

**CITY COUNCIL REGULAR MEETING
AUGUST 19, 2015 @ 7:00 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kacsh called the Council Regular Meeting to order at 7:00 pm on August 19, 2015 in the Library Meeting Room.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor James Kacsh led the audience in the Pledge of Allegiance.

C. ROLL CALL

Present for roll call were *Mayor James Kacsh* and Council members *Kristin Carpenter*, *Tom Bailer* and *Robert Beedle*. Council member *Tim Joyce* was present via teleconference. Council members *Josh Hallquist*, *Dave Reggiani* and *James Burton* were absent. Also present were City Clerk *Susan Bourgeois* and City Manager *Randy Robertson* was present via teleconference.

D. APPROVAL OF REGULAR AGENDA

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

Mayor Kacsh said he would be removing Ordinance 1133 from the agenda because it requires a vote of five council members due to it being an emergency ordinance. Since there are only four, it is not necessary to even read it as it cannot be approved.

Vote on motion: 4 yeas, 0 nays, 3 absent. Burton-absent; Joyce-yes; Beedle-yes; Hallquist-absent; Carpenter-yes; Reggiani-absent and Bailer-yes. Motion was approved.

E. DISCLOSURES OF CONFLICTS OF INTEREST - none

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speaker - none
2. Audience comments regarding agenda items - none
3. Chairpersons and Representatives of Boards and Commissions – no reports were given

G. APPROVAL OF CONSENT CALENDAR

Mayor James Kacsh informed Council that the Consent Calendar was before them

~~1. Ordinance 1133 An ordinance of the City Council of the City of Cordova, Alaska exempting the sale of City owned personal property from the sealed bid and advertising requirements of Title 5, Chapter 5.14 of the Cordova Municipal Code and permitting disposal via alternative forms of competitive bidding, including public auction, and declaring an emergency this item was pulled from the agenda due to there not being 5 council members present and an emergency ordinance needing 5 yeases for passage~~

2. Resolution 08-15-38 A resolution of the City Council of the City of Cordova, Alaska authorizing the City Manager to apply for an Alaska Clean Water Fund loan from the Alaska Department of Environmental Conservation to complete other LT2 compliance associated upgrades to the water treatment plants

3. Resolution 08-15-39 A resolution of the City Council of the City of Cordova, Alaska, authorizing the conveyance of a portion of Lot 15 Block 6 USS 2981 A&B

~~4. Council authorized exception per CMC 6.12.040~~

5. Record excused absences for Mayor Kacsh and Council member Burton from the August 5, 2015 Regular Council meeting

Beedle called out item four. Mayor Kacsh placed it under New Business.

Vote on the consent calendar: 4 yeas, 0 nays, 3 absent. Beedle-yes; Joyce-yes; Hallquist-absent; Bailer-yes; Carpenter-yes; Burton-absent and Reggiani-absent. Consent calendar was approved.

H. APPROVAL OF MINUTES

M/Beedle S/Bailer to approve the minutes.

6. 04-10-14 Special Meeting Minutes

7. 08-5-15 Regular Meeting Minutes.

Vote on motion: 4 yeas, 0 nays, 3 absent. Joyce-yes; Bailer-yes; Burton-absent; Beedle-yes; Reggiani-absent; Hallquist-absent and Carpenter-yes. Motion was approved.

I. CONSIDERATION OF BIDS

8. Contract approval with Dawson Construction, Inc. for water treatment system LT2 upgrades

M/Carpenter S/Bailer to direct the City Manager to negotiate a contract with Dawson Construction, Inc., to provide construction services per ITB # 15-04 for a sum not to exceed two million five hundred thirty two thousand dollars and zero cents (\$2,532,000.00), subject to available and approved bond funding.

