

**I. CALL TO ORDER**

The Regular Meeting of the Dillingham City Council was held on Thursday, May 23, 2013, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:28 p.m. The meeting was preceded with a presentation from the firm of CH2M Hill on the Wastewater Treatment Plant Facility Plan.

**II. ROLL CALL**

Mayor Alice Ruby was present.

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

- Brenda Akelkok, Seat A
- Bob Himschoot, Seat C
- Keggie Tubbs, Seat D
- Tracy Hightower, Seat E
- Paul Liedberg, Seat F

Chris Maines, Seat B, absent and excused

Staff in attendance:

- Rose Loera, City Manager
- Carol Shade, Finance Director
- Jody Seitz, Planning Director
- Janice Williams, City Clerk

Guest:

William F. Mede, Turner & Mede, P.C. – *via teleconference*

**III. APPROVAL OF MINUTES**

There were no minutes to approve.

**IV. APPROVAL OF CONSENT AGENDA**

There was no consent agenda.

**APPROVAL OF AGENDA**

Mayor Ruby reported on the following additions to the agenda:

- VII. Citizen's Discussion, add item A. Apayo Moore, requested ahead of the meeting;
- VIII. Ordinances and Resolutions, add item M. Adopt Resolution No. 2013-29, a lay down;
- X. New Business, add item D. Schedule Workshop and Special Meeting for June 13; and
- X. New Business, add item E. Reschedule June 20 meeting to June 27

**MOTION:** Keggie Tubbs moved and Paul Liedberg seconded the motion to approve the amended agenda.

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GENERAL CONSENT: The motion passed with no objection.

## V. STAFF REPORTS

### A. City Manager Report

City Manager Rose Loera reported on the following:

- State Capital and Operating Budget - passed which included \$1.9M for landfill, \$200K for E 911 system at the Lake Road Fire Station;
- Thank you note to Penair for shipping the handler and the K-9 dog that had an air infection; would continue to do so if needed in the future;
- Unsigned Information and Action Memorandums – due to short staffing were left unsigned, but had been vetted through the proper people;
- Summer Landfill Hours Resumed – closed on Wednesdays and Thursdays;
- Acting Chief of Police - Sergeant Golden serving in Dan Pasquariello's absence on leave;
- City's FY 2014 Budget Near Completion – looking at a June 6 workshop to present the budget;
- Denied Services List – would be asking the Council whether or not to proceed with action or wait until ordinance in packet was adopted; always had the ability to deny services the ordinance was just a clean-up;
- Scrap Metal at Landfill – working with BBEDC, as part of the project a bailer would be brought in, several seasonal employees would be hired, scrap metal placed in connex containers and stored until the fall when it would be moved out of Dillingham; and
- Apply for Liquor License – Paul Kropoff would be applying for a beer and wine license for his restaurant; two licenses (Muddy Rudder, and Fisherman's) currently not being used.

### Discussion:

- asked if it was possible to black out social security no. and birth date prior to releasing a police report to the public, answered would follow up with staff; and
- asked if there was a cost for the scrap metal disposal, answered yet to have an agreement, but possibly the protective material such as gloves and hard hats, a minimal cost, and using the City's equipment to haul the connexes to the staging area next to Bristol Alliance.

### B. Standing Committee Reports

Bob Himschoot, Chair of the Finance and Budget Committee, reported the committee was continuing to review the budget.

Paul Liedberg, Chair of the Code Review Committee, reported the committee had scheduled a special meeting for May 30. Brenda Akelkok noted she would arrive around 6 p.m.

Mayor Ruby, MOU Committee (Curyung Tribe and City of Dillingham), reported:

- working on a letter of understanding, looking to leverage some of the Tribe's IGAP monies with the City's landfill and improve the recycling program;
- working with BBEDC on future block grants, would bring back more info later;

- working on updating mutual roads list, currently BIA monies were targeted for Nerka roads, and would look to have similar arrangement as Tower Road project, combining resources, and City Manager managing the project; and
- would bring back a report on the future of the Tribe's proposed cannery project.

## VI. PUBLIC HEARINGS

Mayor Ruby opened the public hearing on Ordinances 2013-06, 2013-07, 2013-08.

