

1. CALL TO ORDER

A regular meeting of the Dillingham City Council was held on Thursday, August 18, 2016, at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Ruby called the meeting to order at 7:08 p.m. The meeting was preceded by a tour of the new crane at the dock at 6:45 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 Andy Anderson
Paul Liedberg - attended via teleconference

Council Members absent and excused: Holly Johnson

Staff in attendance:

Rose Loera Navin Bissram Janice Williams Ken Morton
Pedro Gonzalez – Sergeant-at-Arms

Guest(s): Attorney Brooks Chandler – attended via teleconference
 Attorney Patrick Munson – attended via teleconference
 Barb Sheinberg – attended via teleconference
 Lamar Cotten – attended via teleconference

3. APPROVAL OF MINUTES

- a. Regular Council Meeting, June 16, 2016

MOTION: Chris Maines moved and Andy Anderson seconded the motion to approve the minutes of June 16, 2016.

VOTE: The motion passed unanimously by roll call vote.

4. APPROVAL OF CONSENT AGENDA

- a. Adopt Resolution No. 2016-40, A Resolution of the Dillingham City Council Expressing Thanks and a Commendation to Herman "Nup" Shade

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

VOTE: The motion passed unanimously by roll call vote.

APPROVAL OF AGENDA

MOTION: Chris Maines moved and Andy Anderson seconded the motion to approve the agenda.

VOTE: The motion passed unanimously by roll call vote.

5. STAFF REPORTS

a. City Manager Report

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

- Vacancies: Police officer and accounting technician;
- Grant received from BBEDC to provide training on the incinerator;
- Knutsen lawsuit: depositions are being taken;
- Manitowoc crane: lowered the bid to \$25,000, and looking to have this to award on the September agenda;
- Sewerage lagoon: fecal coliform counts are still above what the regulations allow; hopefully installing the blowers, and aerating second lagoon will lower the count; lagoon is permitted for 275K gallons/day of influent and effluent discharge, however actual is around 190K, and as a result if it is less than 250K gals., flow meters wouldn't be required; septage receiving stations have just been completed, and can start receiving raw sewage;
- Two municipal matching grants expire in spring of 2017, but DEC has extended them for another year;
- ANTHC matching grant: they require the lagoon be in compliance before any match can be used to repair the lift stations; if ANTHC could do the work on the lagoon, it would serve as a match, or may need to come up with 30% match on lift stations, \$500,000;
- AkDEC 2010 water loan still on the books: 1.75% interest rate, for \$250,000, scope was the actual work that was completed on the water treatment; looking to see if the scope could be changed and then serve as a match on the water grant;
- Chlorinate the effluent discharge to reduce fecal coliform counts: adds additional maintenance and operation costs, but will remain an option if aerating the lagoon doesn't do the job; should the City be required to install flow meters on the effluent side, could construct it to allow for chlorine testing;
- Fish grinder: did not go out for design, because with construction costs reevaluated from \$250K to \$500K, Curyung Tribe did not approve funding construction.

Mayor Ruby asked if there was any objection to adding two items to the Code Committee's Task List: a review of: 1) the exemption on businesses from collecting sales tax if sales are less than \$10K, and 2) tax exempt entities. There was no objection.

- Well near high school: looking to replace the existing over-sized pump, and seeking DEC's approval to use grant funds.

Mayor Ruby recommended a ½ hour workshop before the September Council meeting to review water and wastewater projects should staff bring forward any resolutions regarding same.

- Damage to the dock: looking to include repairing the newest damage to a current RFP advertised to fix repairs on the dock and add dolphins.

b. Standing Committee Reports

Chris Maines, Code Review Committee: reviewed a liquor license transfer of location; would dedicate next meeting to reviewing the liquor license review process; evaluated use of marijuana on vehicles, and aircraft considered inoperable; reviewed adding PFD eligibility requirements for senior citizen exemption, and add a process for reviewing them on a three year cycle.

Mayor Ruby, Finance & Budget Committee: reviewed the unaudited June financials; 2016 sales tax revenues are down, but fuel and grocery/hardware sales actually increased, will continue to analyze reason for decrease over 2015; researching Alaska Airlines credit cards to use the mileage; brought up the FY17 budget unexpected hit of a \$200K reduction in school debt reimbursement; and will start reviewing the FY17 budget in November.

