

**CITY COUNCIL REGULAR MEETING  
MARCH 04, 2015 @ 7:00 PM  
LIBRARY MEETING ROOM  
MINUTES**

**A. CALL TO ORDER**

*Mayor James Kacsh* 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**

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

**C. ROLL CALL**

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

**D. APPROVAL OF REGULAR AGENDA**

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

*Mayor Kacsh* asked that item 2 on the agenda be moved to item 12a.

*M/Reggiani S/Joyce* to strike item 13.

*Reggiani* said he thought that it is a work in progress which is not quite ready for Council yet. *Joyce* agreed that there was no recommendation from planning and zoning yet. *Mayor Kacsh* said then he believed the next step would be that it would go back to Planning and Zoning. City Clerk *Bourgeois* said that was incorrect, in her memo she stated that it was before Council because according to code it will come to council at their next regular meeting; it did not require a recommendation from planning and zoning to come to council. *Joyce* thought maybe planning and zoning could look at an ordinance change regarding parking requirements. *Mayor Kacsh* was concerned about halting progress by striking this item tonight. *Bailer* said he can explain more when he reports for the Planning and Zoning Commission.

Vote on motion to amend: 6 yeas, 0 nays, 1 absent (Bradford). Burton-yes; Joyce-yes; Hoover-yes; Carpenter-yes; Reggiani-yes and Bailer-yes. Motion was approved.

Vote on main motion: 6 yeas, 0 nays, 1 absent (Bradford). Hoover-yes; Joyce-yes; Bailer-yes; Carpenter-yes; Burton-yes and Reggiani-yes. Motion was approved.

**E. DISCLOSURES OF CONFLICTS OF INTEREST - none**

**F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

*Mayor Kacsh* asked if the City Manager would report before the guest speaker on an interest item. *Robertson* presented a City coin to *Enrique Zamudio* for a recent "active save" he performed at the swimming pool. *Robertson* also introduced *Dr. Sam Blackadar* and his wife *Laura*. He stated that he began seeing patients on Monday and he said it was day one, several thousand more to go.

1. Guest Speaker – *John Bitney* said there has been a lot of activity in Juneau regarding cuts to the budget. House finance committee is currently taking public comments. Cordova had 11 people sign up to comment today and 9 spoke to the AMHS needing to be maintained at current levels. Currently there is a \$10 million proposed cut to AMHS - \$2 million from the governor and the rest from the legislative subcommittee. He said how it looks now is that for PWS they would tie up the Chenega all summer and only run the Aurora. Mid-September to mid-October would see the Chenega run while the Aurora goes in for service. There will be a "contract jails" funding cut – Cordova would see a loss of about \$110,000. Governor has proposed taking \$52 million out of the education funding formula which was appropriated last year outside of the BSA. Cordova had seen an additional \$97 thousand which has been removed now. It also does not appear that the legislature will put any capitalization into the revenue sharing program. Cordova might see a \$10 thousand reduction. The Cordova LIO remains funded in the budget. He spoke with *Senator Murkowski* about the Secure Rural



Schools program and she has been working with a Senator from Oregon and she is hopeful but non-committal. The Governor has \$150 million in the capital budget and bond rating agency has reinstated the State's AAA bond rating which gives people the confidence that the state could go ahead with a bond project – likely in the harbors realm.

## 2. Audience comments regarding agenda items

**Janet Elisovsky** of Seventh Street Townhouses, a twenty eight year resident spoke about CCMC and how nice it is to be able to stay in Cordova for treatment, she wished the CT Scanner were here already but is glad it is coming. She is sad that we cannot keep good staff here. She said Cordova is known as a Band-Aid station and that is untrue, over the years she is happy about the care she and her husband have received here but not when there is such turnover in the excellent staff over politics. Elsewhere staff of hospitals in Anchorage are not willing to get to know a patient, they beg to stay in Cordova where the Doctors and Nurses know her and her husband and understand his case, his chart, and his chronic problems.

## 3. Chairpersons and Representatives of Boards and Commissions (Harbor, HSB, Parks & Rec, P&Z, School Board)

**Burton** said Harbor Commission has a meeting scheduled for next week.

**Carpenter** reported for the HSB and thanked **Janet** for getting up and speaking. She wants her to know that they hear these comments loud and clear. They are working with Providence to ensure stability in staff and medical care received. She reiterated that **Dr. Blackadar** is a step in the right direction. She mentioned also that **Sean McCallister** is coming in March 18 for a work session.

