

**Regular City Council Meeting  
June 1, 2016 @ 7:00 pm  
Cordova Center Community Rooms A & B  
Minutes**

**A. Call to order**

*Mayor Clay Koplín* called the Council Regular Meeting to order at 7:04 pm on June 1, 2016 in the Cordova Center Community Rooms.

**B. Invocation and pledge of allegiance**

*Mayor Koplín* led the audience in the Pledge of Allegiance.

**C. Roll call**

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

**D. Approval of Regular Agenda**

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

*M/Bailer S/Hallquist* to remove item 20 from the agenda.

*Bailer* said he thought that was a sole source type of contract and there needed to be specific reasons for entering a sole source agreement which haven't been presented. *Joyce* said due to rules of the RCA (regulatory commission of Alaska) this is the only entity that will ever deliver gas to Cordova as they presently own the certificates to do so. *Bailer* disagreed and said there is another company in town that sells propane. *Joyce* said that is not a regulated utility, like this would be. *Beedle* said he agrees with *Bailer*. *Allison* said he is not in favor of the resolution but he does believe it should be discussed and it should be left on the agenda. Vote on the motion: 4 yeas, 2 nays, 1 absent (Burton). Beedle-yes; Joyce-no; Hallquist-yes; Bailer-yes; Allison-no and Wiese-yes. Motion approved.

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

**E. Disclosures of Conflicts of Interest**

*Joyce* said he would indicate that there is a potential for a conflict of interest on 21 but he does not have a substantial financial interest in whether or not the City Manager gets a merit award.

*Mayor Koplín* agreed that there is no conflict for Council member *Joyce*.

*Mayor Koplín* said he does not have a substantial financial interest regarding item 20 but he is having the CEC attorneys look into a previously signed non-disclosure agreement with a competitor of AIGCO's.

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

1. Guest Speakers - none

2. Audience comments regarding agenda items

*Dan Logan* mile 2.2 Whitshed Road, said that *Mr. Robertson* has a lot to be proud of, he has done an outstanding job. There was applause from the audience. *Logan* said he was surprised to see the merit award being mentioned now; he said normally that would be at the time of his evaluation (annually) as to whether he met the goals set by Council. He said if Council was uncertain about what to offer they could look at industry standards or maybe look as closely as similar jobs in the community such as the CEOs of our 2 local cooperatives.

*Cindy Appleton* of Prince William Marina Rd, said she has worked for the City for 10 years and has worked under three City Managers and several interims and by far *Randy* has been the best City Manager; he's been flexible and fair. She mentioned that within a few days of being hired he called a meeting of the entire City staff and introduced himself - that had never been done before. *Randy* exhibited the most professional, supportive, and thoughtful techniques, mannerisms toward employees that she's seen. He challenged his staff to do more, to rise up to a bar that he set - it has been hard and we are the ones better for it. She

mentioned that a few City Manager's ago there was a hefty bonus awarded to the manager who assisted over at CCMC - **Randy** has spent significant time there as well and this bonus being suggested is not too much at all for the amount of time and effort he has given to the City.

**Jim Kacsh**, 824 Woodland Drive, thanked **Randy** - was an honor working with him for all the years, he said that Council tasked him with completing the Cordova Center and he did that and so many other things - he thanked him.

**Gabriel Scott** of 612 Fourth Street spoke to item 26 and said it was important for the city to have competent attorneys that they could rely on to provide advice and opinions.

**Molly Mulvaney** of 1000 Pipe Street also spoke to item 26. She agreed with Mr. Scott and said that it is important that Council can give the attorneys contracts that are presented to them and they can receive attorney advice regarding those contracts.

### 3. Chairpersons and Representatives of Boards and Commissions

**Allison** reported that the HSB had a special meeting tonight with an executive session and the next regular meeting is Thursday June 9.