- A. Adopt Ordinance No. 2013-06, An Ordinance of the Dillingham City Council Authorizing the Conveyance of Certain Real Property Obtained by Foreclosure Back to the Former Owner
- B. Adopt Ordinance No. 2013-07, An Ordinance of the Dillingham City Council Amending Section 4.20.050 of the Dillingham Municipal Code, Sales Tax Exemption
- C. Adopt Ordinance No. 2013-08, An Ordinance of the Dillingham City Council Amending Chapter 4.16 of the Dillingham Municipal Code to Require a City Business License Only if Sales Exceed Ten Thousand Dollars in a Calendar Year

There being no comments the public hearing closed.

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

- A. Apayo Moore – Petition to remove “Bars” from Section of code where Smoking is Not Regulated

Apayo's commented her initiative was to remove bars from where smoking is not regulated in the City ordinance. She reported 14 communities in Alaska have implemented smoke free laws, of which 9 are 100% smoke free in bars. U.S. Surgeon General in 2010 warned there was no risk free level from exposure to second hand smoke, and the immediate and serious health effects from tobacco smoke inhalation in enclosed areas could be eliminated from eliminating smoking in public work areas. Studies had shown eliminating smoking in bars would have a negative impact on bar revenues. She was in support of looking to set better examples for the State and make the community cleaner and healthier for local citizens and visitors who would visit the bars more if smoking was eliminated. The Willow Tree Inn was in support of going smoke free and had increased their smoke-free events, and the Sea Inn was neither for nor against going smoke free. Her proposed ordinance change had received 186 likes on her Facebook page when it was posted earlier in the day.

Apayo was also in favor of proposed Ordinance No. 2013-07, noting she had signed the petition.

## VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2013-06, An Ordinance of the Dillingham City Council Authorizing the Conveyance of Certain Real Property Obtained by Foreclosure Back to the Former Owner

**MOTION:** Keggie Tubbs moved and Bob Himschoot seconded the motion to adopt Ordinance No. 2013-06.

**VOTE:** The motion to approve Ordinance No. 2013-06 passed unanimously.

- B. Adopt Ordinance No. 2013-07, An Ordinance of the Dillingham City Council Amending section 4.20.050 of the Dillingham Municipal Code, Sales Tax Exemption

**MOTION:** Paul Liedberg moved and Bob Himschoot seconded the motion to adopt Ordinance No. 2013-07.

Mayor Ruby referred the Council to the lay down entitled Information for Council Consideration to explain what was being proposed. She noted in reviewing the exemption proposed by Adam Kane, the Sub-Committee found some inconsistencies in the code:

- the current code exempted Native crafts, but didn't define if it was native artists or crafts.
- requirements for business licenses and collection of sales tax was a disincentive for small business owners, because of the cost of state and local business license;
- enforcing the code generated less revenue than the cost of enforcement to the City;
- City's effort to enforce sales tax requirements for small businesses reduced the time could be spent on the larger business owners not complying with code;
- current code allowed participants not to collect sales tax at regularly sponsored nonprofit events, thought it probably included Farmer's Market in summer, but not really sponsored by anyone;
- general lack of knowledge what it means to be a business, could partner with others to create a brochure; and
- business license code wasn't consistent with sales tax code, required to get a business license even though not required to collect sales tax, not sure if this was an error, reason for Ordinance No. 2013-08.

**Discussion:**

- commented that sales tax and business license fees might be exempted, but should require a license in order to know who was doing business in the community;
- noted the City couldn't enforce the requirement to have a state license;
- asked if the intent of the exemption on arts and crafts for all businesses making less than \$20,000 might be misunderstood to exempt businesses like N&N from sales tax on native arts and crafts, answered it was for arts and crafts only for all businesses with total yearly sales of less than \$20K; but could bring back additional wording to make it clear.

**MOTION:** Keggie Tubbs moved and Bob Himschoot seconded the motion to postpone adoption of Ordinance No. 2013-07 to the June 6 meeting.

**VOTE:** The motion to postpone adoption of Ordinance No. 2013-07 to the June 6 meeting passed unanimously.

- C. Adopt Ordinance No. 2013-08, An Ordinance of the Dillingham City Council Amending Chapter 4.16 of the Dillingham Municipal Code to Require a City Business License Only if Sales Exceed Ten Thousand Dollars in a Calendar Year

MOTION: Tracy Hightower moved and Paul Liedberg seconded the motion to adopt Ordinance No. 2013-08.

Mayor Ruby reported during the review of the sales tax, the members felt that the sales tax should complement the business license requirement. If a business owner grossed more than \$10,000 would need to apply for a business license, but would not have an obligation to collect sales tax unless sales were more than \$20K for arts and crafts.

