use, but would need to match with \$54K of its own funds. The remaining grant and the match could be used to purchase the fish waste container and other items needed at the landfill.

Discussion:

- recommended adding the fish waste container to the Finance and Budget Committee's agenda, for Council approval on May 17, in order to expedite the purchase in time to arrive for the fishing season; and
- suggested contacting Curyung's environmental program for possible funding.

B. Standing Committee Reports

Bob Himschoot, Chair, Finance and Budget Committee, reported that the Committee was pursuing a review of the FY 2013 budget, had established a committee to review the RFPs for a water and wastewater rate study, and a presentation on the school budget was being scheduled for May 14 or 21.

Mayor Ruby, Chair, School Facility Committee, reported the committee was looking to fund an assessment of the red territorial school building to evaluate future use. The school's capital projects list, a/k/a major maintenance list, as recommended by the committee, would be brought to the F&B Committee to see if funds could be allocated to accomplish the projects, and would make its way to Council as a budget proposal. The list was being brought to both the School Board and Council for adoption.

Tim Sands, Parks and Recreation Committee member, noted the committee was looking to raise money, noting the minutes were in the packet.

Mayor Ruby, BOE had met, and the minutes would be in the next packet.

Mayor Ruby introduced Tim Pearson, Pearson Consulting, who would be helping the City with its manager search.

VI. PUBLIC HEARINGS

There was no public hearing.

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

Dennis Olson spoke of his concern for the Kanakanak cemetery. Choggiung had deeded the property to the City, and since 2005, he had been asking the City if they would agree to co-manage the property, or deed the property to the people of Olsonville and Kanakanak. He commented their reasoning was based on most of the people buried there were their ancestors, and noted the City's heavy equipment had made damages to the grounds and graves in the process of digging graves in the past, and wanted to avoid that. He commented he would send another letter to the City to make another appeal. He also voiced his concern for the continuing erosion of the bank into the bay which he had brought up earlier, commenting on the necessity to get the funding in place.

VIII. ORDINANCES AND RESOLUTIONS

- A. Introduce Ordinance No. 2012-09, An Ordinance of the Dillingham City Council Levying a 2.5% Tax on Raw Fish Severed from the Commercial Fishing Waters

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to introduce Ordinance No. 2012-09 and schedule a public hearing for May 17.

Mayor Ruby noted the ordinance was still being vetted through the Code Review Committee, and could be brought back as a substitute ordinance if there were any recommended changes.

VOTE: The motion to introduce Ordinance No. 2012-09 passed unanimously.

- B. Introduce Ordinance No. 2012-10, An Ordinance of the Dillingham City Council Repealing and Reenacting Section 1.18.010 of the Dillingham Municipal Code to Include Property Annexed to the City in the Description of the City Boundaries

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to introduce Ordinance No. 2012-10 and schedule a public hearing for May 17.

Mayor Ruby noted this was a housekeeping item to amend the City's code to include the newly annexed area.

VOTE: The motion to introduce Ordinance No. 2012-10 passed unanimously.

- C. Resolution No. 2012-23, A Resolution of the Dillingham City Council Accepting the Certification of the Canvass Committee Results and Certifying the April 10, 2012 Special Election and Repealing Resolution No. 2012-20

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve Resolution No. 2012-23.

Mayor Ruby noted this resolution would repeal Resolution No. 2012-20, and would correct the numbers that were recommended be changed in error when it was introduced originally.

VOTE: The motion to approve Resolution No. 2012-23 passed unanimously.

- D. Resolution No. 2012-24, A Resolution of the Dillingham City Council Supporting the Nutrition, Transportation, and Support Services Grant for the Continuation of the Dillingham Senior Center

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to approve Resolution No. 2012-24.

Manager Forster reported the City did not meet the annual filing deadline for the NS grant for the Senior Center which funded fund meals and rides. He noted if the grant request was denied, the City would be actively working to get it back.

Planner Seitz noted the City's grant requirement was a 10% match, or around \$14,065, on allowable costs, but the City provided closer to 65% of its own funds to cover other costs such as lighting, heating, etc to support the program. This was noted in the 5th Whereas, the COD agrees to the terms and conditions set forth in the grant application including the 65% match requirement.

Discussion:

- understood the City was providing more than 10% to support the Center, but the resolution was for the NTS grant match requirement, and to avoid confusion it would be best to continue with the same format used in the past; and
- recommended leaving in the 65% to make the point that the City was making a significant contribution.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to amend the resolution to remove 65% to read "including the match requirement".

VOTE: The motion to amend Resolution No. 2012-24 passed with Tim Sands, Keggie Tubbs, Paul Liedberg, and Mayor Ruby voting in favor, and Bob Himschoot, Doug Holt, and Tracy Hightower opposed.

