

Regular City Council Meeting
June 17, 2020 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order

Mayor Clay Koplin called the Council regular meeting to order at 7:00 pm on June 17, 2020, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance

Mayor Koplin led the audience in the Pledge of Allegiance.

C. Roll call

Present for roll call were **Mayor Clay Koplin** and Council member **Tom Bailer**. Council members **Cathy Sherman**, **Jeff Guard**, **Melina Meyer**, **Anne Schaefer** and **David Allison** were present via teleconference. Council member **David Glasen** was absent. Also present were City Manager **Helen Howarth** and City Clerk **Susan Bourgeois**.

D. Approval of Regular Agenda

M/Bailer S/Sherman to approve the regular agenda. Council member **Bailer** asked to add a Proclamation of Appreciation to Commander Colin Bronson of the USCG as item 17a. There was no objection from Council.

Hearing no objection to approval of the regular agenda, **Mayor Koplin** declared it approved with the addition of item 17a.

E. Disclosures of Conflicts of Interest and ex parte communications - none

F. Communications by and Petitions from Visitors

1. Guest speaker

a. Incident Management Team, Covid-19 update – **Dr. Hannah Sanders**, Medical Team lead for the IMT emergency response reported that late this afternoon the medical response team identified our second positive COVID-19 case in Cordova. This individual came from out of state and the positive test was caught during routine screening. The immediate contact group was tested and all were negative; the one positive is now in isolation. The contact tracing has now been initiated and a confirmation test will be sent to the state lab in the morning. The processes in place are working great, this is the second time we caught a case like this early during the quarantine process and we feel like we'll really be able to contain this well again. The testing that the community of Cordova has is so robust it exceeds what so many other communities have and that is 100% attributable to the people working behind the scenes that make this work so seamlessly. She appreciates those individuals working at both Ilanka and the hospital to make that work out for Cordova.

Questions from Council: **Bailer** asked her to reiterate what she thinks is optimal regarding testing for people coming home to Cordova or coming to visit Cordova. **Dr. Sanders** replied: follow the state's guidelines, test before coming from out of state or out of the country within 72 hours of travel, or test as soon as you arrive from out of state or out of country. Quarantine until the test results show negative. Then you can move around the community but we encourage social distancing, not entering stores that have curbside services available, mask wearing until you can take a second test which shows negative after you have been in state for seven days. **Schaefer** thanked **Dr. Sanders** for the clear information.

2. Audience comments regarding agenda items

Lisa Docken representing CRWP spoke to correspondence item 12 and wanted to bring a little more attention to the upcoming road work and possible delays and road closures at the 25-mile culvert project on the CR Highway. Citizens can call 424-3334 and get on an email notification list and they will send updates 48 – 72 hours ahead of closures.

3. Chairpersons and Representatives of Boards and Commissions

Dr. Hannah Sanders, CCMCA CEO was present via teleconference and reported: 1) been a busy time for the hospital – she's been able to look at quite a few of the processes that occur at the hospital and there is room for improvement in some of these; the medical/patient care received has never been a concern for her and that continues; 2) COVID has enabled collaboration between Ilanka and CCMC and it's been an exciting time to build healthcare here; 3) new CFO **Eric** has been here for about a month – he's overseeing COVID and other financial processes; 4) **Eric Price**, CCMC CFO agreed with **Dr. Sanders** and said there is a unique opportunity financially at the hospital due to the COVID funding we've been receiving – currently, he said we have \$4.9 million in COVID funds – this has been set aside in 2 new accounts: CARES Act and Rural Healthcare Act – the intent of both of these is to get the facility prepared for any sort of ongoing COVID; we will work toward identifying priorities – quality of care and infrastructure; he is working on improving the billing systems

- goal is to have claims fully adjudicated through the insurance process within 60 days of service. Intent is to be effective and cost-efficient.

There was no School Board report.

4. Student Council representative - summer vacation

G. Approval of Consent Calendar

5. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022, recordation of excused absence of the following: Council member Schaefer from the 06/03/2020 Regular Meeting

