

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, August 1, 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:00 p.m.

II. ROLL CALL

Mayor Alice Ruby was present.

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

- Brenda Akelkok, Seat A
- Chris Maines, Seat B
- Bob Himschoot, Seat C
- Keggie Tubbs, Seat D (*attended by teleconference*)
- Tracy Hightower, Seat E
- Paul Liedberg, Seat F

Staff in attendance:

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

III. APPROVAL OF MINUTES

A. Council Meeting - June 27, 2013

MOTION: Paul Liedberg moved and Tracy Hightower seconded the motion to approve the minutes of June 27, 2013.

VOTE: The motion to approve the minutes passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

There was no consent agenda.

APPROVAL OF AGENDA

Manager Loera pointed out two typos on the agenda.

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to approve the agenda as corrected.

VOTE: The motion to approve the agenda passed unanimously.

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

City Manager Loera reported on the following:

- Knik Construction – had been in discussion regarding hauling and the gravel pit on the Lake Road; they had agreed to water the road more often and clean it with a sweeper truck when it arrived; they were waiting for their temporary water use permit;
- Peter Pan Seafoods Tour with Tom Winnihan – the new fresh frozen facility employed about 150 employees increasing their employee count to over 400;
- Economic Development Administration Visit – Shirley Kelly stopped by and discussed some potential funding opportunities;
- USDA – exploring revenues to complete funding for landfill projects;
- New Fence at Airport – would have blocked off snowmobile traffic, but AkDOT will install a 60' access;
- Library – Patron count was 8,000 for June and July; researching request to keep the wireless connected after hours;
- State Road and Airport Projects – started dialogue with State to keep apprised of projects; recommending at least a monthly update;
- Carpenter Hire – interviewing 3 candidates; will be using BBEDC CBG funds identified in a resolution approved in June, and another set of projects that are identified in a resolution in this council packet;
- Denied Services List – collection spreadsheet was omitted from City Manager report but included as a lay down; showed a decrease in collections in May and June which could be attributed to the harder to get collections; praised the collections staff member for doing a great job monitoring the collections;
- Vacancies – in the process of interviewing several applicants for public works director;
- Scrap Metal Removal – evaluating a request from Fred Hodge of Southwest Alaska to pick up 1/2 of the freight for a bailer; awaiting a copy of the contract;
- Utility Rate Study – Phase 2 of the study was scheduled for a July 29 Finance Meeting which was canceled; suggested a special meeting might be in order; will poll for a Special Meeting date.

Discussion:

- asked if customer concerns on the Knik project had to do with water table, answered was in conversation with DNR on temporary water use permit which had been delayed due to staff turnover; water was being removed from some wells in the pit to water the road;
- noted the concerns had to do with shallow depth of wells, depth of the pit, might be getting a permit to go deeper for gravel;
- reported on a resident off Lake Road questioning if their problems going through water filters could be attributed to the Knik project; and
- asked about the outcome of the contributions made by the citizen's committee to address subdivision access, concerned all the work done through that committee would not be given weight, and it appeared the Planning Commission was repeating the same process.

Planning Director Jody Seitz reported the scheduled Planning Commission workshop on subdivision regulations was to set up the process, examine the code, review the legal advice,

review the recommendations from the Sub-Committee, identify alternatives, identify the impacts of those alternatives to the potentially affected interests, basically doing their due diligence before the Code Review Committee took on the issue, and was targeting November at the latest.

Paul Liedberg noted the workshop was actually a special meeting of the Planning Commission to review the information since it was a big topic for a regular Planning Commission meeting.

B. Standing Committee Reports

There were no Standing Committee Reports.

VI. PUBLIC HEARINGS

Mayor Ruby opened the public hearing on Ordinance No. 2013-15 and 2013-16.

- A. Adopt Ordinance No. 2013-15, An Ordinance of the Dillingham Municipal Code to Amend DMC Section 8.10.060 Where Smoking Not Regulated, to Remove Section 8.10.060 A.6 Bars
- B. Adopt Ordinance No. 2013-16, An Ordinance of the Dillingham City Council Authorizing the Disposition and Sale of Unredeemed Foreclosed Property

There being no comments the public hearing closed.

