

1. CALL TO ORDER

A regular meeting of the Dillingham City Council was held on Thursday, May 12, 2016, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:00 p.m.

2. ROLL CALL

Mayor Alice Ruby was present.

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

Misty Savo Chris Maines Curt Armstrong Paul Liedberg
Andy Anderson

Council members absent and excused:

Holly Johnson

Staff in attendance:

Rose Loera Dan Pasquariello Janice Williams

3. APPROVAL OF MINUTES

- a. Regular Council Meeting, April 7, 2016
- b. BOE Organizational Meeting, April 27, 2016

MOTION: Chris Maines moved and Paul Liedberg seconded the motion to approve the minutes of April 7, 2016, and April 27, 2016.

VOTE: The motion passed unanimously by voice vote.

4. APPROVAL OF CONSENT AGENDA

- a. Adopt Resolution No. 2016-25, A Resolution of the Dillingham City Council Expressing Thanks and a Commendation to Francisco "Pancho" Garcia
- b. Adopt Resolution No. 2016-26, A Resolution of the Dillingham City Council to Offer Thanks and Commendation to Public Safety Employee William "Bill" Bauer for His Many Years of Service as a Corrections Sergeant and Police Officer
- c. Adopt Resolution No. 2016-27, A Resolution of the Dillingham City Council to Offer Thanks and Commendation to Public Safety Employee Gail Norden for Her Many Years of Service in Her Role as the Department of Motor Vehicles Agent

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

VOTE: The motion passed unanimously by voice vote.

APPROVAL OF AGENDA

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

VOTE: The motion passed unanimously by voice vote.

5. STAFF REPORTS**a. City Manager and Staff Reports**

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

- Pancho Garcia will be available to work on the sewer outfall line at least for the next couple of weeks;
- Grover crane freight cost: est. at \$10K, came in over \$28K; funded from the Equipment Replacement Fund;
- Emergency repairs on main crane: est. at less than \$29K; will inspect the crane recently purchased as well;
- Request to refer to Code a review of the six year period allowed to make retroactive adjustments; and
- Army Corp Visit: Corps provided the name of someone who could make annual inspections of the lagoon erosion; the rip rap installed in 2011 is doing fine, still need to evaluate the rip rap installed in 2015; outfall exposure is about sixty feet, had noted ten feet in the resolution in the packet.

b. Standing Committee Reports

Code Review Committee: Chris Maines reported staff was waiting to hear back from the Alcohol Board on enforcement issues; reviewed personal property items outboards and recreational skiffs, and not recommending any changes at this time; Misty had provided a summary of the issues the Marijuana Advisory Committee had vetted.

Finance and Budget Committee: Paul Liedberg reported a review of the FY17 draft budget was ongoing; also reviewed an alternative accounting method to allocate foreclosure expenses that can be passed on to the property owners in a more timely manner.

Marijuana Advisory Committee: Misty Savo reported the committee found State law regarding marijuana regulations was very tight and left little room for making them less restrictive. The committee was asking the Council to lobby the State to help solve how rural communities off the road system can legally get marijuana tested. Several recommendations had been sent to Code: 1) allow marijuana use on a boat when it is in dry dock; 2) regulate the hours retail stores can be open for business.

6. PUBLIC HEARINGS

Mayor Ruby opened the hearing on Ordinances 2016-06 and 2016-07. There being no comments the hearing closed.

- a. Adopt Ordinance No. 2016-06, An Ordinance of the Dillingham City Council Amending Section DMC 4.15.030, Exemptions, to Provide a Cap on Personal Property Tax for Aircraft if the Assessed Valuation is More Than \$300,000
- b. Adopt Ordinance No. 2016-07, An Ordinance of the Dillingham City Council Authorizing the Disposal of Municipal Property by Lease

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

- a. David McNease

David McNease had asked earlier to be on the agenda, but was not at the meeting.

