

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, September 6, 2012, 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):

- 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:

- Rose Loera, City Manager
- Malcolm Brown, Public Works Director
- Steve Cropsey, Project Manager
- Nancy Chamberlain, 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, August 9, 2012

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve the minutes of August 9, 2012.

MOTION: The motion passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

APPROVAL OF AGENDA

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

VOTE: The motion passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Loera reported on the following:

- Staff had narrowed down the Chief of Police applicants - will be working on committee appointments;
- Senior Advisory Commission had inquired about rent from Potato House – will be following up with staff;
- Chester Valley Clinic had canceled their clinic - with the increase in prices almost doubling, few had provided the necessary down payment;
- CIP projects – staff was moving forward on schedule; and
- City Vacancies – water/waste water operator position was open, City was advertising for an IT specialist for the library, which was fully grant funded;

Steve Cropsey, Project Manager:

- Horizontal drilling project would be done this season. Have until October 15, penalized \$500 a day for each day after. The contractors were about four days behind due to unexpected equipment breakdowns and poor weather; relatively new equipment, and well maintained, and they know what they are doing;
- Library roof replacement project was going back out for RFP for contractor's services, design and build a new roof, and city would set the specifications. No one had responded to the RFP for architectural design. For a small project with an architectural firm involved, the fees aren't worthwhile;
- Waste water treatment plan upgrades – deadline was Sept. 20 for design services. Will be working to set up a committee to analyze the responses and make a recommendation to the Council for an award.
- Rolland Thomas – Mr. Thomas wants to deed two lots to the City, in lieu of the taxes owed, doesn't want to be on the foreclosure list. . Probably the easiest option would be to buy the property for \$1, get first American to ensure title, city would take it subject to the City's taxes owed, no other liens against the property, and turn around and put it back on the market.

Discussion:

- concerned that the K-9 unit was to be funded through forfeiture funds, staff noted the City was obtaining the forfeiture assets from previous narcotic investigations, some cash some vehicles;
- asked about the Dept. of Labor placing the City on a high hazard target list back in April, staff noted the incidents were workplace accidents, the agency would be conducting an on sight inspection with a one year implementation to take corrective action; in the future the Council would be made aware at the time of the notification; suggested staff come back with a follow up report with changes and how they would be implemented.

B. Standing Committee Reports

Tim Sands, Chair of Code Review Committee:

- provided a report at the last Council meeting, nothing new to add.

Bob Himschoot, Chair of Finance and Budget Committee:

- staff had reported on the transition to ACCU Fund financial software;
- subject of business tax incentives was postponed to October;
- health insurance would be brought up later in the packet;

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- water and wastewater rate review was in progress;
 - staff was working on standardizing the current rates at the landfill; and
 - reclassifying the fire dept. coordinator position was in the packet.

VI. PUBLIC HEARINGS

Mayor Ruby opened the public hearing.

- A. Ordinance No. 2012-15, An Ordinance of the Dillingham City Council Amending Chapter 8.16 of the Dillingham Municipal Code Related to Enhanced 911 Service to Increase the Surcharge for Enhanced 911 Service from \$1.46 Per Month to \$1.76 Per Month

There were no public comments on Ordinance No. 2012-15.

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

Supt. Bill McLeod reported the School District was very appreciative of the City's FY 2013 appropriation, which allocated \$50,000 to major maintenance and \$50,000 to the position added in the prior year. He noted these resources helped to contribute to the School District's good news:

- the proficiency levels of third graders was a key benchmark for future success. The trend lines in proficiency since 2005 had steadily increased in reading and writing and mathematics from 49-50% proficiency, to 85% proficient in reading, 77% in writing, and 82% in mathematics. He noted a 70% rate represented a good quality school system;
- the elementary school had recently met all the criteria measured by AYP, Adequate Yearly Progress;
- a goal was set for the last three years to meet AYP safe harbor – 10% of non proficient kids are moved to proficiency without losing anyone. For the third year running in all grades have made AYP in reading and writing;
- graduation rates have shown a positive trendline. Historically the graduation rate has been 49%; the State average is 50%. Last two years it has been 70% and 64.8% recently. Goal is to reach the AMO (Annual Measurable Objective for High Schools) of 85% or better.

VIII. ORDINANCES AND RESOLUTIONS

- A. Ordinance No. 2012-15, An Ordinance of the Dillingham City Council Amending Chapter 8.16 of the Dillingham Municipal Code Related to Enhanced 911 Service to Increase the Surcharge for Enhanced 911 Service from \$1.46 Per Month to \$1.76 Per Month

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to adopt Ordinance No. 2012-15.