4. Student Council Representative Report - none were present

## G. Approval of Consent Calendar

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

5. 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 - 2<sup>nd</sup> reading

6. Proclamation of Appreciation to **James Kacsh**

7. Proclamation of Appreciation to **David Reggiani**

8. Proclamation of Appreciation to **Kristin Carpenter**

9. Record excused absences of **Mayor Koplín** and Council members **Burton** and **Hallquist** from the May 18, 2016 Regular meeting

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

**Mayor Koplín** read the proclamations into the record.

## H. Approval of Minutes

**M/Bailer S/Joyce** to approve the minutes.

10. Minutes of 05-18-16 Council Public Hearing

11. Minutes of 05-18-16 Regular Council Meeting

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

## I. Consideration of Bids

12. Council action on ITB 16-03 - Mt. Eccles School Windows Upgrades Project

**M/Allison S/Joyce** to direct the City Manager to negotiate a contract with Dawson Construction Inc., Bellingham, WA, to provide design-build services per RFP#16-03 for a sum not to exceed seventy thousand dollars and zero cents (\$70,000.00) per the attached Fiscal Note.

**Allison** said it looks like no one responded to the RFP and this was the best way to get the job done so I am in support of it. **Hallquist** said he has a problem with this, we have re-glazed those windows twice already, he doesn't think we should do it for a third time and he thinks the RFP wasn't written well, because otherwise people would have bid it (if they understood what was required). He is not in support of this as it sits. **Bailer** said he agrees with that; says they should have been replaced not re-glazed for a third time. **Joyce** asked questions of **Hallquist** to better understand what he would prefer that the City do. **Joyce** continued that since this is just a letter of interest from Dawson, we could go back and discuss with them, we could say we are looking for more than what the RFP said specifically, if that is what Council directs the manager to do. **Allison**

agreed that the motion here is just directing manager to negotiate - a contract will then be worked up. **Robertson** said he brought this around to the local contractors (the two big ones anyway) they said they were too busy and the project was too small. **Dawson** expressed an interest. The operative word is we would negotiate. **Robertson** deferred to **Bennett** (City Facilities Manager) who was present. **Bennett** said the RFP had two parts: 1) replace the window wall in room 220 - the one that was leaking most - where most damage and staining was being seen: 2) do gasket work - not full re-glazing of windows in rooms 218, 218A and 212. **Robertson** said that his negotiation with Dawson would be open-ended. Also, staff was tasked with getting this done over the summer so this is what we have come up with to achieve that end.

Vote on the motion: 5 yeas, 1 nay, 1 absent (Burton). Wiese-yes; Beedle-no; Hallquist-yes; Allison-yes; Joyce-yes and Bailer-yes. Motion was approved.

## J. Reports of Officers

13. Mayor's Report - **Mayor Koplín** had a written report in the packet and added: 1) he participated in a teleconference with NVE and Representative Stutes regarding a Tanner Crab fishery and NVE is interested in taking a lead role in this and among those involved it seems the best course of action so he plans to stay involved but kind of pass that torch. They have some access to federal grant funds that could help fund a test fishery that could generate some good data. 2) He said he will appoint a few others to the Ferry committee; 3) He owes the USFS a letter on heli-skiing that he intends to get out later this week.

### 14. Manager's Report

a. City Financial Report, **Jon Stavig**, Finance Director

**Robertson** said he wanted City Planner **Sam Greenwood** to update Council on a grant opportunity. **Greenwood** reported that Council encouraged staff to seek out grants - **Mr. Robertson** sent her a link to this one: TAP (transportation alternatives program) a federally funded grant through the state. It is similar to a safe routes to school program - it's not for paving but it is for sidewalks and bike paths. It has to be a shovel ready project and there is a 20% match required. Thanks to the paving bond we have a shovel ready project which could work - the sidewalks along Adams between First Street and Second Street. **Greenwood** was presenting this to Council preliminarily tonight because she would need to bring them a resolution of support to pass which shows the 20% match - she doesn't have that number yet but if she compares it to the safe routes project she might estimate a \$60K - \$80K City match. Before she works on this for the next few weeks she wanted a gauge of Council support. There were some questions about if it would be this year or next year as far as the match. **Robertson** said he thought it would be relatively easy to find this amount in this year's budget. Council's consensus was they like the idea but it was hard to make the financial decision with a quick briefing. **Mayor Koplín** said it sounded as though Council was supportive and the Manager seemed to think the money could be found in the 2016 budget. **Robertson** continued his report by passing around book bags that were for sale in the Library. He mentioned the auction that would be Saturday. He also showed a picture of two benches that **Micah Renfeldt** over at Bidarki has made that are placed on Main Street - the wood used was salvaged from Nirvana Park and more are being made. **Robertson** said that the siding is almost completed on the water treatment plant building (below reservoir) on Whitshed. **Robertson** read an email from **Bitney** that said the legislature had passed both the operating and capital budgets for FY17. The constitutional budget reserve was used to fund the deficit. Education funding was increased - the BSA went up \$50 per student. They are adjourned until next Friday and then have to handle some other taxation legislation. It is his last meeting - he appreciates working with this team - they have done a fabulous job, he thanked Council, he thanked the citizens, he thanked his wife **Darlene**. They have moved 22 times in 40 years.

