

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, January 9, 2014, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:03 p.m.

II. ROLL CALL

Mayor Alice Ruby was present.

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

Holly Johnson, Seat A
Chris Maines, Seat B
Bob Himschoot, Seat C
Keggie Tubbs, Seat D
Tracy Hightower, Seat E
Paul Liedberg, Seat F

Staff in attendance:

Rose Loera, City Manager
Carol Shade, Finance Director
Dan Pasquariello, Chief of Police/Sergeant at Arms
Jody Seitz, Planning Director
Janice Williams, City Clerk

III. APPROVAL OF MINUTES

A. Regular Council Meeting – December 5, 2013

MOTION: Chris Maines moved and Paul Liedberg seconded the motion to approve the minutes of December 5.

VOTE: The motion to approve the minutes of December 5 passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

A. Resolution No. 2014-08, A Resolution of the Dillingham City Council to Offer Thanks and Commendation to Alaska State Trooper Investigator Nasruk Nay for His Service to the City of Dillingham

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to approve the consent agenda.

VOTE: The motion to approve the consent agenda passed unanimously.

APPROVAL OF AGENDA

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to approve the agenda as presented.

VOTE: The motion to approve the agenda passed unanimously.

V. STAFF REPORTS

A. City Manager Report

City Manager Loera reported on the following:

- Hires – dispatcher and corrections officer positions had been filled; would be looking to hire a fire dept. coordinator;
- Landfill RFP – the only responsive bidder's estimated fuel usage per batch was considerably cost prohibitive; the RFP was pulled along with the bid for the building; would be going back out to bid for a system with maximum consumption of 75 gallons per batch;
- AKDEC – the existing landfill permit was due to expire June 1, 2013; open burning would not be allowed after that date; City would need to show in its permit application that it was actively engaged in purchasing and/or implementing new technology including bailing, compacting, and/or incinerating its trash. Work on the land use management could not proceed until the City had set its direction.
- Public Safety Facility – Agnew::Beck had identified the three main stakeholders, police, fire, and Military Affairs; a copy of the Phase I Summary Report would be provided in the next Council packet; a telephonic meeting was being scheduled for January 27, to include some of the council members, chief of police and fire dept. to review the report and some of the suggested sites; third week in February the stakeholders will be brought in and assist in getting into the details;
- Water Meters – preference was inside installs, cost approx. \$500 per building, less expensive than outside installs; grant funds could be used to purchase the meters;
- Progress on the new Fire Truck was underway;
- DMV had reopened;
- Joint meeting of the City Council and Planning Commission was being suggested by staff, in part to review each other's roles, possibly February or March; and
- Council meetings to review the Budget are scheduled in code for April and May, and was recommending not having the second Council meeting in those two months;

Discussion:

- suggested identifying the types of batteries that were noted in the draft landfill flyer; and
- recommended that there be a specific subject for the Joint Meeting.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to concur with the Finance Committee's recommendation to bring a code revision to the Council to remove the obligation for a second meeting in April and May.

Discussion:

- noted the code revision could be done in the Finance Committee.

VOTE: The motion to bring a code revision to the Council to remove the obligation for a second meeting in April and May passed unanimously.

B. Standing Committee Reports

Bob Himschoot, Chair of the Finance and Budget Committee, reported the members would be reviewing the financial internal controls policy over the next several months with a recommendation for Council approval. Committee was also working on the budget schedule.

Paul Liedberg, Chair of the Code Review Committee, reported on the following:

- a special meeting was being scheduled on Point of Sale for January 16, and an ordinance would be drafted for the next Council meeting;
- reviewing the inconsistencies between the tariff and the code;
- Chris Beck of Agnew::Beck was working on a schedule for bringing forth a policy on material sites; and
- expecting a draft ordinance from the Attorney in February on the subdivision ordinance.

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. Resolution No. 2014-01, A Resolution of the Dillingham City Council Adopting an Alternative Allocation Method for the FY14 Shared Fisheries Business Tax Program and Certifying that this Allocation Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in FMA 5: Bristol Bay

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to approve Resolution No. 2014-01.

Manager Loera stated this was a routine annual filing and would provide about \$25,000 in revenue.

VOTE: The motion to approve Resolution No. 2014-01 passed unanimously.