**Herschleb** reported that Parks and Rec would be meeting on March 10 they have various items on the agenda including placement of the pump track, setting a new meeting night, etc.

**Bailer** said Planning and Zoning met last week and they kind of ran into a stumbling block trying to move **Mr. Roemhildt's** building plans forward – there was more than one code issue brought up. He thinks that in the past the commissioners and planners didn't do their job well and it was passed and he was part of that issue. He said the current commission is very thorough and we saw several things. He thinks we can move this through rather quickly if we could get some new code written and presented to the Planning and Zoning Commission. It's his hope that **Sam** and **Leif** and **Rich** and **Weston** could all sit down and get these things to us – he thinks they could take it up very quickly, the code revisions that need to come to Council and we could take up the site plan, and maybe pass it based on the condition that Council does approve the code rewrite. It needs to be done and it needs to be done rather quickly as there is somebody that wants to invest three quarters of a million dollars into our community which should take priority.

4. Student Council Representatives **Ashley Reece** reported that homecoming, the last major event of the year, was last week. They are still working on smaller items like fundraising and things to do with the students. A bunch of Student Council members met with the two candidates for superintendent and they liked both, both were very nice.

## G. APPROVAL OF CONSENT CALENDAR

**Mayor James Kacsh** informed Council that the consent calendar was before them.

1. Ordinance 1123 An ordinance of the City Council of the City of Cordova, Alaska, amending Cordova municipal code sections 18.35.010, 18.35.020, 18.35.030, 18.35.040 and 18.35.050 and enacting Cordova municipal code section 18.35.035 conditional uses in the blue zone – 1<sup>st</sup> reading

2. Resolution 03-15-11 A resolution of the City Council of the City of Cordova, Alaska making bycatch and other requests of the NPFMC

3. Resolution 03-15-12 A resolution of the City Council of the City of Cordova, Alaska, calling a special election to be held in the City on Tuesday, May 12, 2015, for the purpose of submitting to the qualified voters of the City a proposition amending article III section 9 of the City of Cordova Charter to apply that charter section to all city-owned healthcare facilities, permit City Council to govern management of city-owned healthcare facilities by ordinance, and eliminate the requirement for a separate healthcare facilities services board



4. Resolution 03-15-13 A resolution of the City Council of the City of Cordova, Alaska authorizing the City to submit to the qualified voters of the City at the May 12, 2015 Special City Election the question of amending article III, section 9 of the City of Cordova Charter to permit City Council to establish management of city-owned healthcare facilities by ordinance and to eliminate the requirement for a separate healthcare facilities services board

5. Record unexcused absence of **Mayor Kacsh** from the February 18, 2014 Regular Meeting

Vote on Consent Calendar: 6 yeas, 0 nays, 1 absent (Bradford). Joyce-yes; Bailer-yes; Burton-yes; Hoover-yes; Reggiani-yes and Carpenter-yes. Consent calendar was approved.

## H. APPROVAL OF MINUTES

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

6. Minutes of 02-04-15 Regular Meeting

7. Minutes of 02-18-15 Regular Meeting

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Carpenter-yes; Bailer-yes; Hoover-yes; Burton-yes; Reggiani-yes and Joyce-yes. Motion was approved.

## I. CONSIDERATION OF BIDS - none

## J. REPORTS OF OFFICERS

8. Mayor's Report – **Mayor Kacsh** said he has heard from some people in the community that possibly cod and halibut will be opening up and yet possibly the processors might not be open at the start of the season. He also said that we are still not making it easy enough for community members to throw their garbage away.

9. Manager's Report – **Robertson** said he met with **Robbie Mattson** and the State will be taking on about a half a mile of Power Creek Rd this summer on their maintenance program. Chief Hicks will report on the marijuana issue statewide, etc.

**Chief Mike Hicks** stated that ballot measure two was approved by the voters and went into effect on February 24. We are taking a slow approach and watching what other communities around the state are doing. He's been educating the officers on the statute and if we pass this ordinance down the road we will approach it with educating the public first, give out warnings, etc. Really, a wait and see attitude on this stuff, let it get tested elsewhere first. **Joyce** said if we don't have an ordinance on the books where does it fall under. **Chief Hicks** said it would fall under Alaska Statute and if we were to write tickets, the money would go to the state. **Robertson** moved on to the pool temperature item which he heard raised. He said over the last three months the temperature has been at 81 degrees which is one degree lower than it had been. There has been a great deal of money savings, he understands there are three or four people in the community who absolutely are unhappy, he has asked **Mrs. Schinella** to purchase some little wetsuits for children to wear in the pool for warmth. The usage is very high and doing well, we are trying to cater to the broadest number of users.