15. City Clerk's Report, **Bourgeois** had a written report in the packet and **Deputy Clerk Hammer** had nothing to add.

## K. Correspondence

16. Letter from Randy Robertson 05-16-16 re departure from Cordova

17. Letter from State Homeland Security Director thanking Cordova for AK Shield participation

18. Info email from Randy Robertson on USGC station planning visit (June 17, 2016)

**Robertson** stressed the importance of this June 17 meeting with the USCG personnel coming to Cordova. He said what a great opportunity this is for Cordova – he thought the Mayor should be the lead on this and he is pulling together the important information with the assistance of **Cathy Sherman** – he has briefed **Sam Greenwood** and **Leif Stavig** on this opportunity and how this first impression is really important. **Robertson** has been involved from the military side on this sort of thing – he wished he would still be here to assist. This is a multi-million dollar opportunity for Cordova – we have a 20% chance of getting this – this boat could mean several families in town in addition to the Sycamore – this is not replacing the Sycamore – it is in addition to it. They will be in this room for 1.5 hours – **Mr. Schinella** and **Ms. Greenwood** will escort them the rest of the day – in the field to explore what they came to see.

#### L. Ordinances and Resolutions

19. Resolution 06-16-22 A resolution of the City Council of the City of Cordova, Alaska, setting the mill rate for the 2016 tax year

**M/Joyce S/Bailer** to approve Resolution 06-16-22 A resolution of the City Council of the City of Cordova, Alaska, setting the mill rate for the 2016 tax year at 11.05 mills.

**Joyce** said the 11.05 mill rate would put us to a revenue amount of that which was the amount we budgeted in the fall when we approved the budget. **Robertson** said that first quarter sales tax was up a bit. Timber receipts funding through the federal government is scheduled to sunset, so that is something to keep an eye on. **Bailer** said that would be a decrease to the mill rate of .48 mills from last year. He said he would like to cut this more but he is supportive of this figure. **Joyce** said that the Cordova Center building has had indirect impact to the City coffers as well – in sales tax revenue from hotel bookings and other sales tax revenues when people come to town for an event at the Cordova Center. **Allison** said he supports the motion because that gets us to the amount that was budgeted, but he knows there will be more money expended this year on the hospital.

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

~~20. Resolution 06-16-23 A resolution of the City Council of the City of Cordova, Authorizing the City Manager to enter into a gas supply agreement with Alaska Intrastate Gas Company~~  
this item was removed from the agenda at approval of the regular agenda

