

Regular City Council Meeting
May 18, 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 18, 2016 in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance

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

C. Roll call

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

D. Approval of Regular Agenda

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

Vote on the motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

E. Disclosures of Conflicts of Interest

Beedle said his wife has correspondence in the packet and if that gets discussed, he'll opt out of the conversation.

F. Communications by and Petitions from Visitors

1. Guest Speakers - *Gary Peters* of ProComm Alaska spoke to Council regarding the E-911 systems that exist today that are much different than the ones that Council was considering back in 2011. Cell phones and technology have made it much more affordable. *Joyce* asked about addressing - and the City's need for that in order to have a good E-911 system. *Peters* said that what the City has now coupled with what the local phone company has for wired service and then what exists now for cell phones (more than 80% of 911 calls come from wireless phones) would make Cordova's 911 incoming calls about 99.5% accurate for location on a new system. Council members asked about pricing. *Peters* said that prices on this have come down since Council was last looking as well. An all-in price containing the new system, installation and a five year maintenance plan would be \$284,710.

2. Audience comments regarding agenda items - none.

3. Chairpersons and Representatives of Boards and Commissions

Allison reported on having been at the last school board meeting, He said they have been working on budget and should finalize that at their June meeting.

4. Student Council Representative Report - none were present

G. Approval of Consent Calendar

Vice-Mayor Bailer declared the consent calendar before Council.

5. Resolution 05-16-20 A resolution of the City Council of the City of Cordova, Alaska, requesting FY 17 payment in lieu of taxes funding from the Department of Commerce, Community, and Economic Development

6. 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 - 2nd reading

7. 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" - 2nd reading

8. Ordinance 1146 An ordinance of the City Council of the City of Cordova, Alaska, amending Cordova municipal code chapter 8.40 entitled "marijuana establishments" to prohibit marijuana establishment operations within the City of Cordova until January 1, 2017, to add definitions for regulating the marijuana industry within the city, and to add

~~enforcement and penalty procedures and repealing Cordova municipal code chapter 8.44 entitled “prohibited acts regarding marijuana” and integrating the prohibitions and definitions from chapter 8.44 into chapter 8.40 of the code—~~
1st reading

9. Approval of exception by use permit for Cordova Arts and Pageants

10. Record unexcused absence of **Mayor Koplín** from the May 4 Regular meeting

Bailer called out items 8 and 9 and **Beedle** called out item 7.

Vote on the consent calendar: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Joyce-yes; Bailer-yes; Beedle-yes; Allison-yes and Wiese-yes. Consent Calendar was approved.

Vice-Mayor Bailer placed the 3 pulled items after agenda item 18 as items 18a, 18b and 18c.

H. Approval of Minutes

M/Allison S/Beedle to approve the minutes.

11. Minutes of 05-04-16 Regular Council Meeting

Vote on the motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

I. Consideration of Bids - none

J. Reports of Officers

12. Mayor’s Report – **Mayor Koplín** had a written report in the packet.

13. Manager’s Report – **Robertson** reported on: 1) Rasmuson foundation will be here (i.e. in the Cordova Center) for a board meeting next month and we should take that as an opportunity to speak with them; 2) EVOS has received a letter and basically, they just haven’t answered yet; 3) he met with the Chamber of Commerce about roles and responsibilities concerning the Cordova Center building and he said **Cathy (Long)** is doing a good job – she reported that shorebird visitor numbers were up this year – she cited the cruise boat from Seward that came over with 60 people alone; 4) Road construction on Harbor Loop continues, the ramp will be closed May 23-30 – he said we haven’t been getting too much dissonance, most people understand that this is a sign of progress; 5) Quotes for health insurance for next year are in – if we stay the course we are on there could be a savings of \$300 - \$350k between the City and the hospital over what it would have been if we had stayed with Blue Cross; 6) there is some potential good news about the USCG – they are sending an advanced stationing team out of Oakland to Cordova on June 17 – we are one of 5 ports being considered for a new fast cutter (154 foot); ships will be online in 2020 and will be home-ported in 2022 – we will talk about things like housing, the hospital, our schools, infrastructure, airport, etc. exciting prospect for Cordova; lastly, 7) **Robertson** read a letter into the record about all of the accomplishments Cordova employees have made over the past three years since he has been City Manager, then he resigned his position, effective mid-June. **Robertson** also said his recommendation would be that **Chief Hicks** should be Interim City Manager until a future decision is made. He also had a list of 18 interim City managers around the state – one of which is **Don Moore** who said he could be in Cordova in June. Ultimately this is Council’s decision.