8. ORDINANCES AND RESOLUTIONS

- a. Adopt Ordinance No. 2016-06, An Ordinance of the Dillingham City Council Amending Section DMC 4.15.030, Exemptions, to Provide a Cap on Personal Property Tax for Aircraft if the Assessed Valuation is More Than \$300,000

MOTION: Chris Maines moved and Misty Savo seconded the motion to adopt Ordinance No. 2016-06.

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

- b. Adopt Ordinance No. 2016-07, An Ordinance of the Dillingham City Council Authorizing the Disposal of Municipal Property by Lease

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

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

- c. Introduce Ordinance No. 2016-08, An Ordinance of the Dillingham City Council Amending Dillingham Municipal Code Chapter 8.30 – Marijuana Regulation by the Addition of a Section Limiting Operating Hours for Retail Marijuana Establishments

MOTION: Misty Savo moved and Chris Maines seconded the motion to introduce Ordinance No. 2016-08.

VOTE: The motion to introduce Ordinance No. 2016-08 passed unanimously by voice vote.

- d. Adopt Resolution No. 2016-28, A Resolution of the Dillingham City Council Authorizing the City Manager to Waive the Competitive Bid Process and Purchase Rip Rap from Amanka Lake Construction

MOTION: Misty Savo moved and Paul Liedberg seconded the motion to adopt Resolution No. 2016-28.

VOTE: The motion to adopt Resolution No. 2016-28 passed unanimously by voice vote.

- e. Adopt Resolution No. 2016-29, A Resolution of the Dillingham City Council Authorizing the City Manager to Waive the Competitive Bid Process and Use PND Engineers to Design the Dolphins for the Dock and to Develop the RFP Documents for the Repair to the Dock and Installation of the Dolphins

MOTION: Misty Savo moved and Paul Liedberg seconded the motion to adopt Ordinance No. 2016-29.

VOTE: The motion to adopt Resolution No. 2016-29 passed unanimously by voice vote.

- f. Adopt Resolution No. 2016-30, A Resolution of the Dillingham City Council Establishing a Fund for Accepting Contributions for Rewarding Those Who Provided Information that Led to the Resolution of a Crime

MOTION: Paul Liedberg moved and Misty Savo seconded the motion to adopt Ordinance No. 2016-30

VOTE: The motion to adopt Ordinance No. 2016-30 passed unanimously by voice vote.

9. UNFINISHED BUSINESS

- a. Territorial School

This item will next be placed on the August Council agenda.

- b. Citizen Committee Appointments
 - 1) Planning Commission, 2 Seats Open

There were no letters of interest submitted.

- 2) Library Advisory Board, 2 Seats Open

MOTION: Chris Maines moved and Misty Savo seconded the motion to concur with the Mayor and appoint Lacey Calvert and Dane Grondin to the Library Advisory Board.

VOTE: The motion passed unanimously by voice vote.

- 3) Senior Advisory Commission, 2 Seats Open

MOTION: Misty Savo moved and Paul Liedberg seconded the motion to concur with the Mayor and appoint Frank Nicholson and VI Braswell to the Senior Advisory Commission.

VOTE: The motion passed unanimously by voice vote.

- c. DLG Petition to Annex Nushagak Commercial Fishing Waters Update

This item will be taken up under the Executive Session.

- d. Interim Task Force Borough Feasibility Study Update

Mayor Ruby reported BBNA was soliciting representatives from each community. The first meeting was being planned for May 25.

- e. Manokotak/Dillingham Road Feasibility Study

All of the parties have signed a Memorandum of Agreement except BBNA, whose understanding is they are responsible for administering the funds.

10. NEW BUSINESS

- a. Action Memorandum No. 2016-08, Authorizing an Award of a Contract to CRW Engineering for Water System Design and Testing

MOTION: Chris Maines moved and Andy Anderson seconded the motion to approve Action Memorandum No. 2016-08.

