



Alice Ruby, **Mayor**

Council Members

- Chris Napoli (Seat A) • Chris Maines (Seat B) • Aksel Buholm (Seat C)
- Curt Armstrong (Seat D) • Andy Anderson (Seat E) • Gregg Marxmiller (Seat F)

DILLINGHAM CITY COUNCIL
David B. Carlson Council Chambers

Dillingham City Hall, 141 Main Street, Dillingham, AK 99576 (907) 842-5212

REGULAR MEETING	7:00 P.M.	NOVEMBER 1, 2018
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- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. APPROVAL OF MINUTES**
 - a. Regular Council Meeting, October 4, 2018 page 3
 - b. Special Council Meeting, October 11, 2018 page 9
- 4. APPROVAL OF CONSENT AGENDA**
 - a. Approve Resolution 2018-21, A Resolution of the Dillingham City Council Amending the Investment Account Signature Authority Forms for City Investment Accounts Due to a Change in Council Members and Personnel page 11
 - b. Approve Resolution 2018-22, A Resolution of the Dillingham City Council Amending the Bank Signature Card for Wells Fargo Checking Account Due to a Change in Council Members page 13
- APPROVAL OF AGENDA**
- 5. STAFF REPORTS**
 - a. City Manager and Staff Reports page 15
 - b. Standing Committee Reports
- 6. PUBLIC HEARINGS**
 - a. Willow Tree Inn Liquor License Transfer
- 7. CITIZEN'S DISCUSSION (Prior Notice or Agenda Items)**
- 8. ORDINANCES AND RESOLUTIONS**
 - a. Approve Resolution 2018-23; A Resolution of the Dillingham City Council Supporting Resolution No. 2018-01 From the Alaska Association of Harbormasters and Port Administrators in Support of Full Funding (\$7,409,439) for the State of Alaska Municipal Harbor Facility Grant Program in the FY2020 State Capital Budget page 47
- 9. UNFINISHED BUSINESS**
 - a. Citizen Committee Appointments
 - 1) Library Advisory Board, 1 Seat Open (*no letter of interest*)

- b. Progress Report
 - 1) Dave Carlson House Property
 - 2) Territorial School

10. NEW BUSINESS

- a. Approve Action Memorandum 2018-10, Authorize Administrative Leave for Christmas and New Year's Holiday page 53
- b. Willow Tree Inn Liquor License Transfer page 55
- c. Olsen's Liquor Store Liquor License Renewal page 73
- d. Standing Committee Appointments

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

12. COUNCIL COMMENTS

13. MAYOR'S COMMENTS

14. EXECUTIVE SESSION

- a. Legal Update – Backford v City of Dillingham
- b. Personnel Issue – City Manager Evaluation

15. ADJOURNMENT

1. CALL TO ORDER

A regular meeting of the Dillingham City Council was held on Thursday, October 4, 2018, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Ruby called the meeting to order at 7:02 p.m.

2. ROLL CALL

Mayor Ruby was present.

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

Andy Anderson	Chris Maines	Aksel Buholm
Curt Armstrong	Chris Napoli	Paul Liedberg

Staff in attendance:

Tod Larson	Lori Goodell	Dan Pasquariello
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3. APPROVAL OF MINUTES

- a. Regular Council Meeting, September 6, 2018
- b. Special Council Meeting, September 24, 2018

MOTION: Chris Maines moved and Andy Anderson seconded the motion to adopt the minutes of September 6, 2018, and September 24, 2018.

VOTE: The motion passed unanimously by voice vote.

4. APPROVAL OF CONSENT AGENDA

- a. Approve Resolution 2018-18; A Resolution of the Dillingham City Council to Offer Thanks and Commendation to Paul Liedberg for His Service on the Dillingham City Council

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

VOTE: The motion passed unanimously by voice vote.

APPROVAL OF AGENDA

MOTION: Andy Anderson moved and Chris Maines seconded the motion to approve the consent agenda.

VOTE: The motion passed unanimously by voice vote.

5. STAFF REPORTS

- a. City Manager and Staff Reports

City Manager Larson reported on the following items in addition to his staff report:

- A fuel price comparison between FY18 and FY19 was done; the increase in expenditures based on the bid award is \$103,389. Usage for FY18 was at approximately 85% of estimated bid amounts, and was a high consumption year due to the snow levels. Applying the same percent usage to FY19 the budget overage is reduces to \$63k.
- Next week the city is sponsoring a Senior Center Week.

Discussion

- Code Review Committee to add DMC 15.08 to their to do list.

- Gravel Road Plan to be added to Finance and Budget Committee to do list.
- Committee assignments will be reviewed at the November Council Meeting.

b. Standing Committee Reports

Code Review Committee:

No report given.

