

**I. CALL TO ORDER**

The regular meeting of the Dillingham City Council was held on Thursday, November 6, 2008 at the Dillingham City Council Chambers, Dillingham, Alaska. Mayor Alice Ruby called the meeting to order at 7:19 p.m.

**II. ROLL CALL**

Mayor Alice Ruby present

Council Members present:

Carol Shade  
Sue Mulkeit  
Tim Sands  
Keggie Tubbs  
Steve Hunt  
Bob Himschoot

Staff in attendance:

Janice Shilanski, City Manager  
Lori Goodell, City Clerk  
Richard Thompson, Chief of Police  
Staci Fieser, Finance Director  
Jody Seitz, Planning Director  
Steve Cropsey, Project Manager - via telephone

**III. APPROVAL OF MINUTES**

A. Minutes of Preceding Meetings

1. Special Meeting, October 1, 2008

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve the minutes of October 1, 2008.

Discussion: None.

VOTE: The motion passed unanimously.

2. Regular Meeting, October 2, 2008

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve the minutes of October 2, 2008.

*Clerk Note: Correct time meeting was called to order from 7:04 to 5:04 p.m.*

VOTE: The motion passed unanimously.

3. Special Meeting, October 14, 2008

4. Special Meeting, October 16, 2008

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to approve the minutes of October 14 and October 16, 2008.

Discussion: None.

VOTE: The motion passed unanimously.

#### **IV. APPROVAL OF CONSENT AGENDA**

Mayor Ruby explained that the consent calendar items occur regularly and by approving the consent calendar the items are adopted. Council has the option to remove any item from the consent calendar if they wish to discuss it as a regular agenda item.

A. Adopt Resolution No. 2008-44, A Resolution of the Dillingham City Council Adopting Participation in the AMLJIA Loss Control Incentive Program for the City of Dillingham.

B. Adopt Resolution No. 2008-47, A Resolution of the Dillingham City Council Adopting an Alternative Allocation Method for the FY09 Shared Fisheries Business Tax Program and Certifying that this Allocation Fairly Represents the Distribution of Significant Effects of Fisheries Business Activity in the Bristol Bay Fisheries Management Area (FMA 5).

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the consent calendar.

Discussion: None.

VOTE: The motion passed unanimously.

#### **APPROVAL OF AGENDA**

Council was informed that Resolution 2008-50 has been removed from the agenda.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to approve the agenda as amended.

Discussion: None

VOTE: The motion passed unanimously.

#### **V. STAFF REPORTS**

## A. City Manager Report

City Manager Shilanski:

- reported that the contractor experienced a broken casing when drilling at the new well site;
- stated the Engineer and Contractor have chosen to drill at a new site, 50 feet closer to the elementary school and will begin tomorrow after Nushagak okay's the site if the temperature is over 25 degrees;
- commented that the staffing study draft is ready and will be given to the Finance Committee for review;
- suggested the Code Committee review the section on Building Codes;
- stated with the current level of work she will not be able to attend the AML conference;
- reported that the City's personnel regulations do not currently address EMT/Fire Volunteer employees responding during work hours and will be researching this item for council action at a later date;
- commented Planning Commission Resolution 2008-11 regarding safe passage across Kanakanak Road is included for information at this time;
- stated that DOT is currently working with communities for safe routes;
- reported an experienced, certified water/sewer operator has been hired; and
- reported that interviews for Public Works Director have taken place and a perspective candidate from Sand Point will be coming to Dillingham Nov. 12.

Discussion:

- recommended that research is done on Volunteer status with other communities;
- requested more information on the safe routes/crosswalks;
- stated that Kanakanak Road can be dangerous with cars slowing down and stopping;
- requested the DOT and Engineers work with Dillingham for solutions to the dangers along Kanakanak Road; and
- stated DOT only recognized school zones for state schools.

## B. Standing Committee Report

Tim Sands, Chamber of Commerce Committee

- stated the chamber met but did not have a quorum so no action was taken.

## VI. PUBLIC HEARINGS

- A. Adopt Ordinance 2008-11. An Ordinance of the Dillingham City Council Authorizing the Execution of a Common Investment Agreement Among Political Subdivisions of the State of Alaska and to Authorize Becoming a Member of the Alaska Municipal League Investment Pool, Inc.

There was no discussion.

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

There was no citizen's discussion.

## VIII. ORDINANCES AND RESOLUTIONS

- A. Adopt Ordinance No. 2008-11, An Ordinance of the Dillingham City Council Authorizing the Execution of a Common Investment Agreement Among Political Subdivisions of the State of Alaska and to Authorize Becoming a Member of the Alaska Municipal League Investment Pool, Inc.

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to adopt Ordinance 2008-11.

Discussion:

- stated the Finance Committee and Finance Director have recommended adoption of this ordinance.

VOTE: The motion passed unanimously.

- B. Adopt Resolution No. 2008-45.SBP, A Resolution of the Dillingham City Council Approving a Contract Between the City of Dillingham and the Firm of Bezek Durst Seiser Architects to Provide Plans Specifications and Contract Documents for the Re-roof of Dillingham Elementary School.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to adopt Resolution 2008-45.SBP.

