

I. CALL TO ORDER

The Regular Meeting of the Dillingham City Council was held on Thursday, March 13, 2014, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:04 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 – February 6, 2014

MOTION: Chris Maines moved and Holly Johnson seconded the motion to approve the minutes of February 6, 2014.

VOTE: The motion to approve the minutes of February 6, 2014 passed unanimously.

IV. APPROVAL OF CONSENT AGENDA

There was no consent agenda.

APPROVAL OF AGENDA

Manager Loera asked to amend the agenda to include item K. under Ordinances and Resolutions, Res. No. 2014-17 Approving an Application for a Volunteer Fire Assistance (VFA) Grant for a Fire Hose for the New Fire Apparatus.

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

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

V. STAFF REPORTS**A. City Manager Report**

City Manager Rose Loera reported on the following:

- Vacancies – filled the executive assistant position; hired administrative assistant/DMV at the public safety dept. which opened up a dispatch position; several seasonal harbor positions open;
- Fire Marshall Report – order to correct fire extinguishers and emergency lighting in three of the City's buildings; buildings and grounds to monitor monthly;
- Sewer lagoon – received notice of violation; some reporting missing; need to initiate a Quality Assurance Program Plan (written procedures for conducting sampling); several of the blowers aren't working; need to make some adjustments to the baffles installed last year; will be asking Council to approve a task order with CH2M Hill to address non-compliance issues;
- Landfill violation – received notice of violation; 30-day response period; working with AkDEC on some of the items identified that the City was not in agreement;
- New loader ordered – used State's procurement process as well as identified several other vendors; State was the cheapest at around \$300K, a difference of about \$100K less than what was forecasted in the mid-year FY14 budget;
- Legislative reappropriation - waiting for legislative approval to reappropriate municipal water grant funding to wastewater projects and will then put projects out for bid;
- Snag Point erosion – Corp of Engineers recommended sturldying up 4-5 sheets of metal piling; City has \$50K that could be used for some riprap, but will need to budget for contract services;
- Mitigation – during airport expansion of the safety zone, State required Knik and the City to select several areas it wanted to mitigate for wetlands; State will provide the gravel and the City must complete the install by October which will be done by contract labor;
- Squaw Creek Road – State has notified the City they are looking to turn over responsibility for maintenance to the City;
- Public Safety Planning meeting – meeting was facilitated by Agnew::Beck; all stakeholders, including Div. of Military and Veteran Affairs, corrections and fire department, were present; site has yet to be finalized; will be looking to the Council for direction to move forward with funding;
- Oil boom equipment and container van – preparing a RFP for around \$20K to come from fish tax fund;
- BOE Training – scheduled for April 9;
- FY15 budget process – review underway with each department; scheduled for completion by the end of the week;
- Ground-breaking ceremony for Aleknagik bridge project – all invited March 28 at 2 PM.

Discussion:

- noted expectation would be to ask the State to bring the Squaw Creek Road up to City road standards before turning it over to the City;
- noted the old loader would go in the Mayor's sale, and the new tires recently purchased would fit on the new loader;

- commented the purpose of the special joint meeting with the Planning Commission and Council was to look at the proposed code as it related to the Sub-committee and Planning Commission recommendations for subdivision road access; and
- commented guests could attend the special joint meeting and would be allowed to participate.

B. Standing Committee Reports

Mayor Ruby for the Finance and Budget Committee:

- noted had established a schedule for reviewing the proposed FY 15 budget that was included in the council packet; and
- commented meetings were open to all Council members.

Paul Liedberg, Chair for the Code Review Committee:

- noted committee had been totally consumed with the material site ordinance; suggested a workshop with Council to review it.

VI. PUBLIC HEARINGS

Mayor Ruby opened the public hearing on ordinances 2014-01, 2014-02 (SUB-1), and 2014-03, and read each into the record.

