

**I. CALL TO ORDER**

A regular meeting of the Dillingham City Council was held on Thursday, June 5, 2014, in the council chambers, Dillingham, Alaska. Mayor Pro Tempore Keggie Tubbs called the meeting to order at 7:00 p.m. A workshop preceded the meeting at 6:00 p.m. for a review of the FY15 Proposed Budget & FY14 Equipment Purchase.

**II. ROLL CALL**

Mayor Alice Ruby was absent and excused.

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

- |                 |                                 |
|-----------------|---------------------------------|
| Tracy Hightower | Paul Liedberg                   |
| Bob Himschoot   | Chris Maines                    |
| Holly Johnson   | Keggie Tubbs, Mayor Pro Tempore |

Staff in attendance:

- |                                     |                               |
|-------------------------------------|-------------------------------|
| Rose Loera, City Manager            | Jody Seitz, Planning Director |
| Bernadette Packa, Acting City Clerk | Carol Shade, Finance Director |
| Dan Pasquariello, Chief of Police   |                               |

**III. APPROVAL OF MINUTES**

- A. Board of Equalization Organizational Meeting – April 24, 2014
- B. Regular Council Meeting – May 1, 2014
- C. Special Council Meeting – May 6, 2014
- D. Board of Equalization Meeting – May 14, 2014
- E. Special Council Meeting – May 15, 2014

MOTION: Chris Maines moved and Holly Johnson seconded the motion to approve the minutes of April 24, May 1, May 6, May 14, and May 15.

VOTE: The motion passed unanimously.

**IV. APPROVAL OF CONSENT AGENDA**

**APPROVAL OF AGENDA**

MOTION: Chris Maines moved and Holly Johnson seconded the motion to approve the agenda with the removal of item I. Resolution No. 2014-30 to the June 19 agenda.

VOTE: The motion passed unanimously.

**V. STAFF REPORTS**

A. City Manager Report

City Manager Loera updated Council:

- Landfill required more gravel to compact than originally anticipated; continuing to work on the permit renewal, may be required to test for oil drainage possibly from junked cars;
- Investigator for the barge oil spill upriver mapped the location; opined it did not hit a rock, may have been something metal;
- DEC Compliance Order by Consent – asking for additional time to complete some of the projects in the works;
- School District canceled contract for use of the Territorial School;
- DMV fully staffed by end of June;
- Barge hit a piling that serves as a buffer; will need to be replaced and in contact with the insurance company; and
- DOT installed more gravel at the Evergreen Cemetery once the ground thawed.

B. Standing Committee Reports

Code Review Committee did not meet in June. Next scheduled meeting is in August.

**VI. PUBLIC HEARINGS**

Mayor Pro Tempore Tubbs opened the public hearing. There being no comments, the public hearing closed.

- A. Adopt Ordinance No. 2014-09, An Ordinance of the Dillingham City Council Authorizing the Disposal of Municipal Property to Lyle and Silke Smith
- B. Adopt Ordinance No. 2014-10, An Ordinance of the Dillingham City Council Authorizing the Disposal of Municipal Property to Ben McDowell dba Motive Power Marine by Lease

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

There was no citizen's discussion.

**VIII. ORDINANCES AND RESOLUTIONS**

- A. Adopt Ordinance No. 2014-09, An Ordinance of the Dillingham City Council Authorizing the Disposal of Municipal Property to Lyle and Silke Smith

MOTION: Paul Liedberg moved and Chris Maines seconded the motion to adopt Ordinance No. 2014-09.

VOTE: The motion passed unanimously.

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- B. Adopt Ordinance No. 2014-10, An Ordinance of the Dillingham City Council Authorizing the Disposal of Municipal Property to Ben McDowell dba Motive Power Marine by Lease

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to adopt Ordinance No. 2014-10.

VOTE: The motion passed unanimously.

- C. Introduce Ordinance No. 2014-11, An Ordinance of the Dillingham City Council Amending the Budget by Adopting Budget Amendment No. 2 and Appropriating Funds for the FY 2014 City of Dillingham Budget for an Equipment Purchase

MOTION: Tracy Hightower moved and Holly Johnson seconded the motion to introduce Ordinance No. 2014-11.

VOTE: The motion passed unanimously.

- D. Introduce Ordinance No. 2014-12, An Ordinance of the Dillingham City Council Adopting the Budget and Appropriating Funds for the FY 2015 City of Dillingham Budget

MOTION: Bob Himschoot moved and Holly Johnson seconded the motion to introduce Ordinance No. 2014-12.

