

**I. CALL TO ORDER**

The Regular Meeting of the Dillingham City Council was held on Thursday, June 21, 2012, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:02 p.m. The meeting was preceded by a farewell potluck for City Manager Dan Forster.

**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  
Steve Cropsey, Project Manager  
Travis Schiaffo, Interim Chief of Police  
Jody Seitz, City Planner  
Carol Shade, Finance Director  
Janice Williams, City Clerk

Guests:

Attorney Brooks Chandler – *via teleconference*

**III. APPROVAL OF MINUTES**

- A. Regular Meeting, June 7, 2012
- B. Special Meeting, June 14, 2012

**MOTION:** Keggie Tubbs moved and Tim Sands seconded the motion to approve the minutes of June 7, 2012 and June 14, 2012.

**VOTE:** The motion passed unanimously.

**IV. APPROVAL OF CONSENT AGENDA**

Mayor Ruby asked to amend the consent agenda to include Resolution No. 2012-34, Amending the Bank Signature Cards.

**MOTION:** Tim Sands moved and Paul Liedberg seconded the motion to approve the consent agenda.

**VOTE:** The motion passed unanimously.

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**APPROVAL OF AGENDA**

Mayor Ruby asked to amend the agenda to add under New Business, item C., Schedule a Special Meeting for June 25, to: 1) authorize underground utilities, 2) award a contract, and 3) an executive session for legal matters.

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to approve the amended agenda.

VOTE: The motion passed unanimously.

**V. STAFF REPORTS**

A. City Manager Report

City Manager Forster reported:

- was preparing an exit report for the Council before he left; and
- was awaiting more details from AKDEC and Air Force regarding the super sack, and that he had passed on the Council's request that the search continue for the sack.

Discussion:

- appreciated the report from the City's lobbyists.

B. Standing Committee Reports

There were no Standing Committee reports.

**VI. PUBLIC HEARINGS**

Mayor Ruby opened the public hearing on Ordinance No. 2012-13 and 2012-14.

- A. Adopt Ordinance No. 2012-13 (SUB), An Ordinance of the Dillingham City Council Repealing and Reenacting Ordinance No. 2012-05 (SUB) a Non-Code Ordinance to Amend the Value of the City's Interest for Lots 1, 2, 3, and 4, Harbor Lease Lots Subdivision
- B. Adopt Ordinance No. 2012-14, An Ordinance of the Dillingham City Council Adopting the Budget and Appropriating Funds for the FY 2013 City of Dillingham Budget

There being no comments the public hearing closed.

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

Kendall Barbery, student at the Yale School of Forestry and Environmental Studies, reported she was conducting research on the Pebble Mine and its impact on the environment. She noted she would be in the area until the end of August, and was hoping to talk to some of the Council members and Mayor during that time.

**VIII. ORDINANCES AND RESOLUTIONS**

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- A. Adopt Ordinance No. 2012-13 (SUB), An Ordinance of the Dillingham City Council Repealing and Reenacting Ordinance No. 2012-05 (SUB) a Non-Code Ordinance to Amend the Value of the City's Interest for Lots 1, 2, 3, and 4, Harbor Lease Lots Subdivision

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to amend Ordinance No. 2012-13.

Mayor Ruby noted Ordinance No. 2012-13 amended the original ordinance (Ord. No. 2012-05) to correct the reference for the value of the City's interest in the lots to be per year, not per month.

*(Clerk Note: When Ordinance No. 2012-13 was introduced there was an error in the second Whereas that referenced Section 7 of the ordinance, and should read as Section 8. This was being brought back for adoption as an amended version Ordinance No. 2012-13 (SUB).)*

VOTE: The motion to adopt the amendment to Ordinance No. 2012-13 passed unanimously.

VOTE: The motion to adopt Ordinance No. 2012-13 (SUB) passed unanimously.

- B. Adopt Ordinance No. 2012-14, An Ordinance of the Dillingham City Council Adopting the Budget and Appropriating Funds for the FY 2013 City of Dillingham Budget

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to adopt Ordinance No. 2012-14.

VOTE: The motion to adopt Ordinance No. 2012-14 passed unanimously.

- C. Resolution No. 2012-32, A Resolution of the Dillingham City Council Approving Installation of Buried Electrical Utilities in the Road at 4044 Arctic Avenue

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Resolution No. 2012-32.

City Planner Jody Seitz reported this resolution would approve Phil Carpenter burying an overhead line to his house, and had been recommended for approval by the Planning Commission.

VOTE: The motion to approve Resolution No. 2012-32 passed unanimously.

- D. Resolution No. 2012-33, A Resolution of the Dillingham City Council Approving Lease Rates for the Use of City Equipment on Grant Funded Capital Improvement Projects

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve Resolution No. 2012-33.