- A. Adopt Ordinance No. 2014-01, An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY 2014 City of Dillingham Budget
- B. Adopt Ordinance No. 2014-02 (SUB-1), An Ordinance of the Dillingham City Council Amending DMC Section 2.09.010, Regular Meetings, to Remove the Obligation to Hold a Council Meeting the Third Thursday in April and May to Review the Budget
- C. Adopt Ordinance No. 2014-03, An Ordinance of the Dillingham City Council Amending Chapter 4.20 of the Dillingham Municipal Code to Exempt from Sales Tax Sales of Electricity and Telephone Services to Users Outside the city, Professional Services Provided Outside the City, and Non-Commercial Personal Property Ordered for Delivery from Outside and Delivered to a Person Within the City

There being no discussion, the public hearing closed.

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

There was no citizen's discussion.

VIII. ORDINANCES AND RESOLUTIONS

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- A. Adopt Ordinance No. 2014-01, An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 1 and Appropriating Funds for the FY 2014 City of Dillingham Budget

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to adopt Ordinance No. 2014-01.

VOTE: The motion to adopt Ordinance No. 2014-01 passed unanimously.

- B. Adopt Ordinance No. 2014-02 (SUB-1), An Ordinance of the Dillingham City Council Amending DMC Section 2.09.010, Regular Meetings, to Remove the Obligation to Hold a Council Meeting the Third Thursday in April and May to Review the Budget

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to adopt Ordinance No. 2014-02 (SUB-1).

VOTE: The motion to adopt Ordinance No. 2014-02 passed unanimously.

- C. Adopt Ordinance No. 2014-03, An Ordinance of the Dillingham City Council Amending Chapter 4.20 of the Dillingham Municipal Code to Exempt from Sales Tax Sales of Electricity and Telephone Services to Users Outside the city, Professional Services Provided Outside the City, and Non-Commercial Personal Property Ordered for Delivery from Outside and Delivered to a Person Within the City

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

VOTE: The motion to adopt Ordinance No. 2014-03 passed unanimously.

- D. Introduce Ordinance No. 2014-04, An Ordinance of the Dillingham City Council Amending the Dillingham Municipal Code to Consistently Apply the Title of Six Year Capital Improvement Plan

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to introduce Ordinance No. 2014-04.

VOTE: The motion to introduce Ordinance No. 2014-04 passed unanimously.

- E. Introduce Ordinance No. 2014-05, An Ordinance of the Dillingham City Council Amending Chapter 4.15 of the Dillingham Municipal Code to Allow Limited Exceptions to the Deadline for Filing an Assessment Valuation Appeal and Defining the Circumstances in Which a Request for Such an Exception Will be Considered and Granted

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to introduce Ordinance No. 2014-05.

Mayor Ruby reported that a year ago the City had changed its code to no longer allow for late filed appeals, but was reconsidering allowing for extenuating circumstances based on recent conversations about appeals.

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to remove the second sentence on page 3 item 2 starting with "absent extraordinary circumstances..."

VOTE: The motion to amend Ordinance No. 2014-05 passed unanimously.

VOTE: The motion to introduce the amended Ordinance No. 2014-05 passed unanimously.

- F. Introduce Ordinance No. 2014-06, An Ordinance of the Dillingham City Council Amending Chapter 18.16 of the Dillingham Municipal Code to Provide a System of Permits and Reviews to Respond to a Variety of Land Use Activities and Creating New Title 19, Material Site Regulation

MOTION: Bob Himschoot moved and Holly Johnson seconded the motion to introduce Ordinance No. 2014-06.

(Clerk Note: This ordinance was a lay down.)

Mayor Ruby read the actual title into the record:
An Ordinance of the Dillingham City Council Amending Title 18 of the Dillingham Municipal Code to Repeal and Reenact Chapter 18.16 Land Use Permits to Provide a System of Permits and Reviews to Respond to a Variety of Land Use Activities; to Provide Additional Definitions Related to Land Uses in Section 18.12.020; to Provide Additional Guidance for Nonconforming Uses in Chapter 18.44; to Provide Additional Grounds for the City to Enforce its Regulations in Chapter 18.60; and to Create Chapter 18.42, Material Sites and Regulation

Paul Liedberg explained that Agnew::Beck had been working on this ordinance right up to the Council meeting, but any changes were considered not substantive. The ordinance would deal with managing material sites and structuring permits by type of activities in the future.