6. PUBLIC HEARINGS

There were no public hearings.

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

- a. Sergeant Luis Nieves, Alaska State Troopers

This was moved to the September agenda.

- b. Mike Halko, Community Trail System

Mike Halko reported efforts were in the works to establish a community trail system within city limits. This was for information only at this time.

8. ORDINANCES AND RESOLUTIONS

- a. Introduce Ordinance No. 2016-11, An Ordinance of the Dillingham City Council Amending DMC Section 4.15.235 B, Costs of Foreclosure

MOTION: Chris Maines moved and Andy Anderson seconded the motion to introduce Ordinance No. 2016-11.

VOTE: The motion to introduce Ordinance No. 2016-11 passed unanimously by roll call vote.

- b. Adopt Resolution No. 2016-41, A Resolution of the Dillingham City Council Supporting Charlene Lopez's BBEDC Arctic Tern Grant Application for the NBC Basketball Camp

MOTION: Misty Savo moved and Paul Liedberg seconded the motion to adopt Resolution No. 2016-41.

VOTE: The motion to adopt Resolution No. 2016-41 passed unanimously by roll call vote.

- c. Adopt Resolution No. 2016-42, A Resolution of the Dillingham City Council Supporting the City's Application for a Bristol Bay Economic Development Corporation Infrastructure Grant Fund

MOTION: Chris Maines moved and Andy Anderson seconded the motion to adopt Resolution No. 2016-42.

VOTE: The motion to adopt Resolution No. 2016-42 passed unanimously by roll call vote.

- d. Adopt Resolution No. 2016-43, 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 LLC and Cruz Construction Inc.

MOTION: Chris Maines moved and Curt Armstrong seconded the motion to adopt Resolution No. 2016-43.

VOTE: The motion to adopt Resolution No. 2016-43 passed unanimously by roll call vote.

- e. Adopt Resolution No. 2016-44, A Resolution of the Dillingham City Council Formally Adopting the 2016 Hazard Mitigation Plan

MOTION: Andy Anderson moved and Misty Savo seconded the motion to adopt Resolution No. 2016-44.

VOTE: The motion to adopt Resolution No. 2016-44 passed unanimously by roll call vote.

- f. Adopt Resolution No. 2016-45, A Resolution of the Dillingham City Council Authorizing the City Manager to Enter into an Equipment Lease with Wells Fargo Bank for a 2016 Linkbelt 248 HSL 200 Ton Crane

MOTION: Chris Maines moved and Andy Anderson seconded to motion to adopt Resolution No. 2016-45, the laydown version.

VOTE: The motion to adopt Resolution No. 2016-45 passed unanimously by roll call vote.

- g. Adopt Resolution No. 2016-46, A Resolution of the Dillingham City Council Authorizing the Advertisement of an RFP for Phase I of the Lagoon Projects to Reroute the HUD Force Main

MOTION: Chris Maines moved and Curt Armstrong seconded the motion to adopt Resolution No. 2016-46.

VOTE: The motion to adopt Resolution No. 2016-46 passed unanimously by roll call vote.

- h. Adopt Resolution No. 2016-47, A Resolution of the Dillingham City Council Authorizing the City Manager to Advertise an Invitation to Bid for the All-Tide Dock Fender Repair

MOTION: Chris Maines moved and Andy Anderson seconded the motion to adopt Resolution No. 2016-47.

VOTE: The motion to adopt Resolution No. 2016-47 passed unanimously by roll call vote.

- i. Adopt Resolution No. 2016-48, A Resolution of the Dillingham City Council Waiving Section 3.95 of the City's Personnel Regulations in Order to Allow Chrissie Messer to Continue her Employment as an Executive Assistant with the City of Dillingham Administrative Department While her Brother, Christopher Maines, Serves on the City Council

MOTION: Misty Savo moved and Curt Armstrong seconded the motion to postpone adoption of Resolution No. 2016-48.

Discussion ensued:

- Research if Andy Anderson, grandfather of Chrissie Messer, should also be included.

VOTE: The motion to postpone adoption of Resolution No. 2016-48 passed unanimously by roll call vote.

9. UNFINISHED BUSINESS

- a. Citizen Committee Appointments
 - 1) Planning Commission, 2 Seats Open
 - 2) Senior Advisory Commission, 1 Seat Open

There were no letters of interest on file.

