

**Regular City Council Meeting**  
**March 23, 2016 @ 7:00 pm**  
**Cordova Center Community Rooms A & B**  
**Minutes**

**A. Call to order**

*Acting Vice Mayor Tom Bailer* called the Council Regular Meeting to order at 7:00 pm on March 23, 2016 in the Cordova Center Community Rooms.

**B. Invocation and pledge of allegiance**

*Acting Vice Mayor Tom Bailer* led the audience in the Pledge of Allegiance.

**C. Roll call**

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

**D. Approval of Regular Agenda**

*M/Allison S/Hallquist* to approve the Regular Agenda.

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

**E. Disclosures of Conflicts of Interest - none**

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

1. Guest Speakers - **Joanie Behrends**, the City's emergency management officer gave an update on the upcoming Alaska Shield exercise which will be on April 1 & 2.

*Mayor Clay Koplín* arrived at the meeting at 7:10 pm and at this time he took over as chair from *Vice Mayor Bailer*.

2. Audience comments regarding agenda items

*Cindy Appleton* Prince William Marina Road, she had her dog Harley on her lap, she spoke against the passage of any code provision regarding dogs being allowed in City buildings.

*Jim Kacsh* of 824 Woodland Drive, spoke to pets in the workplace. He has spoken to many people in the past few weeks about this topic and overwhelmingly he said most people didn't see it as a problem at all. He also addressed ATS 1004 - he hopes it doesn't end here with this particular interested party - it would be great for Cordova to have another processor and specifically one that might open before April 1 to increase fish tax for Cordova.

*Mark Frohnäpfel* of 828 Woodland Drive, spoke in support of moving forward ATS 1004 using the process in place. He also supported the continuance of use of the criteria at the Planning and Zoning level. He also said that the City has a code that is a leash law, he is against the idea of pets in City buildings.

*Mary Ann Bishop* of 700 Fourth Street, spoke against the disposal of ATS 1004.

*Kristin Carpenter* of 507 Fourth Street, spoke against the disposal of ATS 1004.

*Jerry Blackler* of 921 Center Drive, spoke in support of the disposal of ATS 1004 and the need for expansion at the shipyard.

*James Thorne* of 1400 Lakeshore Drive #34, spoke against the service dog code.

*Joanie Behrends* of 4.5 mile CRH, spoke against development in the Tsunami zone and she spoke against the service dog code.

*Katherine Mead* of 104 West Davis Avenue spoke against the service dog code.

*Don Scutt* of 204 Boardwalk Way, said he is in support of no dogs in City buildings.

3. Chairpersons and Representatives of Boards and Commissions

Harbor Commission - *Beedle* said they met about ATS 1004 and there was a lot of information that came out, more than everyone knows.

*Allison* said that the HSB met for CEO interviews Monday and Tuesday - 3 interviews and then they met tonight and elected new officers - he is the new chair - narrowed the list to 2 candidates who will come to Cordova for in person interviews. Also they are asking for some funds tonight.

*Bailer* said that P&Z had some issues on tonight's agenda.

#### 4. Student Council Representative Report - not present

#### G. Approval of Consent Calendar

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

5. Resolution 03-16-12 A resolution of the City Council of the City of Cordova, Alaska, approving the final plat of '2016 Cabin Lake SLUP Lots Subdivision'

~~6. Resolution 03-16-13 A resolution of the City Council of the City of Cordova, Alaska, approving the City of Cordova Planning & Zoning Commission's Resolution 16-02 and authorizing the vacation of a portion of the Davis Avenue right-of-way~~

7. Resolution 03-16-14 A resolution of the City Council of the City of Cordova, Alaska, approving the site plan from Northern Fish Products dba Prime Select to place modular bunkhouse units on Lot 9, Block 1, Cordova Industrial Park

~~8. Resolution 03-16-15 A resolution of the City Council of the City of Cordova, Alaska, authorizing a transfer of \$196,828.96 from the general fund reserve to Cordova Community Medical Center in order to fund short term operational expenses~~

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

Items 6 & 8 were pulled from the consent calendar by **Allison** and placed after item 16, as items 16a and 16b.

