

**CITY COUNCIL SPECIAL MEETING
JUNE 28, 2011 @ 7:00 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor Jim Kallander called the Council Special Meeting to order at 7:00 pm on June 28, 2011 in the Library Meeting Room.

B. ROLL CALL

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

C. APPROVAL OF AGENDA

M/Reggiani S/Allison to approve the agenda.

Vote on motion: 5 yeas, 0 nays, 2 absent. (Cheshier, Beedle).

D. DISCLOSURES OF CONFLICTS OF INTEREST

Allison declared a conflict on items 26 and 31. *Mayor Kallander* agreed.

van den Broek was also deemed conflicted on two land sales; items 32 and 33.

E. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Audience comments regarding agenda items.

Council member *Cheshier* arrived at 7:18 pm.

MaryAnne Bishop spoke against the passage of Ordinance 1082. She entered her written comments into the record.

Steve Witsoe of Shelter Cove spoke concerning Ordinance 1082 said he was not particularly against the idea of natural gas, but he thought the public process was lacking.

David Roemhildt of mile 6 Copper River Highway, spoke about his proposals on two South Fill lots, items 32 and 33. He said that his proposals both offer services that will benefit the fishing fleet.

Becky Chapek of 608 Cedar, she said she also put in two proposals under agenda items 32 and 33. She said there were five good proposals which just goes to show the confidence that businesses have in Cordova.

Angela Arnold of 403 Council said that Native Village of Eyak also put in two proposals which she thinks are good – she also said that the other proposals look good.

Tom Bailer 304 Orca Inlet Drive, said he was the only Planning Commissioner to vote nay on the land sale proposals. He said that he believes that Planning and Zoning should have done a more thorough analysis and made a recommendation to Council. That is not what they did this time and he would like some direction from Council on this.

Becky Chapek of 608 Cedar felt like she had to defend the building she intended to move – it is sturdy and it is built to commercial standards and it will be open year round.

Kristin Carpenter of Copper River Watershed Project said she was speaking against Ordinance 1082 because she was upset that there hadn't been more genuine exploration of the options that were discussed during the couple of meetings last summer. She said the permitting process will just be more contentious without community support. She reiterated that there had never been public input against the shipyard development.

Jennifer Gibbins 305 Browning spoke against the passage of Ordinance 1082. She said that the public comment has not been respected. She doesn't think the process has been transparent and she doesn't think

it's right. She said it is more than a lack of genuine discussion; she is really disappointed and hopes tonight there is a little more thorough discussion and transparency.

Jason Borer of 325 First Street spoke concerning Ordinance 1082 – he is really for the idea of pursuing Natural Gas in Cordova, he would like to see that this passes the cost-benefit test. He also spoke in favor of NVE's proposal on the South Fill lots in order to expand the museum and cultural center.

Tim Joyce commented on Ordinance 1082. He said this process has been going on 3 years at least – people have had their chance to comment, however, the result may not be what certain public members had hoped – that doesn't mean they didn't get a chance to speak. The benefit of gas is a pollution abatement issue (diesel is dirty). Gas will also lower the cost of running a business in Cordova – could help the economy by bringing in businesses. It will also help the poor in this community. This is a real opportunity for this Council to reduce costs for people (citizens).

F. APPROVAL OF MINUTES

M/Reggiani S/Kacsh to approve the minutes.

2. Minutes of 06-01-11 Public Hearing

3. Minutes of 06-01-11 Regular Meeting

Vote on motion: 6 yeas, 0 nays, 1 absent. (Beedle).

G. CORRESPONDENCE

4. Letter from Ramona Curry in re Marie Smith Jones bridge naming

5. Letter from William Smith in re Marie Smith Jones bridge naming

6. Postcard from Alison Bidlack in re PWSSC

7. Postcard from Bill Black in re PWSSC

8. Postcard from Susan Ogle in re PWSSC

9. Postcard from Aurora Lang in re PWSSC

10. Letter and Invoice from Alaska Municipal League

11. Letter from Jai Kim in re Mile Glacier Truss Bridge

12. Letter from Robert Groves in re 2010 US Census

13. Postcard from Cordovan (unable to read name) in re PWSSC

14. Invoice in re membership dues from Southeast Conference

15. Letter from Bill Black in re Observation Avenue intersection

16. Postcard from Mark Steen in re PWSSC

17. Postcard from Rochelle van den Broek in re PWSSC

18. Postcard from Charles Weaverling in re PWSSC

19. Postcard from Elizabeth Hahn in re PWSSC

20. Letter from State Petroleum Assessor in re Oil & Gas property in Cordova

21. Postcard from Amy O'Neill Houck in re PWSSC

22. Letter to ADF&G Commissioner Cora Campbell

23. Letter to Rear Admiral Thomas C. Ostebo in re: James and Amy Houck

24. Postcard from Marina Briggs in re PWSSC

25. Postcard from Sharon Ermold in re PWSSC

Mayor Kallander asked if there were any comments on correspondence. The **Clerk** asked Council if they were interested in joining Southeast Conference this year – she said the bill was under item 14. After some discussion and with redistricting looming, Council decided not to spend the money.

