

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, August 9, 2012, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:11 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:

- Dan Forster
- Attorney Brooks Chandler – *via teleconference*
- Attorney William Mede – *via teleconference*

III. APPROVAL OF MINUTES

- A. Regular Meeting, June 21, 2012
- B. Special Meeting, June 25, 2012
- C. Special Meeting, June 29, 2012
- D. Special Meeting, June 30, 2012

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve the minutes of June 21, June 25, June 29 and June 30.

(Clerk Note: June 25 minutes - added the word excused after Keggie Tubbs absent; June 29 minutes – added Malcolm Brown and Lee Foley under category Guests.)

MOTION: The motion passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

- A. Resolution No. 2012-38, A Resolution of the Dillingham City Council Amending the Bank Signature Cards for City Bank Accounts Due to a Change in Personnel
- B. Resolution No. 2012-39, A Resolution of the Dillingham City Council Expressing Thanks and a Commendation to Dan Forster
- C. Resolution No. 2012-40, A Resolution of the Dillingham City Council Expressing Thanks and a Commendation to Steve Cropsey
- D. Resolution No. 2012-41, A Resolution of the Dillingham City Council Approving an Encroachment Permit for the Installation of a New Utility Pole and Underground Power Lines on Windmill Hill Road

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

VOTE: The motion passed unanimously.

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 reported:

- Capital Improvements Projects – process was being refined by key staff with the assistance of Dan Forster, would be seeking community as well as staff input on projects, working with City’s lobbyists on a better timeline to present CIP list to the Governor’s office;
- Smart Energy – City’s Attorney and key staff reviewed and commented on the MOU, firm is interested in making a presentation possibly in September.

Mayor Ruby commented the Council would be interested in a presentation, and reviewing the agreement.

- Fire Dept. Audit – City was given additional time to work on items requiring attention that, if not addressed, could result in a rise in fire insurance premiums for homeowners; currently analyzing the issues, of which some could have a cost associated.

Finance Director Carol Shade reported the sales tax audit was scheduled for November.

Discussion:

- asked for a report on the fish waste container for the next Council meeting.

City Planner Jody Seitz reported the Port land swap was an old arrangement between the City of Dillingham, N&N Market, and the Sea Inn to trade land between the three entities in order to clean up boundaries, and allow for the fencing off of the Port. A survey was being planned for this year.

B. Standing Committee Reports

Tim Sands, Chair, Code Review Committee reported on task list items:

- Manager Authority to Settle Unpaid Accounts - would be asking that a review of penalty and interest provisions be added to Code Committee's task list,
- Animal code – would be presenting an ordinance that would align the code with State statute;
- Write-in Votes – would be presenting an ordinance that would align code with State statute;
- Regulating commercial licenses – does City want to have regulations for taxi cabs.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to change the Code Committee's assignment to remove tax incentives, and add looking into penalty and interest as written in code, and a commercial license ordinance.

VOTE: The motion passed unanimously.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to suspend the rules in order to go into executive session and to enter into executive session under DMC, 2.09.050, regarding legal matters [7:31 p.m.].

Manager Loera, Dan Forster, Steve Cropsey, Chief Nancy Chamberlain, and Janice Williams were invited into the executive session.

GENERAL CONSENT: The motion passed without objection.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Annexation
2. Gladden vs. City of Dillingham
3. Union – Local 71
4. Recent Complaints About Public Safety Department

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to come out of executive session [8:53 p.m.].

GENERAL CONSENT: The motion passed with no objection.

VI. PUBLIC HEARINGS

There were no public hearings.

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

There was no citizen's discussion.

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 introduce Ordinance No. 2012-15.

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

- B. Resolution No. 2012-42, A Resolution of the Dillingham City Council Supporting the Submittal of Questionnaires to the Alaska Department of Environmental Conservation for Municipal Matching Grant Funds for the Landfill and Wastewater Collection System Upgrades

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Resolution No. 2012-42.

City Manager Loera noted the questionnaire process was the first step in applying for a grant, and not a commitment for funding.

VOTE: The motion to approve Resolution No. 2012-42 passed unanimously.

- C. Resolution No. 2012-43, A Resolution of the Dillingham City Council Authorizing Foreclosure Proceedings on Delinquent Property Taxes for the Years 2006 - 2011

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Resolution No. 2012-43.

VOTE: The motion to approve Resolution No. 2012-43 passed unanimously.

- D. Resolution No. 2012-44, A Resolution of the Dillingham City Council Authorizing a Grant of Easement to the State of Alaska for the Improvement of Kananak Road

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve Resolution No. 2012-44.

VOTE: The motion to approve Resolution No. 2012-44 passed unanimously.

- E. Resolution No. 2012-45, A Resolution of the Dillingham City Council Designating Wastewater Treatment Plant Upgrades as the Number One Local State Funding Priority for Fiscal Year 2014

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve Resolution No. 2012-45.

Discussion:

- spoke in favor of having more than one number #1 priority, namely the public safety building, acknowledging the resolution was for AkDEC funded projects;
- commended the City of Nome for their website presentation of the CIP process; and
- suggested reconvening the Public Outreach Committee and work with other local agencies on coordinating a CIP project list.

