

**Regular City Council Meeting**  
**February 3, 2016 @ 7:00 pm**  
**Cordova Center Community Rooms A & B**  
**Minutes**

**A. Call to order**

**Mayor James Kacsh** called the Council Regular Meeting to order at 7:00 pm on February 3, 2016 in the Cordova Center Community Rooms.

**B. Invocation and pledge of allegiance**

**Mayor James Kacsh** led the audience in the Pledge of Allegiance.

**C. Roll call**

Present for roll call were **Mayor James Kacsh** and Council members **Kristin Carpenter, Tom Bailer, Josh Hallquist** and **James Burton**. Council members **Tim Joyce** and **David Reggiani** were present via teleconference. Council member **Robert Beedle** was absent. Also present were City Manager **Randy Robertson** and City Clerk **Susan Bourgeois**.

**D. Approval of Regular Agenda**

**M/Burton S/Bailer** to approve the Regular Agenda.

Vote on the motion: 6 yeas, 0 nays, 1 absent. Carpenter-yes; Beedle-absent; Joyce-yes; Bailer-yes; Burton-yes; Reggiani-yes and Hallquist-yes. Motion approved.

**E. Disclosures of Conflicts of Interest**

**Mayor Kacsh** declared that regarding item 9a - he is a direct neighbor of **Tony Rodrigues'**. Council concurred that **Mayor Kacsh** was not conflicted on the item.

**F. Communications by and Petitions from Visitors**

1. Guest Speaker - **Clay Koplín**, CEC, Crater Lake feasibility study report. **Koplín** gave a high-level overview of the feasibility study that was paid for jointly by the City of Cordova and Cordova Electric Cooperative. The study was seeking the feasibility and approximate costs and time frame of obtaining a new hydroelectric and water source using Crater Lake. The cost range was put between \$12m - \$26m. The cost estimate split was almost equal about 48% City and 52% CEC. The benefit / cost ratio ranged from 1.1 - 1.6 for CEC and from .96 - 1.4 for the City. Steps forward would be to organize the stakeholders, start design work (2 phases - geotechnical drilling then use that data to design and bid the project). The timeline would be about 1 year of design work and bidding and then about 2 years of construction.

2. Audience comments regarding agenda items

**Tony Rodrigues** of 826 Woodland Dr. spoke regarding his letter to Council which led to the report in tonight's packet. He was urging Council to seek a solution.

**Bob Rodrigues** of 509 Fifth St. commented on the Manager's report item concerning the culvert at Forest Heights Subdivision. He thought Council should spend the \$18k or so in order to gain the property tax revenue into the future.

**Mark Frohnafel** 828 Woodland Dr. spoke to the Forest Heights culvert issue. He opined that this was a good opportunity for the issues to be addressed and remedied.

**Dick Groff** of 201 Whiskey Ridge Rd spoke to agenda item 14. He urged Council to create revenue by leasing that office space to offset the costs of maintaining that building.

3. Chairpersons and Representatives of Boards and Commissions

**Mayor Kacsh** reported that he had met last Thursday for a noon lunch with representatives of boards and commissions and there would be a report in the next packet about that.

**Barb Jewell** said the superintendent wanted her to relay his thanks to all the community members who contributed to the Tip-off Tournament - it went really well.

**Carpenter** said HSB would meet on 2/11/16.

4. Student Council Representative Report - was not present

**G. Approval of Consent Calendar**

**Mayor Kacsh** declared the consent calendar before Council.

5. Council's action on right to protest or waive protest of liquor license renewals

6. Record excused absence of Council member **David Reggiani** from the 1/6/16 regular meeting

Vote on the consent calendar: 6 yeas, 0 nays, 1 absent. Beedle-absent; Hallquist-yes; Burton-yes; Joyce-yes; Carpenter-yes; Bailer-yes and Reggiani-yes. Consent Calendar was approved.

## H. Approval of Minutes

*M/Burton S/Hallquist* to approve the minutes.

7. 1-6-16 Regular Meeting Minutes

Vote on the motion: 6 yeas, 0 nays, 1 absent. Hallquist-yes; Reggiani-yes; Bailer-yes; Beedle-absent; Carpenter-yes; Joyce-yes and Burton-yes. Motion approved.