Discussion:

- asked if the ordinance was only for arts and crafts why were taxis and vehicles for hire referenced, explained the \$20K was only for arts and crafts, and clarified this ordinance applied to businesses with gross sales of less than \$10K would be exempt from applying for a license, however, all taxi owners would be required to apply for a license no matter the amount of sales;
- concerned with using the honor system to decide if a business owner needed to apply for a license, if the city was going to apply a sales tax, needed to know who was doing business, would approve of waiving the fee if sales were less than \$10K, but needed a license;
- commented the committee settled on \$10K based on a large part of the population in Dillingham being in business, but for many it was not enough income to support cumbersome accounting, so chose a number that generated the most revenue for the City and require them to get a state and city license;
- noted the penalty for not applying kicked the City into the role of enforcement, and the return was so small, noting some people didn't consider what they were doing was conducting business;
- commented unless someone was doing their books on their business how would they know if they were generating more than \$10K; and
- commented would be helpful to know the financial impact if there was no licensing fee for a business owner generating gross sales of less than \$10K.

MOTION: Bob Himschoot moved and Keggie Tubbs seconded the motion to postpone adoption of Ordinance No. 2013-08 until the June 6 meeting.

VOTE: The motion to postpone adoption of Ordinance No. 2013-08 until the June 6 meeting passed unanimously.

It was discussed if the Code Review Committee was not able to meet and bring forward a recommendation to the June 6 Council meeting, would postpone again until the next regular meeting.

- D. Introduce Ordinance No. 2013-09, An Ordinance of the Dillingham City Council Authorizing Disposal of Municipal Property to Delta Western by Lease

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to introduce Ordinance No. 2013-09.

Manager Loera reported that the City's assessor had provided some of the numbers, but did not have a chance to evaluate a cap. She recommended postponing to the next meeting.

## Discussion:

- asked if the lease was consistent with the harbor lease lot rates, answered the lease for the National Guard Armory was around \$2.00 a square foot, and the lots were around \$.21 per sq ft for unimproved property at the harbor;
- concerned with providing a cap on expenses for multi-dollar corporations when there were local business owners that weren't given a benefit;
- commented this wasn't Delta Western's only alternative, other options were more expensive, but was not in favor of a cap;
- commented Planning Commission had approved the plat segregating that parcel, discussed the sight did not appear to conflict with any other suggested uses after referencing the Comprehensive Plan, noting the parcel was tucked behind their tanks; and
- commented the Council could adopt a substitute version at the next meeting if need be.

VOTE: The motion to introduce Ordinance No. 2013-09 passed unanimously.

*(The meeting recessed at 8:44 p.m. for a short break and was called back to order at 8:54 p.m..)*

- E. Introduce Ordinance No. 2013-10, An Ordinance of the Dillingham City Council Amending Chapter 4.40 to Create a Denied Services List that will Terminate Eligibility for Municipal Services for Certain Individuals Whose Accounts are Past Due and to Create Procedures for Adding Such Persons to the List and to Amend Numerous References to the List in the Code for Clarity and Uniformity

MOTION: Keggie Tubbs moved and Paul Liedberg seconded the motion to introduce Ordinance No. 2013-10.

Manager Loera reported that the City had sent out notices of bad debt in mid-April with a 30 day period to contact the City to enter into a payment plan or make payment. She was asking the Council if the City should proceed with enforcement, or wait until June 6 meeting when the ordinance would be adopted. The ordinance was a cleanup of the old code, and would make it clear which services would be affected by the denied services list.

## Discussion:

- commented the City should move forward with its enforcement proceedings as per existing code, citing the City used to advertise the denied services list.

VOTE: The motion to introduce Ordinance No. 2013-10 passed unanimously.

- F. Adopt Resolution No. 2013-22, A Resolution of the Dillingham City Council Authorizing the City Manager to Pursue Funding to Purchase a 10-Ton Waste Processing Equipment from Waste to Energy Canada for the Landfill

MOTION: Paul Liedberg moved and Bob Himschoot seconded the motion to adopt Resolution No. 2013-22.

Manager Loera commented the resolution had been vetted through the Attorney, who had cautioned the City against agreeing to purchase something when the City didn't have all the funding.

She asked the Council to amend the resolution as follows (new text underlined):

BE IT FURTHER RESOLVED that the Dillingham City Council authorizes the City Manager to continue to work with WTEC to negotiate an equipment supply contract following the procurement process for the Project for delivery to Dillingham in the spring of 2014 contingent on Project financing and City Council approval of the equipment supply contract.