Finance and Budget Committee:

Paul Liedberg reported the committee discussed one item, marijuana taxation, at the 9.17.18 meeting. The committee has tabled the item, choosing to wait for a year to accumulate more local information regarding the three proposed licenses currently in process with the State of Alaska.

6. PUBLIC HEARINGS

- Ordinance 2018-05. An Ordinance of the Dillingham City Council Amending Section 4.16.020 Business License, to Add an Exemption for Casual and Isolated Sales
- Ordinance 2018-06, An Ordinance of the Dillingham City Council Amending Dillingham Municipal Code Chapter 4.15.030, Exemptions Renewing the Taxable Amount for Fishing Vessels and Aircraft

There was no public comment.

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

- Tracy Hightower – Tobacco Tax spoke regarding exempt tobacco tax sales, noting the sales tax report form does not have the necessary information for this type of sale. He commented that the tobacco tax is an excise tax, not sales tax, the tax is added to the price and cannot be removed at POS.
- Neal Barton and Paul Liedberg – Update on summer fish bin, bear status reported the fish bin placement inside the landfill gates and fenced this year was much cleaner and resulted in a safer season with no bear / people interaction. The community was thanked for participating in the new arrangement.

Discussion: Council members thanked Neal and Paul for their work to make the fish bin accessible, safe, and easy for the city to monitor.

8. ORDINANCES AND RESOLUTIONS

- Adopt Ordinance 2018-05. An Ordinance of the Dillingham City Council Amending Section 4.16.020 Business License, to Add an Exemption for Casual and Isolated Sales (*introduced September 6, 2018*)

MOTION: Chris Maines moved and Andy Anderson seconded the motion to adopt Ordinance 2018-05.

VOTE: The motion to adopt Ordinance passed by unanimous voice vote.

- Adopt Ordinance 2018-06, An Ordinance of the Dillingham City Council Amending Dillingham Municipal Code Chapter 4.15.030, Exemptions Renewing the Taxable Amount for Fishing Vessels and Aircraft (*introduced September 6, 2018*)

MOTION: Paul Liedberg moved and Chris Maines seconded the motion to adopt Ordinance 2018-06.

Discussion:

- Consider removing aircraft from the tax cap.

- Suggested increase in senior / disabled vet exemption from \$150k to \$250k, with a review of the state statute requirement.
- Substantive changes would require a rewrite to the ordinance and another public hearing; council recommends passing this ordinance as is.
- The airplane tax cap and review of senior / disabled vet exemption is assigned to Code Review Committee for review.

VOTE: The motion to adopt Ordinance 2018-06 passed by unanimous voice vote.

- c. Adopt Resolution 2018-17, A Resolution of the Dillingham City Council Supporting the Curyung Tribal Council BBEDC Arctic Tern Grant Application for Participation at the 2018 AFN Elders and Youth Conference

MOTION: Andy Anderson moved and Paul Liedberg seconded the motion to adopt Resolution 2018-17.

Alice Ruby and Chris Napoli disclosed they work for BBEDC and oversee the grant program but they have no financial gain in the program.

VOTE: The motion to adopt Resolution 2018-17 passed by unanimous voice vote.

9. UNFINISHED BUSINESS

- a. Citizen Committee Appointments

- 1) Library Advisory Board, 1 Seat Open

There was no letter of interest for the Library Advisory Board.

- b. Progress Report

- 1) Dave Carlson House Property

- 2) Territorial School

There were no progress reports.

10. NEW BUSINESS

- a. Schedule Special Meeting for October 11, 2018 (DMC 3.70.040) *(Clerk Note: DMC 2.09.020 Special Meetings. No business shall be transacted at the meeting that is not mentioned in the notice.)*

- 1) Certify the October 2, 2018 Election

- 2) Adopt Resolution 2018-19; A Resolution of the Dillingham City Council Approving a Grant Application and Matching Funds for a New Fire Engine

MOTION: Chris Maines moved and Chris Napoli seconded the motion to schedule a special council meeting on October 11, 2018 at 7:00 pm.

VOTE: The motion passed by unanimous voice vote.

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

There was no citizen discussion.

12. COUNCIL COMMENTS

Chris Maines:

- Thanked Paul for his service, noting he provided consistency, was active in the community, and went above and beyond acting as Mayor Pro tempore.

- Informed Council that the EPA Special Program Manager will be in Dillingham in October and will contact the City Manager. The EPA has funds available for mediation / site clean up the city may be able to apply for.

Curt Armstrong:

- Thanked Paul for his time on council.

Aksel Buholm

- Thanked Paul for his time on council.
- Spoke in favor of scheduling a joint school board / city council meeting.

Chris Napoli

- Thanked Paul, stating he appreciated all he has done for the community.

Andy Anderson

- Thanked Paul for his time on council, and for being the chair of Finance & Budget Committee, noting he hung in through some tough times.