**Reggiani** had a question for **Robertson** regarding the self-insurance that he is looking into for staff medical coverage. He wants to ensure that a recommendation will be coming forward to Council. **Bailer** wanted to reiterate that he hopes that the Planning staff will get the help they need to bring the code change forward at the next Planning and Zoning Commission meeting.

### a. Cordova Center update report

10. City Clerk's Report – **Bourgeois** reported the results of the ballots cast at the polls on Election Day yesterday. She mentioned **Hallquist** ahead for Council seat E with **243** votes **Phillips** received **183**. On Council Seat D **Beedle** **266** and **Allison** received **183**. School Board votes were **Bradford** with **289**, **Hoepfner** had **287** and **Reum** had **219**. Proposition One turned out as follows: yeses were **294** and no's were **169**.

## K. CORRESPONDENCE

11. Letter from Cecelia Wiese concerning CCMC 02-18-15

12. Letter from Pioneer Igloo concerning Cordova Center construction 02-20-15



**Reggiani** asked about the pioneer's letter regarding the sewer belly, he wondered where we are on this; have we made these people whole? **Robertson** deferred to **Rich Rogers**. **Rogers** reported that he has spoken to **Max Wiese** of the Pioneers and **John Baenen** of Wilson Construction and with **Don Sjostedt** of Eagle as all are involved in this. It is complicated and there is still an investigation under way.

## **L. ORDINANCES AND RESOLUTIONS**

**12a. 2.** Resolution 03-15-11 A resolution of the City Council of the City of Cordova, Alaska making bycatch and other requests of the NPFMC

**M/Carpenter S/Reggiani** to approve Resolution 03-15-11 A resolution of the City Council of the City of Cordova, Alaska making bycatch and other requests of the NPFMC.

**Carpenter** said she submitted this to the Clerk and then heard from **Dan Hull** who sits on the NPFMC who informed her that a report will be out in the middle of March which will have a lot more information about this. He told her it would probably be more appropriate to wait and see what that report says.

**M/Carpenter S/Reggiani** to refer this resolution to the Fisheries Advisory Committee.

Vote on motion to refer: 6 yeas, 0 nays, 1 absent (Bradford). Reggiani-yes; Bailer-yes; Hoover-yes; Carpenter-yes; Joyce-yes and Burton-yes. Motion was approved.

**12b. 3.** Resolution 03-15-12 A resolution of the City Council of the City of Cordova, Alaska, calling a special election to be held in the City on Tuesday, May 12, 2015, for the purpose of submitting to the qualified voters of the City a proposition amending article III section 9 of the City of Cordova Charter to apply that charter section to all city-owned healthcare facilities, permit City Council to govern management of city-owned healthcare facilities by ordinance, and eliminate the requirement for a separate healthcare facilities services board

**M/Reggiani S/Joyce** to approve Resolution 03-15-12 a resolution of the City Council of the City of Cordova, Alaska, calling a special election to be held in the City on Tuesday, May 12, 2015, for the purpose of submitting to the qualified voters of the City a proposition amending article III section 9 of the City of Cordova Charter to apply that charter section to all city-owned healthcare facilities, permit City Council to govern management of city-owned healthcare facilities by ordinance, and eliminate the requirement for a separate healthcare facilities services board.

**Reggiani** said this dovetails with the next resolution. At the last meeting he had suggested a repeal of Charter 3-9 so he'd like to hear from **Attorney Holly Wells** as to why this amendment instead of the repeal. **Wells** said that there had been a provision in charter so keeping one there is good, yet at the same time this change gives Council as much flexibility as possible if things change. Therefore, her goal was to make it as broad as she could without actually repealing because repealing is such a significant action. **Wells** mentioned the PERS agreement that the hospital has (which is separate from the City's PERS agreement) as another reason to keep it in there at least in some way. **Reggiani** said he was unaware that the hospital had a separate PERS agreement; he'd like to see a copy of that. **Reggiani** also asked **Wells** if the City could actually sell the hospital. She said yes, it is an option. However there are big questions that would need to be answered by the State on that regarding the PERS agreement and termination studies.

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Hoover-yes; Carpenter-yes; Burton-yes; Bailer-yes; Reggiani-yes and Joyce-yes. Motion was approved.

