

Regular City Council Meeting
August 3, 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 7:00 pm on August 3, 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 *Tom Bailer, Robert Beedle, Josh Hallquist, David Allison* and *James Wiese*. Council members *Tim Joyce* and *James Burton* were present via teleconference. Also present were Interim City Manager *Mike Hicks* and City Clerk *Susan Bourgeois*.

D. Approval of Regular Agenda

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

Hearing no objection the motion was approved.

E. Disclosures of Conflicts of Interest

Mayor Koplín said he would like to disclose that on Resolution 08-16-29, his wife is employed by Appraisal Company of Alaska. He also disclosed that item J16a under reports - he is the General Manager of Cordova Electric and as such will not participate in the discussion of the Crater Lake project. *Joyce* said it would be appropriate for *Mayor Koplín* at that time to pass the gavel to the *Vice Mayor* and join the audience so he could be available for questions in his other capacity, as General Manager of CEC.

F. Communications by and Petitions from Visitors

1. Guest Speakers - before moving on with guest speakers, *Mayor Koplín* introduced *David Gross* to the Council - he is the managing partner of the law firm that represents the City, Birch Horton Bittner and Cherot, and he would be speaking to Council later in the evening.

a) **Carlos Martin**, bird control

Martin gave a talk about some of the methods he has used successfully to control pest birds when they have become a nuisance issue to humans. The Council had asked for him to give such a presentation due to the seagull issue around Cordova this summer.

b) **Kristin Carpenter**, storm water sampling results. *Carpenter* gave an update on the storm water work that the Copper River Watershed has been doing. She handed out a chart of some of the data that has been compiled about the runoff (caused by rain coming off paved roads into the storm water drains, without being treated, then eventually into water sources - such as Eyak Lake, Odiak Pond, Orca Inlet etc.). CRWP has three projects on the ground now, an oil and grit separator at Eyak Lake, a bioswale by Odiak Pond and a V-swale - also near Odiak Pond - catching the melting snow from a snow storage location. All of these help filter the runoff so it is in better condition when it enters the body of water. *Carpenter* had assumed they would see high hydrocarbon levels in the sampling but instead there was more heavy metals. A short video about storm water runoff in Puget Sound helped to explain the issue.

2. Audience comments regarding agenda items - none

3. Chairpersons and Representatives of Boards and Commissions

Allison reported that the HSB will meet next week but he said that there had been a meeting where they updated check signers since it was the new CEO *Scott Mitchell's* first meeting, there was also a financial report and recently he has learned that CCMC may be asking for some money from Council again soon as there are 3 payrolls in September and they may be short on their cash flow to handle that.

Bailer said that P&Z had met and there was an item later in tonight's agenda from P&Z.

School Board President *Barb Jewell* reported that school starts on August 25 - new staff orientation starts soon, 5 new staff members, all found housing which is a good thing. She specifically thanked the Mayor, City Manager, City Engineer and Facilities Manager for meeting with them specifically to discuss future facility needs in the state's current fiscal environment.

4. Student Council Representative Report - was not present

G. Approval of Consent Calendar

Mayor Koplín declared the consent calendar before Council.

5. Resolution 08-16-29 A resolution of the City Council of the City of Cordova, Alaska, authorizing the city manager to enter into an agreement with Appraisal Company of Alaska for tax year 2017 assessment services in the amount of eighteen thousand dollars (\$18,000)

6. Waive Council's right to protest liquor license application #5508 * Harborside Pizza * restaurant/eating place-public convenience

7. Mayor appointment and Council concurrence to fill vacant seats on Cordova Historical Preservation Commission

8. Council concurrence to disband the Cordova Center Committee

9. Record excused absence of Council member Burton from the July 6, 2016 Regular meeting

Vote on the consent calendar: 7 yeas, 0 nays. Allison-yes; Hallquist-yes; Bailer-yes; Beedle-yes; Wiese-yes; Burton-yes and Joyce-yes. Consent Calendar was approved.

H. Approval of Minutes

M/Bailer S/Allison to approve the minutes.

10. Minutes of 06-22-16 Special Council Meeting

11. Minutes of 07-06-16 Regular Council Meeting

12. Minutes of 07-14-16 Special Council Meeting

Hearing no objection the motion was approved.

I. Consideration of Bids

13. Approval of amendment to post-LT2 project contract with GV Jones & Associates

M/Allison S/Joyce to direct the City Manager to negotiate a change order with GV Jones Associates, Anchorage, AK, to provide post-LT2 engineering services as negotiated for a sum not to exceed one hundred eighty five thousand dollars and zero cents (\$185,000) per the attached fiscal note.