Paul Liedberg

- Thanked everyone, including the community for allowing him to serve. He stated council has been respectful and good to work with, noting all that serve and are willing to serve. Council was thanked for allowing him to attend meetings by teleconference as needed.
- Commented that he served on the Planning Commission for 10 years and City Council for 7 years. Stating he will still be in the community and plans to stay involved.

13. MAYOR'S COMMENTS

Alice Ruby:

- Stated it has been a pleasure to work with Paul, noting at times the issues were complicated and difficult.
- Commented that next week is Senior Center Week. City Administration is working to highlight different departments throughout the year, increasing visibility with the citizens.
- Reported that she has tried to get to all State Candidates as they have meetings in town.
- Directed Code Review Committee to review DMC 4.15 for the Senior Exemption and the airplane cap. Requested they make this a priority.
- A moment of silence was observed for all those lost since the last meeting.

14. EXECUTIVE SESSION

a. City Manager Evaluation

b. Legal Update

MOTION: Chris Maines moved and Andy Anderson seconded the motion to enter into executive session to discuss the City Manager Evaluation and a Legal Update. (7:50 pm)

City Manager and City Clerk were invited to stay for the Legal Update and will be excused during the evaluation.

VOTE: The motion passed by unanimous voice vote.

MOTION: Chris Maines moved and Chris Napoli seconded the motion to exit executive session. (8:23 pm)

VOTE: The motion passed by unanimous voice vote.

15. ADJOURNMENT

Mayor Ruby adjourned the meeting at 8:23 p.m.

Mayor Alice Ruby
[SEAL]

ATTEST:

Lori Goodell, City Clerk

Approval Date: _____

1. CALL TO ORDER

A special meeting of the Dillingham City Council was held on Thursday, October 11, 2018, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Ruby called the meeting to order at 7:00 p.m. A workshop regarding CIP projects and funding options was held following the meeting.

2. ROLL CALL

Mayor Ruby was present.

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

Andy Anderson	Chris Maines	Aksel Buholm
Curt Armstrong	Chris Napoli	

Paul Liedberg was excused

Staff in attendance:

Tod Larson	Lori Goodell	Cynthia Rogers
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3. APPROVAL OF AGENDA

MOTION: Chris Maines moved and Chris Napoli seconded the motion to approve the agenda.

VOTE: The motion passed unanimously by voice vote.

4. SPECIAL BUSINESS

- a. Adopt Resolution 2018-19; A Resolution of the Dillingham City Council Approving a Grant Application and Matching Funds for a New Fire Engine

MOTION: Andy Anderson moved and Chris Maines seconded the motion to adopt Resolution 2018-19.

Discussion: If awarded this vehicle will replace the Engine #2, a 1971 truck that needs to be replaced. The grant has a short application timeline. The 5% match will come from the Ambulance Fund. All equipment will be removed from Engine #2 and it will be taken out of service. The new vehicle will fit into the existing space at the fire hall.

QUESTION was called; no objections.

VOTE: The motion passed unanimously by voice vote.

- b. Adopt Resolution No. 2018-20, A Resolution of the Dillingham City Council Accepting the Certification of the Canvassing Committee Results and Certifying the October 2, 2018 Regular City Election

MOTION: Chris Maines moved and Aksel Buholm seconded the motion to adopt Resolution 2018-20.

VOTE: The motion passed unanimously by voice vote.

- c. Oath of Office for Newly Elected Council Members, and Mayor

City Clerk, Lori Goodell, proceeded to swear in the incoming members, three Council members, Andy Anderson, Chris Napoli, and Gregg Marxmiller; and Mayor Alice Ruby.

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

Fire Chief Heyano thanked council for their support of the fire department.

6. COUNCIL COMMENTS

Aksel Buholm:

- Spoke regarding the deteriorating conditions of the roads; noting he has received complaints from the community, and stating he is highly upset and feels a need for urgency to find a solution before it freezes.

Gregg Marxmiller:

- Commented he is glad to be on council; that he will do his best for those that voted for him and those that did not.

Andy Anderson:

- Welcomed Gregg to the council.
- Stated we can't continue to allow the pot holes to get deeper, reconstruction means a major job now.

Chris Napoli:

- Welcomed Gregg to the council.

7. MAYOR'S COMMENTS

Alice Ruby:

- Spoke regarding interaction with the public on Facebook noting the City Manager will discuss policy with Department Heads.
- Commented the city can explore contracting maintenance of some roads; noting staff is limited for required needs of roads.
- Stated she appreciates when council follows up to citizen concerns, noting she always replies to citizen inquiries.

Discussion:

- The city could set a standard with a contract for road maintenance.
- A comparison of costs; contracting vs. staff time and overtime could be considered.
- It would take some pressure off public works and allow the minimal staff to be more effective.
- City personnel lack the necessary knowledge/skill to be effective, is this a skill that can be found and taught locally?
- The City Manager can come up with a plan/proposal, have an update to the Mayor by 10/16 and then it will go to council, to be decided if a special meeting is needed.