She asked to add following the City's procurement process.

She was fairly certain that the system was unique and not available anywhere else at this scale. The equipment would go out to bid. The resolution authorized continuing to search for additional funding; currently had \$1.9M of \$3.2M to \$3.5M total. City had obtained the questionnaire to begin the process of applying for a Municipal Matching Loan at 1.5% interest, and had been contacted by EDA for an opportunity to apply for a grant for \$1M that could be awarded by June 27. She suggested making another charter to Egegik for those that would like to see the equipment.

Discussion:

- suggested removing "as well as contingencies in the event that the funding in the capital budget is cut" in the 8<sup>th</sup> Whereas;
- asked if the City could apply for a grant with AEA, noted it was possible and reps from AEA would be in town the following week;
- asked if EDA would provide funding for Waste-to-Energy Canada for a product that wasn't tied to Buy American Act; and
- suggested removing "but it is not yet known if this appropriation will be finally approved in the 7<sup>th</sup> Whereas".

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to amend Resolution No. 2013-22 with the noted changes.

VOTE: The motion to amend Resolution No. 2013-22 passed unanimously.

VOTE: The motion to adopt the amended Resolution No. 2013-22 passed unanimously.

- G. Adopt Resolution No. 2013-23, A Resolution of the Dillingham City Council Approving the Collective Bargaining Agreement

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to table action on Resolution No. 2013-23 until after the executive session.

VOTE: The motion to table action on Resolution No. 2013-23 until after the executive session passed unanimously.

- H. Adopt Resolution No. 2013-24, A Resolution of the Dillingham City Council Authorizing the City Manager to Award a Contract with Merrell Brothers, Inc. to Remove Sludge from Lagoons 1 and 2 of the Dillingham Waste Water Treatment Plant

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to adopt Resolution No. 2013-24.

Manager Loera commented the resolution would replace the action memorandum that was adopted at the previous Council meeting.

VOTE: The motion to adopt Resolution No. 2013-24 passed unanimously.

- I. Adopt Resolution No. 2013-25, A Resolution of the Dillingham City Council Authorizing the Mayor's Garage Sale to dispose of surplus equipment

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to adopt Resolution No. 2013-25.

Discussion:

- suggested removing the 4<sup>th</sup> Whereas, "the CBA shall take effect July 1, 2013, and will remain in full force and effect through June 30, 2016", that is was a obviously a clerical error.

VOTE: The motion to adopt Resolution No. 2013-25 with the removal of the 4<sup>th</sup> Whereas passed unanimously.

- J. Adopt Resolution No. 2013-26, A Resolution of the Dillingham City Council Authorizing the Extension of the Contract for Lobbying Services

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to adopt Resolution No. 2013-26.

Manager Loera noted the contract with Consulting Alaska and Fiskar North allowed the City to extend the contract if it was favorable with the Mayor, Council, and staff. The contract would increase from \$2,000 to \$3,000 a month.

Discussion:

- opined the lobbyists had done an excellent job, had given very good suggestions, and kept the Council and staff well informed; and
- commented when compared with other communities in Alaska, felt the rate was very reasonable.

VOTE: The motion to adopt Resolution No. 2013-26 passed unanimously.

- K. Adopt Resolution No. 2013-27, A Resolution of the Dillingham City Council Authorizing the Acceptance of the Federal Emergency Management Grant for the purchase of a new Fire Truck Tanker

MOTION: Paul Liedberg moved and Tracy Hightower seconded the motion to adopt Resolution No. 2013-27.

Manager Loera reported the City had applied for a FEMA grant in 2011 that was denied, had resubmitted it in 2012 using BBEDC funding, and awarded the grant in April 2013 for \$405,000 for a new pumper truck. A 5% match of \$20,250 would come from the ambulance fund, as agreed upon with the fire chief.

VOTE: The motion to adopt Resolution No. 2013-27 passed unanimously.

- L. Adopt Resolution No. 2013-28, A Resolution of the Dillingham City Council Adopting the Waste Water Treatment Plant Facility Plan

MOTION: Keggie Tubbs moved and Tracy Hightower seconded the motion to adopt Resolution No. 2013-28.

Manager Loera reported that she did not anticipate anything else would be needed to get the City in compliance. The City would adopt the resolution and a copy of the plan with a detail of the projects would be in the June 27 packet.