#### H. Approval of Minutes - none

#### I. Consideration of Bids

9. Council action on ITB 16-02 - Baler Work Rooms & Safety Upgrades Project

**M/Beedle S/Bailer** to direct the City Manager to negotiate a contract with Eagle Contracting Corporation, Cordova, AK to provide design-build services per RFP#16-02 for a sum not to exceed one hundred thousand dollars and zero cents (\$100,000.00) for Base Bid and Alt 01 (repair main bay lighting), per the attached fiscal note.

**Beedle** asked if alternate 2 could be handled within a budget this year. **Robertson** said if we can get to it; it may not get done within this project cost. Public Works Director **Rogers** said it does need to get done, but the lights, which were alternate one, were obviously a higher priority. **Beedle** said he supports the motion. **Bailer** and **Hallquist** said they are in support as well.

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

#### J. Reports of Officers

10. Mayor's Report - **Mayor Koplín** said that his style will be to help facilitate Council's meetings, he hopes to keep them short and productive and ensure that the minority is heard and the majority prevails. **Mayor Koplín** said he would be more cautious in the future regarding comments to the media as recently they mentioned he was the incoming Mayor when he didn't intend his comments to be from the City but from Cordova Electric instead. He said he would wait a bit and meet with the chairs of boards and commissions in May and he will get with MTAB representative **Reggiani** to determine best the role of the AMHS committee and he'd get back to Council on that. **Bitney** has said that he should get down to Juneau - he'd like to run it past Council first and then get a good list of Council priorities. He has looked over Council's most recent list. **Mayor Koplín** said he would be meeting with all the interested parties regarding the Tanner Crab Fishery - as a follow up to **Mayor Kacsh's** work in that respect.

11. Manager's Report - **Robertson** said that **Bitney** did indicate that the Anchorage Mayor is making a push for the Harbor bond because of their \$275 million mega port. **Robertson** introduced **Sue Cogswell** and **Juanita** of the PWSEDD - the ARDORs are in trouble as far as funding. The Chugach Regional Energy Plan was in draft form now. Harbor roads should be ready to start in the next couple of weeks - he thanked **Mr. Rogers** and his team for that. LT2 is about done and it has been on the docket for over a decade, **Rich Rogers, Joel Felix, Dawson**, the contractor - have been great. He wanted to also recognize **Joanie Behrends** for her hard work; Alaska Shield is upcoming and that has been 2 years of work in the making.

12. City Clerk's Report, **Bourgeois** said she wrapped up the election - 833 ballots were cast, 44.76% voter turnout - our seven year average has been closer to 30%. Appeal period has a couple of more weeks - 14 appeals so far. BOE is scheduled for April 18.

#### K. Correspondence

13. Letter of 02-26-16 from Mary Little supporting Seamans proposal for Library/Museum building

14. Letter of 03-16-16 from Mary Anne Bishop regarding disposal of ATS 1004

## L. Ordinances and Resolutions

15. Ordinance 1142 An ordinance of the City Council of the City of Cordova, Alaska, authorizing the city manager to enter into a thirty year lease agreement with Facility Contractors, LLC, which includes an option to purchase, for city property described as Lots 12 through 18, Block 6, Original Townsite -2<sup>nd</sup> reading

**M/Bailer S/Hallquist** to adopt Ordinance 1142 An ordinance of the City Council of the City of Cordova, Alaska, authorizing the city manager to enter into a thirty year lease agreement with Facility Contractors, LLC, which includes an option to purchase, for city property described as Lots 12 through 18, Block 6, Original Townsite

**Joyce** said we used the criteria that has been established in Code and this proposal received the highest ranking both at P&Z and at Council. **Bailer** reiterated that this project will bring in more value as far as property tax as well as over \$100k more in sale price - he strongly supports this.

