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The Regular Council meeting was preceded by a workshop at 6:00 p.m. to review the FY 2013 Capital Improvement Program. The workshop concluded around 7:15 p.m.

**I. CALL TO ORDER**

The Regular Meeting of the Dillingham City Council was held on Thursday, December 1, 2011, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:21 p.m.

**II. ROLL CALL**

Mayor Alice Ruby present.

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

Bob Himschoot, Seat C  
Keggie Tubbs, Seat D  
Tracy G. Hightower, Seat E  
Tim Sands, Seat F

Council Members absent:

Elizabeth Pearch, Seat A - excused  
Seat B, Vacant

Staff in attendance:

Dan Forster, City Manager  
Steve Cropsey, Project Manager  
Doug Dombroski, Chief of Police  
Jody Seitz, Planning Director  
Carol Shade, Finance Director  
Janice Williams, City Clerk

**III. APPROVAL OF MINUTES**

- A. Special Meeting, October 13, 2011
- B. Regular Meeting, October 13, 2011
- C. Special Meeting, October 14, 2011
- D. Special Meeting, November 3, 2011

**MOTION:** Keggie Tubbs moved and Tim Sands seconded the motion to approve the minutes of October 13, both special and regular, October 14 and November 3, 2011.

*(Clerk Note: Correct the minutes of October 14, 2011 to add excused after Elizabeth Pearch absent.)*

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VOTE: The motion to approve the four sets of minutes passed unanimously.

#### IV. APPROVAL OF CONSENT AGENDA

##### APPROVAL OF AGENDA

Mayor Ruby asked to move New Business item X. A. Appoint Council Member to Seat B before item V. Staff Reports.

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

VOTE: The motion passed unanimously.

##### X. New Business, item A. Appoint Council Member to Seat B

Mayor Ruby recommended that Paul Liedberg be appointed to vacant Seat B based on his years of service to the City serving on the Planning Commission and participation on numerous city committees, and thanked all three who had submitted their letter of interest.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to concur with the Mayor's recommendation.

VOTE: The motion passed unanimously.

The Council recessed in order for the City Clerk to administer the Oath of Office to newly appointed Council Member Paul Liedberg. The new Council Member took a seat at the Council table.

#### V. STAFF REPORTS

##### A. City Manager Report

City Manager Forster reported on the following:

- FY 2011 Audit - recommended setting the annual audit workshop for January 19, 2012;
- LBC approved the City's annexation petition at their meeting on November 30, that the City's outreach effort had met the spirit and intent of their requirement;
- A barge transporting low levels of PCBS had dropped an 11,000 pound bag of the contaminated soil in the bay, and recovery efforts would resume in the spring;
- Public Works Director Hank Boggs had submitted his resignation and the City had begun the process of recruiting;
- Council was invited to the Employee Christmas party, December 16, at the Senior Center; and
- Gave special recognition to Jean Barrett for checking out a set of footprints that led from the harbor to the creek, and with the help of three public safety officers found and saved the life of a young man who was close to death.

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Discussion:

- appreciated the expansion of the City's Public Notice email list as a great way to get the news out to the public.

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to set the regular January Council meeting to January 19.

VOTE: The motion passed unanimously.

B. Standing Committee Reports

Mayor Ruby reported that the City had met with the Bristol Bay Housing Authority for the purpose of enhancing communication on housing issues.

Council Member Himschoot reported he had attended a meeting of the Senior Advisory Commission. A discussion had ensued on the apartment. Manager Forster was asked to report on the City's plan for the rental apartment at their next meeting.

**VI. PUBLIC HEARINGS**

There was no public hearing.

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

Gorden Isaacs asked if he could address his request for a late filed appeal on one of his properties, because he was concerned that he was being denied that opportunity. He was instructed that the Council would be setting a future meeting of the Board of Equalization to hear his late appeal as required by code.

**VIII. ORDINANCES AND RESOLUTIONS**

- A. Introduce Ordinance No. 2011-09, An Ordinance of the Dillingham City Council Amending DMC Section 6.08.020.A and DMC Section 6.08.020.B to Allow Licensed Bars and Eating Establishments to Serve Alcohol on Super Bowl Sunday and When New Year's Eve Falls on a Sunday

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to introduce Ordinance No. 2011-09 and set the date for a public hearing on January 19, 2012.