Allison said he wanted to hear the other Council members' discussion. He isn't sure about the original contract. He is uncertain as to how this is an amendment. It seems like a new contract to him, he is a bit hesitant to approve this. After some discussion and questions to the Public Works Director, other Council members seemed concerned also and said this should perhaps be brought back as a sole-source contract instead of an amendment. Council said they were willing to meet again quickly in a special meeting in order to keep this moving due to the ultimate deadline of June 2017. Staff was stressing the excellent coordination that had existed between GV Jones, Dawson and City Staff in the LT2 project that had just been completed. The smoothest transition into this post-LT2 project would be to include the same participants. Staff especially stressed the recommendation to stick with GV Jones as the engineer. Perhaps the construction portion (next agenda item) might be forced to go out for bid. Most of the council members seemed to believe in the need for this work within the contract needing to be done.

M/Beedle S/Allison to refer this motion to staff to bring back a sole source contract approval instead at a special meeting.

Vote on the motion to refer: 4 yeas, 3 nays. Beedle-yes; Allison-yes; Wiese-yes; Hallquist-no; Bailer-yes; Burton-no and Joyce-no. Motion was approved.

14. Approval of amendment to post-LT2 project contract with Dawson Construction

M/Allison S/Beedle to refer this item to staff.

Council member *Allison* said he believes this is similar to the last item, this isn't a change order it is a new contract so it should come back to them that way.

Vote on the motion to refer: 5 yeas, 2 nays. Wiese-yes; Burton-yes; Beedle-yes; Hallquist-no; Allison-yes; Joyce-no and Bailer-yes. Motion was approved.

J. Reports of Officers

15. Mayor's Report - *Mayor Koplín* reported that he has heard from a few members of the public that they were appreciative of the paving work being done - he wanted to provide that feedback to Council.

16. Manager's Report - *Interim City Manager Hicks* reported that 1) he wanted to thanked *Samantha Greenwood* and her team for the successful grant concerning the sidewalks on Adams Street. 2) He thanked Eyak Corporation for the memorial, the City crew for doing the setup and Wilson Constriction for the materials donation for the veterans' monument at the end of Nicholoff Way - he said the dedication will be during sobriety. 3) Polar Bear - no final report form the USCG yet, initial report was positive that it was structurally sound - but we don't have that in writing yet. The fee for renting space out there is still in the works. 4) E-911 stuff from ProComm (he handed out) said he wanted Council

to look it over and it can be brought up at another meeting. 5) Addressing – **Hicks** said this is a separate issue and we are looking into a consultant and this will have to be budgeted in FY17 as it is a bigger project than can be handled by staff. **Bailer** wondered why this was considered a project, when there are physical addresses on every deed – shouldn't be difficult. **Bailer** was corrected as there are no physical addresses on deeds, only legal descriptions; much of Cordova is unaddressed. **Bailer** thanked City staff for dealing with the brush around town (i.e. trimming trees on corners, etc.) he said it is a safety issue and it was nice to see that taken care of. **Beedle** asked about whether or not there had been a quote received on the replacement windows at the grade school. **Rogers** said he had just received that 2 days ago - \$69,000 for the window bank in Room 220.

a. **Rich Rogers**, briefing re: water side of the Crater Lake Water and Power project

Mayor Koplín passed the gavel to the **Vice Mayor** and sat in the audience to participate as the CEC General Manager in case he was needed for questions, etc.

Rogers had a power point prepared and he gave an overview of the feasibility study of the Crater Lake Water and Power Project, specifically, the Water (City) side. He gave the pros and cons of the project. He summed it up with this: if we want/encourage growth, we will need more water – if we are ok with no growth, then we can just use the water sources we have. Council had some discussion about the proposed project.

b. 2Q, 2016 Staff Quarterly Reports

- i. Public Works Department, **Rich Rogers**, PE, Director of Public Works
- ii. City Investments, **Chad Adams**, UBS Financial
- iii. CVFD, **Paul Trumblee**, City Fire Marshal
- iv. Cordova Port & Harbor, **Tony Schinella**, Harbormaster
- v. Public Safety Department, **Jason Whetsell**, Acting Chief of Police
- vi. Finance Department, **Jon Stavig**, Finance Director
- vii. Parks and Recreation Department, **Susan Herschleb**, Director of Parks and Recreation
- viii. Information Services Department, **Cathy Sherman**, Information Services Director

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

K. Correspondence

18. 07-11-16 Mayor letter to Juneau representatives regarding education funding

L. Ordinances and Resolutions

M. Unfinished Business

19. Council action regarding applicant interviews for City Manager search

Mayor Koplín gave an overview of what has been done so far. He said that the City Manager Assessment Committee met and evaluated 18 applications and now it is Council's option to look these over and schedule phone interviews, have a special meeting, etc. Council asked **Appleton** if she could do reference checks on the six that were ranked highest from the committee. Then council would opt for phone interviews after reviewing that information.