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

16. Ordinance 1143 An ordinance of the City Council of the City of Cordova, Alaska, amending Cordova Municipal Code section 15.20.010, repealing Cordova Municipal Code section 15.20.010 (E), and enacting Cordova Municipal Code section 15.20.015 to permit registered voters in Cordova, Alaska to serve on the Health Services Board -1<sup>st</sup> reading  
**M/Hallquist S/Bailer** to adopt Ordinance 1143 an ordinance of the City Council of the City of Cordova, Alaska, amending Cordova Municipal Code section 15.20.010, repealing Cordova Municipal Code section 15.20.010 (E), and enacting Cordova Municipal Code section 15.20.015 to permit registered voters in Cordova, Alaska to serve on the Health Services Board.

**Bailer** said that initially he did support this however he now believes we should back off from this a little bit and wait for the full time leadership at CCMC to be chosen and we should discuss this with him. **Joyce** said he tried to bring that up last time and he agrees with **Bailer** - he would like to wait until there is a full spectrum ordinance that changes it all at once. **Allison** agreed too that there are issues to be lined out still. He won't support this tonight however, he hopes it doesn't take three years to get it worked out. **Robertson** also said he would have suggested referral to staff.

**M/Beedle S/Allison** to refer this to staff.

**Beedle** and **Wiese** both opined that HSB is not a strength of theirs and they would like this solved as soon as possible so others are on that board instead of them.

Vote on the motion to refer: 6 yeas, 0 nays, 1 absent (Burton). Motion approved.

16a. 6. Resolution 03-16-13 A resolution of the City Council of the City of Cordova, Alaska, approving the City of Cordova Planning & Zoning Commission's Resolution 16-02 and authorizing the vacation of a portion of the Davis Avenue right-of-way

**Allison** said he pulled this because he had a question. Is the purchase of the land happening at the same time as the vacation, or will there be another item before Council? Assistant Planner **Leif Stavig** was in the audience and he said there will be another item - this is just the vacation.

**M/Allison S/Beedle** to approve Resolution 03-16-13 a resolution of the City Council of the City of Cordova, Alaska, approving the City of Cordova Planning & Zoning Commission's Resolution 16-02 and authorizing the vacation of a portion of the Davis Avenue right-of-way.

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

16b. 8. Resolution 03-16-15 A resolution of the City Council of the City of Cordova, Alaska, authorizing a transfer of \$196,828.96 from the general fund reserve to Cordova Community Medical Center in order to fund short term operational expenses

**M/Allison S/Hallquist** to approve Resolution 03-16-15 a resolution of the City Council of the City of Cordova, Alaska, authorizing a transfer of \$196,828.96 from the general fund reserve to Cordova Community Medical Center in order to fund short term operational expenses.

**Allison** said he pulled it in order to amend the amount per an email they received from **Mr. Rea**.

**M/Allison S/Beedle** to amend by changing the amount of the loan throughout the resolution to \$166,072.88.

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Burton). Motion approved.

**Allison** said he would hope that this isn't a consistent practice and they can get caught up and get on the right track. Unfortunately, this will not be the last time but we are working toward that.

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

## M. Unfinished Business

17. Council acceptance of Planning & Zoning Commission Resolution 16-03 concerning land disposal criteria

*M/Beedle S/Hallquist* to accept Planning Commission Resolution 16-03.

*Beedle* said he agrees with these criteria for use by P&Z and he thinks Council should have its own mechanism for rating proposals. *Joyce* agreed with *Beedle* and thinks Council needs to come up with its own scoring for these proposals. Possibly that could make these decisions easier and more open and transparent. *Mayor Koplin* asked how best to ensure we get back to this as *Joyce* is suggesting. *Joyce* said putting on a pending agenda would help.

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

## N. New & Miscellaneous Business

18. Council action on land disposal method – portion of ATS 1004

*M/Beedle S/Bailer* to dispose of a portion of ATS 1004 as depicted in the staff report for fair market value as outlined in Cordova Municipal Code 5.22.060 B by number 4) requesting sealed proposals to lease or purchase the property.

*M/Beedle S/Bailer* to amend the motion to ensure that the advertising of the RFP goes out for at least 60 days.