Tim Chair, Chair of the Code Review Committee, reported the committee had been tasked with bringing forward a permanent change based on regular and recurring requests made to the Council in the past.

Discussion:

- staff to research whether or not the exclusion of alcohol sales on Sunday had been made by referendum of the voter; and
- asked if staff could provide a report at the next meeting on the additional expense that would be put on the DPS staff.

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MOTION: Keggie Tubbs moved the previous question and Tim Sands seconded the motion.  
*(Clerk Note: The effect of this motion is to immediately stop debate.)*

MOTION TO WITHDRAW: Keggie Tubbs withdrew his motion. There was no objection.

VOTE: The motion to introduce Ordinance No. 2011-09 passed unanimously.

- B. Resolution No. 2011-83, A Resolution of the Dillingham City Council Accepting ADEC Municipal Matching Grant #28306 in the Amount of \$3 Million for Water System Improvement Projects Included in Phases 1.3 and 1.4 in the City's 2003 Water and Sewer Master Plan

MOTION: Bob Himschoot moved and Tim Sands seconded the motion to approve Resolution No. 2011-83.

City Manager Forster reported the \$3M grant would require a 30% match, and the projects were included in the FY 2013 CIP list. The grant was a continuation of efforts to locate funding to cover a new water source in Neqleq, including a well, a water treatment plant, a storage tank and new transmission lines. The matching funds could come from sources such as USDA and ANTHC. The project costs were based on a 2009 update from Bristol Environmental and Engineering Services. The City was studying other real estate prospects in Neqleq for a new well.

VOTE: The motion to adopt Resolution No. 2011-83 passed unanimously.

- C. Resolution No. 2011-84, A Resolution of the Dillingham City Council in Support of an Application to Seek Funding from the Bristol Bay Regional Seafood Development Association for Harbor Improvements

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to adopt Resolution No. 2011-84.

City Manager Forster reported the request for the \$150K grant was for ladders and harbor improvements including extending utilities to lease lots to enhance the economic potential in the area.

VOTE: The motion to adopt Resolution No. 2011-84 passed unanimously.

- D. Resolution No. 2011-85, A Resolution of the Dillingham City Council Accepting the FY 2013 Capital Improvements Program

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to adopt Resolution No. 2011-85.

Manager Forster reported the Council was being asked to accept the CIP list as presented by the Planning Commission. This was a combined effort by staff and the commission.

VOTE: The motion to adopt Resolution No. 2011-85 passed unanimously.

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**IX. UNFINISHED BUSINESS****A. Annexation**

City Manager Forster complimented all those who had been involved in the process.

**B. Action Memorandum 2011-17, Approve Lease Agreement with State of Alaska Employment Center for the Potato House**

City Manager Forster reported the lease was forwarded to the City's Attorney, and, in turn, submitted to the State. Their intent was to move into the building sometime in January. The lease agreement would be placed on the January agenda.

**X. NEW BUSINESS****A. Legislative Capital Projects List**

**MOTION:** Keggie Tubbs moved and Tim Sands seconded the motion to approve the legislative capital projects list.

The legislative list taken from the capital projects list would be sent to Juneau and Washington D.C.

**Discussion:**

- spoke in favor of legislating the harbor emergency bank stabilization project as both a political and capital project to get legislators involved in refuting the U.S. Army Corp's reinterpretation of their own regulations that would require the City to provide a 30% match; and
- asked for a more thorough analysis on the E911 system before requesting funding from the State for a new system, the concern being the E911 surcharge was intended to cover replacements; and
- spoke in favor of going to Juneau to legislate.

Manager Forster noted there was money budgeted to hire a lobbyist. A recommendation was made to take this issue up in the New Year.

**VOTE:** The motion to approve the legislative capital projects list passed unanimously.

**B. Committee Appointments**

Mayor Ruby presented the following committee appointments:

Public Outreach - no appointments for this year, instead the Council would act as a whole to do public outreach.

Code Review Committee – Tim Sands as Chair, Mayor Ruby, Paul Liedberg, and Elizabeth Pearch

Finance and Budget Committee– Bob Himschoot as Chair, Keggie Tubbs, Mayor Ruby, and Tracy Hightower