

Regular City Council Meeting
April 18, 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 April 18, 2018, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance

Vice Mayor Allison led the audience in the Pledge of Allegiance.

C. Roll call

Present for roll call were Council members *Ken Jones, Melina Meyer, Anne Schaefer, David Allison* and *James Wiese*. Council member *Jeff Guard* was present via teleconference. *Mayor Clay Koplín* and Council member *James Burton* were absent. Also present were City Attorney *Holly Wells* and City Clerk *Susan Bourgeois*.

D. Approval of Regular Agenda

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

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

E. Disclosures of Conflicts of Interest - none

F. Communications by and Petitions from Visitors

1. Guest Speakers - none

2. Audience comments regarding agenda items - none

3. Chairpersons and Representatives of Boards and Commissions

Scot Mitchell of CCMC reported that: 1) there is a board vacancy and there are 2 applicants so far, the board will interview them at the next meeting; 2) auditors were on site last week gathering materials for 2017 financial audit; 3) currently implementing new EHR system for the hospital – should go live August 1; 4) state has said we are in full compliance with plans of correction.

Wiese asked about the UPS for the CT scanner. *Mitchell* said the system has been shipped and the site work was begun today. *Allison* asked about the more detailed budget document that the Council had asked for about 2 meetings ago. *Mitchell* said he and the CFO will get together and should get that pulled together next week.

4. Student Council Representative Report – *Olivia Carroll* reported that music students traveled to Hawaii then to the Aurora musical festival in Anchorage at Grace Christian. Chorus got first place – only second time ever for CHS. Band got third place and many students made state. Future Problem Solvers did very well and one team will be going to internationals. NosBowl team heading to national competition to represent Alaska. Also, one CHS student was selected for a rural Alaska honors program to take college classes for 6 weeks this summer, it was *Olivia Carroll*. She also reported that *Mrs. Adams* has been nominated for the BP Teacher of Excellence award.

G. Approval of Consent Calendar

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

5. Record excused absence of Council member *Jeff Guard* from the April 4, 2018 regular meeting

Vote on the consent calendar: 6 yeas, 0 nays, 1 absent. Wiese-yes; Jones-yes; Meyer-yes; Schaefer-yes; Allison-yes; Burton-absent and Guard-yes. Consent Calendar was approved.

H. Approval of Minutes

M/Jones S/Schaefer to approve the minutes.

6. Minutes of the March 21, 2018 Council Regular Meeting

7. Minutes of the April 4, 2018 Council Public Hearing

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

I. Consideration of Bids - none

J. Reports of Officers

8. Mayor's Report – *Mayor Koplín* was not present to report

9. Manager's Report – City Manager *Alan Lanning* was not present to report

10. City Clerk's Report – *Bourgeois* reported that she was preparing for the May 15 special election – she has received a few absentee by mail applications and in person early voting will run May 1 – 14, Mon – Fri, 8am – 5pm. There was no

need for a BOE, in May we will certify the roll and then in June we will set the mill rate. *Bourgeois* said she has an injured foot and appreciates the assistance around the office especially of her *Deputy Clerk, Tina Hammer*.

11. Staff Quarterly Reports - 1Q 2018

- a. Parks and Recreation, **Susan Herschleb**, Director
- b. Cordova Harbor & Port, **Tony Schinella**, Harbormaster
- c. Finance Department, **Jon Stavig**, Director

K. Correspondence - none

L. Ordinances and Resolutions - none

M. Unfinished Business

12. Council action on disposal and method of disposal Lot 4A, Block 5, North Fill

M/Jones S/Meyer to dispose of Lot 4A Block 5, North Fill Development Park as outlined in Cordova Municipal Code 5.22.060B 4. By requesting sealed proposals to lease or purchase the property.

Jones said he only made the motion to get it on the floor for discussion. *Meyer* said she is not in favor of the motion because of the need for an impound lot. She can understand the possible benefit to putting it out for proposals but she doesn't want to put it out for proposals without a clear plan if we were to dispose of it. *Allison* said this had been referred to staff so that suggestions could be made, he wondered if planning staff had anything to add to the written report. *Greenwood* approached and said she had nothing to add but could answer questions. *Meyer* said it seemed like perhaps the most favorable option was the CRH lot near the cemetery, but that would require some work. *Greenwood* agreed, she said streets superintendent *Bill Howard* had given her the assessment of that lot and one issue is that the state right-of-way on the highway goes pretty far into the flat part of that lot, so the hillside would have to be dug out to create enough room there. *Jones* is not in favor of selling it at this time but he also does not think the impound lot is the best use for this. When this was referred to staff he had hoped another good location would be brought forward. He does believe that Mr. *LoForte's* proposal has merit, there is need for boat storage. *Wiese* said he was not in favor of disposing at this time. *Allison* agreed with the staff report that there needs to be a solution for the impound lot location before we ask people to spend money on proposals for this lot.