City Manager Forster reported this resolution would establish rates for leasing City-owned equipment for projects performed by City staff on partially or fully funded grant projects to bill against the grant.

VOTE: The motion to approve Resolution No. 2012-33 passed unanimously.

**IX. UNFINISHED BUSINESS**

A. Animal Shelter Facility

There was nothing to report at this time.

B. Committee Appointments

1. Library Board – 2 Seats

**MOTION:** Keggie Tubbs moved and Tim Sands seconded the motion to concur with the Mayor's recommendation to appoint Conor Downey to the Library Board.

**VOTE:** The motion passed unanimously.

2. Code Review Committee

**MOTION:** Keggie Tubbs moved and Bob Himschoot seconded the motion to concur with the Mayor's recommendation to appoint Doug Holt to the Code Review Committee.

**VOTE:** The motion passed unanimously.

C. City Manager Recruitment

A copy of the interview schedule was distributed to the Council members.

**X. NEW BUSINESS**

A. Action Memorandum No. 2012-02, Authorizing the City Manager to Sign the FY 2013 Community Jail Contract

**MOTION:** Tim Sands moved and Tracy Hightower seconded the motion to approve Action Memorandum No. 2012-02.

Manager Forster noted the contract represented an \$18,000 increase over the prior year, but did not fully offset the City's cost to provide the service, same as prior years.

Discussion:

- noted the Finance Committee were in support of working with other municipalities that provided contract jail services and lobby the State for increased funding to recover their costs.

B. Offer of Land Transfer

Manager Forster noted he had asked the City Planner and Steve Cropsey to begin an evaluation on the potential future use of the land if the City accepted the land transfer, and would bring the information back to the Council, including what was due the City on back taxes, and a title search to verify ownership.

C. Set Special Council Meeting for June 25 at 7:00 PM

1. Resolution Authorizing Underground Utilities
2. Resolution Awarding a Contract to Trenchless Construction for Sewer Main Relocation Project
3. Executive Session for a Legal Matter Regarding an Easement Issue
4. Other

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to set a Special Council Meeting for June 25 at 7:00 p.m.

VOTE: The motion passed unanimously.

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

There was no citizen's discussion.

**XII. COUNCIL COMMENTS**

Tim Sands:

- thanked the harbor staff for cleaning and preparing the Wood River launch for use;
- wished the fishermen good luck with a good season; and
- thanked Dan and Barb Forster for coming to Dillingham, appreciated Barb's volunteer work, was sad to see them go, and wished them the best of luck.

Bob Himschoot:

- concurred that he appreciated the report from the City's lobbyists;
- encouraged approaching the Tribe regarding a possible partnership with the City to help fund and operate the Senior Center; and
- thanked Dan Forster, Doug Dombroski, and Carter Cole for their service, and was sorry to hear the City was losing all three of them; and
- thanked Carter Cole for putting together the equipment lease rental rates to help recover the cost of use.

Tracy Hightower: no comment

Keggie Tubbs:

- echoed Tim's comments and wished Dan and Barb Forster nothing but the best in the future.

Doug Holt:

- thanked Dan and Barb Forster.

Paul Liedberg:

- thanked Dan and Barb Forster for coming to Dillingham and wished it could have been longer.

**XIII. MAYOR'S COMMENTS**

Mayor Ruby presented Manager Forster with a going away gift, and thanked both him and Barb for being in Dillingham, and for all of Barb's volunteer services. She also thanked Carter Cole for his term as Public Works Director.

**XIV. EXECUTIVE SESSION**

- A. Legal Matter
  - 1. Annexation
  - 2. Gladden vs. City of Dillingham
  - 3. City Manager Recruitment

MOTION: Tim Sands moved and Tracy Hightower seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [7:36 p.m.].

GENERAL CONSENT: The motion passed without objection.

Manager Forster, Steve Cropsey, and City Clerk Williams were included in the entire executive session. Finance Director Shade and Attorney Brooks Chandler were included in the sessions on Annexation and Gladden vs. City of Dillingham.

MOTION: Tim Sands moved and Doug Holt seconded the motion to come out of executive session [8:32 p.m.].

GENERAL CONSENT: The motion passed with no objection.

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to add an executive session to discuss personnel matter, and under New Business add change the August meeting date, for the Special Meeting scheduled for June 25.

GENERAL CONSENT: The motion passed with no objection.

**XV. ADJOURNMENT**

Mayor Ruby adjourned the meeting at 8:34 p.m.



ATTEST:

Janice Williams  
Janice Williams, City Clerk

Alice Ruby  
Alice Ruby, Mayor

Approved: August 9, 2012