

**CITY COUNCIL REGULAR MEETING
FEBRUARY 18, 2015 @ 7:00 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Acting Vice Mayor Bret Bradford called the Council Regular Meeting to order at 7:00 pm on February 18, 2015, in the Library Meeting Room.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Vice Mayor Bradford led the audience in the Pledge of Allegiance.

C. ROLL CALL

Present for roll call were Council members *Kristin Carpenter, Bret Bradford, Hayley Hoover* and *James Burton*. Council members *Tim Joyce, Tom Bailer* and *Dave Reggiani* were present via teleconference. *Mayor James Kacsh* was absent. Also present were Student Council Representative *Bhren Peña* and City Clerk *Susan Bourgeois*.

D. APPROVAL OF REGULAR AGENDA

M/Burton S/Hoover to approve the Regular Agenda.

Burton said with Council concurrence he'd ask that item 19 be removed from tonight's agenda, as it is no longer necessary for Council action because *Dr. Sundby* has withdrawn his name for consideration as CEO/hospital administrator. Council concurred.

Vote on motion: 7 yeas, 0 nays. Bradford-yes; Burton-yes; Joyce-yes; Carpenter-yes; Bailer-yes and Reggiani-yes. Motion was approved.

E. DISCLOSURES OF CONFLICTS OF INTEREST - none

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speaker - none
2. Audience comments regarding agenda items
3. Chairpersons and Representatives of Boards and Commissions (Harbor, HSB, Parks & Rec, P&Z, School Board)

Burton said Harbor Commission would have their next meeting second week in March.

Carpenter reported for the HSB and said that there was a summary of the meeting with Providence in tonight's packet (the press release), we agreed to keep talking about options – we'll be looking at that pretty hard over the next six months – so for people listening she wants everyone to know that Providence is still very much involved and engaged. She said *Stephen Sundby* has withdrawn his name from being considered for the CEO/administrator job, but he is continuing as interim, and we thank and recognize him for that.

Bailer said Planning and Zoning met last week and *John Greenwood* is the new chair and the *Roemhildt* project had to get referred to staff for some concerns, notably parking.

Barb Jewell, School Board President, reported for the board: 1) Cordova High School has been identified as the #2 ranked high school in Alaska by US News and World Report magazine, also in the top 5% in the nation. *Jewell* explained the ranking is based on participation in AP classes and the percentages of students who pass those exams (which are nationally normed exams), and our student: teacher ratio. She also reported that there were three finalists for the superintendent position, one has unfortunately dropped out – so now they are down to 2 and interviews are scheduled for February 26 – 28. *Jewell* said that she, *Rich Carlson* and *Pete Hoepfner* went to the AASB fly-in in Juneau last week and they met with some legislators and as some Council members are also aware, there's a very concerning budget picture. They have made it pretty clear that they will take away the one time funding that they allocated for last year, which was \$102K for the school district this year. They also speak of removing the \$50 increase to the base student allocation and maybe further cuts. *Jewell* said their message to Juneau was that any dollars cut would be programs that Cordova School District could no longer offer. FY16 looks good she said because of very careful planning over the past couple of years but the following two years will be a concern.

4. Student Council Representatives **Bhren Peña** reported that the Homecoming dance will be this Saturday from 9 pm - 12 am at Mt. Eccles, the theme is Hunger Games, and the chaperones will be Miss Palmer, Mr. Werner and Mr. McGreavey.

G. APPROVAL OF CONSENT CALENDAR

Acting Vice Mayor Bradford informed Council that the consent calendar was before them.

5. Resolution 02-15-10 A resolution of the City Council of the City of Cordova, Alaska, supporting full funding for the state of Alaska harbor facility grant program in the FY 2016 state capital budget

6. Council concurrence of the appointment of the 2015 Election Board

7. Council waiving right to protest renewal of liquor licenses: # 747 Loyal Order of the Moose #1266 – Club License, # 954 Reluctant Fisherman Inn – Beverage Dispensary, # 2433 OK Restaurant - Restaurant

8. Record unexcused absence for Hayley Hoover from the February 04, 2014 Regular Meeting

Vote on Consent Calendar: 7 yeas, 0 nays. Carpenter-yes; Hoover-yes; Joyce-yes; Bailer-yes; Burton-yes; Reggiani-yes and Bradford-yes. Consent calendar was approved.

