

I. CALL TO ORDER

A regular meeting of the Dillingham City Council was held on Thursday, October 2, 2014, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:10 p.m. The meeting was preceded by a workshop to review the unaudited June 30, 2014 financial statements and for a presentation on employee turnover in the Public Safety Dept.

II. ROLL CALL

Mayor Alice Ruby was present.

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

Tracy Hightower	Holly Johnson
Bob Himschoot - attended via teleconference	Chris Maines

Council Members Paul Liedberg and Keggie Tubbs were absent and excused.

Staff in attendance:

Rose Loera	Janice Williams	Jody Seitz
Carol Shade	Dan Pasquariello	

III. APPROVAL OF MINUTES

- A. Regular Council Meeting, August 7, 2014
- B. Regular Council Meeting, September 4, 2014
- C. Special Council Meeting, September 24, 2014

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to approve the minutes of August 7, September 4, and September 24.

VOTE: The motion passed unanimously by roll call vote.

IV. APPROVAL OF CONSENT AGENDA

- A. Resolution No. 2014-54, A Resolution of the Dillingham City Council Expressing Thanks and a Commendation to Bob Himschoot for Serving on the City Council Since 2008
- B. Resolution No. 2014-55, A Resolution of the Dillingham City Council Expressing Thanks and a Commendation and Thank You to Steve Foy for Serving as an Election Judge Since 2005

MOTION: Chris Maines moved and Holly Johnson seconded the motion to approve the consent agenda.

VOTE: The motion passed unanimously by roll call vote.

APPROVAL OF AGENDA

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to approve the agenda with the revision date of October 1, 2014.

VOTE: The motion passed unanimously by roll call vote.

V. STAFF REPORTS

City Manager Loera reported on the following (these items were in addition to the Manager's report in the packet):

- RFPs will be prepared for the Homeland Security Grant;
- Item Fluoride will be added to the Finance and Budget Committee's agenda and a recommendation brought back to the Council; and
- Library hours have changed from 12 Noon – 7 PM on Friday to 11:30 AM - 6:30 PM.

VI. PUBLIC HEARINGS

There were no public hearings.

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

A. Rae Belle Whitcomb – Squaw Creek Road

Mayor Ruby noted she had the discretion to waive the 3-minute rule, the time allowed for a presentation, and to allow others to participate that may not have notified the City beforehand.

Rae Belle Whitcomb offered a letter regarding no maintenance on the Squaw Creek Road after the State stopped servicing the road ten months ago. She provided an analysis of sales tax collected from the residents on that road, noting if they were contributing to the tax base they should be getting the same services everyone else was getting. She suggested the City consider variances and grandfathering easements. She asked that Squaw Creek Road remain on the agenda until it was resolved.

Danielle Larsgaard noted it was costing too much for individuals to maintain Squaw Creek Road, that it was taking a toll on their own equipment so they could get delivery services such as fuel and septic pumping. She asked for the sake of the kids to maintain the roads so they could get school bus service again.

Steve Shade noted his efforts to maintain the road were taking a toll on his personal equipment, and if the City couldn't maintain the road then the City shouldn't assess them for sales and property tax. He noted they could not get fire insurance on their homes, because the road wasn't being maintained.

Dan Boyd thanked Rae Belle for getting the road graded for everyone else so she could get septic service. He noted it was the right thing for the City to help maintain the road.

Annie Shade noted she maintained three property rentals on Squaw Creek Road. She was not okay with emergency equipment not getting down the road. As the director for Head Start, she noted the bus could no longer go down the road, which affected the attendance rolls and grant funding which was based on having a certain amount of enrollment.

Carol Shade felt it was the right thing for the City to maintain the road, and was very concerned with the City's recent response that under the circumstances response time for emergency services could be impacted by road conditions even though the resident paid property tax.

Rae Belle Whitcomb spoke on the raw fish tax noting her concern with the standards used to qualify as a low income fisher in order to obtain a reduced rate on the fish tax and questioned if the City had provided sufficient notice of the refund program.

Dan Dunaway noted he was reiterating his position that he supported the petition to annex and encouraged the Council to support it.

