

**I. CALL TO ORDER**

The Regular Meeting of the Dillingham City Council was held on Thursday, May 17, 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:

Dan Forster, City Manager  
Lilly Capell, Recorder  
Carter Cole, Public Works Director  
Doug Dombroski, Chief of Police  
Sonja Marx, Librarian  
Carol Shade, Finance Director

**III. APPROVAL OF MINUTES**

- A. Special Joint Meeting, May 2, 2012
- B. Board of Equalization Meeting, May 3, 2012
- C. Regular Meeting, May 3, 2012

**MOTION:** Keggie Tubbs moved and Paul Liedberg seconded the motion to approve the three sets of minutes.

**VOTE:** The motion passed unanimously.

**IV. APPROVAL OF CONSENT AGENDA**

There was no consent agenda.

**APPROVAL OF AGENDA**

City Manager Forster asked to include Personnel Matter – Finance Department under Executive Session.

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

VOTE: The motion passed unanimously.

**V. STAFF REPORTS**

**A. Mayoral Special Presentation**

The Association of Alaska School Boards awarded a Spirit of Youth Award to Christopher Marx for the numerous hours invested volunteering at the library and helping to modernize their computer equipment. Christopher thanked the City for allowing him to volunteer to work on the library's computer system.

**B. City Manager Report**

City Manager reported:

- lobbyist contract has been executed; and
- NTS grant for the Senior Center – awaiting grantor's determination. City will have a fifteen day window to appeal.

**C. Standing Committee Reports**

Bob Himschoot, Chair, Finance and Budget:

- E-911 service revenues – staff prepared an analysis of the sources that bill, collect and remit the surcharge to the City;
- Purchase fish waste container – recommended the purchase that would possibly come from a closed landfill grant of which there were available monies that will require a match;
- School budget presentation – discussed the contributions from City, State and Federal, and possible implications of earmarking monies; and
- Sewer outfall – presentation from staff that will support resolution in the packet to award a bid for armor rock.

Tim Sands, Chair, Code and Review Committee:

- animal ordinance - working on some changes to bring the ordinance in line with state law; and
- Ordinance No. 2010-09 was being brought back as a substitute ordinance and one of the changes would amend the city's interest rate on refunds to match with state law.

**VI. PUBLIC HEARINGS**

Mayor Ruby opened the public hearing on Ordinance No. 2012-09 and 2012-10.

- A. Adopt Ordinance No. 2012-09 (Substitute), An Ordinance of the Dillingham City Council Levying a 2.5% Tax on Seafood Products Severed from Commercial Fishing Waters**

- B. Adopt Ordinance No. 2012-10, An Ordinance of the Dillingham City Council Repealing and Reenacting Section 1.18.010 of the Dillingham Municipal Code to Include Property Annexed to the City in the Description of the City Boundaries

There being no comments the public hearing closed.

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

There was no citizen's discussion.

**VIII. ORDINANCES AND RESOLUTIONS**

- A. Adopt Ordinance No. 2012-09 (Substitute), An Ordinance of the Dillingham City Council Levying a 2.5% Tax on Seafood Products Severed from the Commercial Fishing Waters

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to amend Ordinance No. 2012-09 by substituting Ordinance No. 2012-09 (Substitute) for Ordinance No. 2012-09.

Tim Sands noted there were several changes, none of them substantive, including amending the interest rate on refunds from 5% as originally adopted to 8% to coincide with state law.

VOTE: The motion to adopt Ordinance No. 2012-09 (Substitute) passed unanimously.

- B. Adopt Ordinance No. 2012-10, An Ordinance of the Dillingham City Council Repealing and Reenacting Section 1.18.010 of the Dillingham Municipal Code to Include Property Annexed to the City in the Description of the City Boundaries

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to adopt Ordinance No. 2012-10.

VOTE: The motion to adopt Ordinance No. 2012-10 passed unanimously.

- C. Introduce Ordinance No. 2012-11, An Ordinance of the Dillingham City Council Amending Section 4.21.135, Tax Refunds

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to introduce Ordinance No. 2012-11.

Tim Sands noted the proposed changes would bring the code section on raw fish tax, adopted earlier, in line with the proposed severance tax.