VOTE: The motion to approve Action Memorandum No. 2016-08 passed unanimously by voice vote.

- b. Action Memorandum No. 2016-09, Authorizing the Award of a Contract to Elite Mechanical for Lift Station Improvements

MOTION: Andy Anderson moved and Chris Maines seconded the motion to approve Action Memorandum No. 2016-09.

VOTE: The motion to approve Action Memorandum No. 2016-09 passed unanimously by voice vote.

- c. Action Memorandum No. 2016-10, Reappointment of Chief Dan Pasquariello as Chief of Police.

MOTION: Chris Maines moved and Curt Armstrong seconded the motion to approve Action Memorandum No. 2016-10.

VOTE: The motion to approve Action Memorandum No. 2016-10 passed unanimously by voice vote.

- d. Action Memorandum No. 2016-11, Authorize an Award of a Contract to PND Engineering for Engineering Services to Design a Fish Waste Grinder

MOTION: Chris Maines moved and Andy Anderson seconded the motion to approve Action Memorandum No. 2016-11.

VOTE: The motion to approve Action Memorandum No. 2016-11 passed unanimously by voice vote.

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

There was no citizen's discussion.

12. COUNCIL COMMENTS

Chris Maines:

- Stated he was glad to see Chief Pasquariello would be serving another three years.

Curt Armstrong:

- Spoke in favor of the City drafting a letter to the State asking to help solve how rural communities can legally meet the testing facility regulations.

Misty Savo:

- Thanked Gail Norden, Pancho Garcia, and Bill Bauer for doing a wonder job serving the community; and
- Noted some of the committee members wanted a higher tax rate than 6%, but it was decided it would be better to evaluate it after the businesses were up and running.

MOTION: Misty Savo moved and Chris Maines seconded the motion to have the Council write a letter to the commission overseeing marijuana regulations and express our concern with legally meeting the testing regulations.

VOTE: The motion passed unanimously by voice vote.

Paul Liedberg:

- Echoed Misty's praise for Gail, Pancho, and Bill and thanked them for their service;
- Thanked the Marijuana Advisory Committee as well as all other committee volunteers who serve the community; and
- Thanked City staff for all their hard work and getting some projects done.

Andy Anderson:

- Echoed hard work being done by various committee noting it helped to make the Council's job easier.

13. MAYOR'S COMMENTS

Mayor Ruby:

- Reported she appreciated that Andy Anderson had volunteered to represent the City on Pen Air's inaugural flight;
- Reported she and Chief Pasquariello were asked to present at the Mental Health Trust and State Drug and Alcohol Advisory Board meetings being held in Dillingham;
- Reminded everyone of Community clean up days;
- Noted she appreciated Bill, Gail and Pancho for their dedication to the community, and wished them well; and
- Asked everyone to join together in a moment of silence to recognize those lost since the last meeting.

14. EXECUTIVE SESSION

a. Legal Matter

- 1) Dillingham & Manokotak Annexation Petitions
- 2) Update from Public Safety Department

MOTION: Misty Savo moved and Paul Liedberg seconded the motion to enter into executive session to discuss Legal Matters, Dillingham & Manokotak Annexation Petition and Update from Public Safety Department. [8:03 p.m.]

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

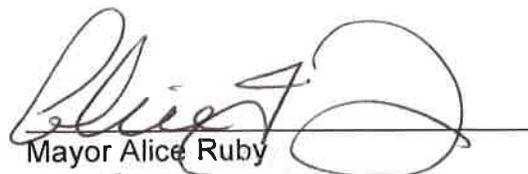
The Council was joined by Manager Loera, Chief Pasquariello, and Janice Williams.

MOTION: Chris Maines moved and Paul Liedberg seconded the motion to come out of executive session [8:59 p.m.].

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

15. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:00 p.m.



 Mayor Alice Ruby
 [SEAL]

ATTEST:



 Janice Williams, City Clerk
 Approval Date: 6/2/16