Jack Libby spoke on the City's tax collection policy and methods. He was a long-time resident providing services to the community. Recently his business had defaulted on its promissory note for tax debt, because there was little revenue from snow removal due to the mild winter. He was put on the denied services list, therefore, unable to access the dock or harbor this past summer unless he paid 100% restitution. He felt the City needed to do more to work with him. He noted he was not a tax objector.

VIII. ORDINANCES AND RESOLUTIONS

- A. Ordinance No. 2014-15, An Ordinance of the Dillingham City Council Amending Section 4.20.050 of the Dillingham Municipal Code, Sales Tax Exemption

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to introduce Ordinance No. 2014-15.

VOTE: The motion passed unanimously by roll call vote.

- B. Ordinance No. 2014-16, An Ordinance of the Dillingham City Council Amending Title 6 to Remove Business Licenses and Regulations, to transfer Chapter 6.08 Alcoholic Beverages to Title 8, Health and Safety, rename it as new Chapter 8.20 Alcoholic Beverages, and Rename Title 6 to be Title 6 (Reserved)

MOTION: Holly Johnson moved and Chris Maines seconded the motion to introduce Ordinance No. 2014-16.

VOTE: The motion passed unanimously by roll call vote.

- C. Resolution No. 2014-52 (AM), A Resolution of the Dillingham City Council Approving the Write Off of Bad Debts Payable to the City for Personal Property Tax, Sales Tax, Harbor and Dock Invoices Dated 2007 and Prior

MOTION: Chris Maines moved and Holly Johnson seconded the motion to approve Resolution No. 2014-52 (AM).

Passage on the resolution had been postponed to correct an error in the total write-off amount.

VOTE: The motion passed unanimously by roll call vote.

- D. Resolution No. 2014-56, A Resolution of the Dillingham City Council Approving a Long Term Encroachment Permit for Utilities on Second Avenue East

MOTION: Chris Maines moved and Holly Johnson seconded the motion to approve Resolution No. 2014-56.

VOTE: The motion passed unanimously by roll call vote.

- E. Resolution No. 2014-57, A Resolution of the Dillingham City Council Authorizing the Mayor to Submit a Petition to the Alaska Local Boundary Commission for Annexation of the Nushagak Commercial Salmon District and the Wood River Sockeye Salmon Special Harvest Area by the Legislative Review Method

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to approve Resolution No. 2014-57.

Mayor Ruby reported she and Manager Loera had met with Manokotak residents, and were working on an invite from New Stuyahok. She was asking the Council to postpone action until the October 16 special meeting, and to schedule a workshop to discuss the resolution and consider the notes from the Manokotak meeting.

MOTION: Bob Himschoot moved and Holly Johnson seconded the motion to postpone action on Resolution No. 2014-57.

VOTE: The motion passed unanimously by roll call vote.

- F. Resolution No. 2014-58, A Resolution of the Dillingham City Council Accepting Alaska Department of Commerce, Community, and Economic Development Legislative Grant for Repairs to Library and Museum Building

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to approve Resolution No. 2014-58.

VOTE: The motion passed unanimously by roll call vote.

- G. Resolution No. 2014-59, A Resolution of the Dillingham City Council Accepting Alaska Department of Military and Veterans Affairs 2014 State Homeland Security Grant

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to approve Resolution No. 2014-59.

VOTE: The motion passed unanimously by roll call vote.

- H. Resolution No. 2014-60, A Resolution of the Dillingham City Council Waiving the Purchasing Restrictions for a Landfill Ash Cell Berm to Award a Contract to Bennett Enterprises LLC

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to approve Resolution No. 2014-60.

City Manager Loera reported the waiver was to allow for the berm to be installed before the winter set in.

VOTE: The motion passed unanimously by roll call vote.

- I. Resolution No. 2014-61, A Resolution of the Dillingham City Council Updating the 2015-2020 Capital Improvement Plan and the FY2016 Legislative Priorities List that was Adopted August 7, 2014, Resolution No. 2014-46

MOTION: Chris Maines moved and Tracy Hightower seconded the motion to approve Resolution No. 2014-61.

City Manager Loera reported the resolution would amend an earlier resolution in order to correct to actual the amount for the Nerka Road project.

