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**I. CALL TO ORDER**

The Regular Meeting of the Dillingham City Council was held on Thursday, June 6, 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 8:09 p.m. The meeting was preceded with a workshop at 7:00 p.m. on the FY 2014 Budget.

**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  
Tracy Hightower, Seat E  
Paul Liedberg, Seat F

Brenda Akelkok, Seat A – absent and excused  
Keggie Tubbs, Seat D – absent and excused

Staff in attendance:

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

**III. APPROVAL OF MINUTES**

- A. Meeting of April 25, 2013
- B. Meeting of May 9, 2013
- C. Meeting of May 23, 2013

**MOTION:** Bob Himschoot moved and Paul Liedberg seconded the motion to approve the minutes of the April 25, May 9, and May 23.

**VOTE:** The motion to approve the minutes passed unanimously.

**IV. APPROVAL OF CONSENT AGENDA**

- A. Resolution No. 2013-30, A Resolution of the Dillingham City Council Declaring the City of Dillingham is Officially a Purple Heart City

**MOTION:** Bob Himschoot moved and Chris Maines seconded the motion to approve Resolution No. 2013-30.

VOTE: The motion passed unanimously.

### APPROVAL OF AGENDA

Mayor Ruby asked to amend the agenda to move Adam Kane from the first Citizen's Discussion to the second Citizen's Discussion to speak on Apayo Moore's petition and to remove his earlier request to speak on Ordinance No. 2013-07.

MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to approve the agenda as amended.

VOTE: The motion passed unanimously.

### V. STAFF REPORTS

- A. City Manager Report (*postpone to June 13 Special Meeting*)
- B. Standing Committee Reports (*postpone to June 13 Special Meeting*)

Mayor Ruby commented the staff and committee reports would be postponed to the June 13 Special Meeting.

### VI. PUBLIC HEARINGS

Mayor Ruby advised the public that copies of the ordinances were on the table and there would be a substitute ordinance for 2013-07 (SUB-1), as recommended by the Code Review Committee. She noted both 2013-07 and 2013-08 would be postponed to the June 13 meeting, but comments were welcomed on all of the ordinances up for a public hearing.

- A. Adopt Ordinance No. 2013-07, An Ordinance of the Dillingham City Council Amending Section 4.20.050 of the Dillingham Municipal Code, Sales Tax Exemption (*postpone to June 13 Special Meeting*)
- B. Adopt Ordinance No. 2013-08, An Ordinance of the Dillingham City Council Amending Chapter 4.16 of the Dillingham Municipal Code to Require a City Business License Only if Sales Exceed Ten Thousand Dollars in a Calendar Year (*postpone to June 13 Special Meeting*)
- C. Adopt Ordinance No. 2013-09, An Ordinance of the Dillingham City Council Authorizing Disposal of Municipal Property to Delta Western by Lease
- D. Adopt Ordinance No. 2013-10, An Ordinance of the Dillingham City Council Amending Chapter 4.40 to Create a Denied Services List that will Terminate Eligibility for Municipal Services for Certain Individuals Whose Accounts are Past Due and to Create Procedures for Adding Such Persons to the List and to Amend Numerous References to the List in the Code for Clarity and Uniformity

There being no comments the public hearing closed.

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

- A. Adam Kane – Petition to Remove Bars from Section of Code Where Businesses Are Not Regulated

Adam Kane requested that he was in favor of removing bars from the City's code, where businesses are not regulated from smoking, noting there was overwhelming evidence that second hand smoke was not good for you and research had shown that bars would not lose any money by prohibiting smoking. He noted a Facebook account had received about 330 hits in favor of removing it. He asked if the Council could take direct action at their next meeting instead of going through the committee process to make a recommendation which he thought would take too long.

Bill McLeod, Supt. of Dillingham City Schools thanked the Council for honoring the school's request for \$1.3M in funding. He noted in order to balance their budget they had to reduce some costs, including administrative services, and added some duties to others. He noted he would probably come back in the fall with a full report on the new criteria the State was using to review annual progress. He noted this year's drop-out rate for grades 7-12 was zero, which did not include the Alternative School.

**VIII. ORDINANCES AND RESOLUTIONS**

- A. Adopt Ordinance No. 2013-07, An Ordinance of the Dillingham City Council Amending section 4.20.050 of the Dillingham Municipal Code, Sales Tax Exemption (*postpone to June 13 Special Meeting*)

Mayor Ruby noted the Code Review Committee was looking to do more work on Ordinance No. 2013-07 and 2013-08, the reason for asking to postpone these two ordinances.

MOTION: Paul Liedberg moved and Bob Himschoot seconded the motion to postpone Ordinance No. 2013-07 to the June 13, 2013 Council Meeting.

VOTE: The motion to postpone Ordinance No. 2013-07 passed unanimously.

- B. Adopt Ordinance No. 2013-08, An Ordinance of the Dillingham City Council Amending Chapter 4.16 of the Dillingham Municipal Code to Require a City Business License Only if Sales Exceed Ten Thousand Dollars in a Calendar Year (*postpone to June 13 Special Meeting*)

MOTION: Chris Maines moved and Tracy Hightower seconded the motion to postpone Ordinance No. 2013-08 to the June 13, 2013 Council Meeting.

VOTE: The motion to postpone Ordinance No. 2013-08 passed unanimously.

- C. Adopt Ordinance No. 2013-09, An Ordinance of the Dillingham City Council Authorizing Disposal of Municipal Property to Delta Western by Lease

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MOTION: Paul Liedberg moved and Bob Himschoot seconded the motion to amend Ordinance No. 2013-09 by substituting Ordinance No. 2013-09 (SUB-1) and schedule for a public hearing June 27.