## I. Consideration of Bids - none

## J. Reports of Officers

8. Mayor's Report – *Mayor Kacsh* said he talked to a business owner from Harbor Loop Road and he was grateful for the Streets crew that fixed potholes last week – they jumped on it quickly. He has a meeting this Friday with a representative from Alaska Airlines.

9. Manager's Report – *Robertson* said that *Bitney* would be addressing council at the next session – until now not much has been going on. Also, Joanie Behrends will be at the next Council meeting to discuss an upcoming oil spill drill on February 22 – 25 and also Alaska Shield coming on April 1 & 2. *Robertson* thanked *Commander Jarnac* because the Sycamore is out away from town presently but he coordinated with the Hickory out of Kodiak which will come to Cordova for Ice Worm weekend to assist with events. *Robertson* reported that 4Q sales tax was up and the CT Scanner transformer is in.

*Robertson* asked Harbormaster *Tony Schinella* to speak to Council about the waste oil that we give to Ocean Beauty. The Harbormaster reported that the EPA has said that the oil we give to Ocean Beauty can no longer be burned in their waste oil burner because EPA says it is coming from an uncontrolled source. This mandate will be a great expense for us now because we will have to get rid of this oil instead of just delivering it to Ocean Beauty. He has been exploring what some other harbors do with their oil. Most either burn or ship south. EPA has said Ocean Beauty would have to test the oil at an EPA approved testing facility – in San Diego – this would be cost-prohibitive. *Robertson* said we are still fleshing out options – this has just become known to us he just wanted to keep Council in the loop.

a. report on Forest Heights Subdivision (*Rodrigues*) culvert

*Robertson* said between 2009 and 2011 the City spent about \$60k on some kind of emergency on a lot below the Rodrigues lot regarding the same culvert. At that time it was infiltrating the road and the electrical system – that council thought it important enough to spend public dollars *Robertson* said at this time it is Council's option as to what to do.

*M/Carpenter* to refer to staff to explore the possibility of a special assessment district being setup for this. This motion died for lack of a second.

*M/Bailer S/Hallquist* to direct the City Manager to negotiate with Mr. Rodrigues to get a solution to this issue.

*M/Joyce* to split the cost of the culvert fix 50/50. This motion died for lack of a second.

*Joyce* was wondering exactly what the motion on the floor meant – for correction of this issue? He thought council should give the manager better direction.

*M/Hallquist S/Bailer* to amend the motion by adding that the City would cover \$18,500 toward the cost of the necessary fix to the culvert.

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent. Hallquist-yes; Reggiani-yes; Beedle-absent; Carpenter-yes; Joyce-yes; Bailer-yes and Burton-yes. Motion approved.

Vote on the main motion as amended: 6 yeas, 0 nays, 1 absent. Joyce-yes; Burton-yes; Beedle-absent; Reggiani-yes; Carpenter-yes; Hallquist-yes and Bailer-yes. Motion approved.

10. City Clerk's Report – *City Clerk Bourgeois* said that she has been busy with the upcoming election – has 16 absentee ballots to mail tomorrow. Declaration of candidacy closed yesterday so she is able to now print ballots. *James Wiese, James Burton* and *David Allison* are each running unopposed for the three Council seats. *Elton Brown, Dave Reggiani, Clay Koplín* and *Kelley Weaverling* are running for Mayor and *Tammy Altermott* and *Barb Jewell* are running for the 2 school board seats.