VOTE: The motion to introduce Ordinance No. 2012-11 passed unanimously.

- D. Introduce Ordinance No. 2012-12, An Ordinance of the Dillingham City Council Amending Section 2.80.040 Library Board to Change the Terms from Two Years to Three Years Consistent With Other Boards and Commissions

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to introduce Ordinance No. 2012-12.

VOTE: The motion to introduce Ordinance No. 2012-12 passed unanimously.

- E. Resolution No. 2012-26, A Resolution of the Dillingham City Council Authorizing the City Manager to Award a Contract with FCS Group for a Water and Sewer Rate Study

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve Resolution No. 2012-26.

City Manager noted the City was required to conduct a water and sewer rate study as part of accepting the state's loan, and noted this should be done periodically anyway. The City issued a RFP and received four proposals reviewed by a committee made up of staff and council members. The list was short listed to two, and references were checked. The committee was recommending awarding a contract to FCS Group.

VOTE: The motion to approve Resolution No. 2012-26 passed unanimously.

- F. Resolution No. 2012-27, A Resolution of the Dillingham City Council Authorizing a Mayor's Garage Sale for Surplus City Equipment

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Resolution No. 2012-27.

Discussion:

- concerned that it didn't look good to have the employee making the decision to surplus a piece of equipment to also purchase it, but understood there was no City policy that disallowed it.

VOTE: The motion to approve Resolution No. 2012-27 passed unanimously.

- G. Resolution No. 2012-28, A Resolution of the Dillingham City Council Authorizing the City Manager to Enter into a Purchase Order Agreement of Armor Rock for Erosion Control

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve Resolution No. 2012-28.

City Manager Forster noted the sewer outfall experienced additional exposure and erosion from the winter icing. It was decided the most expedient and cost effective solution was to bury the additional pipe under armor rock, using existing funds for erosion control. He noted the City's Attorney had been contacted, and opined that it was not necessary to precede the resolution with a resolution to waive the advertising requirements based on the circumstances for an emergency fix.

VOTE: The motion to approve Resolution No. 2012-28 passed unanimously.

**IX. UNFINISHED BUSINESS**

A. Animal Shelter Facility

City Manager Forster noted this item would remain on the agenda and management would continue to plan and assess needs and options.

Discussion:

- requested that the community members be kept apprised.

B. Committee Appointments

1. Library Board – 2 Seats

There was no recommendation at this time.

C. City Manager Hire

Mayor Ruby reported Tim Pearson, hiring consultant, was optimistic that a candidate could be selected within 2-3 months. The first round of applications would be reviewed on June 9. Steve Cropsey had accepted the transitional City Manager position, and was willing to extend his term if necessary.

**X. NEW BUSINESS**

There was no new business.

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

Dennis Olson referred to the letter provided to the Council same day, and apologized for the late submittal. He reiterated his earlier presentation in which he had asked the City to consider co-managing the Kanakanak cemetery or deeding the Kanakanak cemetery to the Knugank Tribe or ANCSA Corp., Olsonville, Inc. He noted the co-management would provide for better communication to work together regarding requests from the community to bury someone outside the village.

Mayor Ruby noted he would hear from the City.

**XIV. EXECUTIVE SESSION**

A. Legal Matter

1. Annexation
2. Gladden vs. City of Dillingham

B. Personnel Matter

1. Finance Department

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to go into executive session under DMC, 2.09.050 [7:53 p.m.].

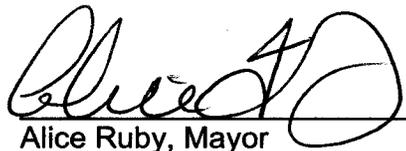
GENERAL CONSENT: The motion passed without objection.

MOTION: Doug Holt moved and Keggie Tubbs seconded the motion to come out of executive session [9:09 p.m.].

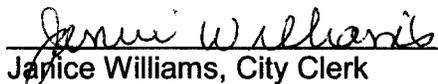
GENERAL CONSENT: The motion passed with no objection.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:11 p.m.

  
Alice Ruby, Mayor

ATTEST:

  
Janice Williams, City Clerk

Approved: 6/7/2012