VOTE: The motion passed unanimously.

- E. Adopt Resolution No. 2014-26, A Resolution of the Dillingham City Council Establishing the Rate of Levy of Tax, the Date Taxes are Due, and the Delinquent Date for Calendar Year 2014, and Accepting the Certification of the Tax Roll

MOTION: Paul Liedberg moved and Holly Johnson seconded the motion to adopt Resolution No. 2014-26.

VOTE: The motion passed unanimously.

- F. Adopt Resolution No. 2014-27, A Resolution of the Dillingham City Council Authorizing the Mayor's Garage Sale to Dispose of Surplus Equipment

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to adopt Resolution No. 2014-27.

VOTE: The motion passed unanimously.

- G. Adopt Resolution No. 2014-28, A Resolution of the Dillingham City Council Approving a 1% Increase to the 2015 Wage Schedule

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MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to adopt Resolution No. 2014-28.

VOTE: The motion passed unanimously.

- H. Adopt Resolution No. 2014-29, A Resolution of the Dillingham City Council Requesting Immediate State Action to Improve and Maintain Squaw Creek Road in Order to Make it Passable for Vehicular Traffic

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to adopt Resolution No. 2014-29.

VOTE: The motion passed unanimously.

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to remove the ninth Whereas.

MOTION TO WITHDRAW: Chris Maines moved to withdraw his motion.

MOTION: Chris Maines moved and Bob Himschoot seconded the motion to strike the word "certain" from the ninth Whereas.

VOTE: The motion to amend passed unanimously.

VOTE: The motion to adopt the amended Resolution No. 2014-29 passed unanimously.

- I. Adopt Resolution No. 2014-30, A Resolution of the Dillingham City Council Authorizing Foreclosure Proceedings on Delinquent Properties for the Years 2008-2013, and Repealing Resolution No. 2014-14

- J. Adopt Resolution No. 2014-31, A Resolution of the Dillingham City Council Amending the Fee Schedule for the Dillingham Municipal Landfill

MOTION: Holly Johnson moved and Chris Maines seconded the motion to adopt Resolution No. 2014-31.

Manager Loera reported the increase in rates was necessary due to the changes at the landfill. Uncovered load charges were replaced with a \$75 fine adopted in the new fine schedule earlier. Uncovered loads would be further defined in a future finance meeting.

VOTE: The motion passed unanimously.

- K. Adopt Resolution No. 2014-32, A Resolution of the Dillingham City Council Approving Amending the BBEDC CBG Grant #1030.2013.03 to Add Equipment and Radios for Public Works

MOTION: Holly Johnson moved and Bob Himschoot seconded the motion to adopt Resolution No. 2014-32.

Keggie Tubbs disclosed that he worked for BBEDC, but would not benefit financially.

VOTE: The motion passed unanimously.

- L. Adopt Resolution No. 2014-33, A Resolution of the Dillingham City Council Approving Task Order No. 16 with Bristol Engineering Services Corp.

MOTION: Holly Johnson moved and Chris Maines seconded the motion to adopt Resolution No. 2014-33.

Manager Loera reported BEES's contract had expired, was planning to go out for a RFP for engineering services, but this task order would allow BEES to assist with a review of the aeration bids, design of septic receiving station. The services would be grant funded.

VOTE: The motion passed unanimously.

- M. Adopt Resolution No. 2014-34, A Resolution of the Dillingham City Council Authorizing the City Manager to Execute Contracts in July 2014

MOTION: Chris Maines moved and Holly Johnson seconded the motion to adopt Resolution No. 2014-34.

Manager Loera reported the resolution would allow her to proceed with several projects lacking a Council meeting in July. Action memorandums would then be brought forward to the Council.

VOTE: The motion passed unanimously.

- N. Adopt Resolution No. 2014-35, A Resolution of the Dillingham City Council Authorizing the City Manager to Execute Contract for Expanding the Active Landfill Cell Berm to JJC Enterprises Inc.

MOTION: Chris Maines moved and Tracy Hightower seconded the motion to adopt Resolution No. 2014-35.

VOTE: The motion passed unanimously.

**IX. UNFINISHED BUSINESS**

A. Citizen Committee Appointments

1. Cemetery Committee, 4 Seats Open
2. Planning Commission, 2 Seats Open
3. Parks and Recreation Committee, 3 Seats Open
4. Library Advisory Board, 1 Seat Open (U of A Representative Appointed)

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MOTION: Bob Himschoot moved and Chris Maines seconded the motion to concur with the Library Advisory Board appointment of Sarah Andrew.