8. ADJOURNMENT

Mayor Ruby adjourned the meeting at 7:29 p.m.

Mayor Alice Ruby
[SEAL]

ATTEST:

Lori Goodell, City Clerk

Approval Date: _____

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2018-21

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AMENDING THE INVESTMENT ACCOUNT SIGNATURE AUTHORITY FORMS FOR CITY INVESTMENT ACCOUNTS DUE TO A CHANGE IN COUNCIL MEMBERS AND PERSONNEL

WHEREAS, Chris Napoli and Gregory Marxmiller were elected to the City Council at a Regular City Election held October 2, 2018; and

WHEREAS, Anita Fuller was hired as the Finance Director in June 2018; and

WHEREAS, the signature authority forms for the City’s investment accounts at Wells Fargo Investment Services, Piper Jaffray, Alaska Municipal League Investment Pool, and Time Value Investments will need to be reflect the changes in personnel;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the following persons are authorized to give instructions on behalf of the City of Dillingham on the funds that are now and shall be deposited in the above mentioned investment institutions..

- | | |
|--------------------|------------------|
| Tod Larson | City Manager |
| Alice Ruby | Mayor |
| Chris Napoli | Council Member |
| Chris Maines | Council Member |
| Aksel Buholm | Council Member |
| Neil C. Armstrong | Council Member |
| Andy Anderson | Council Member |
| Gregory Marxmiller | Council Member |
| Anita Fuller | Finance Director |

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on November 1, 2018.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Lori Goodell, City Clerk

CITY OF DILLINGHAM, ALASKA

RESOLUTION NO. 2018-22

A RESOLUTION OF THE DILLINGHAM CITY COUNCIL AMENDING THE BANK SIGNATURE CARD FOR WELLS FARGO CHECKING ACCOUNT DUE TO A CHANGE IN COUNCIL MEMBERS

WHEREAS, Chris Napoli and Gregory Marxmiller were elected to the City Council at a Regular City Election held October 2, 2018; and

WHEREAS, the signature cards for the City’s checking accounts at Wells Fargo Bank will need to reflect the change in personnel;

NOW, THEREFORE, BE IT RESOLVED by the Dillingham City Council that the following persons are authorized to sign checks on behalf of the City of Dillingham on the funds that are now and shall be deposited in Wells Fargo Bank.

Tod Larson	City Manager
Alice Ruby	Mayor
Chris Napoli	Council Member
Chris Maines	Council Member
Aksel Buholm	Council Member
Neil C. Armstrong	Council Member
Andy Anderson	Council Member
Gregory Marxmiller	Council Member

PASSED and ADOPTED by a duly constituted quorum of the Dillingham City Council on November 1, 2018.

Alice Ruby, Mayor

ATTEST:

[SEAL]

Lori Goodell, City Clerk

Mayor
Alice Ruby

Manager
Tod Larson



Dillingham City Council
Chris Napoli
Chris Maines
Aksel Buholm
Curt Armstrong
Andy Anderson
Gregg Marxmiller

MEMORANDUM

Date: October 25, 2018
To: Mayor and City Council
From: Tod Larson
Subject: November 2018 City Manager Report

Personnel – Welcome to our new employees and thank you to those that have served the City faithfully and are moving on to other positions/careers.

New Employees:	Jonathan Hiratsuka—Landfill
Losses:	Ivan Sam – Buildings and Grounds Verity Downs—Library Assistant Katie Rector—Taxes and Collections Robert Nielson—Buildings and Grounds Darryl Tilden—Water Wastewater
Transfers:	None
Position Vacancies:	Buildings and Grounds Foreman Buildings and Grounds Assistant Water and Wastewater Operator I Library Aide/Clerk – Part Time

Department Head Professional Development – We covered Open Government and the Open Meetings Act during our October 16th staff meeting.

Union Negotiations – We are starting contract negotiations with Local 71 representatives and two of our employees as part of the negotiating team on October 24th to establish the ground rules for the negotiation. We have set two days right now to negotiate – November 20th and 27th. The goal is to have a draft accomplished by February 2019 to submit to the City Council for your review and action. I have not begun the CBA negotiation process with the Public Safety Employees Association.

Bingman Property – The Public Works Department Head discussed the cleanup of the property. BBNA Natural Resources representative Cassandra Johnson and I met about an idea BBNA had for cleanup of the Bingman site. The program is called the Brownfield Program from the EPA. If selected, Dillingham would receive assistance to remediate the hazards in the ground in that area. The issue that I can see is that the program requires a development plan as part of the application. Currently, I’m not aware of a development plan.

DCSD – I met with the Superintendent the past month and we discussed the joint DCSD/Dillingham City Council meeting and the agenda. I also attended the DCSD school board meeting and the Community Coffee.