Project Manager Steve Cropsey informed council that Resolution 2008-45.SBP and 2008-46.SBP both went to bid and the City received 22 bid responses. A selection committee was utilized to evaluate the bid proposals. The bid proposal rate submitted by Bezek Durst Seiser on the elementary roof and Burkhart, Croft for the HS/MS remodel is standard at 10% of the estimated project cost. The elementary roof is based on the design done by GDM and is a lump sum proposal that does not include any major structural defects. The City Attorney has prepared contracts.

Discussion:

- stated Steve Hunt participated on the selection committee;
- noted the Architect firm is committed to the design and if significant structural changes are need they would not be included;
- commented destructive testing will be conducted Nov. 11-12, if structural failures are found an addendum to fees will be needed;
- stated that video will be taken; and
- noted that SBP needs to be added to the Resolution number.

VOTE: The motion passed unanimously.

- C. Adopt Resolution No. 2008-46.SBP, A Resolution of the Dillingham City Council Approving a Contract Between the City of Dillingham and the Firm of Burkhart, Croft Architects to Provide Plans Specifications and Contract Documents for the Rehabilitation of Dillingham High / Middle School.

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to adopt Resolution 2008-46.SBP.

Project Manager Steve Cropsey reported that a five people team will be assessing the HS/MS to scope the project Nov. 11-12. The team will include Steve and Russell Nelson. The goal is to have the work completed in one summer. If that is not possible with the logistics of the work then the project will be done in two phases, two summers.

Discussion:

- reported the goal is to have a timeline determination and construction calendar of the project by the Dec. Council meeting; and
- stated the elementary roof will be completed in one summer.

VOTE: The motion passed unanimously.

- D. Adopt Resolution No. 2008-48, A Resolution of the Dillingham City Council Accepting Homeland Security Grant No. 2008-GE-T8-0005 to Enhance the ability of Local Jurisdictions to Prepare for, Prevent, and Respond to Terrorist Attacks and Other All-Hazard Events, in the Total Amount of \$27,300.

MOTION: Tim Sands moved and Bob Himschoot seconded the motion to adopt Resolution 2008-48.

City Manager Shilanski reported the City regularly applies for this grant and the resolution allows the manager to sign and accept the grant.

Discussion:

- stated the budget detail given and list of items to purchase are appreciated.

MOTION: Question called by Tim Sands. No objections. *(Clerk note: the effect of this motion is to immediately stop debate.)*

VOTE: The motion passed unanimously.

- E. Adopt Resolution 2008-49, A Resolution of the Dillingham City Council Accepting Grant Funds from the Denali Commission in the Amount of \$135,000 and from BBEDC in the Amount of \$89,525 for Harbor Improvements.

MOTION: Tim Sands moved and Sue Mulkeit seconded the motion to adopt Resolution 2008-49.

City Manager Shilanski reported this resolution if for two grants that were previously received June 15, 2007 and Dec. 31, 2007, and is a housekeeping item to complete the paperwork.

Discussion:

- stated the Council was informed of these grants in manager reports;
- commented that this resolution is needed to satisfy the audit requirements; and
- stated a process is needed in place so things are not overlooked.

VOTE: The motion passed unanimously.

## IX. UNFINISHED BUSINESS

A. School Project Update

Discussion:

- stated with Steve Cropsey no longer on the phone that the update on the resolutions was sufficient;
- commented the progress to date is appreciated;
- recommended that the public be informed/kept up to date on progress; and
- suggested utilizing the Public Outreach Committee, and Public Service Announcements.

X. NEW BUSINESS

A. Anchorage Statehood celebration invitation - Delegate Selection

Discussion:

- stated that Anchorage has asked communities to send two delegates;
- commented that this is something Council Members would participate in; and
- noted that the request does not cover travel expenses.

Tim Sands and Steve Hunt expressed interest with Carol Shade as an alternate.

B. Consideration of re-naming boat harbor after Truman Emberg

Mayor Ruby informed Council that Pete Andrew submitted this request. Mr. Emberg was one of the drafters and signers of the Alaska Constitution and would be a positive reminder of Dillingham's role in the process to Statehood. This item will be deferred to the next agenda when Pete can attend and a better historical perspective can be given.

C. Committee Appointments

Mayor Ruby informed City Council that not all appointments have been made yet as she is still waiting to hear back from some local entities. The following recommendations were made:

Code Committee: Sue Mulkeit as Chair, Carol Shade and Alice Ruby members

Public Outreach Committee: Steve Hunt as Chair, Bob Himschoot and Alice Ruby members

Finance and Budget Committee: Keggie Tubbs as Chair, Tim Sands and Alice Ruby members

Senior Advisory Committee Liaison: Keggie Tubbs

Grandma's House; Chris Napoli

Nushagak/Mulchatna Watershed Council; Chris Napoli

Facility Committee; Alice Ruby as Chair, Steve Hunt member, Bob Himschoot alternate

MOU Committee; Alice Ruby and Tim Sands members

School Strategic Plan; Keggie Tubbs member

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to concur with Mayor Ruby's committee recommendations of 11/6/2008.