H. APPROVAL OF MINUTES - none

I. CONSIDERATION OF BIDS - none

J. REPORTS OF OFFICERS

9. Mayor's Report

- a. Press Release of 02-12-15 in re City of Cordova and Providence Health & Services Alaska

Bradford asked **Reggiani** if he could report further on the trip to Anchorage – the meeting with Providence. **Reggiani** said **Mayor Kacsh** took the lead on putting together the press release; he, **Carpenter** and **Burton** contributed and Providence was included to make it a joint effort. He said the short of it is that Providence and the City Council are going to work on structuring it in a way to continue third party management at CCMC.

10. Manager's Report

- a. Cordova Center update report – **Rogers** had a written report in the packet and under schedule – the mock up window should be here in a couple of days – today was the first day of window removal. **Chris Gilberto** from Dawson is here today, **Cory Wall**, architect, will be here tomorrow, and an Otis Elevator rep will be here tomorrow. Fire dampers – instead of one we will end up with six – those are being ordered and installed soon, the elevator mods are being worked on, window framing will be worked, and investigating a blockage in a ductal iron/ sewage pipes. **Weston Bennett's** been giving lots of tours – cub scouts today – about 90 people have been through so far. **Rogers** said we are about half way through the 8-month schedule so we are getting really busy now.
- b. Whiteshed Road bike path project – update – **Bradford** said this looks as though the State is looking for a decision from the City as to whether we are still interested in this project or not. The concurrence of Council after some discussion was that while not committing any money right now, they would like to report back to the State that we are interested in keeping this on the STIP.

11. City Clerk's Report – **Bourgeois** mentioned that 2nd week in March assessment notices will be sent, Deputy Clerk is finishing entering all the new data. Absentee in person is occurring at City Hall and she's been busy mailing absentee ballots as well. March 3, 2015 is Election Day and absentee in person is occurring at City Hall M-F 8am-5pm until March 2.

K. CORRESPONDENCE

12. DCCED Letter regarding Cordova's Population Determination of 2,286 for 2014

13. Letter from Barb Jewell regarding CCMC

14. Letter from Bob Jewell regarding CCMC

15. Letter from Faith Wheeler-Jeppson regarding CCMC

16. Letter from Kris Johnston regarding CCMC

17. Letter from some CCMC employees, presented by Kevin Byrd

18. US DoT order regarding Alaska Airlines, EAS 02-15-15

Bradford commented that we have excellent air service and he notices that AkAir makes \$7.8 million for these rural flights and he will try to look into that a little more, as he wonders why we pay so much to fly these short distances when the airline is making so much on EAS for having these routes.

L. ORDINANCES AND RESOLUTIONS - none

M. UNFINISHED BUSINESS

19. Rescind Resolution 11-14-45

This agenda item was removed at approval of the agenda.

N. NEW & MISCELLANEOUS BUSINESS

20. Discussion item: repeal of City Charter Section 3-9 Hospital

Reggiani kicked this off and said that these two items are pretty interrelated, i.e. 20 & 21. The idea is there needs to be some modifications made to charter and code to better reflect the third party management of the hospital. During the meeting with Providence, we touched on these. **Joyce** understands where these are coming from, says this all stemmed from the community meetings years ago which led to the RFP for hospital management. People then were in agreement that the City needed to be removed from any management role and charter and code changes were said to be forthcoming; he said, he thinks we are there now. **Carpenter** said we should act on the charter first. She thinks the code is more difficult – maybe leave that to staff and the attorney but the charter, Council could act on by calling the special election and putting it before the people. **Reggiani** agreed with **Joyce** and said this was for Council discussion at this time in order to give staff direction on how to pursue this charter change while at the same time having to pause in order to see which parts may be required to remain and which need to be repealed. **Reggiani** said he would suggest the charter change be put before the voters as soon as possible. He hopes maybe a recommendation could come before them at the next Council meeting so we can start moving toward the required special election. There was a concurrence of Council to direct staff/legal to do just that. **Bourgeois** informed Council that **City Attorney Holly Wells** was in fact on the line so she was getting all of this specific input from Council.