*Bailer* said that was discussed at P&Z also – I agree and there was concurrence of P&Z as well.

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Burton). Motion approved.

*Wiese* completely agreed that this property needs to be developed; he said the shipyard is a great economic engine for the community but we need more of it.

*Joyce* thinks that P&Z might need some training because they didn't quite understand that they could have used any four of those methods as a recommendation to Council. He hopes if this comes back it should be looked at again by P&Z, Harbor Commission and the fishermen who use it. He wants to ensure that the Shipyard keeps a piece necessary for its expansion there.

*M/Joyce* to refer to go back to P&Z and for the Harbor to look at it again – motion dies for lack of a second.

*Beedle* said this did get referred from P&Z to Harbor Commission and this was discussed and that is where the 5 acre figure came from. *Joyce* said he thinks P&Z made no recommendation and he thinks they need to. *Allison* said this land needs to be developed; I am ready to see proposals. The RFP needs to be clear – so proposers are sure of what we want to keep. *Robertson* said staff is listening and they will be clear in the development of the RFP. *Joyce* commented on some of the public testimony mentioning the tsunami zone and he said really, when you are talking about activities on the waterfront, that need to be at the ocean, there is no way to avoid being in the tsunami zone; boat haul outs, canneries, etc.

*Bailer* asked Council whether they wanted to see the proposal. *Robertson* said that is not common practice – he'd prefer to get the guidance here and then have Council's trust to get it done; he does understand that this is a sensitive property. It won't be in 2 weeks as there will be a lot of coordination.

Vote on the main motion as amended: 6 yeas, 0 nays, 1 absent (Burton). Motion approved.

19. Council election of Vice Mayor

*Beedle* nominated *Bailer*, *Joyce* nominated *Burton*. Discussion ensued regarding the fact that *Burton* is often in attendance via teleconference, and perhaps *Bailer* is better suited as he is in town more often. Council concurred that it would just be more practical to have *Bailer*.

Upon Roll Call Vote to elect James Burton as Vice Mayor: 1 yea, 5 nays, 1 absent. Wiese-no; Burton-absent; Beedle-no; Hallquist-no; Allison-no; Joyce-yes and Bailer-no.

Upon Roll Call Vote to elect Tom Bailer as Vice Mayor: 6 yeas, 0 nays, 1 absent. Beedle-yes; Joyce-yes; Hallquist-yes; Wiese-yes; Allison-yes; Bailer-yes and Burton-absent.

*Tom Bailer* was, therefore, elected as the Vice Mayor.

20. Council direction regarding City policy regarding service dogs

*M/Bailer S/Hallquist* that the City adopt the state policy on service animals.

*Mayor Koplin* asked for clarification on whether that would be a resolution or an ordinance. *Allison* said that the memo asked for clear direction to staff on a code change, which would be an ordinance. *Bourgeois* clarified that she wrote that memo based on the state policy being handed to her as an item at the request of *Mr. Bailer* – and with the hand written notes atop the memo that said, “to adopt by code this state policy”. She assumed it was *Bailer's* agenda item and he would describe what he was intending. There was confusion on Council's part as to what the intent is – codification or not; *Allison* wondered if state policy ruled if there was no policy on this per se. *Bailer* said that service animal policy is federal.

*Bailer* said he sees at the LIO office a sign that says service animals only. His intent was a similar sign in City buildings.

*Mayor Koplin* said he cannot offer a legal opinion but he believes that home rule cities, which Cordova is, would not be bound by statute – could adopt their own ordinances. *Wiese* opined that we have 40-60 volunteers at the fire department