VOTE: The motion passed unanimously by roll call vote.

IX. UNFINISHED BUSINESS

A. Citizen Committee Appointments

1. Cemetery Committee, 4 Seats Open
2. Planning Commission, 2 Seats Open
3. Parks and Recreation Committee, 3 Seats Open
4. Senior Advisory Board, 2 Seats Open
5. Library Advisory Board, 3 Seats Open

MOTION: Tracy Hightower moved and Chris Maines seconded the motion to concur with the Mayor's recommendation to appoint Ruth Lagerberg to the Parks and Recreation Committee, reappoint June Ingram to the Senior Advisory Commission, and reappoint Dianna Swaim, Conor Downey, and Erica Tweet to the Library Advisory Board.

VOTE: The motion passed unanimously by roll call vote.

X. NEW BUSINESS

- A. Action Memorandum No. 2014-15, Authorize the City Manager to Execute a Contract to Vitus Energy LLC d/b/a Vitus Terminals for Purchase of Fuel and Gasoline at a Fixed Price Per Gallon for FY2015/2016

MOTION: Tracy Hightower moved and Holly Johnson seconded the motion to approve Action Memorandum No. 2014-15.

VOTE: The motion passed unanimously by roll call vote.

- B. Special Meeting Scheduled for October 16, 2014 (DMC 3.70.040)
1. Certify the October 7, 2014 Regular City Election
 2. Action Memorandum 2014-16, Award Contract for Janitorial Services
 3. Swearing in Ceremony of Newly Elected Council Members

Mayor Ruby asked to add item 4. Annexation Petition and item 5. Any Other Business that May Come before the Council, with a workshop before the meeting on annexation at 5:30 p.m.

MOTION: Chris Maines moved and Holly Johnson seconded the motion to hold a special meeting October 16, 2014 and a workshop.

VOTE: The motion passed unanimously by roll call vote.

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

There was no citizen's discussion.

XII. COUNCIL COMMENTS

Bob Himschoot:

- Noted the next special meeting would be his last Council meeting, and being on the Council had been one of the greatest experiences of his life; and
- Noted he hoped things could be worked out with Jack Libby, that he seemed very sincere in wanting to work it out with the City.

Chris Maines:

- Commented the Squaw Creek Road issue deserved more discussion.

Holly Johnson:

- Agreed with Bob that the issue with Jack Libby be looked into;
- Recommended the city move forward with a MOU with the Tribe and start taking some action on Squaw Creek Road before winter sets and the need for fuel deliveries; and
- Noted she had received complaints regarding 4-wheeler and dirt bike riders driving at night with no headlights.

Mayor Ruby suggested the citizens also contact Chief Pasquariello regarding their concerns with the lack of head lights.

Tracy Hightower:

- Agreed that the Squaw Creek Road was a concern and felt the City needed to take care of it regardless.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

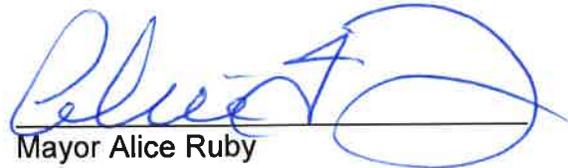
- Noted she appreciated Rae Belle pursuing the Squaw Creek Road issue and all those who came out to speak on it, noting the City was pressing the State, would be meeting with Curyung Tribe; didn't agree with the issue that the residents felt they should not pay taxes because they did receive a lot of other services such as library, dock and harbor, public safety, schools;
- Noted the City had received an invite to meet with the Vice Chancellor of the College for Rural Development, Friday, at 3:30, to let him know it was a vital part of the community;
- Asked the Council to let her know if they were interested in attending the AML conference;
- Noted she had listened in on a meeting of school and public safety officials to discuss protocol for issues at the school;
- Commented Bob had been a tremendous Council member, that he was a perfect example of walk softly carry a big stick, reasonable, always participated; and
- Asked for a moment of silence to recognize all those lost since the last meeting.

XIV. EXECUTIVE SESSION

There was no executive session.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 8:26 p.m.



Mayor Alice Ruby

ATTEST:

[SEAL]



Janice Williams, City Clerk

Approval Date: 11/6/14