21. Discussion item: repeal and replace CMC Title 15 City Owned Medical Facilities

Reggiani was glad to hear **Wells** was listening in. His hope for Title 15 would be that it would specifically be focused to a third party management and then deliverables in the contract we draft with such a third party would specifically match the language in the title. **Wells** said that is a sound direction that is very doable and what she understands that she is tasked with is to write this in a way that gets a clear and concise template for management that also allows flexibility and is directed toward a third party management system. **Joyce** opined that if we change the charter and remove the hospital as a City department, then the health services board will no longer need to exist and it will just be the Council administering a contract. So, in that he sees a lot of Title 15 that could just go away. **Wells** agreed that it will be very clean, she said how we did revise 15 once but we were bound by the charter, so now if we amend the charter, opening that up will allow 15 to be much more clear and concise. **Bourgeois** wondered if Council has any idea for a date for the election. **Wells** asked Council if they wanted her at the next meeting to hash through all of this. **Joyce** opined that this might require a workshop. **Bradford** said the charter change is quick and clear and easy for **Wells**. **Reggiani** said in the talks with Providence we decided on a 30 day regroup and it would be nice if we could have the charter part moving ahead for a vote and then maybe a work session sooner rather than later. **Bradford** agreed and thought we could take it in pieces and if **Holly (Wells)** has the charter part next time and then maybe the Title change after that. **Bourgeois** said there is a tentative work session with **Sean McCallister** and Providence set for March 18 previous to the Council meeting on that night. **Reggiani** said related to this, as we are moving ahead with changes we discussed, Providence was also supposed to provide us with some answers and he hasn't seen those yet. **Bourgeois** said she hasn't received those either; she will forward those on to Council as soon as she gets answers from Providence.

22. Council decision on disposal status of a portion of Tract 1A, Ocean Dock Subdivision #2

M/Burton S/ Hoover to make a portion of Tract 1A, Ocean Dock Subdivision number 2, 'Available' in the 2015 Land Disposal Maps.

Burton said this has been discussed at Planning and Zoning and Harbor Commission for a long time now and we have to do this part in order to do the next step in item 23. *Reggiani* said there are 4 different designations and he is in favor of making it available but available for lease only. *Joyce* said he is very much opposed to this. He said we just spent \$100K to move Samson because we ran out of room, yet we are about to put another structure there. He sees the need but thinks there is a better location; the edge of our property or better yet, have the interested party fill off the end of the property and create their own space. *Burton* said as far as how it's made available, he agrees that should be taken up at the next step. To respond to Mr. *Joyce* though, *Burton* went on to say there have been numerous meetings and workshops and site visits with the Harbor Commission, absolutely wanting to make the best use of the land down there – they explored several options and revisions to come up with this plan. There was unanimous support from the harbormaster, Harbor Commission on doing something like this, because there is such a need for something like this. Also, he said, its not like we have a building that's in the way of boats, it's a building that boats will go inside of. *Burton* said this was the most reasonable and most accessible location of all the ones we looked at. *Bradford* said he thinks Harbor Commission has been chewing on this for a long time – he's with Mr. *Burton* on this, he's excited for the development. *Bailer* agreed that we should only lease this lot.

M/Bailer S/Joyce to amend the motion to say available by lease only.

Joyce said this is very valuable property of the City's he'd hate to see this disposed of in anyway but by lease.

Burton said that the intent was always for a lease.

Vote on motion to amend: 4 yeas, 3 nays. Joyce-yes; Bailer-yes; Burton-no; Hoover-no; Reggiani-yes; Bradford-no and Carpenter-yes. Motion passes.

Reggiani asked *Burton* about the idea behind the location and direction of the layout of the building. How was that decided upon? *Burton* said several locations and orientations of the building were looked at, he said in this configuration the building can be accessed from 2 directions, west and east. This allows for larger vessels of 100 – 120 feet could be staged inside, in other configurations those would not have fit. Other locations, adjacent to the road had State right-of-way issues. This site was unanimously agreed upon by the Harbor Commission.

Vote on main motion: 7 yeas, 0 nays. Carpenter-yes; Bradford-yes; Joyce-yes; Hoover-yes; Burton-yes; Reggiani-yes and Bailer-yes. Motion passes.

23. Council decision on land disposal for a portion of Tract 1A, Ocean Dock Subdivision #2

M/Reggiani S/Bailer to direct the City Manager to dispose of a portion of Tract 1A of the Ocean Dock Subdivision # 2 by # 4 requesting sealed proposals.

Reggiani said his motion is for sealed proposals, not by the suggested motion. He said he saw nothing compelling in the materials presented to suggest that direct negotiation should be the method. He believes the most transparent process for disposal would be to put it out for sealed proposals. *Burton* disagrees; there have been notices about this out in the public and all over, he hasn't heard a peep from anyone else expressing interest in doing this sort of development. He would prefer the suggested motion.

M/Burton S/Hoover to amend the motion to say by method # 1 negotiate an agreement with the person who applied to lease or purchase the property.