## K. Correspondence

11. 01-15-16 Population determination from DCCED for Cordova 2015

12. 01-19-16 Letter from Mayor to ADFG Commissioner Cotton regarding Tanner Crab

## L. Ordinances and Resolutions

13. Ordinance 1141 An ordinance of the City Council of the City of Cordova, Alaska, authorizing the transfer of \$1,300,000 from the general reserve fund to the Cordova center capital project fund #426, to provide a source of money for the completion of the Cordova Center – 1<sup>st</sup> reading

**M/Carpenter S/Bailer** to adopt Ordinance 1141 An ordinance of the City Council of the City of Cordova, Alaska, authorizing the transfer of \$1,300,000 from the general reserve fund to the Cordova center capital project fund #426, to provide a source of money for the completion of the Cordova Center

**Hallquist** asked about the \$500k in change orders and wondered what that consisted of; did Council approve all of those. **Robertson** said the bulk of that is the \$300k approximate cost of the windows. The rest were smaller things that added up - there was visibility - only the larger items were coming to Council for change orders. There were 55 change orders roughly - \$300k being windows that means each change order was \$200k/55 = approximately \$3k - \$4k.

**M/Bailer S/Reggiani** to amend the ninth whereas in the ordinance by removing after library facility, "and money derived from the temporary lease or rental of the 'old city hall'".

**Bailer** said he has heard of 3 different uses for that money so he'd like that stricken for now, until we are more certain what we are doing with that money. **Reggiani** supports that - he likes the idea of that but it could be awkward until more specific. Vote on the motion to amend: 6 yeas, 0 nays, 1 absent. Beedle-absent; Carpenter-yes; Burton-yes; Hallquist-yes; Bailer-yes; Reggiani-yes and Joyce-yes. Motion approved.

**Hallquist** had one more question in the eighth whereas he wants the information on the 'repair the cistern', he said that was new to him. **Rogers** reported that the cistern does not hold water - there are several cracks in the coating. **Hallquist** said that twice he rejected the surface that was prepped for the coating on that cistern. Then he said it was accepted and he opined that was gross negligence on the part of the contractor. He wondered if there was any legal recourse we had regarding that. **Joyce** thought it was at least worth an effort to see if these can be submitted. **Robertson** said he would if that was the Council's direction. **Joyce** said we have bills, we have to pay them, we have money still coming in on land sales, fundraising; he said he would rather handle it this way (reimburse ourselves over time) vs. burden the taxpayers with a mill rate increase. **Reggiani** complimented **Joyce**, he said at budget we discussed this - one agreed-upon main capital project was completion and closing out of the Cordova Center project. This is a good financial move for the City - for the community. **Robertson** said that he is still working with **Bitney** - a strategy is there to go back to EVOS looking for something to come back up to the one third that they have historically said they would cover on the project. He cannot promise anything but it is an avenue worth exploring.

Vote on the main motion as amended: 6 yeas, 0 nays, 1 absent. Carpenter-yes; Hallquist-yes; Joyce-yes; Beedle-absent; Burton-yes; Reggiani-yes and Bailer-yes also on this vote it is appropriate to ask Mayor Kacsh to vote...Mayor Kacsh-yes. Motion approved 7-0.

**Bourgeois** confirmed that on an ordinance moving money from the permanent fund seven yes votes are required and only when there are six Council members voting yes can the Mayor be asked to vote in order to attain the seven yes votes.

## M. Unfinished Business

14. Council action on method of disposal for City land - old City Hall building

**Mayor Kacsh** declared a conflict on this item because his father-in-law has the current contract with the State Troopers - he handed the gavel to Vice Mayor Burton.

**M/Bailer S/Hallquist** to refer this item back to staff to plan a joint work session with Planning and Zoning Commission which would include a visit to the old City Hall building, with the Facilities Manager and get a good idea of what's right and wrong with this building and what kind of investment it would take to get it ready to rent.

**Carpenter** said she wasn't aware as to whether the Troopers had asked for any changes to the building. **Bailer** said we don't know that. **Robertson** said they have not asked for that at all, he was under the impression that the Council didn't want the City putting a dime into it. **Bailer** reminded everyone that between Council and Planning and Zoning there are 4 licensed general contractors and guys that have worked on boats and they could make a good survey of the building before we fully commit to anything. **Carpenter** doesn't see the point to another public meeting - she thinks we are taking a public asset and being the most efficient with it. She also likes the coordination of law enforcement in town. She can't understand why we would go and try to answer questions that haven't been raised. **Joyce** agreed with **Carpenter**. **Reggiani** said he would support a work session with Planning and Zoning - he doesn't feel like he has enough information to make a decision. **Joyce** said this has been on the docket for a long time and for this in between time, while police & fire are still there the best option would be to lease that space out, for fair market value. **Burton** said **Hicks, Trumblee, Robertson** have worked extensively toward this. Tearing it down isn't even on the table for him; like **Mr. Groff** said it is up to us to be good stewards of the public's assets - the ability to recapture some money on this building is a good idea.