Discussion:

- commented was concerned with the process of adopting a resolution without seeing the formal plan; and
- asked to have a copy of the draft plan available at the June 6 meeting, either electronically or written.

She noted the reason for adopting it now was so it would be available when the City applied for DEC funding that opened in June, would provide additional points.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to postpone adoption of Resolution No. 2013-28 to the June 27 meeting.

VOTE: The motion to postpone adoption of Resolution No. 2013-28 to the June 27 meeting passed unanimously.

- M. Adopt Resolution No. 2013-29, A Resolution of the Dillingham City Council Supporting the Revised Environmental Protection Agency Bristol Bay Watershed Assessment, and Supporting the EPA to Immediately Take Further Actions to Protect Bristol Bay

Keggie Tubbs reported the resolution originated out of a Tribal Council meeting earlier in the week supporting EPA's efforts to protect the Bristol Bay Watershed. The Tribe was looking for City support as well, and that it was consistent with action taken in the past to oppose Pebble Mine and support efforts along those lines.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to adopt Resolution No. 2013-29 with the noted changes.

VOTE: The motion to adopt Resolution No. 2013-29 passed unanimously.

## IX. UNFINISHED BUSINESS

- A. Citizen Committee Appointments – Cemetery Committee, 4 Seats

Mayor Ruby noted she did not have any additional names to present.

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**X. NEW BUSINESS**

- A. Action Memorandum No. 2013-11, Rent out Senior Center Apartment

MOTION: Tracy Hightower moved and Bob Himschoot seconded the motion to adopt Action Memorandum No. 2013-11.

Manager Loera reported the Senior Center apartment had been reserved for new employees coming in, but was now recommending it could be rented out. The renter would help secure the building after events. The Senior Advisory Board was aware it would be rented out.

Discussion:

- commented to make sure the contract included smoking was not allowed, recognizing it was a smoke-free facility.

VOTE: The motion to adopt Action Memorandum No. 2013-11 passed unanimously.

- B. Action Memorandum No. 2013-12, Authorizing the City to Collaborate with Nushagak Electric for a Community Clean-Up, May 24 – 26, 2013

MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to adopt Action Memorandum No. 2013-12.

Manager Loera apologized for advertising prior to approval, but was given late notice of the event. Mayor Ruby noted the clean-up days were costly for the City, but was looked at as an investment in the community, and the three clean-up days were for bagged garbage only, but other items would need to be paid for.

Discussion:

- asked to be sure to calendar the event earlier in the year, that providing a late approval had happened before.

VOTE: The motion to adopt Action Memorandum No. 2013-12 passed unanimously.

- C. Action Memorandum No. 2013-13, Authorize the City Manager to Execute a Contract with Delta Western Inc. for the Purchase of Fuel and Gasoline at a Fixed Price Per Gallon for FY2014

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to adopt Action Memorandum No. 2013-13.

Manager Loera reported two bids had been submitted, Delta Western and Bristol Alliance.

VOTE: The motion to adopt Action Memorandum No. 2013-13 passed unanimously.

- D. Schedule Workshop and Special Meeting for June 13, 2013

1. Introduce FY 2014 Budget Ordinance

2. Adopt Resolution to Establish Mill Rate, Dates Taxes are Due and Delinquent, and Certify the Tax Roll

**MOTION:** Keggie Tubbs moved Paul Liedberg seconded the motion to schedule a workshop and a special meeting for June 13 beginning at 6:00 p.m. to discuss the budget and have a meeting with the items noted in the lay down.

**VOTE:** The motion passed unanimously.

- E. Reschedule June 20 Meeting to June 27

**MOTION:** Keggie Tubbs moved and Tracy Hightower seconded the motion to reschedule the June 20 meeting to June 27.

Mayor Ruby reported this meeting would be to adopt the ordinance approving the FY 2014 Budget.

Mayor Ruby reported the workshop for item point of sale previously scheduled for June 27 would be further reviewed with the Code Committee to recommend a meeting date and would bring the item back to the Council.

**VOTE:** The motion passed unanimously.

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

There was no citizen's discussion.

#### **XII. COUNCIL COMMENTS**

Tracy Hightower: no comment

Brenda Akelkok:

- commented several council packets had not been delivered when she was out of town, and wanted to be sure she received future packets when she was not in town.

