

Regular City Council Meeting
March 7, 2018 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order

Vice Mayor David Allison called the Council regular meeting to order at 7:00 pm on March 7, 2018, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance

Boy Scout Troop #624 presented the colors and led the audience in the Pledge of Allegiance.

C. Roll call

Present for roll call were Council members *Ken Jones, Jeff Guard* (arrived at 7:02), *Robert Beedle, Anne Schaefer, David Allison* and *James Wiese*. Council member *James Burton* was present via teleconference. *Mayor Koplín* was absent. Also present were City Attorney *Holly Wells*, City Manager *Alan Lanning* and Deputy City Clerk *Tina Hammer*.

D. Approval of Regular Agenda

M/Beedle S/Jones to approve the Regular Agenda.

Vote on the motion: 6 yeas, 0 nays, 1 absent (Guard). Motion was approved.

E. Disclosures of Conflicts of Interest

F. Communications by and Petitions from Visitors

1. Guest Speakers - *Jacob Ranney* 2500 Orca Road and representing Boy Scout Troop #624 spoke to Council about the troop's concerns about the safety of getting to the Orca Inlet Recreational Area (Field of Dreams) on Whitshed Road and about the condition of it - i.e. dog waste, etc.

2. Audience comments regarding agenda items - none

3. Chairpersons and Representatives of Boards and Commissions

Barb Jewell said the School Board has hired a group called "Outside the Lines" facilitating part of their strategic planning process. They will be meeting with focus groups on Tuesday March 13 at Mt. Eccles at various times throughout the day, to get public input on needs and wants from the school district - students, staff, community members.

4. Student Council Representative Report - not present but *Vice Mayor Allison* mentioned that the basketball teams are at regionals in Nenana and will be on KLAM starting tomorrow, boys at 1130 am and girls at 3 pm.

G. Approval of Consent Calendar

Vice Mayor Allison declared the consent calendar was before the City Council.

5. Record excused absences of Council members *Burton* and *Beedle* from the February 21, 2018 regular meeting

6. Record unexcused absence of *Mayor Koplín* from the February 21, 2018 regular meeting

Vote on the consent calendar: 7 yeas, 0 nays. Wiese-yes; Jones-yes; Beedle-yes; Schaefer-yes; Allison-yes; Burton-yes and Guard-yes. Consent Calendar was approved.

H. Approval of Minutes

M/Beedle S/Wiese to approve the minutes.

7. Minutes of the February 7, 2018 Council Public Hearing

8. Minutes of the February 7, 2018 Council Regular Meeting

Vote on the motion: 7 yeas, 0 nays. Motion was approved.

I. Consideration of Bids

J. Reports of Officers

9. Mayor's Report - no report

10. Manager's Report - City Manager *Alan Lanning* said there had been a request about bird mitigation last time and a question about developing the mudflat - he sent emails out to Council on both of those items. Also, he had year-end numbers for 2017 that he gave to Council. He said 2017 had General Fund Revenues of \$766,000 over budget - mostly due to the \$716,000 in additional fish tax. General Fund expenses were over the budgeted amount by \$476,000 so the General Fund wound up \$289,000 positive. Overall, *Lanning* said he is a little disappointed, he was hoping to end the year a little under instead of the \$476,000 over in expenses.

11. City Clerk's Report - *Hammer* reported the election was yesterday and the results of ballots cast at the polls are posted. There are up to 70 ballots remaining to count, 58 for sure, but she needs to find out about the 4 questioned ballots

and there are still some absentee by mail that are not back in yet. Also, **Hammer** said that assessment notices were mailed today and the 30 day appeal period will end on April 6.