Anchorage Trip – I traveled to Anchorage on October 17th – 20th to attend a number of meetings and part of the AFN conference. Attended the Rasmusson AFN reception, met with the Alaska Department of Environmental Conservation, the Denali Commission, and the morning session of AFN on Friday, November 19th. With the assistance of the Denali Commission and Bristol Engineering, we may receive a grant from the Denali Commission to conduct a lagoon relocation study. Our application was submitted on October 23rd. The estimate for the study is \$165,000.

Community Outreach – I’ve been interested in working with KDLG to have a short program on their station to use as another form of community outreach. I met with KDLG a second time on October 24th to re-verify their interest and they still are interested in this program. The format would be an update to the community possibly every other week. If there is no objection from the council, I would like to move forward with KDLG and begin broadcasting a City of Dillingham update.

Road Maintenance – I was asked at the Special Council Meeting on October 11th to get estimates on road grading assistance from local contractors. The City Planner sent out a request for estimates the following day, October 12th, and received one response from JJC Enterprises, Inc. Their response is listed below:

Dillingham Road Maintenance 2018

Equipment	Rate	Labor	Reg. Time	Over Time	Total Reg. Time HR	Total Overtime HR	8HR Shift	10HR Shift
Grader	\$ 168.74	1	\$ 64.64	\$ 96.96	\$ 233.38	\$ 265.70	\$ 1,867.04	\$ 2,398.44
Vibratory Compactor	\$ 100.10	1	\$ 64.64	\$ 96.96	\$ 164.74	\$ 197.06	\$ 1,317.92	\$ 1,712.04
Total Grader and Compactor							\$ 3,184.96	\$ 4,110.48

In order to put this in perspective I selected the roads below, the time estimated to grade the road, and the associated cost:

1. Waskey Road - From the intersection of Waskey Road and Wood River Road to the intersection of Waskey Road and Lake Road (the entire length). 8 hours or \$1,867.04.

Our Vision. To have an infrastructure and city workforce that supports a sustainable, diversified and growing economy. We will partner with others to achieve economic development and other common goals that assure a high quality of living, and excellence in education.

2. Emperor Way – From the intersection of Waskey Road and Emperor Way to the intersection with Widgeon Lane to Nerka Road to the intersection of Nerka Road and Lake Road. 5 hours or \$1,166.90.
3. Nerka Subdivision – Nerka Loop Road, Kingfisher Lane, and Teal Lane. 5 hours or \$1,166.90.
4. Lupine Drive – From the intersection of Lake Road and Lupine Drive to the intersection of South Emperor Way, following South Emperor Way to the intersection of Emperor Way and Airport Road. 3 hours or \$700.14.

Requested Decisions –

1. Approval to participate in a KDLG and the City of Dillingham Community Outreach Program.
2. Decision on the road maintenance path forward.

Respectfully Submitted,
Tod Larson

City of Dillingham
House District 37 / Senate District S

~ 10/24/18 ~

30th Alaska State Legislature ~ 2nd Interim
OCTOBER 2018 – LEGISLATIVE REPORT

Cliff Stone / City Lobbyist

~ Governor Walker suspends his campaign for reelection ~

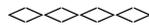


On Friday – October 19th Governor Bill Walker announced his decision to suspend his campaign for reelection before participants at the Alaska Federation of Natives’ annual convention in Anchorage.

His entire campaign had been in disarray since October 16th when then Lt. Governor Byron Mallott resigned over what has been called offensive remarks to a woman. Almost immediately afterwards, the Lt. Governor designee – Valerie Nurr’araaluk Davidson was sworn into her new position. She was the current commissioner of the Alaska Dept. of Health and Social Services (HSS). Ms. Davidson is Yup’ik and was born in Bethel, Alaska. Dr. Jay Butler has been named the new commissioner of HSS.

Most are applauding Gov. Walker’s courageous decision to step aside. They are calling him an authentic Alaskan patriot. Some say he probably saved the Permanent Fund Dividend for future generations of Alaskans yet unborn by his gutsy act of cutting the PFD in half when the legislature failed to act on the fiscal crises. It was his belief that the common good should come before the individual good and remains the fundamental choice for us as a state.

I will miss his compassion for all Alaskans. I believe him to be a man of the utmost integrity with a solid moral core. Thank you Governor Walker for your incredible leadership and service to our state.

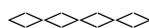


SMALL BOAT HARBOR FLOAT SYSTEM

As your city manager will probably share, we are making some progress in advancing and finding support for funding the replacement of the city’s small boat harbor float system. We’ve been in constant contact with Senator Lisa Murkowski and her office over the last year or so. We are pursuing several paths that could lead to partial or full funding of this endeavor. Her office has encouraged us to continue to work with the Corp’s Section 107 Continuing Authorities Program. A letter from the senator to the Corp’s supporting this project is in the mix and hopefully will be forthcoming very soon.

