

**CITY COUNCIL REGULAR MEETING
MAY 20, 2011 @ 11:00 AM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kallander called the Council Regular Meeting to order at 11:00 am on May 20, 2011, in the Library Meeting Room which had been rescheduled from the regularly scheduled meeting on May 18, 2011 due to lack of quorum.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Kallander led the audience in the Pledge of Allegiance.

C. ROLL CALL

Present for roll call were *Mayor James Kallander*, Council members *Jim Kacsh*, *David Allison* (present via teleconference), *Bret Bradford*, *EJ Cheshier*, *David Reggiani* and *Robert Beedle*. Council Member *Keith van den Broek* was absent. Also present were City Manager *Mark Lynch*, City Clerk *Susan Bourgeois* and Deputy City Clerk *Robyn Kincaid*.

D. APPROVAL OF REGULAR AGENDA

M/Reggiani S/Kacsh to approve the Regular Agenda.

Vote on motion: 6 yeas, 0 nays, 1 absent (van den Broek). Motion was approved.

E. DISCLOSURES OF CONFLICTS OF INTEREST

Beedle had a conflict with item #7 as it is in relation to his father. He also had a conflict with item #25, if it should be discussed, as it was written by his wife. *Kacsh* had a conflict with items #10 & #29 as his wife is an employee on the City of Cordova. *Mayor Kallander* agreed that they both had conflicts and should recuse themselves from the items stated.

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speakers -None

2. Audience comments regarding agenda items

Mike Maxwell, 1501 Copper River Highway, presented to Council a document that explains his wife's medical issue which he believes was what led to her termination. He stated he is not in favor of renewing *Chief Baty's* contract with the City of Cordova Police Department.

3. Chairpersons and Representatives of Boards and Commissions

Jim Nygaard, superintendent of schools, stated that it has been a very busy and successful year for the schools. He is looking forward to working through final punch list items with *Moe Zamarron* for the school projects to wrap up the year. The bid for the ILP building was awarded to Bylar Construction which operates under Wolverine Supply. The old district office is scheduled for removal within the week. He thanked the Police Department, specifically Officer *Zack Johns*, for their involvement at the school and help in educating the students. He announced that graduation is at an earlier time this year, 4 pm, so that the families can have more time together after the ceremony. *Kallander* asked for the amount of the bid. *Nygaard* responded that it was \$350K the next closest bid was \$425K. He stated that it was a \$500K budget which will allow for the \$350K, plus contingency, equipment, administrative overhead and the \$42K spent on engineering costs. *Bradford* asked who the City's rep on the project will be. *Nygaard* responded that he and *Zamarron* will be working closely to monitor the project's development.

Council chose to revisit **Audience Comments** as there were audience members who were unaware of when they were to speak.

Cliff Ward, 204 First St, spoke about parking issues in relation to the letter he had submitted for the packet. He stated that the harbor parking is not clearly marked. He has familiarized himself with the City's parking Ordinances, per the Chief of Police's direction, and offered that they too are unclear. He requested a warning be given to first time offenders since the parking is unclear.

Denny Weathers, lives across the bay, informed Council that last year she received a parking ticket and fought it in court. The result was that the Judge ruled the City's parking Ordinances were not clear. She requested the parking be clarified and that the issue of having more harbor slips than parking spots be addressed and resolved. She also stated that having something posted where people can and cannot park would be nice.

Council moved the meeting back to **Chairpersons and Representatives of Boards and Commissions**.

Robert Beedle, Harbor Commission, updated Council on the discussions from their last meeting. He said there has been a lot of work done over at the travel lift but other things are getting behind and that the commission discussed hiring additional personnel. He reported that the boat trailer parking was discussed and considered as also being an option for snow storage during the winter months. The commission had discussed the breakwater and the option of having a local contractor take on the project.

Bret Bradford, Parks and Rec, reported the commission had discussed the new skate park and new playground. **Kallander** asked if there was a timeline set yet. **Bradford** replied that the City will have to fill the lot and then sub out to a contractor for construction. He added that the Pool should be done soon.

G. APPROVAL OF CONSENT CALENDAR

Mayor Kallander informed Council that the Consent Calendar was before them. Council pulled items 7, 8 and 10 out of the consent calendar. These items were added under (L) Ordinances and Resolutions as item 29A, 29B, and 29C.