#### M. Unfinished Business

21. Council decision regarding City Manager merit award

**M/Joyce S/Allison** to award **Randy Robertson** a merit award of 10% of his salary equal to \$13,200.

**Joyce** said he provided a list of **Robertson's** accomplishments while working as City Manager. We heard some testimony about the appropriate timing of a merit award being after a performance review, but we haven't done one of those in two years. **Joyce** said that was Council's error as we never sat down with him to go over goals and then accomplishments. **Joyce** said along with all of the things he has written down, **Robertson** was instrumental in getting an engineering firm to contribute to the settlement made concerning the Cordova Center litigation – a significant amount of money. **Joyce** said that **Robertson** opted not to take the City insurance for himself and his spouse, instead he relied on his military insurance – which saved the City about \$20k per year of his employment. **Joyce** said he has been on other boards and he knows that bonuses like this are common for other CEO's – he has not heard one person complain about how the City has been managed. **Allison** said that Cordova is usually a 50/50 place but not on **Randy Robertson's** abilities and service he thinks there are many more Cordovans that are supportive of **Randy** – he is supportive of this motion. He said that **Robertson** saved us 3 times this amount just in our recent hospital CEO negotiations. **Allison** said he wasn't on Council during **Robertson's** evaluation and if it was only done one time in three years that is Council's fault. We should be evaluating our manager annually and setting goals and objectives. **Hallquist** said **Robertson** did a pretty good job but he doesn't agree with everything on **Joyce's** list and he doesn't support this merit award. **Beedle** said an evaluation was offered to **Robertson** and he didn't want one. **Beedle** said the proclamations earlier were to people who devoted a lot of time to the City and they were given a plaque – he was of the opinion that **Robertson** was compensated well for his service so he doesn't support this award. **Beedle** said the previous manager that received a bonus was running the hospital

at the time and was being compensated for that. *Joyce* said he wants to make a very strong statement and correction of some public testimony earlier and of *Mr. Beedle's* statement just now. It is against charter and code for a City Manager to do both of those jobs – he was not compensated for being the hospital administrator he was given a merit bonus for doing excellent work for the City.

Vote on the motion: 3 yeas, 3 nays, 1 absent (Burton). Joyce-yes; Wiese-yes; Allison-yes; Beedle-no; Bailer-no and Hallquist-no. Motion fails.

**22.** Council direction to staff regarding Interim City Manager – Council wanted to go into an **executive session** for this item and they opted to do so after they completed the rest of the open session agenda items (i.e. under item 25).

#### **N. New & Miscellaneous Business**

**23.** Pending Agenda, Calendar Elected & Appointed Officials lists

*Mayor Koplín* said that *Emily Stolarczyk* of EPC had asked for a resolution from Council against the US Navy exercises in the gulf. *Mayor Koplín* wanted Council's opinion first before he decided whether it should go on an agenda. *Mayor Koplín* also asked Council what their will was regarding the second June meeting. Council concurred to not have the second June meeting and to try to be available for special meetings if possible. Council member *Joyce* asked about a hiring committee. *Mayor Koplín* also said that the Rasmuson Board will be here June 24 for a week and they made a substantial contribution to the Cordova Center – so he would like to acknowledge them in a way.

#### **O. Audience Participation**

*Emily Stolarczyk* of Eyak Preservation Council and 509 Fifth Street spoke about the US Navy training in the Gulf of Alaska scheduled for 2017. She hoped Council would pass a resolution at their next meeting that would update the resolution that was passed in 2015.

*Kelley Weaverling* of 303 Browning Street wanted to speak against the resolution that was removed from the agenda regarding a gas supply agreement with AIGCO. He was against the gas supply agreement. He thought other clean energy and less expensive sources/options should be explored.

*Nick Barshay* of slough house in Cordova spoke in support of sidewalks.

*Cliff Ward* of 204 First Street in Cordova agrees with *Kelley Weaverling's* ideas on AIGCO. Also he commented on the City's land disposal methods. He thought there were more proposals than just the one on the breakwater fill lot but the Council was all for the one – the Salty Steer. He opined that would be a great place for a park. Should there be a City plan here before we develop anything else instead of just some random business to support our tax base?

*Alice Grimwood* suggested a Fire Department car wash and dog wash due to the very dusty state of town right now.

*Doug Lechner* of 13101 Bainbridge Rd in Anchorage, VP Shoreside Petroleum, thanked Council for the wise decision to be more sensible and prudent about the resolution that was pulled from the agenda. He agrees with most of what *Kelley Weaverling* had to say as well. Shoreside is not opposed to competition; we offer what they have, it's called propane and the only difference between ours and theirs is they inject air into theirs.