**12c. 4.** Resolution 03-15-13 A resolution of the City Council of the City of Cordova, Alaska authorizing the City to submit to the qualified voters of the City at the May 12, 2015 Special City Election the question of amending article III, section 9 of the City of Cordova Charter to permit City Council to establish management of city-owned healthcare facilities by ordinance and to eliminate the requirement for a separate healthcare facilities services board

**M/Reggiani S/Burton** to approve Resolution 03-15-13 A resolution of the City Council of the City of Cordova, Alaska authorizing the City to submit to the qualified voters of the City at the May 12, 2015 Special City Election the question of amending article III, section 9 of the City of Cordova Charter to permit City



Council to establish management of city-owned healthcare facilities by ordinance and to eliminate the requirement for a separate healthcare facilities services board.

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Reggiani-yes; Hoover-yes; Carpenter-yes; Joyce-yes; Bailer-yes and Burton-yes. Motion was approved.

~~13. Resolution 03-15-14 A resolution of the City Council of the City of Cordova, Alaska, approving the site plan of Roemhildt Holdings LLC to construct an 8,348 square foot commercial/retail building on Lot 5, Block 2, South Fill Development Park~~

~~(item 13 was removed from the agenda by Council vote during approval of regular agenda)~~

## M. UNFINISHED BUSINESS

14. CIP List/Resolution quarterly Council discussion item

**Joyce** said that G Float is top on our list and in hearing from **Bitney** earlier that seems appropriate because if the state were to go to bond on such harbor type items (i.e. the Anchorage port), then we are in a good place to have that tacked on to such a bond. **Joyce** wondered if **Bitney** thinks we should add other Harbor improvements, really he wondered how much **Bitney** thinks we should be asking for. **John Bitney** spoke to Council about this item and said G Float replacement is a \$4 million project and when we submitted it to CAPSIS we put it in as a total of \$8 million. Council seemed comfortable with that and **Bitney** agreed.

15. City Council discussion of proposal packet for land disposal Lot 4A Block 5 North Fill Addn No. 2

City Planner **Sam Greenwood** said that these next two items are before Council because they wanted to put very specific criteria on these land disposal processes. They had asked **Bill Howard** to come to speak to them on the next lot in particular because it is currently used as a snow dump. She said that she has placed the entire proposal packet before them so they can see how it's done and they could now make recommendations to her as to any other changes they would like. Part of what the Planning and Zoning Commission does for this is ranking the proposals using criteria and multipliers, for this specific lot, Council adjusted some of the multipliers. **Reggiani** said he underscores with this entire idea that he wants to make sure the applicant is clear on what the council's intent is for the lot. On this North Fill Lot they spoke to the fact that they want this to be a "marine based business". **Burton** opined that he's heard some people say they want "something new". He fears the Council putting such strict criteria will keep them from hearing someone's great idea, which might not exactly fit the bill but might be the best option, if allowed to be even proposed. **Reggiani** said this is all about City Council being able to steer the development and focus the proposers.

16. City Council discussion of proposal packet for land disposal Lot 13 Block 12 Original Townsite

Council looked at the criteria on this lot and wondered why such things as number of employees was even being considered for this. **Burton** thought we had this back in front of us to hear from **Bill Howard** on whether or not he needed this as a snow dump. **Reggiani** said so, should a criteria be that the proposer be an adjacent land owner. After lengthy discussion on this lot...

**M/Joyce S/Bailer** to rescind the previous motion that was made to put this lot out for proposals.

**Bailer** said he agrees with that. He thinks that there isn't really interest in this lot, he wonders where the interested party is, we've been talking about this for weeks. He prefers to keep it a snow dump. **Reggiani** said he disagrees. He said there is a letter of interest on this lot so there is an interested person. He does not support rescinding at this time. **Reggiani** is in favor of setting up some criteria and if we do not like the proposals we do not have to accept one. He does still want to hear from **Bill Howard**. **Joyce** said he is willing to withdraw the motion to rescind and instead refer to staff. Since this is only a discussion item, Council directed staff to bring back the original motion with **Mr. Howard** present so Council can hear from him.