N. New & Miscellaneous Business

20. Council action on disposal method for City owned Lot 1, USS 4606

M/Beedle S/Joyce to direct the City Manager to dispose of Lot 1, USS 4606 by requesting sealed proposals to lease or purchase the property with the city retaining an easement for future road development.

Beedle said he thinks it is great to see another home-site developed, he is glad to see the option with the easement to allow for future development behind this lot. **Bailer** said he is not in favor of selling this lot, even with the easement. He said he had commented at the Planning and Zoning meeting that he would prefer this go out to RFP in conjunction with the other lots as a suggested subdivision. He prefers a plan to develop the larger piece, not just carving out the prime home-site lot. **Joyce** and **Hallquist** agreed with **Bailer's** opinion.

M/Bailer S/Joyce to refer to staff – and give direction.

After input from the Planner, the motion to refer was withdrawn with agreement from the second. **Greenwood** said that a letter of interest was received regarding this specific lot. If Council wants to go out to RFP for a different plan, including more of the City owned land, then this should probably first be either approved or rejected.

Bailer and **Joyce** (the maker of the motion and the second) concurred to withdraw the motion to refer.

Mayor Koplín advised that Council was back to the main motion. **Bailer** said he does not support the motion.

Vote on the motion: 0 yeas, 7 nays. Wiese-no; Joyce- no; Beedle- no; Hallquist- no; Allison- no; Burton- no and Bailer- no. Motion failed.

Mayor Koplín stated for the record that staff has been given direction to go out to RFP for the larger lot, as was discussed.
21. Pending Agenda, Calendar and Elected & Appointed Officials lists

Beedle said there has been a report, Tsunami Inundation Maps, completed on Cordova and he just wants everyone to be on the same page. Since this didn't appear to be an agenda item, per se, it was suggested that a link to the report be placed on the City website. **Bourgeois** said she would do that.

Council concurred to cancel the second August meeting and get together for special meetings for the Water projects (contracts) that were referred tonight and the City Manager search item and anything else that comes up.

Joyce mentioned the need for a budget meeting - like in October maybe to start

Bailer asked if the questions he posed via email to **Rogers** could be published in the next packet - they may be things the public is interested in knowing too.

Burton said that he is looking into fishery disaster declarations regarding this possible failed pink salmon season. He will do the legwork and hopes to bring this back to Council in September.

O. Audience Participation - none

P. Council Comments

Bailer said he has a lot of questions for the lawyer and he'll save that for the executive session. He said Planning & Zoning was given advice that the land sale issue was quasi-judicial and he doesn't believe that - he said it hampers us doing business, if we don't know these things for sure. He said he feels like the lawyers have us running scared on these things - it will be an interesting conversation.

Joyce thanked **Rich Rogers** for the power point and presentation tonight - he said he appreciated putting all that work in to help us understand the project.

Beedle said the new pavement down there is wonderful. His road was chip-sealed too recently - good job, much appreciated, good job to staff.

Q. Executive Session

M/Bailer S/Joyce to enter an executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government specifically review of legal matters with the city attorney.

Hearing no objection the motion was approved.

Mayor Koplín called for a five minute recess while the room was cleared, at 9:35 pm.

Council was back in regular session at 9:35 and then entered the executive session.

22. City Attorney David Gross review of legal matters with City Council

Council came out of the executive session at 10:56 pm and was back in open session.

Mayor Koplín said that Council discussed legal matters with the City Attorney and no action was taken. He also said that as they were right at 11 pm, they would take up the City Clerks evaluation at a future meeting and with Council concurrence, he would execute an amendment to her current contract to extend it until a new contract is signed.

Council concurred for the Mayor to execute the extension with the City Clerk.

23. City Clerk evaluation

R. Adjournment

M/Bailer S/Beedle to adjourn the meeting.

Hearing no objection the meeting was adjourned at 10:59 pm.

Approved: September 7, 2016

Attest: 
Susan Bourgeois, CMC, City Clerk