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

MOTION: Brenda Akelkok moved and Keggie Tubbs seconded the motion to open up Citizen's Discussion to any item.

VOTE: The motion passed unanimously.

Robert Heyano commented as an interested member of the public he had attended all but two of the meetings of the Planning Commission Sub-Committee to discuss private access easement. He had also attended the last Planning Commission meeting July 16. He noted there was a 16-step process that the PC was going to go through, and no place in the process outlined for the upcoming workshop was there any recommendations from the Sub-Committee. He felt he had been wasting his time, because it seemed the Planning Commission was going to redo it. He noted at one of the meetings the City's Attorney had attended and clarified a lot of the issues. He further noted although the first 2-3 meetings started out contentious, they ended with unanimous consent. He was requesting the Council make sure the recommendations did not get lost.

VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2013-15, An Ordinance of the Dillingham Municipal Code to Amend DMC Section 8.10.060 Where Smoking Not Regulated, to Remove Section 8.10.060 A.6 Bars

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to adopt Ordinance No. 2013-15.

VOTE: The motion to adopt Ordinance No. 2013-15 passed unanimously.

- B. Adopt Ordinance No. 2013-16, An Ordinance of the Dillingham City Council Authorizing the Disposition and Sale of Unredeemed Foreclosed Property

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to adopt Ordinance No. 2013-16.

City Manager Loera reported the City would establish a minimum bid and start the sale of the house and property located on Nina Way.

VOTE: The motion to adopt Ordinance No. 2013-16 passed unanimously.

- C. Resolution No. 2013-40, A Resolution of the Dillingham City Council Waiving the Purchasing Restrictions to Purchase a Bobcat, Trailer, and Accessories for the Landfill

MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to adopt Resolution No. 2013-40.

City Manager Loera reported that initially the City was informed an older grant had to be spent by a certain date, but then informed that was not the case, federal funds were not involved, so went back to the original plan to assess the landfill.

MOTION: Bob Himschoot moved and Chris Maines seconded the motion to postpone Resolution No. 2013-40 indefinitely.

VOTE: The motion to postpone Resolution No. 2013-40 indefinitely passed unanimously.

- D. Resolution No. 2013-41, A Resolution of the Dillingham City Council Adopting Participation in the AMLJIA Loss Control Incentive Program for the City of Dillingham

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-41.

City Manager Loera reported this was an annual resolution and by having this program in place the City would get a lower rate on its insurance premiums.

VOTE: The motion to approve Resolution No. 2013-41 passed unanimously.

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- E. Resolution No. 2103-42, A Resolution of the Dillingham City Council Designating Wastewater Treatment Plant Upgrades as the Number One Local State Funding Priority for Fiscal Year 2015

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to approve Resolution No. 2013-42.

City Manager Loera reported that AkDEC required the City designate each year its number one priority for state funding.

VOTE: The motion to approve Resolution No. 2013-42 passed unanimously.

- F. Resolution No. 2013-43, A Resolution of the Dillingham City Council Approving the 2014-2019 Capital Improvement Plan and Adopting the FY 2015 Legislative Priorities List

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to approve Resolution No. 2013-43 (lay down version).

City Manager Loera noted the resolution that was laid down was to correct item 5 to read Lift Station Upgrades. She commented the only other change was to reprioritize the top 3 projects.

Mayor Ruby noted a workshop had not been scheduled, which was the usual course of action, because there were so few changes from the priority list approved earlier.

VOTE: The motion to approve Resolution No. 2013-43 passed unanimously.

- G. Resolution No. 2013-44, A Resolution of the Dillingham City Council Approving Using the BBEDC CBG for the Repair Costs on the Existing Cameras at the Boat Harbor, Freight for Two Vehicles, and Planning Funds for the Public Safety Building, and a Lift from NAPA

MOTION: Paul Liedberg moved and Tracy Hightower seconded the motion to approve Resolution No. 2013-44.

