

**1. CALL TO ORDER**

A regular meeting of the Dillingham City Council was held on Thursday, February 4, 2016, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:18 p.m. The Council meeting was preceded by a workshop at 6:30 p.m. to review the Hazard Mitigation Plan.

**2. ROLL CALL**

Mayor Alice Ruby was present.

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

Holly Johnson	Misty Savo	Chris Maines	Andy Anderson
Curt Armstrong	Paul Liedberg		

Staff in attendance:

Rose Loera	Navin Bissram	Dan Pasquariello	Janice Williams
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**3. APPROVAL OF MINUTES**

- a. Regular Council Meeting, December 3, 2015
- b. Special Council Meeting, January 6, 2016

MOTION: Chris Maines moved and Holly Johnson seconded the motion to approve the minutes of December 3, 2015, and January 6, 2016.

VOTE: The motion passed unanimously by voice vote.

**4. APPROVAL OF CONSENT AGENDA**

- a. Resolution No. 2016-01, A Resolution of the Dillingham City Council Proclaiming February as School Board Recognition Month

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

VOTE: The motion passed unanimously by voice vote.

**APPROVAL OF AGENDA**

**5. STAFF REPORTS**

- a. City Manager and Staff Reports

City Manager Loera reported on the following items in addition to her staff report:

- City Clerk Williams earned the designation of Certified Municipal Clerk;
- Courtenay Carty has been hired to fill the position of Administrative Assistant;

- Public Library: School's librarian position has been filled;
- Incinerator: burning trash about 16 hours a day, fuel consumption is down;
- Wood cutting allowed at Landfill: area being cleared for a new cell site;
- Estimate \$780K without mobilization to repave from Wells Fargo to High School and back to L'il Larry Road;
- Invite from Aleutian Pribiloff Island Assoc.: Manager to present on Grandma's House;
- Correct two items on manager's report: jail corrections grant reduced by 20% not 80%, and lawsuit filed by Michelle Olson not Darcy Olson; and
- Squaw Creek Road: Tom Hoseth of BBNA is working with four property owners to clear up several items before the road can begin to be dedicated, and doesn't recommend the City provide tree clearing and such until then.

MOTION: Misty Savo moved and Holly Johnson seconded the motion to assign Finance & Budget Committee to develop a recommendation on the Territorial School and BB Campus's interest in using the building.

VOTE: The motion passed unanimously by voice vote.

Discussion ensued:

- Appreciated staff providing Y2015 summaries. Input could be useful for a state of the City report that had been talked about in the Strategic Planning Session.

b. Standing Committee Reports

Carlson House Advisory Committee: Holly Johnson reported from the minutes in the packet.

Code Review Committee: Chris Maines reported from the minutes in the packet, noting an ordinance was being introduced regarding confidentiality of personnel records.

Finance and Budget Committee: Paul Liedberg reported from the minutes in the packet, noting an ordinance was being introduced to increase some of the animal fees.

School Facility Committee: Mayor Ruby reported an ordinance was in the packet amended the responsibilities of the committee based on current practices.

## 6. PUBLIC HEARINGS

There was no public hearing.

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

a. Mike Davis and Gabe Dunham, Bristol Bay Campus – School Trip to Juneau

Mike Davis reported via teleconference that he and Gabe Dunham along with a delegation of campus students went to Juneau where they visited with legislators, commissioners, and the Governor and Lt. Governor. Mike Davis reviewed the handouts on an overview of the State's FY2017 deficit budget which depicted the magnitude of the challenges legislators were facing

with everything on the table. Gabe noted how impressed he was with the caliber of the students and the questions they asked. Student assignment was to take the information back and share with their communities.

David McNease stated, among other issues, the City was denying him the right to raise his five service dogs. *(Mayor Ruby asked him if he was addressing something on the agenda. If not, say not and he could continue to speak. This was not answered.)* He commented he had applied and been denied a kennel permit required for animal owners who have four or more domestic animals. He felt he was being singled out. He was awaiting a decision on the kennel permit and was questioning if the City would take his dogs away. He provided a letter from the City in which he said he was supposed to appear at the Council meeting at 7 PM. Mayor Ruby read from the letter if he would like to appeal the decision on the kennel permit he needed to ask to be placed on the agenda. She noted there was no record that he asked to be on the agenda. David responded he had informed the City Clerk he wasn't appealing the kennel permit, but the city ordinance. He asked what right the City had to tell him how many animals he could have. Mayor Ruby instructed him to contact the manager or city clerk to put the kennel permit on the next agenda. He answered he would not do that, but would hire a lawyer.