Bradford mentioned the letter from Ramona Smith who asked that Marie Smith Jones be memorialized as **Chief Marie Smith Jones**. The **Clerk** was asked to contact Ms. Smith and tell her she can take it up with the people at the State level now.

H. NEW BUSINESS

26. Ordinance 1081

An ordinance of the City Council of the City of Cordova, Alaska, authorizing the conveyance to Trident Seafoods Corporation of Tract 2, Alaska Tidelands Survey No. 220, Cordova Recording District – 1st reading

M/Reggiani S/Kacsh to adopt Ordinance 1081 an ordinance of the City Council of the City of Cordova, Alaska, authorizing the conveyance to Trident Seafoods Corporation of Tract 2, Alaska Tidelands Survey No. 220, Cordova Recording District.

Vote on motion: 5 yeas, 0 nays, 1 absent. (Beedle) 1 conflict of interest (Allison).

27. Ordinance 1082

An ordinance of the City Council of the City of Cordova, Alaska, authorizing the conveyance to Alaska Intrastate Gas Company of 4.21 acres of tidelands located in ATS 1004 – 1st reading

M/Kacsh S/Reggiani to adopt Ordinance 1082 an ordinance of the City Council of the City of Cordova, Alaska, authorizing the conveyance to Alaska Intrastate Gas Company of 4.21 acres of tidelands located in ATS 1004.

Mayor Kallander asked the *Manager* if this contract was already approved by Council. *Lynch* said that the attorney's wrote this contract exactly how Council wanted it. He was going to clarify that the language did in fact protect the City (he believed section 10.3 survival covered this concern). He also said that section 7c of the contract gave the performance information that Council wanted in there. There was clarification that AIGCO themselves added the canoe launch site and that was on ATS 900, but this contract before Council tonight only included the sale of land in ATS 1004 (4.21 acres).

Bradford said he will not support this – he hasn't seen evidence that this company will perform. *van den Broek* said he said he has also heard lots of people being against this. *Mayor Kallander* said that besides the environmental community, he has heard nothing but support. He said for three years, the same few people have testified against this. He thinks Council needs to cast a wider net to get public input on this. *Reggiani* said he would support the first reading but would like those couple of issues already mentioned cleared up for the next reading. *Kacsh* said he has heard a lot of people speak against this, however, he has also heard a lot of people say that the number one concern for businesses and residents in Cordova is the cost of energy. He also thinks that some of the comments he has heard are beyond the scope of the things that government should do when it comes to private enterprise.

Vote on motion: 4 yeas, 2 nays (van den Broek and Bradford), 1 absent. (Beedle).

28. Resolution 06-11-30

A resolution of the City Council of the City of Cordova, Alaska, establishing local government contribution of National Forest Receipts for the Cordova Public School District for the school fiscal year ending June 30, 2012

M/Kacsh S/Cheshier to approve Resolution 06-11-30 a resolution of the City Council of the City of Cordova, Alaska, establishing local government contribution of National Forest Receipts for the Cordova Public School District for the school fiscal year ending June 30, 2012.

Vote on motion: 6 yeas, 0 nays, 1 absent. (Beedle).

29. Resolution 06-11-31

A resolution of Cordova City Council in support of the safe routes to schools grant efforts

M/Bradford S/Kacsh to approve Resolution 06-11-3 a resolution of Cordova City Council in support of the safe routes to schools grant efforts.

Vote on motion: 6 yeas, 0 nays, 1 absent. (Beedle).

30. Resolution 06-11-32

A resolution of the City Council of the City of Cordova, Alaska, authorizing the transfer of \$81,424 to the Cordova School District, specifically to be spent for acquiring equipment in the Mt. Eccles addition and renovation, and amending the 2011 City of Cordova budget accordingly

M/Bradford S/Cheshier to approve Resolution 06-11-32 a resolution of the City Council of the City of Cordova, Alaska, authorizing the transfer of \$81,424 to the Cordova School District, specifically to be spent for acquiring equipment in the Mt. Eccles addition and renovation, and amending the 2011 City of Cordova budget accordingly.

Vote on motion: 6 yeas, 0 nays, 1 absent. (Beedle).