- B. Resolution No. 2014-02, A Resolution of the Dillingham City Council Amending the Bank Account Signature Authority Forms for City Bank Accounts Due to a Change in Council Members

MOTION: Craig Maines moved and Holly Johnson seconded the motion to approve Resolution No. 2014-02.

VOTE: The motion to approve Resolution No. 2014-02 passed unanimously.

- C. Resolution No. 2014-03, 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

MOTION: Paul Liedberg moved and Holly Johnson seconded the motion to approve Resolution No. 2014-03.

VOTE: The motion to approve Resolution No. 2014-03 passed unanimously.

- D. Resolution No. 2014-04, A Resolution of the Dillingham City Council Authorizing the City Manager to Waive the Purchasing Requirements and Issue Task Order #2 with Agnew::Beck to Assist the City with Identifying Options for Managing Material Sites Within City Limits

MOTION: Paul Liedberg moved and Tracy Hightower seconded the motion to approve Resolution No. 2014-04.

Manager Loera reported from this phase an ordinance would be drafted to guide the City on regulating material sites and provide procedures for staff. She noted the \$12,000 cost would come from the Planner's budget and general funds, which would be included in a mid-year budget amendment. Although the fiscal note was not included, which was the proper procedure, the source of funds was included in the action memorandum.

VOTE: The motion to approve Resolution No. 2014-04 passed unanimously.

- E. Resolution No. 2014-05, A Resolution of the Dillingham City Council Opposing the Passage of House Bill 77 by the Alaska State Legislature

MOTION: Bob Himschoot moved and Chris Maines seconded the motion to approve Resolution No. 2014-05.

Discussion ensued over whether or not the Chikuminak Dam project, in the 5th Whereas, should be singled out as in opposition.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to amend Resolution No. 2014-05 by removing the 5th Whereas.

Discussion:

- commented if the project was brought back as a separate resolution, it could provide an opportunity to expand more on why the City had concerns.

VOTE: The motion to approve the amended Resolution No. 2014-05 passed unanimously.

VOTE: The motion to approve Resolution No. 2014-05 as amended passed unanimously.

- F. Resolution No. 2014-06, A Resolution of the Dillingham City Council Expressing Strong Support for Governor Parnell's Proposal to Appropriate \$3 Billion from the Constitutional Budget Reserve into the Alaska Retirement Trust Funds in 2015

MOTION: Keggie Tubbs moved and Holly Johnson seconded the motion to approve Resolution No. 2014-06.

Manager Loera noted that hopefully this appropriation would stave off any increase in the percentage the municipalities were required to contribute to the unfunded liability, which was currently at \$11.8 Billion.

VOTE: The motion to approve Resolution No. 2014-06 passed unanimously.

- G. Resolution No. 2014-07, A Resolution of the Dillingham City Council Authorizing the Adoption of "Lutri", the City's Drug Dog

MOTION: Tracy Hightower moved and Keggie Tubbs seconded the motion to approve Resolution No. 2014-07.

Manager Loera reported the City's drug dog, Lutri, was purchased with the City's asset forfeiture funds back in 2009. He had not been working as a drug dog for the last three months since his last trainer had vacated his position. The State Troopers were interested in putting him in Ketchikan. Lutri had been used with the State's drug enforcement unit for a majority of the time, although the City of Dillingham's officers were assigned to work with the State Troopers.

Mayor Ruby noted the City did recognize that there was a problem enforcing drug and alcohol issues, but the City needed a well planned long-term plan.

VOTE: The motion to approve Resolution No. 2014-07 passed unanimously.

IX. UNFINISHED BUSINESS

- A. Citizen Committee Appointments
 - 1. Cemetery Committee, 4 Seats Open
 - 2. Planning Commission, 3 Seats Open

Mayor Ruby reported she had no new appointments to recommend.

- B. Council Appointments

Mayor Ruby recommended appointing Holly Johnson to the Code Review Committee, and Paul Liedberg to the Nushagak/Mulchatna Watershed Council.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to concur with the two appointments.

VOTE: The motion passed unanimously.

- C. Strategic Planning – Schedule a Workshop in February

Mayor Ruby noted the Council would be polled as soon as the City received a commitment from the Foraker Group.

- D. Schedule a Joint Workshop of the School Board and Council for a Presentation from the School Facility Committee on the Territorial School

Manager Loera noted she would find out when Supt. McLeod was due back in town.

