



## CITY COUNCIL SPECIAL MEETING

Tuesday March 19, 2024 at 5:30 PM

### MINUTES

#### CALL TO ORDER

A special meeting of the Dillingham City Council was held on Tuesday, March 19, 2024, at the Dillingham City Council Chambers and via video conferencing, in Dillingham, Alaska. Mayor Ruby called the meeting to order at 5:30 p.m.

#### ROLL CALL

Mayor Ruby was present.

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

Bertram Luckhurst

Michael Bennett

Curt Armstrong

Steven Carriere

Kaleb Westfall

Kevin McCambly

#### PLEDGE OF ALLEGIANCE

#### APPROVAL OF AGENDA

**MOTION** to approve the agenda made by Kaleb Westfall, seconded by Michael Benett with the amendment to move CITIZENS COMMENTS above ORDINANCES AND RESOLUTIONS.

Discussion: None

VOTE YEA: Council Members Bennet, Carriere, Westfall, Luckhurst, McCambly, Armstrong. Vote was unanimously approved; motion carried.

#### CITIZEN'S DISCUSSION

- **Chisty Nesser** addressed the **Resolution No. 2024-21**. She was speaking on behalf of her brother, Acting Chief Craig Maines. She felt it was an insult and unfair not to have interviewed Craig for the Chief of Police position.
- **Cody Herzberg** stated he had been employed with the COD for four months. He believed that a rotational Chief of Police was not an acceptable alternative.

- **Craig Maines, Acting Chief of Police** stated he has been interested in Chief's position and was told that he would be interviewed for the position. He has been employed for fifteen years. He does want a fair chance to be Chief. He only desires fair hiring practice.

## **ORDINANCES AND RESOLUTIONS**

### **RESOLUTION 2024-18 A RESOLUTION OF THE DILLINGHAM CITY COUNCIL ACCEPTING THE YEAR END AUDIT FOR THE FISCAL YEAR ENDING JUNE 30,2022**

MOTION to approve by Steve Carriere, seconded by Kaleb Westfall.

VOTE YEA: Council Members Bennet, Carriere, Westfall, Luckhurst, McCambly, Armstrong. Vote was unanimously approved; motion carried.

### **RESOLUTION NO. 2024-19 A RESOLUTION OF THE DILLINGHAM CITY COUNCIL APPOINTING DANIEL DECKER AS ACTING CITY MANAGER**

MOTION to approve amendment by Kaleb Westfall with the amendment to the second Whereas that Ms. Johnson fulfilled her contract on March 15, 2024, Michael Bennett seconded.

VOTE YEA: Council Members Bennet, Carriere, Westfall, Luckhurst, McCambly, Armstrong. Vote was unanimously approved; motion carried.

### **RESOLUTION NO. 2024-20 A RESOLUTION OF THE CITY COUNCIL OF DILLINGHAM ALASKA APPOINTING JON SORENSEN AS ACTING CITY CLERK**

MOTION to approve by Michael Bennett, seconded by Steve Carriere.

DISCUSSION       None

VOTE YEA: Council Members Bennet, Carriere, Westfall, Luckhurst, McCambly, Armstrong. Vote was unanimously approved; motion carried.

### **RESOLUTION 2024-21 A RESOLUTION OF CITY COUNCIL OF DILLINGHAM ALASKA , ALASKA, APPROVING THE APPOINTMENT OF TRACY O'MALLY AS CHIEF OF POLICE**

MOTION to approve by Kevin McCambly, seconded by Kaleb Westfall.

#### **DISCUSSION**

- Curt Armstrong asked if the "Two Week On-Two Week Off" had changed? Is the application period still open?
- Dan Decker explained that the application period is still open. The city had stopped receiving applications several months ago. He has been in discussion with Officer O'Malley and there will be a greater length of time that she will be "Boots On The Ground" for the next two months, and in the busy summer months she will be here basically full time as she will bring her son with her. Dan added that Officer O'Malley has never taken a housing stipend, and that she rents a place in Dillingham. She has been here for years and has great ties to the community.

- Steven Carriere questioned how an interview process would be conducted. Dan Decker explained that it would be himself and persons from various organizations within the community, and possibly one council member.

**MOTION:** Kaleb Westfall moved to postpone Resolution NO. 2024-21 until the next meeting or special council meeting to allow for an interview process. Bert Luckhurst seconded.

**VOTE YEA:** Council Members Michael Bennet, Steve Carriere, Caleb Westfall, Bert Luckhurst, Kevin McCambly, Curt Armstrong. Vote was unanimously approved; motion carried.

### **CITIZENS DISCUSSION**

- **Chrissy Nesser** believed there was a conflict of interest in the selection process since Dan Decker and Tracy O'Mally had both worked with her brother, Acting Chief Maines, and that admitted short-cuts were taken in the process.
- **Dan Boyd**, former city employee, asked the status of previous candidates and defined a "conflict of interest" as only related to monetary gain.
- **Sgt. Tracy O'Mally** stated Acting Chief Maines has been offered the Chief's position but had declined the offer due to the level of pay. She also stated that she would be spending more time here and when absent would be working remotely. A lot of problems have arisen in the department as a direct result of negligence by Acting Chief Maines. Case work has been neglected and cases are not getting to the DA's office on time. Further, she must testify in a hearing because the Court would like to know why a case was opened in January and they did not receive their Discovery until March. Other State agencies are reporting that they are not getting what they need and that they get no response from Acting Chief Maines. The State Crime Lab scheduled a training session, and no one was made aware of this. If she hadn't been here they would not have been able to execute their training. Within the space of one year, the department has had sixteen lateral officers resign. They did not feel safe because there was no response to their call for "back up". Also, there was no leadership within the department.
- **Suzie Jenkins Brito** encouraged the Council to reach out to inter-department agencies to participate in an interview panel and solicit letters of support for whom they would find as the best Acting Chief.
- **Acting Chief Craig Maines** stated he had never been offered the position, otherwise he would have accepted it. Scheduling of officers is the reason for high turnover. Inadequate staff to provide backup. He has been trained and will continue to be. It is difficult to recruit officers, especially locally.
- **Laura Jungreis, Assistant District Attorney**, stated that the things that are truly detrimental to a community are a lack of training on the part of officers, accountability of officers and their supervisors, and lack of community trust. In her experience here, she has witnessed all three.
- **Sgt. Tracy O'Mally** stated that in her absence the officers were not held accountable to complete their cases. This was also the responsibility of the Chief.

## **SPECIAL BUSINESS**

### **GCI UNICOM Easement Discussion**

FOR THE RECORD council member Michael Bennett stepped away from the council table to recuse himself due to a possible conflict of interest.

GCI representative, Rebecca Marcelly, explained the scope of the project, its pathway for buried cable and questions related to easements and alternative routings.

**COUNCIL COMMENTS**           None

**MAYORS COMMENTS**       None

### **ADJOURNMENT**

Mayor Ruby called meeting adjourned at 7:24 PM