VOTE: The motion passed unanimously.

F. Resolution No. 2012-46, A Resolution of the Dillingham City Council Authorizing the Exchange of Easements Between Choggiung Ltd. and the City of Dillingham

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve Resolution No. 2012-46.

VOTE: The motion to approve Resolution No. 2012-46 passed unanimously.

G. Resolution No. 2012-47, A Resolution of the Dillingham City Council Accepting a State of Alaska Homeland Security and Emergency Management (DHS & EM) Funds in the Amount of \$4,000 for Emergency Management Performance Grant (EMPG)

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve Resolution No. 2012-47.

City Manager Loera noted the grant was for \$2,000 not \$4,000 as noted in the resolution.

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to amend the resolution.

VOTE: The motion to amend Resolution No. 2012-47 passed unanimously.

VOTE: The motion to approve Resolution No. 2012-47 as amended passed unanimously.

H. Resolution No. 2012-48, A Resolution of the Dillingham City Council Amending the Personnel Regulations, Section 11.00, Resignations

MOTION: Tim Sands moved and Paul Liedberg seconded the motion to approve Resolution No. 2012-48.

VOTE: The motion to adopt Resolution No. 2012-48 passed unanimously.

I. Resolution No. 2012-49, A Resolution of the Dillingham City Council Supporting the Reinstatement of the Coastal Zone Management Program

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve Resolution No. 2012-49.

Mayor Ruby noted this resolution if approved would support reinstating the coastal zone management plan.

VOTE: The motion to adopt Resolution No. 2012-49 passed unanimously.

IX. UNFINISHED BUSINESS

A. Animal Shelter Facility

Mayor Ruby noted there was nothing to report.

B. Committee Appointments

1. Library Board – 1 Seat

Mayor Ruby noted there was nothing to report.

2. Library Board - Bristol Bay Campus Seat

Mayor Ruby reported there was a seat on the Library Board to represent the Bristol Bay Campus. Brian Laurent, a Campus employee, had filed a letter of interest with concurrence by his director, and was recommending that he fill the seat.

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

VOTE: The motion passed unanimously.

C. Offer of Land Transfer

Project Manager Steve Cropsey reported he had received a preliminary title report, but it was not timely enough to prepare a write up and would have a presentation for the next Council meeting.

X. NEW BUSINESS

A. Schedule a Special Meeting of the Board of Equalization (Hearing)

1. Request for a Late-Filed Appeal - Verna M. Nelson

2. Request for a Late-Filed Appeal – Randall Finkerbinder

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to schedule a special meeting of the Board of Equalization for September 6, at 6:30 PM.

VOTE: The motion passed unanimously.

Mayor Ruby appointed Tim Sands, Doug Holt, and Tracy Hightower to the BOE meeting.

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

There was no citizen's discussion.

XII. COUNCIL COMMENTS

Bob Himschoot:

- welcomed Manager Loera, Chief Chamberlain, Malcolm Brown, Steve Cropsey and Dan Forster.

Tim Sands:

- welcomed Manager Loera, Chief Chamberlain, and Malcolm Brown;
- thanked the City employees for keeping the City running during the summer;
- noted the City may want to weigh in on some of the Fish Board proposals, such as the dual permit issue; and
- voiced his concern over at least three serious motor vehicle accidents this summer, one a fatality, and what could be done, was it possible the bars were serving people who shouldn't be served.

Keggie Tubbs:

- welcomed Manager Loera, noting he was proud that the City had its first native woman City Manager, and welcomed Malcolm Brown, and Chief Chamberlain,
- congratulated local law enforcement team for the recent drug bust, and hoped those efforts would continue; and
- keep the animal shelter on the City's radar, because the lease would be up soon.

Tracy Hightower:

- welcomed the three new managers.

Paul Liedberg:

- said he echoed what others said, welcomed Manager Loera, noted he was glad to have her along with the permanent and interim employees to help the City out.

Doug Holt:

- said he echoed the comments made; and
- reported the Alaska Bar Association was in town for the first time in about eight years, and there was discussion of holding grand juries in Dillingham, and if interested in supporting this to send comments to Judge Douglas.

XIII. MAYOR'S COMMENTS

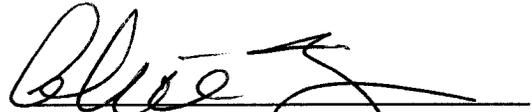
Mayor Ruby:

- noted she would be working with Manager Loera to set up an Advisory Committee to help with the Police Chief selection;
- was planning to work on establishing a Cemetery Committee in September;
- would plan to populate the Dave Carlson House Committee following the election;
- would plan to have strategic planning and priority planning after the election;
- would add to the September agenda under executive session a discussion with Manager Loera about her contract, and how things were going; and

-
- agreed there had been a lot of unfortunate accidents, felt it was a community-wide issue, and asked for a moment of silence to recognize all those lost since the last meeting.

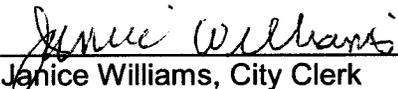
XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:30 p.m.



Alice Ruby, Mayor

ATTEST:



Jenice Williams, City Clerk

Approved: 9/6/2012