Joyce had praise for **Robertson** and his accomplishments – he said he understood but also said he would be sorely missed. **Joyce** also asked about the closed launch ramp next week and wondered if the City couldn’t put some kind of sign up ASAP to tell people that would be happening.

Bailer echoed **Joyce’s** words – sad to see you moving on – you’ve done a great job.

a. PWD/City Engineer **Rich Rogers** request for Council input re island on Railroad Ave

Rogers explained the additive alternate of the pedestrian island at the intersection of Railroad Ave and CRH. Last guidance from Council was kind of split. He’d like the concurrence of Council to do this one way or the other, if not he’s comfortable making the decision. Each Council briefly gave his input and of the Council members present 4 were against (**Joyce, Beedle, Allison, Bailer**) the island and 1 (**Wiese**) was for the island.

14. City Clerk’s Report, **Bourgeois** had nothing further to report than that which was in her written report in the packet.

K. Correspondence

15. Letter from April Beedle re Bidarki Bazaar venue

16. Letter from Sheridan Alpine Assn requesting Insurance reimbursement

17. Letter from Mayor to ADF&G Director Kelley re Tanner Crab test fishery

Bailer said he has heard the same complaint about the Bidarki Bazaar from a number of people, he hopes Parks and Rec will take another look at that.

Joyce said that the letter from Sheridan Alpine Association is something that has been discussed before – he doesn't believe the City is obligated to do this but he also knows that they've had tough times these last couple of seasons with no snow. *Joyce* thought maybe this should be on the agenda next time for Council action – *Beedle* agreed and *Allison* did as well. Then Council concurred to have it on an agenda after the Ski Club was prepared to bring a full budget to Council.

L. Ordinances and Resolutions

18. Resolution 05-16-21 A resolution of the City Council of the City of Cordova, Alaska, authorizing amendment to the FY16 budget and authorizing expenditure of an amount not to exceed \$37,241 for the local match contribution for the Whitshed Road pedestrian path improvements project

M/Joyce S/Allison to approve Resolution 05-16-21 A resolution of the City Council of the City of Cordova, Alaska, authorizing amendment to the FY16 budget and authorizing expenditure of an amount not to exceed \$37,241 for the local match contribution for the Whitshed Road pedestrian path improvements project.

Joyce said he is for this as it has received good public support – quite a bit of this is federally funded but it does require a small match. He had wanted to know if we would get this reimbursed if they don't proceed with the project and that has been answered and we would be reimbursed. *Joyce* also said that NVE didn't have the funding readily available and the City was fronting their 50% match as well. He is also ok doing this.

Vote on the motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Joyce-yes; Bailer-yes; Beedle-yes; Allison-yes and Wiese-yes. Motion was approved.

18a. 7. 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” – 2nd reading

M/Allison S/Joyce 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”.

Allison said he is not typically in support of the City competing with private enterprise but in this case he is in support. *Joyce* asked if this is the actual lease. *Robertson* said substantively yes but the state legislature is still in session, it has been difficult for the attorney who has been trying to contact people over there, etc. *Holly* has had trouble getting with the department of administration. *Joyce* said he supports the concept he is not comfortable approving something that isn't the exact lease that will be signed. He said he trusts *Robertson* explicitly but can't support it until they have seen the real lease to be signed – he feels it is a duty of Council. *Beedle* agreed with *Joyce*.

M/Beedle S/Joyce to refer to staff until the City Attorney could get the actual lease before Council.

Vote on the motion to refer: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

Staff said they would get this before Council as soon as possible. Council said they would be willing to have a special meeting for this.

18b. 8. Ordinance 1146 An ordinance of the City Council of the City of Cordova, Alaska, amending Cordova municipal code chapter 8.40 entitled “marijuana establishments” to prohibit marijuana establishment operations within the City of Cordova until January 1, 2017, to add definitions for regulating the marijuana industry within the city, and to add enforcement and penalty procedures and repealing Cordova municipal code chapter 8.44 entitled “prohibited acts regarding marijuana” and integrating the prohibitions and definitions from chapter 8.44 into chapter 8.40 of the code – 1st reading

M/Allison S/Joyce to adopt Ordinance 1146 An ordinance of the City Council of the City of Cordova, Alaska, amending Cordova municipal code chapter 8.40 entitled “marijuana establishments” to prohibit marijuana establishment operations within the City of Cordova until January 1, 2017, to add definitions for regulating the marijuana industry within the city, and to add enforcement and penalty procedures and repealing Cordova municipal code chapter 8.44 entitled “prohibited acts regarding marijuana” and integrating the prohibitions and definitions from chapter 8.44 into chapter 8.40 of the code.