- E. Consider Regulating Material Sites

Paul Liedberg noted the plan was to have a draft ordinance before the Council for the March 6 Council Meeting. Mayor Ruby noted the committee had discussed the need to have something in place soon ahead of the construction season, but would also look at phasing in any enforcement so it did not cause any undue hardship on the the operators.

- F. Request for a Late-Filed Appeal – Earlene George

Manager Loera referred to the Attorney's memo that the stated the City had a code in place that was pretty firm no late filed appeals would be accepted.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to ask the City's Attorney to draft an ordinance that would allow for narrow exceptions to the appeal deadline.

Mayor Ruby recommended that the Council decide at their next meeting whether to refer a draft of the ordinance to the Code Committee or hold a Council workshop. Manager Loera was asked to report at the next meeting when the Attorney could have a draft ordinance prepared.

VOTE: The motion to ask the Attorney to draft an ordinance passed unanimously.

X. NEW BUSINESS

- A. Action Memorandum No. 2014-01, Award a Contract for a Project Manager

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to approve Action Memorandum No. 2014-01.

Manager Loera reported a committee had narrowed the seven bids down to the three highest scores, had contacted the references, and recommended Gordon and Associates. She felt although he did not have a support team like the larger firms, similar to the previous project manager, the City had the ability to access engineers and other like consultants. The contract would be for three years, of which a majority of the cost would come from grant sources. Current projects included the dock lift station, building at the landfill, some water projects. She confirmed he would not be bidding on any of the projects he was overseeing.

Discussion:

- commented to be aware that his past role competing with other local contractors might create a perception that it conflicted with his decision-making.

VOTE: The motion to approve Acton Memorandum No. 2014-01 passed unanimously.

B. Juneau Hill Visit

Manager Loera noted they were looking at the period February 10 through 21 when the legislature would be in session. Mayor Ruby commented the City would be looking to send two Council members, of which one would be a senior member, as well as the City Manager.

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

There was no citizen's discussion.

XII. COUNCIL COMMENTS

Chris Maines:

- commented he appreciated the City opposing HB 77; and
- stated he was amazed and pleased with the Public Works's quick and informative response to a water problem at the Curyung Office building.

Keggie Tubbs: no comment

Tracy Hightower:

- wished investigator Nay good luck on his transfer, wished he could stay.

Paul Liedberg:

- asked if there was a forum to contact Knik Construction to make the timber they cut down more available to the citizens; and
- thanked the staff for all the work they do throughout the City.

Mayor Ruby and City Manger noted they would follow up with Knik.

Bob Himschoot:

- wished Trooper Nay well on his new transfer, amazed he could be as engaged with the community in his job.

Holly Johnson:

- noted several community members had commented the bike path could be better managed, so she appreciated seeing the new snow blowing equipment in use.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- commented had spent phone time with Rep. Edgmon to explain capital projects and discuss pursuing partnerships for a new Public Safety facility;
- noted a citizen had complained about lack of maintenance on Squaw Creek Road, which was not the City's responsibility, and would see what could be done; and
- asked to join together to recognize a moment of silence for those lost since the last meeting.

XIV. EXECUTIVE SESSION

A. Legal Matter

1. Update from the Public Safety Department

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to enter into executive session to discuss Legal Matter, Update from the Public Safety Department. [8:35 p.m.].

Mayor Ruby invited the City Council, Manager Loera, and Chief Pasquariello into the executive session.

VOTE: The motion to enter into executive session passed unanimously.

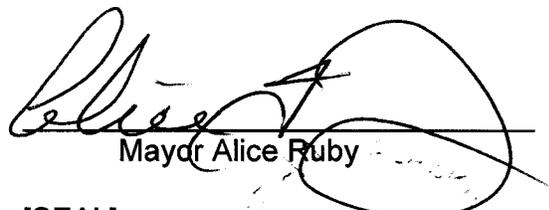
The Mayor and Council moved into executive session. Manager Loera, City Clerk Williams, and Chief of Police Pasquariello were included in the session.

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to come out of executive session [9:40 p.m.].

GENERAL CONSENT: The motion to come out of executive session passed without objection.

XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:40 p.m.


 Mayor Alice Ruby

ATTEST:

[SEAL]


 Janice Williams, City Clerk

Approval Date: February 6, 2014