(Clerk Note: Four affirmative votes are required for the passage of an ordinance, resolution or motion.)

VOTE: The motion to approve Resolution No. 2012-24 as amended passed unanimously.

E. Resolution No. 2012-25, A Resolution of the Dillingham City Council Approving the Write-Off of Bad Debts Payable to the City for Personal Property Tax, Sales Tax, Harbor and Dock Invoices Dated 2010 and Prior

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to approve Resolution No. 2012-25.

Finance Director Shade reported approval of the resolution would remove aged receivables as far back as 1999 that the City was unlikely to receive, some too old to collect, due to lack of a good address, lacking the source document to support the debt, or had already gone to a collections agency. She noted the accounts would be written off the books, but if the debtor requested a future City service, the City was not prohibited from collecting on their past debt. In 2008 a half position was funded for collections, but since then that position had absorbed a lot of other responsibilities.

Discussion ensued:

- hoped the City was making every effort to collect on bad debt, including using a collections agency; and
- commented this could be a lengthy discussion and suggested bringing it up in the Finance and Budget Committee.

VOTE: The motion to approve Resolution No. 2012-25 passed unanimously.

IX. UNFINISHED BUSINESS

A. Animal Shelter Facility

Manager Forster reported the City had entered into an extended lease for a year, at \$2,300/month, with a 30-day notice of cancellation. The City would continue to work on a plan toward a permanent solution. He confirmed the neighborhood had been part of the discussion.

B. Letter of Intent Between City of DLG and Smart Tower Energy

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to approve the City Manager to enter into a Letter of Intent and to direct staff to explore all four options for solid waste management.

Mayor Ruby noted this was one element of direction to look into all four options of solid waste management.

VOTE: The motion passed unanimously.

X. NEW BUSINESS

A. Committee Appointments

1. Senior Advisory Commission – 3 Seats

Mayor Ruby recommended appointing Spruce Lynch, Johanna Bouker, and Maryanne Dickey to the Senior Advisory Commission.

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to concur with the Mayor's recommendation for the Senior Advisory Commission appointments.

VOTE: The motion passed unanimously.

2. Library Board – 2 Seats

There were no recommendations to be made at this time.

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

There was no citizen's discussion.

XII. COUNCIL COMMENTS

Bob Himschoot:

- welcomed Doug Holt.

Tim Sands:

- thanked staff for keeping the City running;
- suggested a report on the status of a pending sales tax audit at their next meeting; and
- spoke in favor of continuing the next step in the assessment of the Public Safety Building.

Keggie Tubbs:

- welcomed Doug Holt.

Tracy Hightower:

- welcomed Doug Holt.

Paul Liedberg:

- welcomed Doug;
- thanked staff in advance for upcoming efforts with the community clean up weekend; and

- commented on a rumor that the City may soon have a veterinarian service in town, and thanked the staff for helping make that possible.

Doug Holt:

- thanked the Council for entrusting him with his Council seat.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- would recommend creating a committee at some point to discuss the Kanakanak cemetery;
- noted Pebble Partnership had received an invitation to attend a meeting along with Bristol Bay communities, related to power cost and utilization, although City was opposed to Pebble felt it was in the City's best interest to stay apprised, and Bob Himschoot had consented to attend;
- noted she had received an invitation to do a welcome at the Rural Providers' Conference;
- commented naming the harbor had been taken up several years ago with no consensus, and could take it up at a later date, unless Council had other ideas (suggestion was to direct to Port of Dillingham Advisory Committee); and
- asked for a moment of silence to recognize those lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Annexation
2. Gladden vs. City of Dillingham

B. Personnel Matter

1. City Manager Hire

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to go into executive session under DMC, 2.09.050, regarding legal and personnel matters [8:12 p.m.].

GENERAL CONSENT: The motion passed without objection.

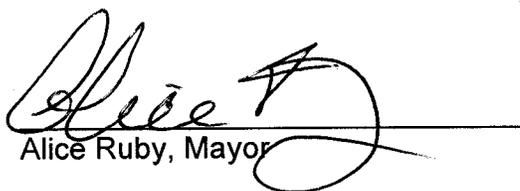
MOTION: Tim Sands moved and Doug Holt seconded the motion to come out of executive session [8:27 p.m.].

GENERAL CONSENT: The motion passed with no objection.

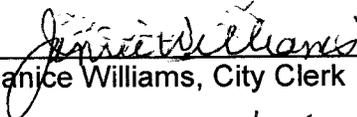
XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 8:27 p.m.




Alice Ruby, Mayor

ATTEST:


Janice Williams, City Clerk

Approved: 5/17/2012