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to postpone introducing Ordinance No. 2014-06 to the April Council meeting.

VOTE: The motion to postpone introducing Ordinance No. 2014-06 to the April Council meeting passed with Keggie Tubbs, Bob Himschoot, Tracy Hightower, Paul Liedberg, and Holly Johnson in favor, and Chris Maines opposed.

- G. Introduce Ordinance No. 2014-07, An Ordinance of the Dillingham City Council Authorizing the Sale of Tax Foreclosed Property to the Former Record Owner

MOTION: Keggie Tubbs moved and Holly Johnson seconded the motion to introduce Ordinance No. 2014-07.

Manager Loera reported the Council had earlier approved allowing the City to move forward to negotiate the resale of a foreclosed property back to the owner. She had worked out a contract with the owner, their attorney and the City's attorney.

VOTE: The motion to introduce Ordinance No. 2014-07 passed unanimously.

- H. Adopt Resolution No. 2014-14, A Resolution of the Dillingham City Council Authorizing Foreclosure Proceedings on Delinquent Property Taxes for the Years 2008-2013

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to approve Resolution No. 2014-14.

Manager Loera reported the some of the accounts had already been paid since the spreadsheet was created and would be updated prior to filing with the City's Attorney.

VOTE: The motion to approve Resolution No. 2014-14 passed unanimously.

- I. Adopt Resolution No. 2014-15, A Resolution of the Dillingham City Council Approving Vacation of a Portion of Second Avenue West

MOTION: Paul Liedberg moved and Chris Maines seconded the motion to approve Resolution No. 2014-15.

VOTE: The motion to approve Resolution No. 2014-15 passed unanimously.

- J. Adopt Resolution No. 2014-16, A Resolution of the Dillingham City Council Approving Task Order No. 1 with CH2M Hill to Continue Work on the Wastewater Treatment Plan Project to Address Non-Compliance Issues

MOTION: Bob Himschoot moved and Tracy Hightower seconded the motion to approve Resolution No. 2014-16.

Manager Loera reported on the City's recent notice of violation and was looking to increase the scope of CH2M Hill's existing contract for the waste water treatment plant with four additional tasks to help with the non-compliances issues. She noted the City had not received any fines, as long as was showing it was making steps for improvement. She noted her frustration with the inspectors who did not consult with management while they were onsite, and was looking to appeal several of the violations in the landfill inspection.

VOTE: The motion to approve Resolution No. 2014-16 passed unanimously.

- K. Adopt Resolution No. 2014-17, A Resolution of the Dillingham City Council Approving an Application for a Volunteer Fire Assistance (VFA) Grant for a Fire Hose for the New Fire Apparatus

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to approve Resolution No. 2014-17.

Discussion: None

VOTE: The motion to approve Resolution No. 2014-17 passed unanimously.

IX. UNFINISHED BUSINESS

A. Citizen Committee Appointments

1. Cemetery Committee, 4 Seats Open
2. Planning Commission, 2 Seats Open
3. Senior Advisory Commission, 1 Seat Open
4. Parks and Recreation Committee, 3 Seats Open
5. Library Advisory Board, 1 Seat Open

Mayor Ruby recommended appointing Alice Stephens to the Senior Advisory Commission. There were no other appointments.

MOTION: Tracy Hightower moved and Bob Himschoot seconded the motion to concur with the Mayor's recommendation to appoint Alice Stephens to the Senior Advisory Commission.

VOTE: The motion to concur passed unanimously.

B. BOE Training Workshop Scheduled for Wed., April 9, 2014, at 6 PM

MOTION: Keggie Tubbs moved and Chris Maines seconded the motion to approve BOE Training Workshop, April 9, 2014.

VOTE: The motion passed unanimously.

X. NEW BUSINESS

- A. Action Memorandum 2014-02, Award a Contract to Penram Diversified Manufacturing Corporation for RFP 14-01, Municipal Solid Waste Thermal Conversion System

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to approve Action Memorandum No. 2014-02.

(City Clerk Note: This action memorandum was a lay down.)