31. Resolution 06-11-33

A resolution of the City Council of the City of Cordova, Alaska, approving a site plan for Trident Seafoods Inc. to install two dolphin pilings on Tract 2, ATS 220, to provide additional moorage

M/Reggiani S/Bradford to approve Resolution 06-11-33 a resolution of the City Council of the City of Cordova, Alaska, approving a site plan for Trident Seafoods Inc. to install two dolphin pilings on Tract 2, ATS 220, to provide additional moorage.

Vote on motion: 5 yeas, 0 nays, 1 absent. (Beedle) 1 conflict of interest (Allison).

32. Land sale proposals - South Fill Lot 3, Block 2

Mayor Kallander asked Planner *Sam Greenwood* to give a quick run through of the proposals for this lot. *Greenwood* started by saying all three of the proposals met the criteria of the plan for the South Fill Development Park.

a) **Chapek** – proposes a year-round restaurant bringing in the Depot Diner from the airport - \$500K, sounds ready to roll.

b) **The Roemhildt's** – year-round food, laundry, showers, work space and business center – to support the fleet in summer – 5200 square feet, \$1.2M – completed within 3 years

c) **Native Village of Eyak** – Ilanka cultural Center and museum – expansion of gift shop and museum – approximately 4000 square feet on each floor – estimated \$1.5Million – construction to start as soon as they can hire an architect to draw the plans

Reggiani said that he struggled with this so he went to Code. *Kacsh* said he said he would prefer the business that was in best support of the fleet – as he thought the South Fill was intended for that. *Allison* said he would have liked to have seen a recommendation from the Planning Commission. *Mayor Kallander* said he would like to see NVE pursue such an expansion but he would like to see them do so on Main Street. *Cheshier* said he hates that this is so subjective but he said it is our job and we can't push it off on anyone else. He said he can only go on his personal bent and that would be the biggest tax base and the biggest benefit to the fishing industry, therefore...

M/Cheshier S/Bradford to approve the Roemhildt proposal.

Bradford agreed – seems to have the most bang for the small space. He is concerned that such a facility may not stay open year round. *Allison* echoed Mayor's comments in re NVE being better suited for Main Street location. Roemhildt's is the most fishing-oriented and makes the most sense. *Kacsh* also had chosen the Roemhildt proposal before discussion began. *Reggiani* said he is comfortable supporting this proposal.

Vote on motion: 5 yeas, 0 nays, 1 absent. (Beedle) 1 conflict of interest (Allison).

33. Land sale proposals - South Fill Lot 5, Block 2

Greenwood gave an overview of the four proposals for this lot.

a) **The Roemhildt's** are intending a building in order to extend the space currently being used by Redden Net in their existing building on the adjacent lot – more services to the fleet – ability to hang seine nets – indoor storage for nets - \$750K, completion time estimated at 2 years.

b) **The Blackler's** are intending a space for their "Shipyard Rentals" business but would also include space for a hydraulic equipment sales and repair component to the business. They anticipate a 3150 square foot

building, geared toward the fishing industry and the estimated cost of building is \$275K. The building has already been purchased and is ready to construct – it is in town.

c) **Chapek** – intends to build a building with three retail spaces to house a laundromat, a DEC approved kitchen for a food service business, and a rental shop for marine related merchants to see wares. Second story would have six seasonal rooms for rent – 2800 square feet per floor. \$350K estimated cost – first story done in first year – second story completed in year two.

d) **Native Village of Eyak** – Ilanka cultural Center and museum – expansion of gift shop and museum – approximately 4000 square feet on each floor – estimated \$1.5Million – construction to start as soon as they can hire an architect to draw the plans

Allison said he needs more information from the proposers. After some discussion Council asked each of the proposers to be in attendance at the next Council Meeting – July 6 – to give 10 minute presentations and be available to answer questions from Council about their proposals.

34. Request for purchase of City property – Shoreside Petroleum

M/Kacsh S/Bradford that the City Council approve the disposal of Parcel A of ATS 220 and a section of tidelands of ATS 1589 to be determined by a survey defining the tidelands needed for existing daily operations of the finger pier for not less than fair market value by method one (direct negotiation as defined in CMC 5.22.060A.1.)

Reggiani said he would support this. Shoreside is unique to that spot and they are the best ones to own it.

Bradford said he agreed – they are established and they aren't going anywhere.

Vote on motion: 6 yeas, 0 nays, 1 absent. (Beedle).

35. Finance Director Memos in re: Sales Tax delinquencies

Finance Director *Ashley Royal* spoke concerning two business owners who continue to be delinquent in sales tax payment to the City. He believed that both would eventually come into compliance. Council took no action.

36. Discussion of Police Department policy in re: local citizens' imprisonment

Mayor Kallander said he just wanted to bring this up for Council to discuss and think about. He would like Council to consider a policy which would ensure police department staff would keep local resident prisoners in Cordova for their sentences whenever possible. Presently, we are shipping people off to Anchorage if their term is longer than a few days.