City Manager Loera reported staff had identified four more projects (resolution reads as three projects, to be amended) in addition to those presented by resolution at their last meeting. She noted the BBEDC CBG would provide funding for repair of the cameras located at the dock and harbor if a proposal for a Homeland Security Grant was not approved by the granting agency. She noted the proposed new vehicles would not be able to make the barge so was recommending air freighting them in. The City would be replacing two of the oldest vehicles in the Public Safety fleet.

She commented the request for planning funds for the Public Safety Building was to fund a consultant to help with the process of deciding on 1 or 2 buildings, work with the various agencies and departments to determine who would be located in the building/s, and identify a site.

Between the two resolutions this would obligate about \$200K of the \$250K grant. Mayor Ruby and Keggie Tubbs disclosed that they worked for BBEDC, but would not benefit financially if the resolution was approved.

Mayor Ruby noted there was concern whether a public safety building could be expanded if the surrounding area was taken up by the proposed Harvey Samuelsen Center. She noted the last report on the Harvey Samuelsen Center was only a 30% design, but the parking area took up most of the extra space, and there wasn't much left for public safety expansion.

VOTE: The motion to approve Resolution No. 2013-44 passed unanimously.

- H. Resolution No. 2013-45, A Resolution of the Dillingham City Council Authorizing the City Manager to Enter into a Lease Agreement with Ford Motor Credit for Two Public Safety Vehicles

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-45.

City Manager Loera reported the lease agreement annual amount had been included in the FY 2014 budget to replace older vehicles.

VOTE: The motion to approve Resolution No. 2013-45 passed unanimously.

- I. Resolution No. 2013-46, A Resolution of the Dillingham City Council Approving the Application for a Homeland Security Grant to Purchase a Boat and Motor for the Port and to Upgrade the Security Camera Radios at the Dock and Harbor

MOTION: Paul Liedberg moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-46.

City Manager Loera reported the grant would go to purchase a boat, motor, trailer and some safety equipment to help with responses in the annexed waters, for a landed cost of around \$82K. The second priority would be to upgrade the cameras, for a total cost of both projects of around \$190K. She noted without the assistance of the State Troopers this summer the City would not have been able to respond to several calls.

Discussion:

- inquired if it was too late to add an absorbent boom to deploy while waiting for agencies to arrive in the case of an oil spill, concerned about protecting the fisheries, including subsistence, Manager Loera answered the City was looking to purchase a boom, but not sure if she could add it into this grant;
- suggested there should be a plan developed to respond to those locations where the City was receiving revenues; and
- asked if the grant for the boat was not approved would the City to look for other revenue sources, Manager Loera answered City would keep its ears open;
- commented that the application to annex included a boat and motor would be purchased from the tax revenues, and favored using that revenue.

Manager Loera commented staff could come back with a follow up report for an alternative source for the boat and motor if the grant was not approved.

VOTE: The motion to approve Resolution No. 2013-46 passed with Bob Himschoot, Tracy Hightower, Brenda Akelkok, Paul Liedberg, and Chris Maines in favor and Keggie Tubbs in opposition.

- J. Resolution No. 2013-47, A Resolution of the Dillingham City Council Authorizing the City Manager to Purchase Capital Equipment for Public Works and Enter into a Lease Agreement for the Truck

MOTION: Paul Liedberg moved and Bob Himschoot seconded the motion to approve Resolution No. 2013-47.

City Manager Loera reported the items in the resolution which included a trackless snow blower, leasing a F350 Flatbed truck, and 8 loader tires. The snow blower and the 8 loader tires were included in the FY 2014 capital budget. The lease payment was included in the Public Works operational budget.

VOTE: The motion to approve Resolution No. 2013-47 passed unanimously.

IX. UNFINISHED BUSINESS

- A. Citizen Committee Appointments
1. Cemetery Committee, 4 Seats
 2. Planning Commission, 2 Seats

Mayor Ruby reported there were no names to consider at this time.

- B. Council Appointments
1. Code Review Committee, 1 Seat

Mayor Ruby reported Brenda Akelkok had submitted her resignation on the Code Review Committee and would leave it empty for now with an election coming up in October.