City Clerk Williams noted the lay down corrected Section 7 of the ordinance to read 3 years instead of 5 years.

VOTE: The motion passed unanimously.

- D. Adopt Ordinance No. 2013-10, An Ordinance of the Dillingham City Council Amending Chapter 4.40 to Create a Denied Services List that will Terminate Eligibility for Municipal Services for Certain Individuals Whose Accounts are Past Due and to Create Procedures for Adding Such Persons to the List and to Amend Numerous References to the List in the Code for Clarity and Uniformity

MOTION: Paul Liedberg moved and Bob Himschoot seconded the motion to adopt Ordinance No. 2013-10.

VOTE: The motion to adopt Ordinance No. 2013-10 passed unanimously.

- E. Introduce Ordinance No. 2013-11, An Ordinance of the Dillingham City Council Amending Chapter 4.15, Real and Personal Property, Section 4.15.185 to Amend the Interest Rate Applicable to Delinquent Property Taxpayers in an Economic Disaster Year, Adding Section 4.15.365 Repayment Plan, and Amending Section 4.20.0265 to Permit the City to Enter Into Repayment Plans With Delinquent Taxpayers

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to introduce Ordinance No. 2013-11.

Comment was made this ordinance would clean up the City's collection process that allowed citizens to come in and set up repayment plans.

VOTE: The motion to introduce Ordinance No. 2013-11 passed unanimously.

- F. Adopt Resolution No. 2013-23, A Resolution of the Dillingham City Council Approving the Collective Bargaining Agreement (*postpone to June 13 Regular Meeting*)

MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to postpone Resolution No. 2013-23 to the June 13, 2013 Council Meeting.

VOTE: The motion to postpone Resolution No. 2013-23 to the June 13 meeting passed unanimously.

- G. Adopt Resolution No. 2013-31, A Resolution of the Dillingham City Council Amending the Allocation of Funding for the Dillingham City School District for the Fiscal Year Ending June 30, 2014 and Repealing Resolution No. 2013-19 (AM)

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MOTION: Paul Liedberg and Bob Himschoot seconded the motion to adopt Resolution No. 2013-31.

Mayor Ruby commented the Council had adopted a resolution earlier as a placeholder, and this resolution would reflect the Council's intent for the \$100K, \$50K for a reading intervention specialist and \$50K for major maintenance.

VOTE: The motion to adopt Resolution No. 2013-31 passed unanimously.

**IX. UNFINISHED BUSINESS**

A. Citizen Committee Appointments

1. Cemetery Committee, 4 Seats

There were no appointments.

2. Senior Advisory Commission – 1 Seat

Mayor Ruby reported she had received one letter of interest and was recommending the Council appoint Frank Nicholson to the Senior Advisory Commission.

MOTION: Bob Himschoot moved and Tracy Hightower seconded the motion to concur with the Mayor's recommendation to appoint Frank Nicholson to the Senior Advisory Commission.

VOTE: The motion passed unanimously.

**X. NEW BUSINESS**

- A. Action Memorandum No. 2013-14, Award a Contract to Concor Construction Inc. to Furnish/Install Floating Sewage Lagoon Baffles

MOTION: Bob Himschoot moved and Chris Maines seconded the motion to adopt Action Memorandum No. 2013-14.

Manager Loera noted this project would follow the project that was awarded earlier to remove the sludge.

VOTE: The motion to adopt Action Memorandum No. 2013-14 passed unanimously.

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

There was no citizen's discussion.

**II. COUNCIL COMMENTS**

Chris Maines: no comment

Bob Himschoot:

- thanked Steve Cropsey and wished him well.

MOTION: Bob Himschoot moved and Chris Maines seconded the motion to bring the voter initiative presented by Apayo Moore back on the next agenda for discussion.

Discussion:

- noted would like to see the various options that were available.

Mayor Ruby clarified under agenda item Unfinished Business the topic would read as smoking prohibition in bars. She noted a council member had approached her asking what was involved in reconsidering a vote. She read from the Attorney's advisement: the proper procedure for bringing back a previously failed motion for a second look by the Council was to "renew" the motion that previously failed. that "If a motion is made and disposed of without being adopted, and is later allowed to come before the assembly after being made again by any member in essentially the same connection, the motion is said to be renewed."

Mayor Ruby agreed a Council member could make a motion at the meeting to move it to a committee, take direct action, or other action.

VOTE: The motion passed unanimously.

Tracy Hightower: no comment

Paul Liedberg: no comment

**XIII. MAYOR'S COMMENTS**

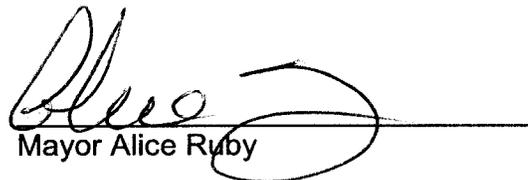
Mayor Ruby: no comment

**XIV. EXECUTIVE SESSION**

There was no executive session.

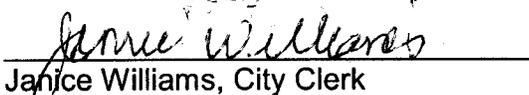
**XV. ADJOURNMENT**

Mayor Ruby adjourned the meeting at 8:45 p.m.



Mayor Alice Ruby

ATTEST:



Janice Williams, City Clerk

Approval Date: June 13, 2013