Burton said we have been back and forth with the *Blacklers* and they are pretty much ready to go with this.

Joyce said he understands *Burton's* point regarding expediency. However, he said, the Planning and Zoning Commission and the Harbor Commission aren't the City Council, they may serve special interests but Council has the entire community to look out for. *Joyce* agrees there may be others interested, just because we haven't heard from them yet doesn't mean that we shouldn't put it out for all. *Reggiani* said we just made it available and then we dispose of it – to have these items back-to-back like that, just doesn't seem appropriate.

Vote on motion to amend: 3 yeas, 4 nays. Bradford-yes; Reggiani-no; Bailer-no; Hoover-yes; Carpenter-no; Joyce-no and Burton-yes. Motion fails.

Reggiani said when we go out for proposals, he thinks it's important to focus what the proposal criteria might be. He also thinks we should specify a bit what other criteria we may want. He would like to address that now, so that we get proposals that match our intent. After lengthy Council discussion, 4 criteria for this specific lot sale were arrived at by City Council.

M/Joyce S/Reggiani to include in the RFP packet four items: 1) a long-term lease; 2) vessel maintenance building; 3) how will the applicant comply with all applicable environmental laws; 4) how will the applicant indemnify the City for any liability.

Vote on motion: 7 yeas, 0 nays. Hoover-yes; Carpenter-yes; Burton-yes; Bradford-yes; Bailer-yes; Reggiani-yes and Joyce-yes. Motion passes.

Acting Vice Mayor Bradford said...back to the motion as above: **M/Reggiani S/Bailer** to direct the City Manager to dispose of a portion of Tract 1A of the Ocean Dock Subdivision # 2 by # 4 requesting sealed proposals.

Vote on motion: 7 yeas, 0 nays. Bradford-yes; Reggiani-yes; Hoover-yes; Carpenter-yes; Joyce-yes; Bailer-yes and Burton-yes. Motion passes.

24. Pending Agenda, Calendar, Elected & Appointed Officials lists

Bourgeois asked if Council wanted to see the capital priorities list next time as they usually look at it quarterly. Council agreed they would like it on the next agenda. **Bourgeois** also mentioned that **John Bitney** will be a guest speaker next time to give Council a report on the legislative session so far. She mentioned a few more dates of upcoming meetings: March 18 – tentative work session 6pm with Providence. Special meeting noon March 12 to certify the election results. P&Z is hosting a flood plain training at 6pm on March 12 in the LMR.

O. AUDIENCE PARTICIPATION

Robert Beedle of 609 Spruce said that Harbor Commission did look at this shipyard building and it has taken 20 years to do the travel lift, let's not wait all that time again to get the building done. This is an opportunity to have more economy in this town. There's someone who wants to spend their own money to do it. He urged Council to be careful micromanaging the harbor – they know their own stuff.

Patti Kallander of 302 Orca Inlet Drive said she encourages Council to keep moving forward on CCMC issues – she likes the idea of a clear description of the City's role in Healthcare – her opinion is no role. She said as far as the boatyard building, she knows it is an important project but at the same time is not thrilled about the connex building, she thinks it would be an eyesore.

P. COUNCIL COMMENTS

25. Council Comments

Burton agreed with **Robert Beedle's** comments, he wished more Council members had been at the Harbor Commission meetings when this was discussed.

Carpenter wanted to explain her vote on the Ocean Dock lot – i.e. voting to go out for proposals. She said she understands that the Harbor Commission spent a lot of time on the issue but she feels strongly that it should go through the process that everyone else goes through. Better to do it right than to have it perceived as a shortcut and then to have to do it over again.

Bailer said he is a strong supporter of having a building on the Ocean Dock fill and he also appreciates the work of the Harbor Commission but agrees with what **Carpenter** has said about process.

Joyce agrees with those comments.

Reggiani said he appreciates the public comments at the end of the meeting, **Patti** and **Robert**. Complimented **Bradford** on a great job with the meeting tonight.

Bradford said he is excited to see economic development down at the shipyard.

Burton said if this is **Bradford's** last meeting he thanked him and said he appreciated his service. Other Council members joined in thanking Bradford for his service.

Q. EXECUTIVE SESSION

~~26. Providence hospital management contract~~
this item was not necessary tonight

R. ADJOURNMENT

M/Burton S/Hoover to adjourn. Hearing no objections the meeting was adjourned at 08:45 pm.

Approved: March 04, 2015

Attest: 
Susan Bourgeois, CMC, City Clerk