Vote on the motion to refer: 3 yeas, 3 nays, 1 absent. Beedle-absent; Joyce-no; Hallquist-yes; Burton-no; Carpenter-no; Bailer-yes and Reggiani-yes. Motion fails.

**M/Joyce S/Carpenter** to direct the City Manager to dispose of the vacant office portion of the old city hall building for fair market value as outlined in CMC 5.22.060 by method 1, negotiating an agreement with the Alaska Wildlife Troopers.

**Carpenter** said she supports the motion. **Bailer** said he does not support this. He said this should go back to Planning and Zoning now.

Vote on the motion: 5 yeas, 1 nay, 1 absent. Beedle-absent; Hallquist-yes; Carpenter-yes; Bailer-no; Joyce-yes; Burton-yes and Reggiani-yes. Motion approved.

15. AMHS committee – council concurrence of Mayor’s appointments to fill seats

**M/Bailer S/Hallquist** to approve Mayor Kacsh’ appointment of **Pete Hoepfner** to serve on the AMHS Committee, in the seat reserved for a school representative.

**Mayor Kacsh** explained that he was just filling these seats as he was hearing from the people he has asked to be on the committee.

Vote on the motion: 6 yeas, 0 nays, 1 absent. Burton-yes; Joyce-yes; Beedle-absent; Hallquist-yes; Carpenter-yes; Reggiani-yes and Bailer-yes. Motion approved.

#### N. New & Miscellaneous Business

16. Planning and Zoning Commission use of land disposal criteria

**M/Joyce S/Burton** to review and amend the Planning and Zoning Commission’s land disposal evaluation criteria.

**Joyce** said he proposed this because he said that the Planning and Zoning Commission has been getting hammered by the public over some decisions they have been making and **Joyce** said that is unfair to burden an appointed board or commission that way – he said more of that should be on Council, the elected body. **Bailer** first corrected **Joyce** by saying that P&Z doesn’t make **decisions** they make **recommendations** and then, he agreed that at least two of the criteria have always given him trouble – the sales tax revenue and proposal price. During the discussion of the specific criteria, Council thought it prudent to include P&Z commission in this, therefore...

**M/Burton S/Bailer** to amend the motion by adding... and have a joint work session with Council and the Planning and Zoning commission to discuss these criteria.

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent. Beedle-absent; Joyce-yes; Hallquist-yes; Bailer-yes; Carpenter-yes; Burton-yes and Reggiani-yes. Motion approved.

Vote on the main motion as amended: 6 yeas, 0 nays, 1 absent. Joyce-yes; Bailer-yes; Burton-yes; Beedle-absent; Reggiani-yes; Hallquist-yes and Carpenter-yes. Motion approved.

17. Pending Agenda, Calendar, Elected & Appointed Officials list

**Mayor Kacsh** asked for an executive session on the attorney RFPs at the next meeting. **Carpenter** said that HSB would be meeting on February 11 (6:30pm) - Council opted to have the joint work session with Planning and Zoning after the HSB since they would already be there (7:30pm).

#### O. Audience Participation

**Bob Rodrigues** thanked Council for their time, staff too.

#### P. Council Comments

18. Council Comments

**Joyce** thanked everyone for the time tonight – we had some good discussion, there was a lot on the table and we got through it all.

**Carpenter** echoed that.

**Bailer** looked forward to getting more information on the old city hall building; when the facts change so will his opinion. He looks forward to getting that.

#### Q. Executive Session - none

#### R. Adjournment

**M/Burton S/Bailer** to adjourn.

Hearing no objections the meeting was adjourned at 9:04 pm.

Approved: March 2, 2016

Attest:



Susan Bourgeois, CMC, City Clerk

