

Regular City Council Meeting
May 4, 2016 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order

Vice-Mayor Tom Bailer called the Council Regular Meeting to order at 7:00 pm on May 4, 2016 in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance

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

C. Roll call

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

D. Approval of Regular Agenda

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

Vice Mayor Bailer said there would be an added executive session item regarding Providence settlement.

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

Mike Hicks spoke on 2 agenda items: his letter in the packet concerning E-911 project – he said that Gary Peters of ProComm Alaska would come to present to Council at the May 18 meeting as he would like to get the E-911 system up and running and reinstitute the E-911 surcharge. He also asked Council to support the trooper lease at the old City Hall. *Jim Johnson* mentioned the letter he wrote to Council about harbor rates. He hoped it could go back to the way it used to be charged.

3. Chairpersons and Representatives of Boards and Commissions

Harbor Commission – *Beedle* had nothing to report.

Allison said that the HSB had a culture work shop.

Robertson reported on a Parks and Rec meeting where they discussed pool operations and a veteran's memorial gift from the Eyak Corporation.

4. Student Council Representative Report - none were present

G. Approval of Consent Calendar

Vice-Mayor Tom Bailer declared the consent calendar before Council.

5. Record unexcused absence of Council member *Hallquist* from the April 20 Regular meeting

6. Record excused absence of Council member *Wiese* from the April 20 Regular meeting

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

H. Approval of Minutes

M/Joyce S/Burton to approve the minutes.

7. Minutes of 04-20-16 Regular Council Meeting

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

I. Consideration of Bids - none

J. Reports of Officers

8. Mayor's Report - *none*

9. Manager's Report - **Robertson** reported on: 1) we partnered with NVE on a TIGER grant (transportation improvement) - BIA has a different track of TIGER money which is not quite as competitive and he commends **Mr. Schinella** and NVE's staff for getting together and pushing this grant app through in a very short time-frame - it was for improvements at the Harbor, specifically G-float replacement; 2) road paving work is progressing - haven't had too many complaints yet, certainly as fishing season gets closer there may be some; 3) summer camp at Bidarki looks like a good prospect - might look different from the past years; 4) **Doug McMillan** (Culver law group, AIGCO & AECOM) had contacted the City about signing a non-disclosure agreement - but they are not requiring that and will be able to brief Council regardless of that - May 10 at noon; 5) cancer walk raised nearly \$5k - also the chamber clean up went well, community is looking good; 6) state is giving an extension regarding comments for the update to the unified plan (annex B) - **Robertson** says he'll get something in the next packet for Council approval; 7) **Duane Hoskins** with DoT has contacted the City regarding Whitshed improvements and pedestrian path project - he said it is on track and has asked if the City is prepared for its 50% match with NVE. **Robertson** said this is a \$9m overall project and NVE and the City have said they will put in about \$500k combined (\$250k each); the matches are over 3 years' time so next meeting there should be a budget amendment as this was not budgeted for this year.

a. Chief of Police, Mike Hicks, letter re E-911

10. City Clerk's Report, **Bourgeois** said that the next two meetings she'll be bringing Council the certification of the 2016 tax roll (May 18 regular meeting) and then at the June 1 meeting they will be setting the mill rate.

K. Correspondence

11. Letter from City Manager to Processors 04-21-16

12. Letter from City Manager to ADEC re Unified Plan comment period 04-21-16

13. Letter from Jim Johnson re Harbor moorage regulations 04-25-16

Harbormaster Schinella addressed Council about the letter from **Jim Johnson**. Basically, he said this began in 2013 - it has always been written this way but they began enforcing it in 2013 and in speaking with many other harbors around the state, this is the uniform way to charge for slips.

Beedle thanked **Robertson** for acting so quickly in writing the letter to ADEC. The extension was granted and he hopes to get a letter in with comments for Cordova.

L. Ordinances and Resolutions

14. Ordinance 1144 An ordinance of the City Council of the City of Cordova, Alaska, amending chapter 8.08 of the Cordova Municipal Code entitled "nuisances" to expand the definition of nuisances, grant the city administration authority to declare and enforce nuisances and establish a right to appeal a hearing officer's decision regarding nuisances to the Board of Adjustment and amending sections 8.24.050, 14.20.020, 13.20.050, 13.08.100, and 18.80.040 of the Cordova Municipal Code to incorporate the recommended amendments to chapter 8.08 - 1st reading

M/Joyce S/Burton to adopt Ordinance 1144 an ordinance of the City Council of the City of Cordova, Alaska, amending chapter 8.08 of the Cordova Municipal Code entitled "nuisances" to expand the definition of nuisances, grant the city administration authority to declare and enforce nuisances and establish a right to appeal a hearing officer's decision regarding nuisances to the Board of Adjustment and amending sections 8.24.050, 14.20.020, 13.20.050, 13.08.100, and 18.80.040 of the Cordova Municipal Code to incorporate the recommended amendments to chapter 8.08.

Joyce said he is in support of this. He said it provides a clear and concise appeals process. Timelines are laid out as well as the people involved and the process. **Joyce** thought that there could be one change and that was in reference to covered containers for trash. On page 24 of the packet, 8.08.024 B. was the piece and he hoped could just be removed as that is not practical in Cordova. (it read...**B. All garbage shall be stored in a watertight container with a durable lid of adequate integrity for continued use**). **City Attorney Holly Wells** stated that she could just remove that for second reading, no need to amend it formally; not a substantial change. **Robertson** spoke to the ordinance saying it's a step in the right direction toward more clean up throughout the City. He also said he would institute this with warnings to begin, he'd use uniformed police officers for the code violations.