Bob Himschoot:

- noted AEA would be in town the following week and wasn't sure if their rep had made contact with the City; and
- noted his work might take him out of town next week so wouldn't be available for the Finance and Budget Meeting Tuesday night.

Keggie Tubbs:

- noted he would be out of town for a few weeks, but could be available by phone for the Finance and Budget meeting and the June 6 Council meeting; and
- voiced concern with initiatives coming before the Council, felt they should be fielded through the committee process first and use the ballot initiative as a last resort.

City Clerk Williams commented Apayo had started the initiative process last year, and had dropped it off while she was on vacation. She informed Apayo that she could also make a presentation to the Council.

MOTION: Keggie Tubbs moved and Bob Himschoot seconded the motion to refer the issue that Apayo brought up to the Code Committee for a recommendation to the Council.

Discussion:

- agreed the citizen initiative should be at the end of the process, and suggested would have approached the bars first to see if they would do it voluntarily, and then if a change in the code was needed approach the City;
- recommended amending the motion to refer it to staff that had the time to work with the attorney, instead of always referring to Code Committee that was spending a lot of hours meeting to review code items;
- commented Council was the only group that had the authority to change code, staff could do the research, but it was the Council's job to address code;
- felt the committee process worked well, was more informal, and citizens could participate in the discussion; and
- commented when it involved personal choice felt it needed to go to the voters to decide.

VOTE: The motion failed with Bob Himschoot, Keggie Tubbs, and Paul Liedberg in favor of the motion, and Tracy Hightower and Brenda Akelkok opposed.

Keggie Tubbs:

- voiced his disappointment when issues would go directly to the voter without Council working through the process, felt they didn't have faith the Council could take care of it.

Paul Liedberg:

- commented the Planning Commission was researching into permitting issues related to the Knik gravel pit and would look to have some information for the next meeting;
- informed the Council of the vintage airplanes that would be on display on the airport on Sunday for a community event; and
- noted with all the tremendous amount of work going on it wouldn't happen without good staff, and gave staff a pat on the back.

### XIII. MAYOR'S COMMENTS

Mayor Ruby:

- appreciated being reminded to say thanks to staff;
- noted she was hoping the Council would send Apayo's request to committee to see what the public impression was without having to go to an election;
- appreciated the Manager sending a thank you to PenAir for providing free transport for the K-9 dog and his handler, commenting Penair was always supportive, took a lot of heat, and donated a lot to the community including tickets for EMTs and firefighters that went in for training;
- noted she would bring some appointments to the Carlson Committee at the next meeting, commenting the veterans wanted to move on with a memorial;
- commented for the BOE meeting set for June 6, had assigned Paul, Tracy, and Bob, with Brenda as an alternative;
- asked everyone to recognize a moment of silence for all those lost since the last meeting;
- wished everyone a happy Memorial Day and to recognize a veteran.

**IV. EXECUTIVE SESSION**

- A. Legal Matter
  - 1. Union Discussions
  - 2. Gladden vs. City of Dillingham

**MOTION:** Keggie Tubbs moved and Bob Himschoot seconded the motion to go into executive session to discuss legal matters, Union Discussions and Gladden vs. City of Dillingham (10:02 p.m.).

**GENERAL CONSENT:** The motion passed without objection.

Finance Director Carol Shade was invited into the executive session.

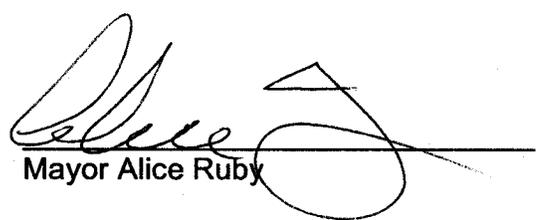
**MOTION:** Keggie Tubbs moved and Tracy Hightower seconded the motion to come out of executive session [10:14 p.m.].

**GENERAL CONSENT:** The motion passed with no objection.

**MOTION:** Keggie Tubbs moved and Paul Liedberg seconded the motion to postpone Resolution No. 2013-23 to the June 6 meeting so the council could fully consider both union contracts at the same time.

**XV. ADJOURNMENT**

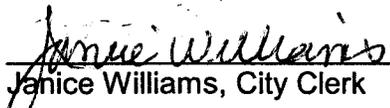
Mayor Ruby adjourned the meeting at 10:15 p.m.



Mayor Alice Ruby



**ATTEST:**

  
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 Janice Williams, City Clerk

Approval Date: 6/6/2013