## 8. ORDINANCES AND RESOLUTIONS

- a. Introduce Ordinance No. 2016-01, An Ordinance of the Dillingham City Council Authorizing an Increase in Animal Registration, Kennel Permit, and Euthanization Fees in Title 7 Animals

MOTION: Paul Liedberg moved and Holly Johnson seconded the motion to introduce Ordinance No. 2016-01.

VOTE: The motion to introduce Ordinance No. 2016-01 passed unanimously by voice vote.

- b. Introduce Ordinance No. 2016-02, An Ordinance of the Dillingham City Council Amending Title 2 to Clarify City Law Regarding Management of Public Documents and Records and to Identify City Records that are Not Open to Public Inspection Due to Privacy Concerns

MOTION: Chris Maines moved and Holly Johnson seconded the motion to introduce Ordinance No. 2016-02.

VOTE: The motion to introduce Ordinance No. 2016-02 passed unanimously by voice vote.

- c. Introduce Ordinance No. 2016-03, An Ordinance of the Dillingham City Council Amending Dillingham Municipal Code Chapter 2.72 Education

MOTION: Holly Johnson moved and Andy Anderson seconded the motion to introduce Ordinance No. 2016-03.

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VOTE: The motion to introduce Ordinance No. 2016-03 passed unanimously by voice vote.

- d. Adopt Resolution No. 2016-02, A Resolution of the Dillingham City Council Approving the Completion of the Nerka Road Design to Include the Extension of Teal Lane to Emperor Way

MOTION: Andy Anderson moved and Holly Johnson seconded the motion to adopt Resolution No. 2016-02.

Discussion ensued:

- Concerned more than one resident was against the Teal Lane access.

Manager Loera reported the contractor had researched alternate routes, but was not successful, and Teal Lane had an existing right-of-way. She noted the design was intended to have a plan in place, and didn't mean all of the construction would necessarily take place.

VOTE: The motion to adopt Resolution No. 2016-02 passed with Paul Liedberg, Holly Johnson, Chris Maines, Andy Anderson, and Curt Armstrong voting in favor, and Misty Savo opposed.

- e. Adopt Resolution No. 2016-03, A Resolution of the Dillingham City Council Authorizing a Long Term Encroachment Permit for Nushagak Cooperatives to Adjust the Height of the Transformer and Value at the City Dock Lift Station

MOTION: Paul Liedberg moved and Holly Johnson seconded the motion to adopt Resolution No. 2016-03.

VOTE: The motion to adopt Resolution No. 2016-03 passed unanimously by voice vote.

- f. Adopt Resolution No. 2016-04, A Resolution of the Dillingham City Council Authorizing a Long Term Encroachment Permit for Nushagak Cooperatives to Bury a Communication Conductor in Order to Remove the Harbor Spur Road Crossing

MOTION: Misty Savo moved and Andy Anderson seconded the motion to adopt Resolution No. 2016-04.

VOTE: The motion to adopt Resolution No. 2016-04 passed unanimously by voice vote.

- g. Adopt Resolution No. 2016-05, A Resolution of the Dillingham City Council Authorizing a Long Term Encroachment Permit for Nushagak Cooperatives to Install a Street Light at Lot 2B Block 18 of the White Subdivision

MOTION: Paul Liedberg moved and Holly Johnson seconded the motion to adopt Resolution No. 2016-05.

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VOTE: The motion to adopt Resolution No. 2016-05 passed unanimously by voice vote.

- h. Adopt Resolution No. 2016-06, A Resolution of the Dillingham City Council Appointing an Alternate Community Representative to the BBEDC Board of Directors

MOTION: Holly Johnson moved and Misty Savo seconded the motion to adopt Resolution No. 2016-06.

VOTE: The motion to adopt Resolution No. 2016-06 passed unanimously by voice vote.