Vote on the motion: 0 yeas, 6 nays, 1 absent. Meyer-no; Jones-no; Schaefer-no; Guard-no; Allison-no; Wiese-no and Burton-absent. Motion failed.

N. New & Miscellaneous Business

13. Council action to protest or waive right to protest renewal of liquor license

Becky Chapek, owner of the liquor license, addressed council.

M/Jones S/Schaefer to waive right to protest the renewal of the liquor license #2587 beverage dispensary for Copper River & Northwest Limited, Inc. dba Gandy Dancer Bar with the condition that she continue to meet minimum requirements in State law.

Chapek said the liquor license has been at that location for a long time, was originally Laura Brown's later when annexation occurred it came to be within City limits. Currently, she is running it as a seasonal license, July 1 - December 31 each year. The state's regulation on that is 8 hours a day for at least 30 days within those months. She said it's a very non-aggressive business, they turn on the light and if someone comes in they might try to sell them something. She said technically, we don't have to sell even a drink but we do have to open those thirty days. She said in speaking to the City Manager he relayed that he has been tasked with taking a more proactive involvement with businesses operating in Cordova.

Allison opined that as long as she is meeting the state's requirements he doesn't see a need for the City to have a problem.

Chapek said the AMCO investigator was in town visiting all liquor license owners today and currently she is operating under a temporary license as it is a timely process to renew because it must go to an ABC board meeting.

Schaefer asked if she has been operating the minimum required, 8 hours for 30 days. *Chapek* said yes, she said it is usually pretty lonely. She said she does not advertise, the sign that says "open" is there and the people are there and the alcohol is there too. She really opens as a bar in October, November December because in the summer when her car rental is open, she said she has a lot of underage employees washing cars, etc. and she thinks it is just not a good mix. So if she runs to town, there are no issues, etc.

Jones asked if this license could be moved into town.

Chapek replied that legally she could and she said about 5 years ago she tried and was never able to get a lot.

Wiese said he is concerned that she is being investigated for compliance with the minimum operating requirements.

Chapek said she is not too concerned with that, she said she is confident that she is being compliant. The investigator cannot understand how she is losing money every year. She claims that she bought this, it is an asset and she is protecting

it. **Chapek** said – the materials she provided Council show that she buys the license from the state, she buys the insurance required of an establishment serving alcohol, she buys workers comp for her employees to serve alcohol, she buys TAM cards – she does this because she has the license and someday she might use it and she doesn't want anyone to take it away. **Jones** said this point won't keep him from voting to waive protest, but he just wishes the business were open more and would be contributing to the tax base of the City more. **Wiese** agreed he wished it were more active too, but it is her license and she can do with it what she wishes within the law. **Meyer** said she was more in favor of taking the condition off. She doesn't want the AMCO board to think that the City was somehow also finding fault with this license. She offered an amendment.

M/Meyer S/Wiese to amend the motion by removing the condition.

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

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

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

Crater Lake item will be on second May meeting as well as Comp plan. **Jones** mentioned events that are occurring with Board of Fish and he believes that in the future Council might consider a resolution of support for PWSAC hatcheries. He advised that it is not that time sensitive and maybe a date of September would be sufficient, but if it's on the Pending Agenda at least it will be remembered. **Meyer** said maybe the North Fill impound lot should be made unavailable. **Greenwood** said they could put it on next P & Z agenda. The next strategic planning work session would be sometime in the 3rd or 4th week in May.

O. Audience Participation - none

P. Council Comments

Jones thanked everyone for participation.

Schaefer offered congrats to the high school and thanks to Holly for the training which was very helpful.

Meyer said, same.

Allison schools have been excellent for a long time, keep up the good work. Also, thanks to Holly, we appreciate your time.

Q. Executive Session

15. Legal update – Beecher matter

M/Schaefer S/Wiese to go into executive session to discuss a matter the immediate knowledge of which would clearly have an adverse effect on the finances of the government, specifically, a legal update from the City Attorney on the Beecher case.

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

Vice Mayor Allison called for a recess at 8:09 pm in order to clear the room before the executive session.

Council entered the executive session at 8:12 pm and re-entered the open meeting at 8:59 pm.

Vice Mayor Allison said they had been in the executive session to hear an update from the attorney and Council provided input to the attorney.

R. Adjournment

M/Schaefer S/Wiese to adjourn the meeting.

Hearing no objection Vice Mayor Allison adjourned the meeting at 9:00 pm.

Approved: May 16, 2018

Attest:

Susan Bourgeois, CMC, City Clerk