We have repeatedly stressed how important Dillingham is to the Bristol Bay fisheries. Consider this year’s epic run of sockeye of about 62.3 million fish. As shared with them, these floats represent the lifeblood for continued safe moorage within the harbor and to accommodate and expand for the future needs of this region.

Meanwhile, we shared photos with Senator Murkowski of the recent storm damage that occurred on August 12th when the remnants of a typhoon swept through your area. Her office really appreciated securing those pictures as it helps build the case for the need of this project.

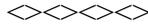


GOVERNOR'S CORNER

<http://gov.alaska.gov>

Handy phone numbers for Governor's offices: Anchorage: 907-269-7450 and Juneau: 907-465-3500

On October 8, 2018 Governor Walker issued a statement on the ruling by a U.S. district court judge that the Indian Child Welfare Act or commonly referred to as ICWA is unconstitutional. In his statement, it was stressed that this law helps prevent the separation of Alaska Native children from their families and tribes. He declared that his office would continue to support ICWA by actively being involved in the appeals process. Check out the 'Newsroom' at the governor's website above.



WEBSITES OF INTEREST

Online Public Notices for Alaska <https://aws.state.ak.us/OnlinePublicNotices/default.aspx>

2018 Legislators contact information <http://akleg.gov/docs/pdf/Legislator-Contact-List-2018.pdf>

2018 2nd Session Interim Staff contact list <http://akleg.gov/docs/pdf/InterimPhoneList.pdf>

Legislative Publications List <http://akleg.gov/publications.php>

Legislative Finance Division <http://www.legfin.akleg.gov>

View specifics for the Capital and Operating Budgets.

Alaska Tax Division – Spring 2018 Revenue Sources Book

<http://www.tax.alaska.gov/programs/documentviewer/viewer.aspx?1423r>

Congressional Delegation websites (Current phone numbers will be listed on these sites)

<http://murkowski.senate.gov/public> www.sullivan.senate.gov <http://donyoung.house.gov>



~ End Report ~

Enjoy your family and friends! Be kind to one another.

~ Cliff

Mayor
Alice Ruby

Manager
Tod Larson



Dillingham City Council
Chris Napoli
Chris Maines
Aksel Buholm
Curt Armstrong
Andy Anderson
Gregg Marxmiller

MEMORANDUM

Date: October 22, 2018
To: Tod Larson, City Manager
From: Lori Goodell, City Clerk
Subject: Monthly Staff Report

General Election: Absentee voting started October 22 and continues through November will take place on November 6th.

Committees:

Code Review Committee meets on October 25. They will be reviewing a re-write of Title 7, discussing the aircraft cap and senior citizen/disabled veteran exemptions, reviewing Ordinance 2018-08 an update to 15.08 Building Codes, and looking over two liquor license renewals.

Finance and Budget Committee did not meet in October. The Mayor will be restructuring committee membership at the November 1st council meeting.

Foreclosure:

I have been working with the City Attorney to finalize the foreclosure process started in 2017. Of the four names on the list submitted to the court one has paid off the debt and I am working on filing the certificate of redemption. After this happens a title search will be requested on the remaining three properties, and public notice that the redemption period has expired will be published.

In September City Council approved Resolution 2018-14 which initiates the foreclosure process for 2018. The City Attorney is sending the documents to file a petition for judgement with the court and then the foreclosure list will be published in the Bristol Bay Times 4 consecutive weeks as required by code.

Travel: I will be attending the AAMC Conference November 12-13. I was awarded a scholarship for this conference from AAMC, that covers the cost of airfare and the conference. I am looking forward to attending the workshops, and networking with the clerks from around the state.

I will also be going to Seattle for Thanksgiving; out of the office from November 14 through November 25, returning on Monday, November 26.

STANDING ITEM(S):

Liquor & Marijuana License Renewals/Transfers/New Licenses. (Indicate any licenses due to expire.) One application for license transfer of ownership and one application for renewal have been received. The Code Review Committee will review the applications and make a recommendation to Council at the November 1st council meeting.

Commission/Board Seats Vacant.

- Library Advisory Board has one seat open. There are no letters of interest on file.

Mayor
Alice Ruby

Manager
Tod Larson



Dillingham City Council
Chris Napoli
Chris Maines
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Curt Armstrong
Andy Anderson
Gregg Marxmiller

MEMORANDUM

Date: 10/23/2018
To: Tod Larson, City Manager
From: Anita Fuller, Finance Director
Subject: Monthly Staff Report

Due to a family emergency I was in Anchorage for the month of September and the first two weeks of October. Carmen Jackson's firm was available to provide staffing in the office as well as provide audit preparation assistance. The department is on track to be ready for the auditors that arrive on November 5, 2018. The Finance Department staff did an excellent job keeping the department running in my absence.