12. City Attorney's Report - **Holly Wells** reported on: 1) the Beecher Case - it was remanded by the Alaska Supreme Court to the Superior Court for an accounting hearing. This is a collections action from the City from a long time ago and we tried to settle with the Beecher's. There was a settlement agreed to but then they pulled out of the acceptance agreement, this was a couple of years ago. Their claim at that time was that not only did they not owe the City money but that the City owed them money. That was based on some of their personal property that was foreclosed upon by banks and others which was taken, they claim the City took. So at this time we will go through the accounting and show that we don't have that property. **Wells** said, Council will hear from her soon on this. 2) APOC reporting requirements for the upcoming special election ballot propositions - as members of the public, Council members can do whatever they wish to write letters to the editor, or get on the radio, to support or give their point of view on the propositions, but, if as a City, there is a plan to speak one way or the other on a proposition, there must be an ordinance approved to appropriate the money to do that, even if the paper is already bought or if it is staff time to be used, an appropriation of say \$500 or whatever, should be formally approved by this body. Then there would be paperwork at APOC to formally register the City and that all gets done properly.

K. Correspondence

13. 02-16-18 Mayor letter to Senator Murkowski re DC dinner invite

14. 02-16-18 Letter from CDFU re ordinances 1163 & 1164

L. Ordinances and Resolutions

15. Resolution 03-18-08 a resolution of the City Council of the City of Cordova, Alaska, calling a special election to be held in the city on May 15, 2018, for the purpose of submitting to the qualified voters of the city (1) a proposition decreasing the sales tax cap on a single purchase from \$7,500 to \$3,000; (2) a proposition repealing the motor fuels tax, and (3) a proposition amending the Cordova Municipal Code to prohibit marijuana manufacturing and cultivation facilities, marijuana retail stores, and marijuana testing facilities

- Included as backup for information are the ordinances of the people of Cordova, Alaska - **not for Council action but for action by a vote of the people** - see memo

a. Initiated Ordinance 1165 an ordinance of the City of Cordova via the public initiative process amending Cordova Municipal Code Chapter 5.40.030 entitled "exemptions for sales tax" to decrease the sales tax cap on a single purchase from \$7,500 to \$3,500

b. Initiated Ordinance 1166 an ordinance of the City of Cordova via the public initiative process repealing Cordova Municipal Code Chapter 5.39 entitled "motor fuel excise tax"

c. Initiated Ordinance 1167 an ordinance of the City of Cordova via the public initiative process amending Cordova Municipal Code Chapter 8.40.020 to make marijuana establishment operations prohibited in the City of Cordova

M/Beedle S/Jones to approve Resolution 03-18-08 a resolution of the City Council of the City of Cordova, Alaska, calling a special election to be held in the city on May 15, 2018, for the purpose of submitting to the qualified voters of the city (1) a proposition decreasing the sales tax cap on a single purchase from \$7,500 to \$3,000; (2) a proposition repealing the motor fuels tax, and (3) a proposition amending the Cordova Municipal Code to prohibit marijuana manufacturing and cultivation facilities, marijuana retail stores, and marijuana testing facilities

M/Beedle S/Jones to amend the resolution by changing the date of the Special Election to April 24, 2018

Beedle said that May 15 with any luck we will be gillnetting. Also he'd like it sooner. He said there are letters from the processors on their fuel purchases which might be made elsewhere. He said guys will be coming back to town and invoices for nets, etc. will be awaiting them, the sooner the election, the sooner the extra tax would be off of those purchases. On the marijuana issue, there is a business that is trying to start up - she might want this sooner. He opined this should be done as expeditiously as possible. **Jones** concurs with all those points. **Guard** said the Clerk has suggested a date and she wants that date based on it is when she can have her poll workers. They are busy with the NVE election before that. These items on the election are contentious issues, most important that we have experienced workers running the polls. **Schaefer** said she wants to ensure we abide by all the noticing rules and even though it might be near the fishing date, she said there is early voting available for the 2 weeks prior, so that is affording people every opportunity to vote. **Burton** read directly from an email from the City Clerk stating that the earliest she can see this Election happening is May 15. She mentioned charter and code advertising requirements, Cordova Center Election room availability and Election Board availability as her concerns. He also believes that a better turnout would be had on May 15. **Beedle** wanted further clarification on the required noticing. **Wells** said that if your City Clerk has stated the date she can work with, I would go with that date. If anything, **Wells** said if you are concerned with the chosen date you could go out further, but do not go

with a sooner date. **Guard** reiterated that no one is trying to avoid the special election or push it out further to get more in taxes, we hire good staff because they know how to keep us out of trouble. It would be prudent for us to listen to staff. Vote on the motion to amend: 2 yeas, 5 nays. Allison-no; Schaefer-no; Guard-no; Beedle-yes; Wiese-no; Burton-no and Jones-yes. Motion to amend failed.