4. Record excused absence of Council member David Allison from 4/20/11 Regular Council Meeting
5. Record excused absence of Council member EJ Cheshier from 4/20/11 & 05/04/11 Regular Meetings
6. Record unexcused absence of Council member Dave Reggiani from 5/04/11 Regular Council Meeting
7. ~~Ordinance 1079~~

~~An ordinance of the City Council of the City of Cordova, Alaska, waiving for good cause the failure of Guy Beedle, Sr. to make timely applications for senior citizen property tax exemptions for the 2009 & 2010 tax years~~

8. ~~Resolution 05-11-23~~

~~A resolution of the City Council of the City of Cordova, Alaska, supporting naming fourteen of the bridges along the Copper River Highway after veterans from Cordova who were killed in action in WWI, WWII and the Vietnam War and naming the Eyak River Bridge after Marie Smith Jones, the last full-blooded Eyak and the last native speaker of the Eyak language, who died in 2008~~

9. ~~Resolution 05-11-24~~

~~A resolution of the City Council of the City of Cordova, Alaska, requesting FY 12 Payment in Lieu of Taxes funding from the Department of Commerce, Community, and Economic Development~~

10. ~~Resolution 05-11-26~~

~~A resolution of the City Council of the City of Cordova, Alaska, authorizing supplemental appropriations in the total amount of \$38,750 in the general fund, and enterprise funds to pay a 2011~~

wage increase for all City employees; based on their rate of pay effective July 1, 2011; and amending the City of Cordova's 2011 budget accordingly

11. Approval of exceptional use permit for Historical Society Fish Follies

Opening Reception June 3, 2011 from 5:00 pm – 8:00 pm

Vote on Consent Calendar: 6 yeas, 0 nays, 1 absent (van den Broek). Cheshier – yes; Reggiani – yes; Beedle – yes; Kacsh – yes; Allison – yes and Bradford – yes. Consent Calendar was approved.

H. APPROVAL OF MINUTES

M/Bradford S/Kacsh to approve the minutes.

12. Minutes of March 10, 2011 Special Council Meeting

13. Minutes of April 18, 2011 Board of Equalization Meeting

14. Minutes of April 20, 2011 Regular Council Meeting

15. Minutes of May 4, 2011 Regular Council Meeting

Vote on motion: 5 yeas, 0 nays, 1 couldn't hear response (Allison), 1 absent (van den Broek). Reggiani – yes; Beedle – yes; Kacsh – yes; Bradford – yes and Cheshier – yes. Motion was approved.

I. CONSIDERATION OF BIDS - None

J. REPORTS OF OFFICERS

16. Mayor's Report

Kallander reminded *Cheshier* and *Allison* that he needs their evaluations of the Clerk in order to finalize her evaluation. He reported to the Council he had met with staff regarding the Cordova Center that will be discussed in executive session. He stated he had met with contractors on doing the breakwater in house which he is still looking into. *Kallander* stated he had asked *Bitney* if we can start on projects before the Governor's Budget is passed, which is looking to be around July 1st, in order to not miss the construction season. *Bitney* had told him "No" but is trying to gain approval to do so. *Kallander* stated he had worked with the lawyers on drafting a letter to MRV per staff's concerns which will be discussed in executive session. As far as redistricting goes, the Feds have decided that a Native District cannot be deleted, so the Mat-Su is suing the Board. *Bitney* says that it could take years before anything will evolve out of redistricting which leaves things as they are presently.

17. Manager's Report

Lynch reported that he has had lots of talks with CH2MHill on the CIP list. He may have to call a special meeting in order to approve the construction start on the hospital roof. The concern is that we will miss the construction season, so we want to get going as soon as the funding is available. He stated that currently staff is going through the Emergency Management training completion. He informed Council that he, according to code, is the parking authority so if there are parking issues the public can bring them to him. He added that he does get positive feedback on parking and that the traffic ordinances are old. They are being worked on by the lawyers and he is working on bringing consistency to the parking in Cordova. He stated that the planning and zoning commission is very careful to make sure that private parking is allotted for in new site developments in order to avoid more parking issues. *Beedle* requested that when *Lynch* has parking meetings he include some users. *Lynch* responded that he has met with several business owners on parking. *Bradford* requested *Lynch* compile the total amount of man hours that have been put into the Incident Command Training as they may be helpful in getting some federal reimbursement monies. *Reggiani* stated he would like to see a public hearing on any parking plan before it gets approved. *Kacsh* stated that the better time to work on parking was in the fall not in the middle of the season as it will just create more confusion and less consistency. He suggested that a map or handout be produced to show where there is parking. *Lynch* responded that in

Mrs. Weathers court case the judge instructed the City to not produce parking maps. So there have not been any made and those that were up have been taken down, per the judge's direction.