17. Title 15 Code rewrite discussion

**Reggiani** asked City Attorney Wells how she imagines the code rewrite of Title 15 will go now that we have the charter change moving forward. **Wells** said there will be some clear revisions that will make it easier to read. She said the charter change will completely open it up for us. She went on to say that she cannot really change it now, because we will be living in a loophole; we have to know what direction we are going before



we make the changes. So, she said that is her conundrum because we cannot change the code until we are ready to change “boots on the ground”. **Reggiani** thought that we really need to have this discussion with Providence. **Joyce** agreed and said he thinks **Sean (McCallister)** is coming down at the next meeting and maybe this can be discussed then. **Mayor Kacsh** agreed he would send this on to **Sean** if he doesn’t already have this. **Bailer** said he would just like some clarification for himself regarding Providence. He said at one point they were looking at backing out altogether and being consultants only are we now looking at a long term relationship or is that still up in the air? **Mayor Kacsh** said that he thinks it still is up in the air, but we are in discussions. **Bailer** wondered if they were amicable to that; i.e. to talking long term. **Reggiani** said they are very willing to work with us.

## **N. NEW & MISCELLANEOUS BUSINESS**

### **18. Pending Agenda, Calendar, Elected & Appointed Officials lists**

**Burton** said the PERS agreement with the State peaked everyone’s interest and he would like more information about that (i.e. the separate one at the hospital). It was decided that the PERS discussion would be a good topic for the April 4 off-site visioning session that Council would be having and that **Wells** would be prepared to present a tutorial at that time. **Reggiani** wanted to know if that was a document. **Wells** said it is a list. Council requested a memo from **Wells** regarding the PERS information – she said that will be forthcoming. **Bailer** asked if there could be an outline provided concerning this meeting on April 4 – he wanted to be able to be prepared if certain topics would be coming up – he was just uncertain as to what it was all about. **Robertson** said it is a visioning session – short term and long term plans/goals for the community. He will get something to Council by March 18 if not sooner. **Robertson** said that is the way he took the direction from Council back in November when they said they had never done one (such a goal-setting session) so he has put this one together for them.

## **O. AUDIENCE PARTICIPATION**

**Gus Linville** approached the table with a large bag of trash and put it on the table in front of Council. He said the harbor dumpsters are locked and he is leaving on the ferry in the morning, he is uncertain what to do with his trash so he brought it here. He said he pays City trash and Harbor trash and he is asking the City Council to work with the Harbor Commission to fix the problem. **Linville** also commented that the plants are closed in Cordova at this, the start of the season and he will have to be leaving town to Seward to fish and deliver his fish there. He thinks Council should look into that some way too.

## **P. COUNCIL COMMENTS**

### **19. Council Comments**

**Burton** said he actually had both of those items on his list for comments. He wondered if the City can’t think of a way to incentivize the processors to open earlier. Also, on dumpsters, he believed at one time there was an agreement with Harbor and Refuse – problem is that harbor users aren’t only ones using the harbor dumpsters.

**Hoover** said it was her last meeting – she thanked them for teaching her a lot – said it has been a great experience.

**Bailer** thanked the group – **Mayor Kacsh, Dave, Kristin, James** for working hard on this hospital agreement with Providence. It is really important to this community and he appreciates the time they are spending to try to work it out. His opinion on the pool is that our priorities are a little bit off. The pool is important to a lot of people and to save a little bit of money on a degree seems off when we are about to spend \$4 - \$7 thousand writing code that staff and commissions could do. On the lot that **Howard** wants to keep as a snow dump, he is surprised that the City Manager and the Public Works Director don’t support staff in that. **Howard** shouldn’t have to come in here and tell us that.

**Reggiani** thanked **Hayley** for serving. Congratulated **Beedle** – said he looks forward to serving with him again.

*Joyce* said he thought it would be a good opportunity for the new Council members to get trained – maybe if *Holly Wells* is coming on April 4 she could devote part of the day to that for the new council members (Roberts Rules, OMA, etc.).

Council member *Carpenter* was no longer on the line.

#### **Q. EXECUTIVE SESSION**

*M/Reggiani S/Joyce* to recess for a few minutes at 9:48 pm.

With no objection the meeting was recessed until 9:51 pm.

*M/Joyce S/Reggiani* to enter into an executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect on the finances of the City, specifically: Attorney update on settlement, City Employees Union contract negotiations and PWSSC land disposal negotiations.

Vote on motion: 5 yeas, 0 nays, 2 absent (Bradford, Carpenter). Motion was approved.

20. Attorney update on settlement

21. City Employees Union contract negotiations

The Council was in executive session from 9:52 pm until 10:31 pm. Mayor Kacsh said no action was taken and direction was given to the City Attorney.

#### **R. ADJOURNMENT**

*M/Reggiani S/Burton* to adjourn. Hearing no objections the meeting was adjourned at 10:33 pm.

Approved: April 1, 2015

Attest:



Susan Bourgeois, CMC, City Clerk