Beedle thanked the attorney for the clarification on proposition 3 he thinks it is written a lot more clearly now.

Vote on the main motion: 7 yeas, 0 nays. Wiese-yes; Burton-yes; Beedle-yes; Schaefer-yes; Allison-yes; Jones-yes and Guard-yes. Motion was approved.

M. Unfinished Business

N. New & Miscellaneous Business

16. Pending Agenda, Calendar and Elected & Appointed Officials lists

Jones said he had requested the RFP be sent out about expanding the mudflat next to the shipyard. He'd now like some kind of workshop or discussion on that item so we can decide how to move ahead with that. **Wiese** said also a master plan/comprehensive plan needs to be discussed soon. **Lanning** said we can incorporate that into the strategic planning we have coming in April. **Jones** asked for the report from the 2013 South Fill workshops to be available for that. **Allison** asked if the Parks and Recreation Commission could report to us their wants/needs for the Field of Dreams as mentioned by the Boy Scouts. He also replied to the Scouts questions about the road out there, the City and NVE are partnering on the local match to a state project on a pedestrian path on Whitshed Road. **Hammer** ensured that we would have 4 Council available for a quick noon meeting on Thursday March 15 at Noon to certify the election - she received confirmation.

O. Audience Participation

Alex Russin 209 South Second Street and Superintendent of Schools said that they just wrapped up their accreditation process, every five years, we have been accredited as a high school since 1934 - he recently was looking at archives and found the accreditation criteria from 1936. He mentioned that **Cori Pegau** is a National Merit Finalist which is a huge accomplishment. One of a very small percentage of students nationwide. The robotics team won the state competition and are now competing at the super regional event in Spokane. Two teams participated in the Tsunami Bowl, thanks to the coaching of the Science Center, and one of our teams won the state competition and now will go to nationals in Colorado. We are very proud of our athletic teams as well as our academic teams' accomplishments.

Barb Jewell 2.2 Mile Whitshed Rd, speaking as a citizen, thanked council for the work session with Harbor and Planning Commissions - encourages work on the comprehensive plan - she knows it will be a lot of work and will cost some money but it will be valuable. She respectfully requested that any time a handout is given to the Council there should also be copies for the public available or printed ahead of time in the packets that are published, it is hard for the public to follow along when we can't see what's in front of you.

Wendy Ranney 2500 Orca Road, speaking as chair of Parks and Recreation Commission, they won't meet this month but will meet twice in April and are going through their 10 year plan and they will look at the camper park on Whitshed. She anticipates that Council will get a recommendation after those meetings.

Dean Curran 110 Sawmill Avenue thanked council for moving ahead with a special election for the marijuana petition and the other petitions.

P. Council Comments

Wiese commented on **Miss Pegau's** accomplishment as really amazing.

Jones appreciated the audience tonight and congratulated the candidates who won seats at the election and he looked forward to seeing the outcome of the one seat that is still undecided.

Schaefer appreciated the Scouts for the presentation of the colors tonight.

Beedle thanked the Scouts, congrats to the election winners and Seat D is still a nail-biter.

Allison thanks to everyone and congratulated the winners of the election and thanks to those who put their names in. He would like input from Parks staff and Parks Commission on the camper park needs.

Q. Adjournment

M/Beedle S/Jones to adjourn the meeting.

Hearing no objection Vice Mayor Allison adjourned the meeting at 8:10 pm.

Approved: April 4, 2018

Attest:


Susan Bourgeois, CMC, City Clerk