X. NEW BUSINESS

- A. Action Memorandum No. 2013-24, Award a Contract to CH2M Hill to Develop a Comprehensive "Request for Proposal (RFP)" Document Which Would Seek Proposals from Firms Engaged in the Manufacture and Installation of Municipal Solid Waste Disposal Systems

MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to approve Action Memorandum No. 2013-24.

City Manager Loera reported the RFP for an assessment of a batch oxidation system included assessing a building site, air and water quality permitting, upgrading the Landfill Management Plan, and coordinating a RFP for the manufacture of a system. She noted the firm of CH2M Hill had garnered the most evaluation points and had met all the criteria, and was recommending CH2M Hill. The contract would not exceed \$250,000.

The majority of the cost of the system would be paid from monies remaining in a municipal matching grant. The project would be paid for from municipal matching grant, using a municipal matching loan and a \$1.9M legislative grant.

Mayor Ruby noted the Council had been somewhat reluctant in the past to take on a loan and asked if staff would bring back a report to the Council if there was a need for a loan.

Manager Loera noted the City had applied and been approved for several loans in the last three years as a fallback but had not used them.

VOTE: The motion to approve Action Memorandum No. 2013-24 passed unanimously.

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

There was no citizen's discussion.

XII. COUNCIL COMMENTS

Brenda Akelkok: No comment.

Bob Himschoot:

- commented he had conferred with a member of the public who was interested in how the City was doing, had shared the work accomplished over the last 5-6 years, and recommended the City do more to share its successes with the public.

Chris Maines:

- noted he had also received multiple calls over the last five weeks over concerns with Knik's gravel project.

Paul Liedberg:

- agreed with Bob, lots going on, complimented staff for the amount of work they've been doing, and suggested without adding too much more work, doing something maybe similar to Bethel and reporting on the City's activities in the newspaper;
- commented that the oil spill in the bay this summer highlighted the threats to the fishery, and might strategize about ways to solicit Coast Guard or State into having more resources on hand during that short season; and
- commented he agreed at the upcoming workshop the Planning Commission would take the information from the Sub-Committee exactly and review it before vetting it through the Code committee before it went to the Council; felt the process was going in the right direction.

Tracy Hightower: No comment.

Keggie Tubbs:

- suggested a Sub-Committee or Committee should have a clear mission, what are the outcomes, and the members should come away feeling there was a buy in on the work they've done;
- recommended strategizing to solicit more help from State and Coast Guard for oil spill response; and
- spoke in support of moving forward with what was outlined in the upcoming Planning Commission Workshop.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- spoke in favor of having someone assess the role the City should play in the case of an oil spill response out in the bay; and
- noted she appreciated the City's police officers helping to respond in the bay, but felt they were not expected to, that it was up to the State Troopers to be the primary responders, a role they had committed to.

City Manager Loera noted in the process of developing an MOU with the State Troopers this year which included a line item for being primary responders in the bay, they responded that they had not agreed to that beforehand.

Mayor Ruby noted she would like a report from the staff on what they thought was the City's responsibilities, staff load, a whole level of responsibility that the City would have to fund and staff, and was never intended to be that way.

Discussion:

- asked to find out if the City was indemnified for anything that might happen on the water.

Mayor Ruby:

- reported in response to a citizen complaint she had contacted Rep. Edgmon and Sen. Begich regarding the limited number of persons working at the post office, and supposedly the P.O. was working on it;
- noted was receiving comments that boats were leaving the bay because of the City's tax assessment on fishing vessels;
- noted the City was working on getting the Council/Mayor email addresses back online; and
- asked for a moment of silence to recognize those lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Personnel Matter

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to enter into executive session to discuss Personnel Matter, City Manager's Contract [8:29 p.m.].

VOTE: The motion to enter into executive session passed unanimously.

The Mayor and Council moved into executive session.

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to come out of executive session [8:45 p.m.].

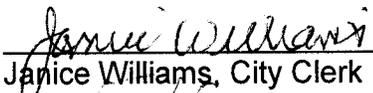
GENERAL CONSENT: The motion to come out of executive session passed without objection.

XV. ADJOURNMENT

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


Mayor Alice Ruby

ATTEST:


Janice Williams, City Clerk

Approval Date: Sept. 5, 2013