Mayor Ruby read the actual title into the record:
Authorize the City Manager to Execute a Contract for the purchase of a customized diesel fired, Penram Model TRU-1100 thermal reduction unit rated 1100 lbs/hr. and equipment for load it

Manager Loera reported this was the City's second attempt to go out to bid for a thermal conversion system. In the first RFP, the City had received one bid, but the fuel consumption of 280 gal/burn was unacceptable. A requirement in the second RFP was for a system using 75 gallons or less per burn. In the scoring done by a committee of five, the firm of Incinerat3 came out the highest, but when the firm provided a performance guarantee, the fuel consumption was about 200 gallons per burn.

Manager Loera provided a spreadsheet comparing the vendors' projected capital and diesel cost over a ten year period. The second highest bidder was Pennram Diversified. Their original bid was based on 110 gal/burn using 2 ea 5.5 ton systems with burners. They were able to bring down the fuel usage to 71 gal/burn with smaller systems, 2 ea 2.5 ton systems, and City would most likely have to stagger the burns in the summer when there was a need for daily burning. She noted if the Council approved awarding a contract, a visit would be made to the factory the last week in March, and if pleased with the operation and maintenance of the system would move to confirm production by April 5. The life span for the system was around fifteen years.

Manager Loera noted if this technology was not going to work, the City would have to look at other options like burying and compacting waste, or purchasing a bailer that could cost up to \$1.5 million.

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

B. Schedule an Organizational Meeting of the BOE – April 24, 2014 at 5:30 PM

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to schedule an organizational meeting of the BOE, April 24, 2014, at 5:30 PM.

Mayor Ruby commented she would make appointments at the April 3 Council meeting.

VOTE: The motion to approve scheduling an organizational meeting of the BOE passed unanimously.

C. Schedule a Special Joint City Council and Planning Commission Meeting for Wed., March 19, 2014, 7 PM, on Subdivision Access

MOTION: Chris Maines moved and Keggie Tubbs seconded the motion to schedule a Special Joint Meeting of the City Council and Planning Commission for March 19, at 7 PM.

VOTE: The motion to approve scheduling a Special Joint Meeting of the City Council and Planning Commission passed unanimously.

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

There was no citizen's discussion.

XII. COUNCIL COMMENTS

Chris Maines:

- volunteered to sit on the Board of Equalization; and
- reported BBNA on March 14 at noon would be hosting a HB77 sit down to help people write public testimony who wanted to participate.

Keggie Tubbs:

- reported he would be out of town on April 24 and unavailable for the BOE meeting.

Tracy Hightower: no comment

Paul Liedberg:

- commented he would out of town on April 24 and unavailable for the BOE meeting;
- thanked the City for the opportunity to represent the Council at the legislative visit in Juneau, noting Manger Loera and the lobbyists had done a good job putting the event together; and
- commented it was good to have Dan Pasquariello attend as well to represent his department before the applicable state agencies.

Bob Himschoot:

- congratulated Manager Loera for working on the system for the landfill, noting it was long time coming.

Holly Johnson:

- noted appreciation for getting the background knowledge on several of the issues.

XIII. MAYOR'S COMMENTS

Mayor Ruby:

- congratulated SAFE for hiring a long-time resident as executive director;
- noted the City had been invited to the ground-breaking ceremony for the Aleknagik bridge;
- reported Representative Edgmon had arranged with Bristol Bay Campus to stream live a panel discussion on Rural Drug Trafficking issues and was helping to get the word out;
- noted she would attempt to provide a written report on the SWAMC conference and copies of all the resolutions, and she had been elected President of the Board; and
- asked for a moment of silence to recognize those lost since the last meeting.

XIV. EXECUTIVE SESSION

There was no executive session.

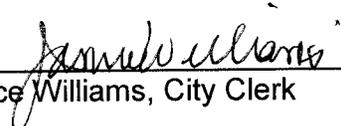
XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 8:49 p.m.


Mayor Alice Ruby

ATTEST:

[SEAL]


Janice Williams, City Clerk

Approval Date: April 3, 2014