Kathryn (Katie) Rector has resigned from the department as the Accounting Technician III responsible for taxes. Katie has done a good job over the past two years. She has agreed to assist with training and working on job tasks until a replacement has been found. We hope her well in her future endeavors. Advertisements have been made in hopes to find a replacement very soon.

Elizabeth Hayes, Payroll Technician attended the PERS training in Juneau October 3-5, 2018. This training furthered the payroll knowledge for the department and ensures we are following State of Alaska Retirement rules as well as gaining a better understanding of new IRS rules and finally what this department can do for better PERS audit results. The Division of Retirement and Benefits is also working on replacing the eReporting system. Elizabeth was able to get training on the new reporting system.

Final touches are being made to a revised Business License application that will incorporate three previously used forms, Business License Application, Authority to Collect Sales Tax and Sales Tax Exemption Request. The Business License is scheduled to be mailed out on November 1, 2018 in preparation for the 2019 year.

During a previous City Council Meeting, Tracy Hightower questioned how a local business is to properly reflect the sale of cigarettes to another local business so there is not a double payment of tobacco excise tax. Only the first business who brings the tobacco products to Dillingham will pay the excise tax. If another business within

Dillingham purchases the cigarettes for sale, then they will pay the first business the cost of the cigarettes plus the cost of the excise tax. The second business would not include this purchase on their Tobacco Excise tax reporting form. Mr. Hightower has been contacted with this information. During our discussion we also talked about the proper way to report a change to the excise tax report. As a recap to the process, once a business has applied to the City of Dillingham to be a tobacco distributor they will report monthly regardless if a purchase is made on the Cigarette and Other Tobacco Return. Included with the return will be attached a Schedule A to itemize all purchases bring tobacco products into Dillingham. All sales to businesses outside of Dillingham will be reflected on Schedule B. Tobacco products that are returned to the original distributor are entered on Schedule C. Supporting invoices are required for each schedule.

City of Dillingham

Cigarette & Tobacco Products Tax Return

The taxes imposed under this chapter and the return required by this section must be received by the department or postmarked on or before the last day of each calendar month following the month covered by the return. Supporting Schedules and copies of supporting invoices must accompany this return. See DMC 4.24.125

GENERAL INSTRUCTIONS

- Definitions:
 - “OTP” means other tobacco products
 - “Cigarette” means a roll for smoking of any size or shape, made wholly or partly of tobacco, whether the tobacco is flavored, adulterated, or mixed with another ingredient, if the wrapper or cover of the roll is made of paper or a material other than tobacco.
 - “Department” means the City Finance Department
 - “Distributor” means a person who brings cigarettes or other tobacco products or causes them to be brought into the City, and who sells or distributes them to others for resale.
 - “Wholesale Price” means the price paid by a distributor or retailer for cigarettes or other tobacco products.
 - See DMC 4.24.10 for a complete listing of definitions.
- A Monthly Tax Return must be filed by a licensee even if no cigarettes or other tobacco products were manufactured, imported or acquired during the month covered. See DMC 4.24.125 C
- Separate Supporting Schedules must be completed for each type of transaction involving cigarettes and other tobacco products.
- If a licensee fails to file a return as required by this chapter, or when the department finds that a return is not supported by the records to be maintained pursuant to this chapter, the department may prepare and file a return on behalf of the licensee. See DMC 4.24.130
- Any Tax Return filed hereunder may be amended by the licensee within one year after the due date of the tax return being amended. No amendment by the licensee shall be allowed after this one year period. See DMC 4.24.135
- Penalties:
 - If a person fails to pay the full amount of the tax due and/or file a tax return or report required under this chapter by the due date, a penalty of 10% of the taxes due shall be assessed. See DMC 4.24.145
 - The penalty shall be computed on the unpaid balance of the tax liability as determined by the Department.
 - The penalties provided for in this section shall be in addition to all other penalties and interest provided under this chapter.
- Interest:
 - In addition to any penalties imposed by this chapter, interest at the rate of 6% per annum shall be charged on the unpaid balance of delinquent taxes. See DMC 4.24.160
 - Days delinquent are calculated starting the 1st day after the taxes are due through the date payment is made.
 - To calculate interest, multiply the taxes due by the number of days delinquent and then by .00016 (EX: If you are 30 days late paying \$10,000 in taxes, you would multiply \$10,000 by 30, and then multiply the product by .00016 to get your interest due.)
- Minor Offense Fines:
 - Failure to register as a dealer in tobacco products
 - \$500 Fine

- Failure to file tobacco excise tax returns (assessed when involuntary filing is done by the city)
 - \$500 Fine
- Falsifying tobacco excise tax records
 - \$500 Fine
- Failure to allow inspection of records
 - \$500 Fine