*Mark Frohnapfel* of 828 Woodland Drive and the terminal manager for Shoreside in Cordova, said he wished that an RFP had been put out for this because we can deliver propane to Cordova to all the facilities with the infrastructure that we have in place right now. Roughly at 1 million BTUs, for propane would be about \$28.87 and for #1 stove oil that the City uses now it would come in at \$20.65 for the same 1 million BTU's. He doesn't believe that would equate to a cost savings especially after having to retrofit all of our buildings.

#### **P. Council Comments**

*Wiese* thanked NVE for the interest in the Tanner Crab issue. He also thanked *Emily Stolarczyk* for the information about Northern Edge – he appreciates the education she has offered the community about that. He thanked *Kelley Weaverling* wants him to know his comments are appreciated and heard.

*Bailer* appreciated the public input and noted that the restaurant/hotel proposal on the breakwater fill lot is actual written in the comprehensive plan.

*Allison* said for clarification on a few comments made tonight: 1) raising the mill rate for the CT scanner project was in 2014 not 2015, 2) Council was accused of being obstructionist as far as marijuana and there has yet to be filed any applications for any licenses for marijuana within Cordova – so the delay is just to allow the regulations to get ironed out – unless there are changes to the regs regarding testing facilities there may never be marijuana cultivation, manufacture or retail happening in Cordova – we are delaying, not obstructing. Regarding the AIGCO contract – he wanted it to stay on the agenda so Council could give staff direction. He would be in favor of an MOU agreeing to buy gas if it is cheaper and they put gas out at the best price – he’d be willing to agree to something like that with anyone, Shoreside, etc. – but not the way the agreement before them was written. *Allison* wanted to express his appreciation to *Randy Robertson* for the efforts he has put into the city for his time here, and to *Darlene Robertson* – she has saved us at the hospital numerous times in numerous capacities – she probably worked a lot more in Cordova than she intended too and that is greatly appreciated.

*Joyce* said that last year we asked the Navy to move their training to the fall – he is not sure why we can’t make that same request again; he said for him that would not be a problem. He also wanted to correct a couple of things said tonight. *Joyce* said regarding *Mr. Weaverling’s* comments, the City was to have no financing whatsoever for the gas company – he didn’t know if that was not clear. There would be no City money going into this – other than buying the product from them and installing parts on furnaces, etc. that’s it. *Joyce* also said that this contract was reviewed by an attorney – we always have attorneys review contracts and things like this. *Joyce* said he was glad to hear that Shoreside is willing to compete and that they enjoy competition and we will try to make that happen so you can have a fulfilled life.

*Beedle* said he’d like to see a City of Cordova scholarship maybe named after a prominent citizen to a HS senior attending a trade school. He wondered if he could bring fish in for the USCG people coming – is there a dinner planned? He thanked *Randy* – he appreciated all he did – no disrespect meant as far as the merit award.

*Bailer* commented about the recent graduation. He said he saw some Cordovans who were recently from the Dominican Republic and he said they took the national anthem very seriously and it made him proud to see how much it meant to them to be part of this country.

#### **Q. Executive Session**

*M/Joyce S/Bailer* 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 City Manager recruitment Interim City Manager – see item 22, Legal Services – relationship with City Attorney firm of Birch Horton Bittner & Cherot and a City contract.

~~24. City Manager merit award – see item 21. Council did not use this~~

25. City Manager recruitment Interim City Manager – see item 22.

26. Legal Services – relationship with City Attorney firm of Birch Horton Bittner & Cherot

With no objection, the motion was approved.

At 9:10 pm *Mayor Koplín* called a five minute recess to clear the room.

Council entered the executive session at 9:15 pm and was back in open session at 10:17 pm.

*M/Joyce S/Allison* to direct the Manager to appoint the Interim City Manager and to direct the Mayor to proceed with clarification of legal services with the City Attorneys as was discussed in the executive session.

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

#### **R. Adjournment**

*M/Joyce S/Bailer* to adjourn the meeting.

Hearing no objection the meeting was adjourned at 10:22 pm.

Approved: July 6, 2016

Attest:   
Susan Bourgeois, CMC, City Clerk