37. Council and City Manger travel budgets – *Mayor Kallander* said that this Council spends more travelling than other Councils, he just wants Council to consider whether this should be unrestricted, unlimited, or should there be limits or any policy etc. *Allison* said that in the budget he is looking at, our budget looks fine. There was a consensus of Council that the Council overall budget looked fine and they didn't want to do anything about this.

38. Pending Agenda and Calendar

July 6, 2011 – 2 work session – 1 joint with HSB, 1 – City audit; and also a public hearing as well as the regular meeting.

I. AUDIENCE PARTICIPATION

Becky Chapek said she felt that as far as the criteria they were given, each of them met the criteria – it said nothing about having to be fishing related. She asked if the proposals change from the initial representation. *Mayor Kallander* said it was fine to sell as you choose, but whatever you present should be what you fully intend to do.

Barbara Beedle of 910 Ingress mentioned the US Flag problem again. She asked that when it gets announced by the Governor to fly it at half-staff, we don't seem to lower it. The flag also still needs a light and should be the responsibility of an employee not a volunteer. She commented on the nice statue in the

back – she wondered if it was part of the Fish Follies show or not. **Cathy Sherman** responded that it was for the Cordova Center and funded through the Historical Society.

David Roemhildt mentioned that he had been in a village recently where he wanted to buy land and the village administrator said you had to live in the village 10 years to have access to buy tribal land. He said that was such a disincentive to do anything toward helping the economy in that village. He is glad that Cordova has the “problem” of running out of land. He said we should sell the land and make more.

Tom Bailer 304 Orca Inlet Drive said he wished the Planning Commission had made a recommendation to Council like they used to. He commented that the City Shop on Whitshed is full of moss and rot and needs to be fixed before the rot spreads.

Robert Baty of 4.5 mile CRH commented about the statue that Mrs. Beedle had mentioned and he said he wondered how it was funded and why there had been no public process concerning the purchase. He remembered the school project and how a certain portion of grant funding goes toward art and a committee should be formed for that. He also commented that as far as the community jail and arrest policies goes, he thinks Council should heed the opinion of Billy Houser with Department of Corrections who said we should continue with current practices.

Cathy Sherman said that the statue was purchased by a member of the Historical Society who wishes to remain anonymous and that the 1% for art committee for the Cordova Center will be formed soon (all federal and state grant-funded projects are required to have 1% for art).

Jason Borer 325 First Street said he hopes the AIGCO contract can get cleaned up (i.e. have the acreage correct). He praised all who helped with the Pioneer Cemetery cleanup and especially commended **Lynch** and **Moe** for giving the services of **Bill Bernard** who spearheaded it and did a great job. He was upset that in the discussion of the requests for South Fill lots Council singled out NVE because someone believed that they “should” be on Main Street. He thought that was unfair and wrong of Council to do.

J. COUNCIL COMMENTS

Allison said in response to **Tom Bailer’s** comments, he wanted to ensure that it be known that during the discussion of the land proposals, he did state that he would have liked a recommendation from the Planning Commission. In response to **Mr. Borer**, he said that Council does have to weigh the proposals for adherence to the uses in that area and one of those is water dependency and he believes that a museum is not water dependent. He will openly listen to the proposals on July 6. Lastly, as far as those who spoke against Ordinance 1081, he said that what Council has heard every time is that the process hasn’t been long enough. He would encourage reasons why they shouldn’t proceed, not that the process hasn’t been long enough.

Reggiani said he shares the frustration of P&Z Chair Bailer because there is conflict in Code regarding powers and duties of the commission and 5.22 the disposal ordinance – hopefully we can straighten out the inconsistencies.

van den Broek said he thinks it would be very advantageous for Council to hear the recommendation of the Planning Commission on the land sale proposals.

Kacsh said he would also like to hear from Planning and Zoning. He really wants us to look in to extending the South Fill.

Mayor Kallander called for a 5 minute recess at 10:05 pm.

K. EXECUTIVE SESSION

39. City Manager – goals and expectations

M/Bradford S/van den Broek to enter into an executive session to discuss City Manager goals and expectations; subjects which may be discussed are (2) subjects that tend to prejudice the reputation and character of any person; provided that the person may request a public discussion.

Vote on motion: 6 yeas, 0 nays, 1 absent. (Beedle).

At 11:05 pm the regular meeting was reconvened.

Mayor Kallander stated that the executive session with the City Manager was very productive – there was good dialogue between Council and the Manager about goals and objectives for the community.


L. ADJOURNMENT

M/Bradford S/Allison to adjourn.

Vote on motion: 6 yeas, 0 nays, 1 absent. (Beedle).

The meeting was adjourned at 11:05 pm.

Approved: July 20, 2011

Attest: 

Susan Bourgeois, City Clerk