VOTE: The motion to adopt Ordinance No. 2012-15 passed unanimously.

- B. Introduce Ordinance No. 2012-16, An Ordinance of the Dillingham City Council Amending Title 7, Animals, and Adding Chapters 7.08.011, Investigations of Cruelty to Animal Complaints, and 7.08.015, Seizure of Animals

MOTION: Paul Liedberg moved and Keggie Tubbs seconded the motion to introduce Ordinance No. 2012-16.

Tim Sands noted some of the changes were necessary to be in compliance with State law. Committee had considered the fiscal impact adding five days but felt the City had no choice but to adopt the new law.

City Clerk Williams reported the City's Attorney had returned his comments just recently. The changes would be shared with the Code Committee and incorporated into a substitute ordinance that would be brought back to the public hearing.

VOTE: The motion to introduce Ordinance No. 2012-16 passed unanimously.

- C. Introduce Ordinance No. 2012-17, An Ordinance of the Dillingham City Council Amending Chapter 3.60.050, Ballots- Marking, Validity – Removal Prohibited, and Adding Chapter 3.60.055, Write-In Candidates

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to introduce Ordinance No. 2012-17.

Tim Sands noted some of the changes were made to be in compliance with State law, including disallowing stickers on the ballot for write-in candidates. Another key change was to have a write-in candidate file a letter of intent.

VOTE: The motion to introduce Ordinance No. 2012-17 passed unanimously.

- D. Resolution No. 2012-50, A Resolution of the Dillingham City Council Extending Appraisal Co. of Alaska's Contract to FY 2013

MOTION: Tim Sands moved and Doug Holt seconded the motion to adopt Resolution No. 2012-50.

Staff noted the assessor's contract had expired and they were recommending extending it for one year and waive the bidding process as allowed in code for a professional service. The City was also scheduled for a field assessment of all properties this year and needed to move forward with a contract. Next year the City would go out for a RFP.

Finance Director Carol Shade noted for the next Council packet she would have more information on the 82% sales ratio provided by the assessor's office that would be used to calculate local property values.

VOTE: The motion to adopt Resolution No. 2012-50 passed unanimously.

- E. Resolution No. 2012-51, A Resolution of the Dillingham City Council Authorizing The City Manager To Contract with Premera Blue Cross To Provide Health Insurance for the City of Dillingham Employees

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to adopt Resolution No. 2012-51.

Finance Director Shade noted although health insurance premiums had increased slightly by 3.2% over the prior year, discussions continued during the FY 2012 budget process to look for ways to significantly decrease the premiums. With the help of an insurance broker, staff analyzed several plans available to the City, and had all employees complete a health questionnaire. Workshops were held with the employees to explain the health plans, and an anonymous survey was distributed to all employees to choose one of the plans. The result was a recommendation to go with a high deductible health plan of \$2,000 with a health reimbursement arrangement to reimburse on the amount spent over \$750, the current deductible. The plan would go into effect December 1 if approved.

VOTE: The motion to adopt Ordinance No. 2012-51 passed unanimously.

IX. UNFINISHED BUSINESS

A. Animal Shelter Facility

There was nothing to report.

B. Committee Appointments

1. Library Board – 1 Seat

There was nothing to report.

2. Selection Committee – Police Chief Hire

Mayor Ruby reported selecting the committee was still in progress. Members confirmed to date included Manager Loera, Chief Chamberlain, Bob Himschoot, Tracy Hightower, Dorothy Larson, Ginger Baim, Rex Spofford, and John Green. Other members included State Trooper Sergeant Tuckwood, that had yet to be confirmed, and a business representative that had yet to be identified.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the committee members confirmed so far.

VOTE: The motion passed unanimously.

3. Cemetery Committee

Mayor Ruby reported a resolution to create the Cemetery Committee would be presented at the next Council meeting.

C. Offer of Land Transfer

There was nothing else to report.

X. NEW BUSINESS

A. Action Memorandum No. 2012-03, Authorize City Manager to Enter Into a Contract with Project Manager with Aurora SMA

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to approve Action Memorandum No. 2012-03.

Manager Loera reported the contract with Aurora SMA, Steve Cropsey, had expired in June. It was recommended that his services be continued. The new contract listed the various projects he would be involved with.

VOTE: The motion to approve Action Memorandum No. 2012-03 passed unanimously.