Mayor Koplin moved the minutes to the consent calendar

6. Minutes of the 06-03-2020 Regular Public Hearing

7. Minutes of the 06-03-2020 Regular Council Meeting

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

H. Approval of Minutes - moved to Consent Calendar

~~6. Minutes of the 06-03-2020 Regular Public Hearing~~

~~7. Minutes of the 06-03-2020 Regular Council Meeting~~

I. Consideration of Bids - none

J. Reports of Officers

8. Mayor's Report - **Mayor Koplin** reported: 1) his COVID-19 emergency response participation has settled down a bit, still involved in a few local/state and national meetings weekly, mostly concerning fisheries related and daily radio updates and once per week press briefing (handled jointly by either City Manager, Dr. Sanders or himself) - he appreciates the work of the PO's especially Cathy Sherman who drafts those and keeps us and the community abreast of the work of the Incident Management Team; 2) he's been receiving feedback from agencies that Cordova is still well ahead of the curve - due to committed and sincere citizenry, volunteers and ambassadors and City staff; 3) focus shifting from public health to economically supporting the business community through a difficult time; 4) as far as the Cordova Community Health front he has met with the City Manager, the CCMC Board Chair, Tribal Council Chair, CCMC CEO and other stakeholders - mostly to give feedback to Council for the executive session item later tonight; 5) ADF&G Commissioner **Douglas Vincent-Lang** has arrived in Cordova this evening, he'll be flying over the Copper River tomorrow with **Sam Rabung**, ComFish Director; 6) AMHS Governor's reform committee has been meeting - he's attended some of those, we are slated for the Aurora to come back here in the fall, it is currently in the shipyard being rebuilt - he appreciated the input and suggestions of former AMHS employee **Robin Irving** and Chamber Director **Cathy Renfeldt**

9. Manager's Report - City Manager **Helen Howarth** reported: 1) next week we will focus in on CARES Act funding and specifically how we will spend those resources, we will have a lot of information available for Council to help make these decisions; 2) small businesses, Alaska has a \$280 million relief fund for small businesses, she wants to alert the community so businesses owners will seek these out, non-profits have over \$40 million available to them

a. Finance Report, **Ken Fay**, Finance Director presented a financial update as of May and he is still getting a handle on things, revenue numbers are as expected. UBS - he had a good conversation with our Investment Advisor, to determine if we are getting value from the fees charged there.

Questions: **Bailer** said he agrees on the UBS front, anytime you've had the same firm for 10 years it's a good idea to go out for an RFP. **Fay** agreed. Questions for City Manager: **Bailer** said maybe add E911/addressing to the CARES ACT projects for Council discussions.

10. City Clerk's Report - **Bourgeois** reported: 1) she had a written report with highlights from the department's work of late; 2) she mentioned that Faith at CCMC had contacted her today with new email addresses for all of the CCMCA Board members and the elected and appointed officials lists behind the calendars in the Council packets will be updated accordingly (this goes to what **Dr. Sanders** had mentioned about working on transparency at CCMC) 3) she will also be putting minutes in the consent calendar to save us a vote each meeting, see how that procedure works out; 4) she may bring a discussion item to Council soon concerning changes to election code to allow for more and easier opportunity for absentee by mail voting in local elections, she'd bring this up at Pending Agenda.

K. Correspondence

11. 06-03-20 Letter from thread re Childcare funding

12. 06-08-20 CRWP email re Culvert project on Copper River Hwy

13. 06-08-20 AHFC Housing Relief Notice

Meyer commented on the childcare letter – might be worth looking into for our local CARES money.

L. Ordinances and Resolutions

14. Ordinance 1188 An ordinance of the Council of the City of Cordova, Alaska, amending Cordova Municipal Code Section 5.40.030 to update language regarding sales tax exemptions and adding CMC 5.40.025 to identify classes of buyers exempt from city sales tax and to exempt sales, services, and rentals to federally recognized tribal entities from City sales tax – 2nd reading

M/Bailer S/Guard to approve Ordinance 1188 an ordinance of the Council of the City of Cordova, Alaska, amending Cordova Municipal Code Section 5.40.030 to update language regarding sales tax exemptions and adding CMC 5.40.025 to identify classes of buyers exempt from city sales tax and to exempt sales, services, and rentals to federally recognized tribal entities from City sales tax

Bailer said he supported this. **Guard** agreed, said this is just housekeeping. All other council members also said they were in support.

Vote on the motion: 6 yeas, 0 nays, 1 absent. Schaefer-yes; Sherman-yes; Bailer-yes; Meyer-yes; Allison-yes; Guard-yes and Glasen-absent. Motion was approved.

15. Emergency Ordinance 1189 An emergency ordinance of the Council of the City of Cordova, Alaska adopting the City of Cordova COVID-19 recovery plan, and ratifying emergency order 2020-09

M/Schaefer S/Guard to adopt Emergency Ordinance 1189 An emergency ordinance of the Council of the City of Cordova, Alaska adopting the City of Cordova COVID-19 recovery plan, and ratifying emergency order 2020-09

Schaefer asked the City Manager to explain what the change is in this from our current plan. **Howarth** said this isn't really a change, it is an acknowledgement that we agreed to bring the City inline with State mandates. The state has red, yellow, green in place, but this emergency order gives us the orange alert language that provides a way to deviate from the state's plan in case we get a local outbreak and the state doesn't find need to make any changes statewide, yet we'd be inclined to quickly change rules here locally. **Howarth** said that she hadn't run this through the IMT, just a timing issue, and they do have some suggested changes, so this can possibly be looked at tonight but then brought back later. City Attorney **Holly Wells** was on the line to explain the details to the City Council; mostly this was a proposal she offered council for legal protection in case we had an outbreak in Cordova and needed to move quickly to go back to previous state mandate language and be much stricter again.