Supporting Schedules Instructions

- **Supporting Schedule (a):** Manufactured, Imported or Acquired cigarettes or other tobacco products
 - Each invoice for products should be listed on a separate line. Include who you purchased it from, your customer number with that distributor, invoice number and date, and the number of cigarettes AND/OR the wholesale price of other tobacco products.
 - Transfer the Total Number of Cigarettes to line 1(a) on the Excise Tax Return
 - Transfer the Total Wholesale Price of OTP to line 3(a) on the Excise Tax Return
 - Attach copies of all supporting documentation to the schedule
- **Supporting Schedule (b):** Deductions for sales to Registrants
 - Each sale should be listed on a separate line. Include the name of the business you sold to, their registrant number, invoice number and date, and the number of cigarettes AND/OR the wholesale price of other tobacco products.
 - Transfer the Total Number of Cigarettes to line 1(b) on the Excise Tax Return
 - Transfer the Total Wholesale Price of OTP to line 3(b) on the Excise Tax Return
 - Attach copies of all supporting documentation to the schedule
- **Supporting Schedule (c):** Deductions are allowable if, for any reason, the distributor returns cigarettes or other tobacco products to the company of the original sale
 - Each return should be listed on a separate line. Include who you purchased it from, your customer number with that distributor, invoice number and date, and the number of cigarettes AND/OR the wholesale price of other tobacco products.
 - Transfer the Total Number of Cigarettes to line 1(c) on the Excise Tax Return
 - Transfer the Total Wholesale Price of OTP to line 3(c) on the Excise Tax Return
 - Attach copies of all supporting documentation to the schedule

Excise Tax Return Instructions

Business Name: Please clearly print the name of the business that is stated on the Tobacco License issues by the City

Mailing Address: Mailing address for the person who can answer questions about the submitted return

Contact Phone Number: Phone number for the person who can answer questions about the submitted return

License Number: The number in the top right corner of the City issued Tobacco License

Contact Email: Email address for the person who can answer questions about the return

Period Ending: The month and year the cigarettes or other tobacco products were brought into Dillingham

Amended Report: Please check this box if you are amending a previously submitted report. See line 11 instructions below for further instruction.

1. Take the cigarette totals from the three supporting schedules and include it on line 1
 - Subtract lines 1(b) and 1(c) from line 1(a)
2. Multiply line 1 by 10 mil (0.10) to calculate the cigarette taxes
3. Take the OTP totals from the three supporting schedules and include it on this line
 - Subtract lines 3(b) and 3(c) from line 3(a)

4. Multiply line 3 by 45% (.45) to calculate the OTP taxes
5. Add lines 2 and 4 together to calculate the total taxes due
6. IF your return is late, multiply line 5 by 10% (.10) to calculate the penalty
7. IF your return is late, multiply line 5 by the number of days late and then by .00016
 - Days delinquent are calculated starting the 1st day after the taxes are due through the date payment is made.
8. Add lines 5-7 to calculate the total due
9. If you have any credits on your account that you would like to use, use this line to confirm that you would like to use them
10. Subtract line 9 from line 8 to calculate the total amount due for the month
11. Please enter the amount remitted



Cigarette and Other Tobacco Products Excise Tax Return

Received Date _____

Reports must be filed by the last day of the calendar month following importation, or no later than the first day City Hall is open for regular business. A postmark will be accepted as proof of timely filing

Business Name _____ Account Number _____

Mailing Address _____ Contact Number _____

Contact Email _____ Period ending: Month _____ Year _____

Amended Report

1. Total carried forward from Supporting Schedules: _____ (1)

a. Number of cigarettes manufactured, imported or acquired during the month (a) _____

b. Less deductions for sales to Registrants (see instructions) (b) _____

c. Less other deductions (see instructions) (c) _____

2. Tax @ 100 mills per cigarette (Multiply line 1 by 0.10) _____ (2)

3. Totals carried forward from Supporting Schedules: _____ (3)

a. Wholesale price of OTP manufactured, imported or acquired during the month (a) _____

b. Less deductions for sales to Registrants (see instructions) (b) _____

c. Less other deductions (see instructions) (c) _____

4. Tax @ 45% (Multiply line 3 by 0.45) _____ (4)

5. Total cigarette and OTP tax due (Add lines 2 and 4) _____ (5)

6. Penalty (10% of tax due) _____ (6)

7. Interest (6% per annum from date of delinquency) _____ (7)

8. Total Due (add lines 5 through 7) _____ (8)

9. Adjustments from the previous month (credits / amendments) _____ (9)

10. Total amount Due (Subtract line 9 from 8) _____ (10)

11. Total Amount Remitted _____ (11)

I declare, subject to the penalties prescribed in the City of Dillingham ordinances, that this report (including any accompany log) has been examined by me, and to the best of my knowledge and belief is a true, correct and complete report

Date: _____ Signature _____

Office Use Only

Visa Cash

Agent Initials _____ Postmark Date _____ Enter Date _____ Check # _____

Over / Short (Circle One): _____ Credit Invoice Comments: _____