18. City Clerk's Report – Written report is in the packet

19. Staff Reports

a. Josh Hallquist, COR, Cordova Center Project

Hallquist went over a handout for Council on the progress to date. He reported they had an issue with the primary lines to the pool and City Hall, they were accidentally pulled out leaving the pool without power and City Hall on generator. When the cables were originally laid there were not the requirements there are now for conduits and such so it is taking time to put the new lines in right. A temporary fix will be in place by this afternoon and a permanent fix will be completed by Friday.

b. Cathy Sherman, Cordova Center Phase II

Sherman reported that they are currently \$3.5M short but have identified \$2.5M. The Redden Marine sale agreement is awaiting one final signature. She has been taking the floor plans to the user groups; she met with the Chamber and they are starting on marketing the new facility, next she will meet with the Science Center. She added that the siding samples are in the back for perusal, she encouraged the Council to give their input.

K. CORRESPONDENCE

20. Approved minutes of PSBDC Mtg 01-27-11

21. Approved minutes of PSBDC Mtg 02-28-11

22. Letter from Mike Maxwell in re DMV/Dispatch questions

23. Letter from Denny Weathers in re Harbor Long Term Parking

24. Letter from Marv Van Den Broek in re Boat Trailer Parking

25. Letter from April Beedle in re DMV service

26. Letter from Cliff Ward in re Harbor Parking

Bradford stated he would like to discuss *April Beedle's* letter saying there has to be an open parking lot in Cordova available to do the motorcycle testing. *Kacsh* stated that they used to use the ferry terminal. Council directed *Lynch* to look into the possibility of utilizing the ferry terminal parking lot at scheduled times when the ferry is not using it.

L. ORDINANCES AND RESOLUTIONS

27. Ordinance 1080

An ordinance of the City Council of the City of Cordova, Alaska, authorizing the conveyance to Brian Wildrick of Lot Eight (8), Block Two (2) South Fill Development Park

M/Bradford S/Kacsh to approve Ordinance 1080, an ordinance of the City Council of the City of Cordova, Alaska, authorizing the conveyance to Brian Wildrick of Lot Eight (8), Block Two (2) South Fill Development Park

Vote on motion: 6 yeas, 0 nays, 1 absent (van den Broek). Beedle – yes; Kacsh – yes; Allison – yes; Bradford – yes; Cheshier – yes and Reggiani – yes. Motion was approved.

28. Resolution 05-11-25

A resolution of the City Council of the City of Cordova, Alaska, in support of giving contracting authority to Superintendent Jim Nygaard and the Cordova School District Board of Education for the ILP design/build construction project

M/Reggiani S/Cheshier to approve Resolution 05-11-25, a resolution of the City Council of the City of Cordova, Alaska, in support of giving contracting authority to Superintendent Jim Nygaard and the Cordova School District Board of Education for the ILP design/build construction project

Vote on motion: 6 yeas, 0 nays, 1 absent (van den Broek). Kacsh – yes; Allison – yes; Bradford – yes; Cheshier – yes; Reggiani – yes and Beedle – yes. Motion was approved.

29. Resolution 05-11-27

A resolution of the Cordova City Council authorizing the City Manager to sign an amendment to the agreement with the State of Alaska concerning participation of City employees in the Public Employees Retirement System of Alaska

M/Cheshier S/none to approve Resolution 05-11-27, a resolution of the Cordova City Council authorizing the City Manager to sign an amendment to the agreement with the State of Alaska concerning participation of City employees in the Public Employees Retirement System of Alaska
No second on Motion. Motion Failed.

29A. Ordinance 1079

An ordinance of the City Council of the City of Cordova, Alaska, waiving for good cause the failure of Guy Beedle, Sr. to make timely applications for senior citizen property tax exemptions for the 2009 & 2010 tax years

M/Bradford S/Kacsh to approve Ordinance 1079, an ordinance of the City Council of the City of Cordova, Alaska, waiving for good cause the failure of Guy Beedle, Sr. to make timely applications for senior citizen property tax exemptions for the 2009 & 2010 tax years

Vote on motion: 5 yeas, 0 nays, 1 conflict of interest (Beedle), 1 absent (van den Broek). Reggiani – yes; Kacsh – yes; Allison – yes; Bradford – yes and Cheshier – yes. Motion was approved.