- b. Annexation Update

Mayor Ruby reported the LBC had extended the comment period on LBC's preliminary report to September 19. This item will be discussed in executive session.

- c. Interim Task Force Borough Feasibility Study Update

Mayor Ruby reported the task force was scheduled to meet September 25, and would keep the Council posted.

10. NEW BUSINESS

- a. Liquor License Renewals
 - 1) Kvichak Pacific, LLC dba Olsen's Liquor Store

Chris Maines reported the Code Review Committee had met with the manager and owner of Olsen's Liquor Store, clarified the location of the proposed site, and were recommending no action on the request for a license transfer of location.

Mayor Ruby reminded the Council they had 60 days [from June 24, 2016] to protest the license or take no action at all. She noted relocating the license is taken up with the ABC Board, but believed approving the site could be dealt with under the land use permit. She noted that she had shared with the guests that not objecting to the liquor license did not guarantee approval of the land use permit.

Manager Loera had also contacted some of the neighbors and none had seen any advertising or signage proposing the license transfer.

Discussion ensued:

- Commented had contacted four residents in the proposed site, none were aware of the request for transfer, nor were they in favor of the request;
- Asked if the time period could be extended to get out the word, answered Alcohol Board does not allow extensions past the 60 days;
- Commented from the land description, which did not include street addressing, did not know where the proposed site was located; and
- Commented a workshop would be in order to review the Council's responsibilities when it comes to reviewing liquor licenses.

MOTION: Misty Savo and Curt Armstrong seconded the motion to direct staff to write a letter to ABC Board and applicant to protest the license based on inadequate public noticing and no way for the public to identify the location based on lacking street addresses.

VOTE: The motion passed unanimously by roll call vote.

b. Territorial School Committee Appointment

MOTION: Misty Savo moved and Curt Armstrong seconded the motion to concur with Mayor Ruby's recommendation to appoint Andy Anderson, Chris Maines, Ken Morton, Manager Loera, and Russell Nelson to the committee.

VOTE: The motion passed unanimously by roll call vote.

c. Schedule a Hearing of the BOE

- 1) Two Late Filed Appeals
- 2) Amended Assessment Returns

MOTION: Chris Maines moved and Andy Anderson seconded the motion to approve scheduling the Board of Equalization meeting for August 31, 2016, at 5:30 p.m.

Committee members include Mayor Ruby, Chris Maines, Holly Johnson, and Andy Anderson, with Misty Savo as an alternate.

VOTE: The motion passed unanimously by roll call vote.

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

There was no citizen's discussion.

12. COUNCIL COMMENTS

Misty Savo:

- Commented the MOU Committee had not met since she was appointed, and was looking forward to reaching out to the Tribe.

There were no other Council comments.

13. MAYOR'S COMMENTS

Mayor Ruby:

- Noted the Council would get an update from the Police Dept. at their next regular meeting;
- Commented the Finance Committee met with Lt. Governor, brought up filling the DA's funded position, and voiced concerns 45% of cases had been dismissed;
- Commented she and Manager Loera had meet with Peter Pan Seafoods for a courtesy visit and would also be meeting with Icicle Seafoods; they wished our landfill rates were lower; appreciated their donation of fish to the schools;
- Noted the Finance Committee would begin a review of the FY17 budget in November, and looking to get public involvement;
- Commented the Manager's evaluation was due July 24, and would work to get it done in the next several months; requested council to bring forward an evaluation form that they supported; and
- Asked for a moment of silence to recognize all of those lost since the last meeting, noting she was sorry to hear Julie Baltar had passed away.

14. EXECUTIVE SESSION

a. Legal Matter

- 1) Dillingham & Manokotak Annexation Petitions
- 2) Bingman Foreclosure Sale

MOTION: Chris Maines moved and Andy Anderson seconded the motion to enter into executive session [8:37 p.m.].

VOTE: The motion passed unanimously by roll call vote.

MOTION: Misty Savo moved and Andy Anderson seconded the motion to exit the executive session [9:50 p.m.].

VOTE: The motion passed unanimously by roll call vote.

15. ADJOURNMENT

Mayor Ruby adjourned the meeting at 9:50 p.m.



Mayor Alice Ruby

ATTEST:

[SEAL]



Janice Williams, City Clerk
Approval Date: 9/1/16