and if we could set policy that is building by building maybe that is something we could look into to allow the volunteers their dogs at the fire hall as there was support in public testimony for that. **Hallquist** said he would like to refer this to staff and have them look at this – he doesn't have a problem with dogs at the fire department. He doesn't like the idea of dogs in the new building where the general public is often – people have allergies, are afraid of dogs, etc. **Hallquist** also said employees driving City cars with dogs in their laps is probably unsafe. He'd like staff to look into where and when it is appropriate and bring that back for Council to look at (water sewer guys with their dogs for bear protection hiking up to the catchments, etc. would be allowable for example). **Allison** thinks that this whole item is just discussion where staff would be listening and could then come back with a solution. **Bailer** said his main intent of bringing this forward would be to see a sign on the door in this Cordova Center building that says service dogs only. He would agree that he doesn't care what is done down at the fire hall. Discussion ensued and **Bailer** said maybe also the chamber of commerce building too – it's small and there are a lot of people in and out of there. The outlying City buildings are of less concern he said. After listening, **Robertson** advised that this is a comprehensive policy or no policy, he said this will cost us money, there is much more to this than meets the eye. The hospital is a City facility, there will be union complaints over this when you get into a haves and have nots scenario. There is a therapy dog at the hospital. We are opening things up here when you say you can but you can't. We will either have a comprehensive policy written by the City Manager or we will ask people to use their discretion which is what we have done in the past. **Joyce** thought that looking at the State's policy might be a good place to start.

**Burton** joined the meeting via teleconference.

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

## 21. Pending Agenda, Calendar, Elected & Appointed Officials lists

Council criteria for land disposal – **Joyce** said he would like Council to discuss these criteria and come up with a good list. Council opted to have an agenda item on the next meeting about these criteria. Council was directed to email criteria to the City Clerk and she would put them into an agenda item.

## O. Audience Participation

**David Roemhildt** of 6mile CRH commented regarding land disposals. He believes that Council and P&Z should have the same criteria. Also, he agrees that maybe looking at financials, etc. of a proposer might be a good idea and maybe it should be included, people can make any numbers look good, things can be fudged, etc. More important is, for Council to look for the best ideas and have some justification. He opined that also maybe each proposal should get Council time – i.e. in reverse order discuss the merits of each proposal.

## P. Council Comments

### 22. Council Comments

**Bailer** welcome to the new Mayor and new Council. Also, it is good to get feedback from someone who has gone through our process.

**Hallquist** thanked the FD, **Joanie (Behrends)** and the AK Shield group for all the hard work. He complimented the police department on good job at the school last week with a disturbance, it was handled very well by the officer. Streets department has been filling washouts and he appreciates their work. He thanked **Noel (Rea)** and the CCMC staff said he's feeling a lot better about CCMC than he has in the past.

**Allison** thanked the folks in town for their willingness to invest in Cordova – today you can invest anywhere – to invest here is good for Cordova – great to see all the proposals these last few years. Hope we can satisfy more of them in the future as we grow our economy. Thanked the voters for the good turnout. Thanked those who ran, **Clay & James** and especially **Jason Long** for putting his name in – for the love of our community. Thanked staff for valuable input.

**Wiese** thanked all of them who have done it before – he said this is a ton of work. He is excited to do it though. He thanked **Noel Rea** at CCMC and said because of what he has seen and heard of late he and his wife are going to start going to CCMC again – excited for the new doctor coming on, etc.

**Joyce** thanked **Joanie** for he work – congrats to new members and he appreciates their participation. He mentioned a property tax exemption concerning undeveloped lots. He thinks we need to do that and adopt that into code.

**Beedle** said the shipyard building is going up – you should all go see. He said he believes the Mayor should absolutely go to Juneau, should be mandatory. Thanked

## Q. Executive Session

### 23. City's self-funded health insurance

*M/Bailer S/Hallquist* to enter executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect on the finances of the government, specifically the City self-funded health insurance.  
Vote on the motion: 6 yeas, 0 nays, 1 absent (Burton). Motion approved.

With no objection, Council recessed at 9:48 pm to clear the room for the executive session.  
The meeting was reconvened at 10:00 pm.

Council entered the executive session at 10:01 pm and was out of the executive session at 10:15 pm.

**R. Adjournment**

*M/Allison S/Bailer* to adjourn

Hearing no objections the meeting was adjourned at 10:15 pm.

Approved: April 6, 2016

Attest: \_\_\_\_\_

*Susan Bourgeois*  
Susan Bourgeois, CMC, City Clerk