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

15. Ordinance 1145 An ordinance of the City Council of the City of Cordova, Alaska, authorizing the city manager to enter into an agreement with the State of Alaska Department of Administration on behalf of the State of Alaska Wildlife Troopers for the lease of 2,500 square feet of office space in the city-owned building commonly known as "the old city hall building" - 1st reading

M/Hallquist S/Allison to adopt Ordinance 1145 an ordinance of the City Council of the City of Cordova, Alaska, authorizing the city manager to enter into an agreement with the State of Alaska Department of Administration on behalf of the State of Alaska Wildlife Troopers for the lease of 2,500 square feet of office space in the city-owned building commonly known as “the old city hall building”

Hallquist said he is in favor of this. **Allison** said he would not normally be in favor of government competing with private enterprise but he agrees this has been a long term goal – to get law enforcement under one roof so he is in support of this.

Beedle said he doesn’t like the contract; he won’t support this, he’d rather the contract be perfect and ready to sign. **Bailer** had 2 questions: 1) Do we have to spend any money to get this ready for rent? 2) Where will rent proceeds go – into general fund? **Robertson** answered: 1) no need to do anything – the troopers are aware we aren’t fixing/updating anything and 2) into the general fund was the plan unless Council wants to direct otherwise. **Burton** responded to **Beedle** to say it’s a boilerplate agreement from the state – they always read this way. **Burton** said he does support this.

Beedle spoke again against the lease agreement and then...

M/Beedle to refer to staff. There was no second so this motion was not in order.

Wells explained to **Beedle** and Council that the ordinance approves the contract’s major terms – but also gives leeway to the City administration to work on the non-essential terms and provisions of the lease agreement. **Joyce** completely understood that and was comfortable approving the ordinance.

Vote on the motion: 6 yeas, 1 nay (Beedle). Motion approved.

M. Unfinished Business - none

N. New & Miscellaneous Business

16. Pending Agenda, Calendar Elected & Appointed Officials lists

Bourgeois mentioned the noon Council work session with AIGCO, AECOM, etal on May 10.

Mill Rate slated to be set for June 1, 2016 regular meeting

Joyce asked **Wells** if there was any need for Council to act regarding marijuana – she suggested an ordinance putting a moratorium while we wait and see. There was Council concurrence to see such an ordinance maybe a moratorium that will take them through the end of 2016. **Burton** asked about E-911 presentation next time – **Robertson** said it would be informational and not ready for action yet next time. **Joyce** asked for an item on the next agenda regarding the Whitshed Road project. **Robertson** said he’d get with NVE and then may need a budget amendment at the next one. **Allison** thought Council might need an action item in the future regarding the Quorum contract.

O. Audience Participation

Brad Sapp asked if he could take his own garbage to the garbage dump. It is not convenient for him to put it at the end of his long driveway. He also opined that the garbage should be charged according to the number of people in the home.

Mike Hicks praised all of those involved in the Cancer walk and head shave which raises money to help Cordova residents with cancer, the money stays local. Over the years this has raised over \$75k; this year was \$4400 total - \$2600 was through the head shave. He thanked a special donor over the years who put \$1000 on **Hicks’** head a few years ago and this year donated \$1000 for **Ed Shipman’s** head and that is **Marty De Ville**.

P. Council Comments

Burton thanked everyone for a good meeting.

Wiese thanked **Susie Herschleb** for keeping camp going – he attended as a kid and thinks it’s a great thing. Also, thanks to the FD for the fundraising.

Allison said he thought it would be nice of the Mayor to thank Valdez on Council’s behalf for the donation to the Cordova Center. **Allison** said that the fee schedule does speak to self-serve rate at the baler – **Greenwood** said that refers only to the previously annexed area. **Allison** asked if that could be clarified for the next fee schedule as it is not easily understood now.

Joyce thanked Holly for coming down, he thanked the Vice-Mayor for running a good meeting. He said he appreciates the volunteer effort for the cancer walk and he thanked City staff for all their hard work.

Beedle also thanked the Fire Department and others for the cancer walk. He cautioned Council on signing contracts that are not well-written, he hopes that doesn’t come back to bite us.

Bailer echoed the thanks to the Fire Department and he explained to **Holly** that there were a lot of other events last night which is probably why the Marijuana forum was not better attended.

Q. Executive Session

M/Hallquist S/Wiese to go into an executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect on the finances of the government specifically the ATS 1004 RFP and the Providence settlement.

17. ATS 1004 RFP

18. Providence settlement

Robertson asked *Holly Wells*, *Tony Schinella* and *Sam Greenwood* to stay in for the executive session.

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

At 8:22 pm *Vice-Mayor Bailer* called a five minute recess to clear the room.

Council entered the executive session at 8:27 pm and was back in open session at 9:50 pm.

Beedle left the meeting during the executive session

M/Joyce S/Burton to direct the Manager and the City Attorney to proceed as was discussed in the executive session.

Vote on the motion: 6 yeas, 1 absent (Beedle). Motion approved.

R. Adjournment

M/Allison S/Joyce to adjourn the meeting.

Hearing no objection the meeting was adjourned at 9:51 pm.

Approved: May 18, 2016

Attest: 
Susan Bourgeois, CMC, City Clerk