Schaefer asked if as a home rule city and under our current emergency rules don't we already have the ability to increase restrictions further than what the state rules are. **Wells** replied that, we really don't know because this is a whole new ballgame – the court would consider, what process did you follow, reason for doing it, was it reasonable, did you violate a right to privacy or substantive procedural or due process rights under the constitution and are you acting within your authority that is granted under state law. She feels as though the constitutional piece is what she is really watching, these types of acts are significant so we want to provide as much process as possible. So, if we do not put in a new system, now that affords process (i.e. this ordinance, made public, includes a public hearing, weighed publicly by Council) then we are more vulnerable to challenge.

Guard said we still have the 10-day window on state mandates right? Yes, but that 10-day rule allows us to pause when the state relaxes or repeals mandates, they only really have a few things left to remove; testing, travel and some industry requirements, there is really nothing left to open.

Bailer said he views this as a solution looking for a problem, by no means is this needed. He reminded Council that not too long ago the governor said on tv that any community that needs to be more restrictive with their rules can be as long as its science and health based. He didn't agree with this extra step which would confuse the public. He doesn't support this at all. **Wells** said the Governor does not determine constitutionality – we'd certainly want to ask the state about the constitutionality of rules and Alaska has been known to interpret the constitution pretty strictly. Taking this opportunity to show process makes our rules less vulnerable to challenge. **Bailer** said he thinks that the shopkeepers and citizens will shut this place down tight if there is an outbreak here, he thinks this is a non-issue and won't support it.

Meyer said she'd prefer this be referred to staff because it seems like the IMT has some issues with it still. **Wells** agreed that it should be referred because she thinks the IMT still wants to consider changes to it.

Allison said he has mixed emotions; he always gets a little queasy when the City Attorney gets involved, especially when they are proposing something. He has never like rule 17 so he's ok with getting rid of that. He'd be supportive as it gets us closer to the state, a sermon he's given more than a few times, and for the deliberative reasons the attorney was giving, but it sounds like mostly everyone wants to refer it to staff.

Sherman said she had wished it would've been removed from the agenda. She is not in support if the unified command isn't and she does not want to remove rule 17.

M/Sherman S/Bailer to refer to staff.

Sherman, Bailer, Meyer, Guard, Allison and **Schaefer** all said they support referring to staff.

Vote on the motion to refer: 6 yeas, 0 nays, 1 absent. Meyer-yes; Allison-yes; Bailer-yes; Sherman-yes; Glasen-absent; Guard-yes and Schaefer-yes. Motion to refer was approved.

16. Resolution 06-20-28 A resolution of the Council of the City of Cordova, Alaska, adopting the 2020 Land Disposal Maps

M/Bailer S/Guard to approve Resolution 06-20-28 A resolution of the Council of the City of Cordova, Alaska, adopting the 2020 Land Disposal Maps

Guard said we do this annually, let's get 'er done. **Allison** said he'd go along with the Panning Commission recommendation and he pointed out that any piece of land could be made available. **Meyer** commented that the not available property which can be made available, sometimes that is confusing for the public but she doesn't really have a good alternative to propose on how to handle that. **Bailer** made a suggestion that maybe we should list why a property isn't available. Also, input from the Harbor Commission or others as to why certain lots aren't deemed available. City Planner **Leif Stavig** said we are always looking at ways to improve this process.

Vote on the motion: 6 yeas, 0 nays, 1 absent. Allison-yes; Sherman-yes; Meyer-yes; Bailer-yes; Guard-yes; Schaefer-yes and Glasen-absent. Motion was approved.

17. Resolution 06-20-29 A resolution of the Council of the City of Cordova, Alaska, opposing a request for emergency special action to allow federal subsistence fish harvest in the lower copper river using dipnet and rod and reel

M/Bailer S/Sherman to approve Resolution 06-20-29 A resolution of the Council of the City of Cordova, Alaska, opposing a request for emergency special action to allow federal subsistence fish harvest in the lower copper river using dipnet and rod and reel

Mayor Koplin said he put this on the agenda, what concerned him most about this was this is a very serious modification to what exists with sweeping impacts, he was concerned that the City wasn't consulted. There is still an opportunity to comment, before the local district ranger could start setting seasons with this. He reached out to **Chairman Olsen** of the NVE Tribal Council and they have actually voted a couple of times to oppose this.