29B. Resolution 05-11-23

A resolution of the City Council of the City of Cordova, Alaska, supporting naming fourteen of the bridges along the Copper River Highway after veterans from Cordova who were killed in action in WWI, WWII and the Vietnam War and naming the Eyak River Bridge after Marie Smith Jones, the last full-blooded Eyak and the last native speaker of the Eyak language, who died in 2008

M/Kacsh S/Reggiani to approve Resolution 05-11-23, a resolution of the City Council of the City of Cordova, Alaska, supporting naming fourteen of the bridges along the Copper River Highway after veterans from Cordova who were killed in action in WWI, WWII and the Vietnam War and naming the Eyak River Bridge after Marie Smith Jones, the last full-blooded Eyak and the last native speaker of the Eyak language, who died in 2008

Beedle stated that this was the first he had heard of it and would like some public input. He stated that there are others that have given their lives for this community that maybe should be included in the list. Such as Trooper Stimson, who lost his life attempting a rescue locally. He would like to see more of a plaque at the Museum or at the bridge. He voiced a concern that they will eventually run out of bridges.

Kallander responded that they are currently naming every other bridge and there are many bridges in Cordova. He added that it was inspired by the governors "Moving Wall"; other communities are doing it and he thought it was a good idea. *Bradford* stated that it is a great idea to honor these people but would like a public hearing on the topic. *Kacsh* stated he is in favor of doing the bridges and plaques. *Kallander* stated that the City only has to designate the bridges, they are state bridges and the state will take care of the plaques and signs and such.

M/Bradford S/Beedle to postpone to the next meeting after a public hearing.

Vote on motion: 6 yeas, 0 nays, 1 absent (van den Broek). Allison – yes; Bradford – yes; Cheshier – yes; Reggiani – yes; Beedle – yes and Kacsh – yes. Motion was approved.

29C. Resolution 05-11-26

A resolution of the City Council of the City of Cordova, Alaska, authorizing supplemental appropriations in the total amount of \$38,750 in the general fund, and enterprise funds to pay a 2011 wage increase for all City employees; based on their rate of pay effective July 1, 2011; and amending the City of Cordova's 2011 budget accordingly

M/Bradford S/Beedle to approve Resolution 05-11-26, a resolution of the City Council of the City of Cordova, Alaska, authorizing supplemental appropriations in the total amount of \$38,750 in the general fund, and enterprise funds to pay a 2011 wage increase for all City employees; based on their rate of pay effective July 1, 2011; and amending the City of Cordova's 2011 budget accordingly

Cheshier asked for a quick update as he had missed the executive session on this item. *Lynch* responded that the Union has requested a 2-3% increase; in the executive session, the Council chose to authorize 2%. The Union has agreed and the Resolution before Council finalizes it.

Vote on motion: 5 yeas, 0 nays, 1 conflict of interest (Kacsh), 1 absent (van den Broek). Allison – yes; Bradford – yes; Cheshier – yes; Reggiani – yes and Beedle – yes. Motion was approved.

M. UNFINISHED BUSINESS

30. Brian Wildrick (dba Harborside Pizza) lease amendment

Lynch explained that per the lawyer's direction, in order to accomplish the Council direction to him for *Mr. Wildrick*, this lease amendment must be passed by Council.

M/Kacsh S/Bradford to approve the first amendment to the amended and restated lease for Brian Wildrick of Harborside Pizza.

Vote on motion: 6 yeas, 0 nays, 1 absent (van den Broek). Kacsh – yes; Allison – yes; Bradford – yes; Cheshier – yes; Reggiani – yes and Beedle – yes. Motion was approved.

N. NEW & MISCELLANEOUS BUSINESS

31. Clerk's certification of 2011 property tax roll

Bourgeois explained that there had been updates since the packet had been printed so the new totals were handed out for consideration.

M/Kacsh S/Bradford to certify the 2011 property tax assessment roll as presented by the City Clerk.

Reggiani requested the Clerk read the updated totals into the record. *Bourgeois* stated that the total assessed value is \$286,737,570.00, the total taxable value is \$158,118,170.00 which makes the total exempted properties value \$128,619,400.00. She pointed out that the taxable value is increasing every year. *Kallander* stated that the Council has done a good job promoting the sale of property.