- i. Adopt Resolution No. 2016-07, A Resolution of the Dillingham City Council Amending the 2016-2021 Capital Improvement Plan and the FY2017 Legislative Priorities List adopted August 6, 2015, Resolution No. 2015-45

MOTION: Paul Liedberg moved and Andy Anderson seconded the motion to adopt Resolution No. 2016-07.

VOTE: The motion to adopt Resolution No. 2016-07 passed unanimously by voice vote.

- j. Adopt Resolution No. 2016-08, A Resolution of the Dillingham City Council Formally Adopting the Hazard Mitigation Plan

MOTION: Paul Liedberg moved and Holly Johnson seconded the motion to adopt Resolution No. 2016-08.

Discussion ensued:

- Spoke in support of delaying adoption and partner with BBNA who was willing to provide the resources to update the report, recognizing it was due by November to avoid losing an opportunity to apply for FEMA grants.

MOTION: Misty Savo moved and Paul Liedberg seconded the motion to postpone to the April Council meeting.

VOTE: The motion to postpone Resolution No. 2016-08 to the April Council meeting passed unanimously by voice vote.

- k. Adopt Resolution No. 2016-09, A Resolution of the Dillingham City Council Approving a Request for Proposal to Design Remaining Repairs of the City Lagoon System

MOTION: Holly Johnson moved and Chris Maines seconded the motion to adopt Resolution No. 2016-09.

VOTE: The motion to adopt Resolution No. 2016-09 passed unanimously by voice vote.

- I. Adopt Resolution No. 2016-10, A Resolution of the Dillingham City Council Waiving the Purchasing Restrictions and Awarding a Task Order to CRW Engineering Group LLC to Prepare the RFP for the Replacement of Six Lift Stations

MOTION: Andy Anderson moved and Misty Savo seconded the motion to adopt Resolution No. 2016-10.

Manager Loera noted the firm had already been granted approval, because of their knowledge of the project and the need to expedite the RFP.

Discussion ensued:

- Voiced concern the work had been granted without Council approval beforehand.

VOTE: The motion to adopt Resolution No. 2016-10 passed with Misty Savo, Paul Liedberg, Curt Armstrong, Andy Anderson in favor and Holly Johnson and Chris Maines opposed.

- m. Adopt Resolution No. 2016-11, A Resolution of the Dillingham City Council Authorizing the City Manager to Waive the Competitive Bid Process and Purchase a 1987 Grove RT-760 Crane

MOTION: Holly Johnson moved and Paul Liedberg seconded the motion to adopt Resolution No. 2016-11.

Jean Barrett, Port Director, noted the City had used the Peter Pan crane in the past, which was a smaller crane. Due to ongoing erosion in the harbor, it was becoming more difficult to reach the float arms. If purchased, the City could rent it out and recoup some of its costs.

VOTE: The motion to adopt Resolution No. 2016-11 passed with Paul Liedberg, Curt Armstrong, Misty Savo, Chris Maines, and Andy Anderson in favor and Holly Johnson opposed.

## 9. UNFINISHED BUSINESS

### a. Citizen Committee Appointments

- 1) Planning Commission, 3 Seats Open

MOTION: Holly Johnson moved and Andy Anderson seconded the motion to concur with the Mayor's recommendation and appoint Melody Nibeck to the Planning Commission.

VOTE: The motion passed unanimously by voice vote.

- 2) Library Advisory Board, 2 Seats Open

There was nothing to report.

3) Marijuana Advisory Committee

MOTION: Andy Anderson moved and Paul Liedberg seconded the motion to concur with the Nominating Committee's recommendation to appoint Misty Savo as Council representative and Chair, along with Tracy Hightower, Kenda Horan, Gorden Isaacs, Jason Munster, Tim McCambly, and Nick Rossi.

Mayor Ruby noted the first task would be to get educated on the State law and the City's obligation, and recommended Council members attend the meetings to keep themselves informed.

VOTE: The motion passed unanimously by voice vote.

b. DLG Petition to Annex Nushagak Commercial Fishing Waters Update

There was no update.

c. Interim Task Force Borough Feasibility Study Update

There was no update.

d. Manokotak/Dillingham Road Feasibility Study

Mayor Ruby referred to the draft handout to develop a MOA with the various parties.