Allison said he is in favor of this so we just put a hold on things so we don't get an application that we have to act on before we've made a decision as to which way we will go. *Joyce* agrees that the attorney suggested this after we heard the presentation that she gave on the decision we will have to make. *Bailer* agreed but said he pulled this to think about changing the date until past the election in March 2017, and then putting this decision (i.e. opt in/opt out) before the voters.

M/Bailer S/Joyce to amend the date until after the March 2017 election.

After discussion about the amendment and input from the attorney about using the election language, Council seemed more content to hold off on the amendment. They opted to keep the ordinance the way it is and then think about it until January and make a change later. Therefore...

Vote on the motion to amend: 0 yeas, 5 nays, 2 absent (Burton, Hallquist). Motion failed.

Vote on the main motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

18c. 9. Approval of exception by use permit for Cordova Arts and Pageants

M/Allison S/Joyce to approve the Cordova Arts & Pageants' request for an exceptional use permit per CMC 6.12.040.

Allison said they have approved this same exception for several years now, he has no problem with it. *Bailer* said he pulled this because he doesn't like the idea of this happening at Bidarki in case of rain. He believes a place like Bidarki and City parks, etc. are promoting a healthy lifestyle and there should not be alcohol at such locations.

M/Bailer S/Allison to amend the motion by removing the Bidarki Rec Center as the alternate location for alcohol.

Cathy Sherman was in the audience as a representative of Arts and Pageants and she said they have never had to go Bidarki in the 14 years that this has been approved this way by Council. She believes they have always made it work at the ski hill and she was ok with the idea of Council removing Bidarki Rec Center as the alternate location.

Vote on the motion to amend: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

Vote on the main motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

M. Unfinished Business - none

N. New & Miscellaneous Business

19. Certification of the 2016 property assessment roll

M/Allison S/Joyce to certify the City Clerk's presentation of the 2016 property tax roll.

Joyce asked if the Alyeska property was at its final value or if it could still change. *Bourgeois* said it was a final number; it is not, at this time, being appealed.

Vote on the motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

20. Council concurrence of letter commenting on proposed changes to the Unified Plan

M/Joyce S/Beedle to concur with the letter written.

Beedle thanked *Randy (Robertson)* for getting that letter written.

Vote on the motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

21. Pending Agenda, Calendar Elected & Appointed Officials lists

Joyce asked for the QHR contract to be on the next City Council agenda - for council to look at options. Council discussed the possibilities of a quick special meeting to pass the second reading of the ordinance for the Trooper Lease - once *Holly* got it to them, tentatively Tuesday May 24 or sooner. *Allison* said we would need an agenda item on a City Manager recruitment plan. *Robertson* said he would like to discuss a plan he has come up with for an interim with the Council in executive session.

O. Audience Participation

Kate McLaughlin, President and Executive Director of Prince William Soundkeeper, thanked Council for not supporting the suggested changes to the regional stakeholder plan - she sits on that group and that group is really important. She said she has really appreciated conversations with *Randy Robertson* and the working relationship they had developed and she thanked him for his service.

P. Council Comments

Wiese said he was just getting to know *Randy* - he appreciated his honest opinions and it's a shame to lose him and he wished him luck.

Allison said he'd save the blubbering for next meeting but said *Randy* has been an asset to the community, inherited some fine staff and built some more fine staff.

Beedle said he hoped the new job is all he hoped for and is good for him. He also said he had the pleasure of watching a good play by some high school kids at the theater here in the Cordova Center; it was really thought provoking. Shout out to Shoreside for allowing the overflow parking.

Joyce thanked *Randy* again and something he'd like to get completed before *Randy* leaves is the meeting with some partners at Birch Horton as some are retiring he wants a plan of succession for the City with that law firm; he hoped *Randy* and *Mayor Koplín* could do this together before *Robertson's* departure.

Bailer also thanked **Robertson**, said he hoped the next job works out well for him and he wished him safe travels, and said we would talk some more.

Q. Executive Session

M/Joyce S/Allison 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 interim City Manager position.
22. ATS 1004 RFP

Vote on the motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

At 8:57 pm **Vice-Mayor Bailer** called a five minute recess to clear the room.

Council entered the executive session at 9:02 pm and was back in open session at 9:27 pm.

M/Joyce S/Allison to direct the Manager to proceed as was discussed in the executive session regarding the RFP.

Vote on the motion: 5 yeas, 0 nays, 2 absent (Burton, Hallquist). Motion approved.

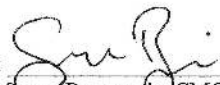
R. Adjournment

M/Joyce S/Allison to adjourn the meeting.

Hearing no objection the meeting was adjourned at 9:28 pm.

Approved: June 1, 2016

Attest:



Susan Bourgeois, CMC, City Clerk