Bailer said he would oppose this. **Sherman** said she would stand with the Tribal Council on this one. **Guard** said he supports the resolution. **Schaefer** agreed to support this resolution and stand with the Tribal Council. **Allison** also stands with the resolution and the village. **Meyer** agrees as well to support the resolution but she acknowledges that access to subsistence is limited; while she doesn't support this proposal of subsistence on the lower Copper she does understand the limitations to subsistence for people who do not have access to boats.

Vote on the motion: 6 yeas, 0 nays, 1 absent. Glasen-absent; Bailer-yes; Meyer-yes; Guard-yes; Allison-yes; Schaefer-absent and Sherman-yes. Motion was approved.

17a. Proclamation of Appreciation to Commander Collin R. Bronson, United State Coast Guard

M/Bailer S/Sherman to approve the proclamation of appreciation to Commander Collin R. Bronson, USCG.

Mayor Koplin read the proclamation into the record. **Bailer** thanked him and all of those who serve the country. **Sherman** said that proclamation was lovely, she said the USCG in Cordova is family and it is always hard when they have to leave, thanks. **Allison** also thanked him for his service. **Guard** echoed what was said before him, we wish him well. **Schaefer** agreed and thanked him, said good luck. **Mayor Koplin** said tomorrow there will be a very small event for the "change of command" - he will represent the City, usually it is quite a public affair, but not this time due to COVID.

Mayor Koplin followed up the proclamation with a statement from **Micah Renfeldt** of the Cordova Disc Golf Club, "As the President of the Cordova Disc Golf Club, the members, and myself personally, would like to extend our deepest gratitude to **Commander Collin Bronson** for his instrumental, and paramount role in it's creation. Through his vision and aptitude, he shall leave Cordova a lasting recreation opportunity at the Meals Reservoir Disc Golf Course. We are sad to see him go, but we pledge to keep and stay the course for all players and his (hopefully) eventual return. Remember to always keep your disc wet!"

Vote on the motion: 6 yeas, 0 nays, 1 absent. Sherman-yes; Schaefer-yes; Guard-yes; Meyer-yes; Allison-yes; Glasen-absent and Bailer-yes. Motion was approved.

M. Unfinished Business - none

N. New & Miscellaneous Business

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

Council called a special meeting for 6/24/20 at noon for 2 items, CARES Act funding and Elections. Perhaps the referred ordinance would be ready to come back as well. **Mayor Koplín** continued saying we'd have that special meeting format like we've been doing with the IMT report and the COVID emergency discussion item on there as well.

O. Audience Participation

Barb Jewell of mile 2.2 Whitshed Road thanked Council for the thoughtful discussion about the Covid 19 emergency and the way forward in addition to still taking care of the day-to-day business of the City. She wanted to speak to the issue of transparency, the CCMC item in executive session is an item she'd like to see in open session.

P. Council Comments

Sherman said she likes **Bailer's** idea about considering E-911 and addressing for Covid CARES Act funding.

Schaefer a big thanks to those working on IMT and staff, things are going along smoothly.

Bailer asked for the parameters of what this money can be spent on. He thanked the ambassadors, smiling on a rainy day doing their job the day he flew in. Also thanked staff.

Q. Executive Session

19. Terms and conditions of CCMC sale subjects which may be considered are matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government

M/Bailer S/Sherman to go into an executive session to discuss terms and conditions of CCMC sale subjects which may be considered are matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government

With no objection, the meeting was recessed at 8:47pm to clear the room and give the Clerk time to text the executive session call-in number to Council

Council went into the executive session at 8:50 pm and was back in open session at 9:19 pm.

Mayor Koplín said the executive session was for adverse effect on the finances of the government, terms and conditions of CCMC sale. Primarily items discussed were lines of communication and the legal requirements and the legal agency of the City and who is authorized to do what. Council has designated a liaison and we discussed Council roles and transparency to the public. There is no letter of interest right now from the Native Village of Eyak for purchasing the hospital. **Greg Meyer** has been appointed to act as liaison between the Tribal Council and the City Council. The City Council is very committed to quality healthcare in Cordova and has directed the City Manager to assess various healthcare models, one of which is the Tribal Model, which may or may not include a transfer of facilities or new facilities or repurposing of facilities. There have been no formal negotiations as of yet. No action was taken in the executive session.

R. Adjournment

M/Bailer S/Sherman to adjourn the meeting.

Hearing no objection **Mayor Koplín** adjourned the meeting at 9:22 pm.

Approved: July 1, 2020

Attest: 
Susan Bourgeois, CMC, City Clerk