Discussion: None.

VOTE: The motion passed unanimously.

D. Appoint City Clerk

City Manager Shilanski informed Council that the City Clerk position was advertised according to Personnel Regulations. Three applications were received and the interview process has been completed, with a recommendation of Lori Goodell being appointed as City Clerk.

MOTION: Tim Sands moved and Sue Mulkeit seconded the motion to appoint Lori Goodell as City Clerk.

Discussion:

- verified standard hiring practices were followed and code compliancy was adhered to;
- stated Code Committee can review clerk/council relationship;
- commented Council sees clerk one time a month and manager interaction is daily; and
- suggested researching other community policies for comparisons.

VOTE: The motion passed unanimously.

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

Deb Burton spoke regarding the Librarian submitting her two weeks notice and the need to keep the library open during any personnel transition.

Mayor Ruby recessed for a five minute break at 8:28 p.m.

**XII. EXECUTIVE SESSION**

A. Legal Matter

B. Personnel Matter

MOTION: Tim Sands moved and Steve Hunt seconded the motion to go into Executive Session after the break, pursuant to Dillingham Municipal Code 5.09.050, Section A and B regarding legal and personnel matters.

Discussion: None.

VOTE: The motion passed unanimously.

MOTION: Keggie Tubbs moved and Steve Hunt seconded the motion to come out of Executive Session at 9:56 p.m.

Discussion: None.

VOTE: The motion passed unanimously

MOTION: Tim Sands moved and Steve Hunt seconded the motion to direct the City Manager to write a letter to Lisa Haggblom stating the City will not pursue the quarantine infraction and that her dog is no longer allowed in Dillingham.

MOTION: Question called by Keggie Tubbs. No objections. *(Clerk note: the effect of this motion is to immediately stop debate.)*

VOTE: The motion passed unanimously

MOTION: Tim Sands moved and Keggie Tubbs seconded the motion to amend Janice Shilanski's contract for City Manager to change the dates in Item 3. No later than October 1, 2009 the City Council shall discuss the completed performance evaluation with Ms. Shilanski, and Item 4. (c) City will provide written notice to Manager of City's interest in a one year extension by October 1, 2009.

MOTION: Question called by Keggie Tubbs. No objections. *(Clerk note: the effect of this motion is to immediately stop debate.)*

VOTE: The motion passed unanimously

### **XIII. COUNCIL COMMENTS**

Carol Shade:

- thanked staff for their hard work;
- stated she is glad to have Janice onboard; and
- commented she is looking forward to the upcoming meetings.

MOTION: Keggie Tubbs moved and Tim Sands seconded the motion to direct the Mayor to proceed with the special project manager and bring it to the December meeting.

Discussion: None.

VOTE: The motion passed unanimously

Keggie Tubbs:

- congratulated and welcomed Janice and looks forward to working with her; and
- stated support for the Ketchikan Gateway Borough letter encouraging renewed State funding in the future for current unfunded mandates.

Discussion:

- commented this issue will be discussed at AML and to wait on any action; and
- stated results from AML discussion can be included in the December packet.

Keggie Tubbs:

- commented on BBNA's CEO's letter to the state regarding capping of gas prices;
- stated the City should set the example and take the lead on this issue; and
- welcomed Lori Goodell as City Clerk.

Tim Sands:

- clarified the volunteer employee issue is investigation only for now;
- congratulated Janice Shilanski and Lori Goodell;
- welcomed Bob Himschoot; and
- thanked City employees for keeping the City running.

Steve Hunt:

- welcomed Janice, Lori and Bob.

Sue Mulkeit:

- welcomed Janice, Lori and Bob; and
- commented on appreciation for City staff.

Bob Himschoot:

- congratulated Janice, and Lori;
- stated support for the Ketchikan Gateway Borough policy paper;
- commented on the foreclosure article in the Bristol Bay Times newspaper noting Janice handled the City's position well as a last resort;
- stated he will need to attend the December meeting by phone; and
- thanked Council for their patience.

#### XIV. MAYOR'S COMMENTS

Mayor Ruby:

- welcomed Bob and Carol and appreciated their great participation;
- thanked staff for their time and effort;
- expressed special thanks to Police Department and their good work;
- welcomed Janice and Lori;
- commented that Council Members interested in the school project can schedule a tour thru Steve Cropsey or Janice Shilanski;
- noted that she will follow up on viewing the fire truck;
- thanked the election judges; and
- commented on the great voter turnout.

A moment of silence was observed for all those lost since the last meeting.

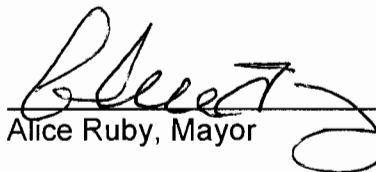
#### XV. ADJOURNMENT

Mayor Ruby adjourned the meeting at 10:12 p.m.

ATTEST:



  
Lori Goodell, City Clerk

  
Alice Ruby, Mayor