Vote on motion: 6 yeas, 0 nays, 1 absent (van den Broek). Kacsh – yes; Allison – yes; Bradford – yes; Cheshier – yes; Reggiani – yes and Beedle – yes. Motion was approved.

Bourgeois stated that the mill rate can be set at the next meeting. Discussion followed on the mill rate scenarios in the packet. *Reggiani* stated that the budget was set to meet \$1.5M. He opined that the mill rate time is not the time to change the budget as the state assessor had reminded them. *Kallander* informed Council that the City has fallen behind in its 6-months reserve. *Lynch* stated that the City was behind when they set the budget. He added that \$105K was spent on the CIP that was not budgeted for,

along with a \$40K wage increase, which puts them at a \$150K budget amendment. *Kacsh* stated he would like to see an updated list of budget amendments. *Bradford* added that he would also like a list of monies loaned out. *Reggiani* cautioned Council from creating this item into a budget amendment issue. He stated that at budget time they did consider all that has been talked about. This is not a time to grow the budget. He asked *Lynch* to include in the list the monies that have been saved in the budget. We had a nice balanced budget at the beginning and we should stick to that budget. *Kacsh* asked that the sales tax projection be brought to that meeting also.

32. Pending Agenda and Calendar

The Clerk reminded Council that they wanted to discuss the CIP list periodically throughout the year. The Council requested it be added to the next agenda.

Beedle informed the Council that the next Harbor commission meeting has been postponed till the Second Wednesday in July due to concerns of lack of quorum.

O. AUDIENCE PARTICIPATION

Barbra Beedle, 910 Ingress, stated that the list of veterans to have bridges named after them also included railroad workers and stated that there does need to be more public input on the matter. She added that she missed lunch with the seniors today to attend the meeting.

Mike Maxwell, 1501 CRH, asked what is happening with the list of questions he had presented at the last meeting. *Kallander* responded that the list has been forwarded to legal and he will get a response when it is ready. *Maxwell* added that the letter from *April Beedle* furthers his claim that there are DMV/Dispatch issues with staffing and training, he stated he takes offense at the Resolution 05-11-27 and thanked the Council for failing it.

Cliff Ward stated that during the meeting he drove around the harbor and industrial parking and noted a few issues. He inquired on the parking enforcement officers salary and voiced a concern that if we keep ticketing the fishermen they will move to Whittier.

Lindsay Butters, 940 Lake Ave, spoke on behalf of *Brian Wildrick* and Harborside Pizza saying they just had a "Woo Hoo" moment. She thanked Council for their support and stated that they are open for lunch.

P. COUNCIL COMMENTS

33. Council Comments

Beedle thanked the Council for more time to look into options for the breakwater. He added that the DMV has used the Ferry Terminal in the past and does not see any reason why they can't continue.

Cheshier stated that he lost his traditional parking spot and does agree with the public that it is an issue.

Reggiani thanked Sherman, Zamarron, and Dokoozian for clearing the ball field and reported that there are 130 kids signed up this year with 5 tee-ball teams between the ages of 4-7. The opening day is at 10 AM tomorrow and the Mayor will be throwing the opening pitch. He presented a property tax bill from Anchorage to Council that showed a listing of their mill rate break down that he thought was very nice.

Council took a 5 minute break

Q. EXECUTIVE SESSION

34. Cordova Center budget update

M/Bradford S/Kacsh to move into executive session subjects which may be discussed are matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government specifically the Cordova Center budget update.

Vote on motion: 6 yeas, 0 nays, 1 absent (van den Broek). Bradford – yes; Cheshier – yes; Reggiani – yes Beedle – yes; Kacsh – yes and Allison – yes. Motion was approved.

Council went into executive session at 12:58 pm

The Regular Council meeting was reconvened at 1:36 pm

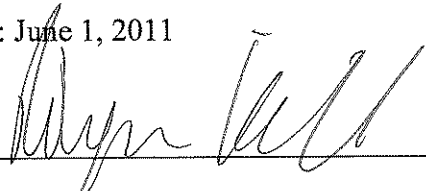
Kallander reported that the Council had received a briefing from staff on current issues and no action was taken during the executive session.

R. ADJOURNMENT

M/Reggiani S/Bradford to adjourn the regular meeting at 1:38 pm

Hearing no objection, the meeting was adjourned.

Approved: June 1, 2011

Attest:  _____

Robyn Kincaid, Deputy City Clerk