**10. NEW BUSINESS**

a. Action Memorandum No. 2016-01, Award a Contract to Agnew::Beck for Planner Services

MOTION: Misty Savo moved and Chris Maines seconded the motion to approve Action Memorandum No. 2016-01.

Manager Loera noted the City had gone out for an RFP for contracted services, lacking any success in hiring a qualified planner, but would review this again prior to the end of the fiscal year.

VOTE: The motion to approve Action Memorandum No. 2016-01 passed unanimously by voice vote.

b. Liquor License Renewals

1) Dillingham Liquor Store

Mayor Ruby reported that the Council could oppose the renewal for a concrete reason or take no action. She noted the process was intended to be fair, and a form had been created to document the account for timely filing of taxes and utility bills, and any adverse reports from the police dept. since the last renewal. The Code Review Committee had reviewed the renewal at

two separate meetings, and protested it since personal property assessment returns had not been filed since 2013.

Manager Loera noted since the committee's review the personal property assessment returns have been filed with the City. The Council did not take any action.

2) Willow Tree Inn

Mayor Ruby reported the Code Review Committee had recommended delaying taking any action since the liquor license renewal had yet to be applied for with the State. The State provides a grace period of 60 days from December 31, the expiration date.

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

There was no citizen's discussion.

### 12. COUNCIL COMMENTS

Chris Maines:

- Noted he appreciated the strategic planning session, because it gave him a better feel for each of their priorities.

Paul Liedberg:

- Recognized City Clerk for obtaining her municipal clerk certification;
- Thanked staff for all they do and the dept. heads who participated in the strategic planning session; and
- Asked during the moment of silence to remember the three residents of Togiak who recently lost their lives.

Andy Anderson:

- Appreciated the comprehensive reports provided by staff.

Holly Johnson:

- Noted she also enjoyed the strategic planning session; and
- Appreciated having the Port Director at the meeting to field questions.

### 13. MAYOR'S COMMENTS

Mayor Ruby:

- Congratulated City Clerk for obtaining her certification as a municipal clerk;
- Thanked Bernadette for working for the City and welcomed Courtenay to the position;
- Noted the City had notified the Governor's office and Rep. Edgmon with emails, letters, and phone calls to keep the District Attorney's office in Dillingham;
- Reported AML was concerned about the danger of losing the CAP on PERS (22%); and
- Noted both the Manager and herself would be out of town March 3, but could attend the Council meeting via teleconference, and would ask Paul to chair the meeting.

MOTION: Holly Johnson moved and Chris Maines seconded the motion to authorize Sale #3 of the Carlson House property items for February 27.

VOTE: The motion passed unanimously by voice vote.

Mayor Ruby asked for a moment of silence to remember all those lost, especially for the community of Togiak for their tragic loss of three young men.

**14. EXECUTIVE SESSION**

A. Legal Matter

- 1) Union Contract
- 2) Update from Public Safety Department

b. Personnel Matter

- 1) Manager's Contract

MOTION: Holly Johnson moved and Paul Liedberg seconded the motion to enter into executive session to discuss Legal Matters, Union Contract and Update from Public Safety Department, and Personnel Matter, Manager's Contract. [9:28 p.m.]

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

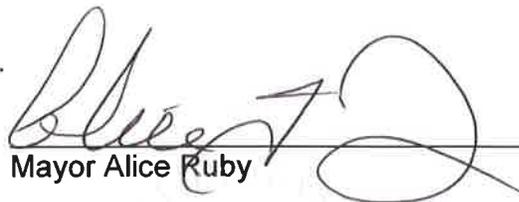
Manager Loera, Janice Williams, and Dan Pasquariello were invited to join the session on the two legal matters.

MOTION: Holly Johnson moved and Misty Savo seconded the motion to come out of executive session [11:11 p.m.].

VOTE: The motion to come out of executive session passed unanimously by voice vote.

**15. ADJOURNMENT**

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



Mayor Alice Ruby

ATTEST: [SEAL]



Janice Williams, City Clerk

Approval Date: 3/4/16