VOTE: The motion passed unanimously.

B. Annexation Reconsideration

Mayor Pro Tempore Tubbs reported this item would be deferred to after the executive session.

**X. NEW BUSINESS**

A. Action Memorandum No. 2014-06, Authorize the City Manager to Award the Aggregate Contract to Bennett Enterprises

MOTION: Holly Johnson moved and Chris Maines seconded the motion to adopt Action Memorandum No. 2014-06.

Manager Loera reported this was an annual bid for sand and gravel for streets.

VOTE: The motion passed unanimously.

B. Action Memorandum No. 2014-07, Authorize Purchase of Fuel Tank from Penram Distributors

Manager Loera reported the fuel tank had features that would better accommodate the new incinerator.

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to adopt Action Memorandum No. 2014-07.

VOTE: The motion passed unanimously.

C. Action Memorandum No. 2014-08, Authorize Purchase of 600 Cubic Yards of Gravel from Aleknagik Enterprises

MOTION: Holly Johnson moved and Tracy Hightower seconded the motion to adopt Action Memorandum No. 2014-08.

Manager Loera reported motion would be to approve 3,000 cubic feet of gravel at the landfill per DEC's requirement to cover the trash with at least six inches of gravel.

VOTE: The motion passed unanimously.

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

Alannah Hurley:

- Reported an abandoned cat hanging out at her family's home had been picked up by the animal control officer, and put down within 5-6 hours. She had filed a complaint with the

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City and was looking for clarification in the code for the time period before an animal was put down, and what was considered feral.

Evelyn Phillips:

- Reported she had issues with animal control: 1) had seized a puppy from her family's native allotment, stating any abandoned animal automatically became the property of the City. She read the code to be any animal that was turned into animal control automatically became property of the City; 2) came to her place of work on the hospital compound to address a complaint.

Katherine Carscallen:

- Stated she had been interested in adopting the abandoned cat that was put down, and was concerned the code was not clear regarding abandoned, unwanted animals.

John Montecucio:

- Reported he had picked up a puppy at the pound and it had parvo.

Fred Angasan III:

- Stated he had good experiences with the animal control officer. The issue of stray dogs roaming around his neighborhood was addressed, being both prompt and personable. The past fall his dog had puppies, and animal control was helpful getting the puppies adopted outside and provided carriers for transit.

## XII. COUNCIL COMMENTS

Holly Johnson:

- Thanked the finance department for all the work on the budget; and
- Expressed appreciation for the comments on animal control issues.

Tracey Hightower: no comment

Chris Maines:

MOTION: Chris Maines moved and Holly Johnson seconded the motion for Code Committee to review the issues in the animal control code that were brought forward.

VOTE: The motion passed unanimously.

Paul Liedberg:

- Expressed appreciation for the solutions that were brought forward to address the animal control issues;
- Thanked the finance staff and committee for their work on the budget; and
- Thanked the staff for keeping the City going.

Bob Himschoot:

- Thanked staff for their work on the budget and facilitating the process; and
- Wished the fishermen good luck.

**XIII. MAYOR'S COMMENTS**

Mayor Pro Tempore Tubbs:

- Reported Mayor Ruby was coming along well, and appreciated the flowers;
- Noted the Council was very sensitive to animal issues and welcomed participation reviewing the code;
- Thanked staff for all their hard work through the budget; and
- Asked for a moment of silence to recognize those lost since the last meeting.

**XIV. EXECUTIVE SESSION**

A. Legal Matter – Annexation Reconsideration

MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to enter into executive session to discuss Legal Matters, Annexation Reconsideration [8:14 p.m.).

*(The meeting recessed for a five minute break.)*

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

Mayor Ruby invited Manager Loera, Acting City Clerk Packa, and Finance Director Shade into the executive session.

MOTION: Bob Himschoot moved and Paul Liedberg seconded the motion to come out of executive session [9:07 p.m.].

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

MOTION: Bob Himschoot moved and Holly Johnson seconded the motion to schedule a required public hearing for the annexation petition for September 24, and for staff to work out the details.

VOTE: The motion passed unanimously.

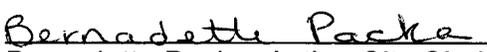
**XV. ADJOURNMENT**

Mayor Pro Tempore Tubbs adjourned the meeting at 9:08 p.m.

  
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 Mayor Pro Tempore Keegle Tubbs

ATTEST:

[SEAL]

  
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 Bernadette Packa, Acting City Clerk  
 Approval Date: 8-7-14