- B. Action Memorandum No. 2012-04, Award a Contract to Supply Sand and Gravel for FY 2013

MOTION: Tim Sands moved and seconded the motion to approve Ordinance No. 2012-04.

Staff to report back on whether or not the material delivered was sampled beforehand to be sure it met the specifications as advertised.

VOTE: The motion to adopt Ordinance No. 2012-04 passed unanimously.

- C. Action Memorandum No. 2012-05, Reclassification of the Fire Department Coordinator Position

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve Ordinance No. 2012-05.

City Manager Loera reported on the fire ISO audit, noting an improvement plan had been presented to the auditing firm. Failure to implement the improvement plan within a specified time could result in increased fire insurance premiums for homeowners. One of the recommendations made was to reclassify the fire dept. coordinator position to be an EMT 1 or a Firefighter 1. The current job description didn't require either certification. The reclassification elevated the pay range. Reclassifying the position would make it possible for the certified employee to respond to an emergency call during the day without having to call for a volunteer.

Other issues pointed out in the audit included lack of recording fire hose, pump, and hydrant testing, not conducting the testing on a regular basis, and the need for better accounting of training efforts and that the training was conducted under the national standards. Part of the improvement plan was to have two individuals with the required certification. This would be discussed during the next budget cycle.

The person in the fire dept. coordinator's position could qualify for the reclassified position if they got the required training, but there may not be training until January or February.

VOTE: The motion to approve Ordinance No. 2012-05 passed unanimously.

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

Roy Winter, fire department volunteer, spoke in favor of working with the current fire dept. coordinator, Bo Evans, to keep him in the position, and the Council offer and pay for the training he needed. He did not want to lose him and considered Bo Evans an asset to the City.

XII. COUNCIL COMMENTS

Bob Himschoot: no comment

Tim Sands:

- thanked staff for keeping the City running;
- thanked Carol Shade for all her hard work on the health insurance premiums that would save the City some money;
- suggested sending pictures to the legislators, AkDEC, and the Governor's office to show the City's appreciation for funding the sewer line force main relocation project and when the issue was resolved communicating back that the City appreciated the money and how it the sewer main was fixed; and
- noted the Code Committee meeting was rescheduled to September 12.

Keggie Tubbs:

- thanked Janice [Williams] on behalf of the election officials for providing a lot of assistance during the elections, going above and beyond, it didn't go unnoticed;
- thanked Jody [Seitz] for going above and beyond and showing Senator Begich's staff around;
- thanked Steve [Cropsey] and Chief Chamberlain for assisting with the visit from the Corrections Department;
- thanked all other staff who helped out that their efforts were much appreciated;
- noted in the meeting with the Corrections Commissioner they discussed additional funding to operate the contract jail that is was never enough and they were looking at ways to direct more money; the need for a new public safety facility, they were very receptive with combining the facility with the State Troopers; regional jail was up for discussion down the road; and
- offered condolences to those who had lost family members since the last meeting.

Paul Liedberg:

- echoed Keggie and Tim's comments thanking the employees and the City, appreciated everybody's help.

Doug Holt:

- accepted the other Council members' statements.

Tracy Hightower: no comment

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- noted she appreciated the Council members each in turn attending the visits by the Corrections Dept., Senator Begich's office, Governor's rural advisor, providing each an opportunity to talk with the various legislators;
- thanked the election judges for sitting through long hours;
- thanked the fire department for assisting with a recent family incident, that they did an outstanding job keeping the fire contained; and
- asked for a moment of silence to recognize all those lost since the last meeting.

XIV. EXECUTIVE SESSION

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

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to go into executive session under DMC, 2.09.050, regarding legal matters [8.22 p.m.].

GENERAL CONSENT: The motion passed without objection.

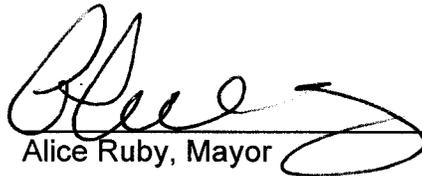
Manager Loera was invited into the executive session along with City Clerk Williams who left at the beginning of the session on Manager Strategy.

MOTION: Paul Liedberg moved and Keggie Tubbs seconded the motion to come out of executive session [9:39 p.m.].

GENERAL CONSENT: The motion passed with no objection.

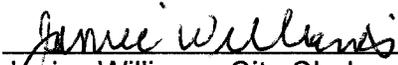
XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:39 p.m.



Alice Ruby, Mayor

ATTEST:



Janice Williams, City Clerk

Approved: 10/8/2012