Carpenter said she read the materials in the packet and she moved it for purposes of discussion, she said it seems pretty straightforward. **Mayor Kacsh** said this is the next step in us becoming LT2 compliant. **Robertson** said he would defer his time to **Rogers** who is most fluent on the project. **Rogers** said there is a fiscal note attached, this is from previously granted money to the City; this is what we've been working towards for a year or so. We opened bids, this number from Dawson fits in our overall project budget which is up around \$5 million. **Bailer** said he had brought up some questions last time and wondered if those had been addressed. **Rogers** said that we did get those answered by the design team – the answers had been emailed to all of Council and he had hard copies here at the meeting, he also had **Greg Jones** on the line if there were specific questions he could answer. **Bourgeois** said she sent the responses via email, **Joyce** said he had them and said he thought there were a couple of questions regarding vapor barriers and the use of T-111. **Rogers** ensured that **Greg Jones** was on the line, he said that the Council had approved the City retain him and his firm for the project which entails the purchase and installation of 7 ultraviolet reactors at our three water plants and to design and supervise the mechanical, electrical and SCADA modifications that have to happen at those three plants. **Rogers** continued: there were 88 sheets of plans that went out to bid that Dawson and others put in proposals on. There were pipes and valves that needed pulling out and installation and modifications to the structures that go along with that. The Meals plant requires an 18' X 20' expansion of the building; the Eyak plant will require just interior modifications; the Orca plant will be raised a floor and a half and re-sided and re-roofed due to deterioration there (that will house 2 ultraviolet reactors). **Rogers** said that the plans and specs address all of that – this is what the contractors bid on. **Bailer** said he does not agree with the assumptions and the costs on the responses from the engineer to the questions he posed. He said he doesn't know about the plumbing and the mechanical but he certainly knows about the structures. He had provided staff with comparisons and costs that prove that metal would be cheaper than the T1-11 but that is not what this gentleman is saying. **Bailer** did not agree with the use of treated studs. **Bailer** opined that metal siding is less expensive, less labor intensive, needs less maintenance and will last longer. He doesn't agree with plywood soffitting, he said why not vinyl or metal soffitting. **Bailer** went on to speak to the vapor barrier. He said 4 mil is not to Alaska standards. **Bailer's** overall concern was that if they are missing the little things then it raises a lot of concern about the more difficult stuff. He said if a customer came to him with this as the building he wanted to build, he said he would try to talk him out of it or else he would walk away from the project. **Rogers** asked **Greg (Jones)** if he could comment. **Jones** said that if the City wishes to make any changes to the contract documents, they are ready to make such changes assuming they are code compliant, no issues of safety or regulatory, etc. He said they are here to serve the City, they won't dictate what they must have just because it's their first choice. **Joyce** agreed with **Bailer** about T1-11 in Cordova's climate. As far as the treated studs he is torn on that issue. He also agrees with **Bailer** on the 6 mil vapor barrier. **Beedle** agrees with **Bailer's** points as well. **Carpenter** asked about the bid, asked whether it is based on the design that these comments are about. **Rogers** said yes it is, designs and specs were put together, then put out and bids came in accordingly. She wondered how we could make changes now. **Rogers** said we could now just issue changes to the contract. **Jones** agreed; he said yes, through the change order process. **Rogers** said that it is customary to have changes, sometimes economically to our advantage and sometimes changes are things we have to pay for. **Mayor Kacsh** said he would still suggest Council approval of this tonight and then the changes will be forthcoming as staff has heard the concerns tonight. **Rogers** thanked Council member **Bailer** for his input and he sees no problem putting a group together along with the design team to get these issues worked out.

Vote on motion: 3 yeas, 1 nay, 3 absent. Carpenter-yes; Hallquist-absent; Bailer-no; Beedle-yes; Burton-absent; Reggiani-absent and Joyce-yes. Motion was approved.

J. REPORTS OF OFFICERS

9. Mayor's Report – **Mayor Kacsh** said he had some surgery which is why he missed last meeting.

10. Manager's Report - **Robertson** reported that **Senator Dan Sullivan** will be in Cordova Friday, August 28. The chamber is organizing a luncheon for him and the City will have some time with him in the afternoon. **Robertson** asked Council to get in touch with him if they wanted any one-on-one time with the Senator, he said he would try to work that out if they wanted. **Robertson** said **Bitney** may come in for the visit and we will try to focus **Senator Sullivan** on the Harbor related projects, etc. **Robertson** said he and **Joanie Behrends** are in Valdez planning for an exercise in February (24 & 25) prep-ex which will be hosted in Cordova; a required oil spill exercise that has to be done every

three years and the second day will be the PWS sub-area meeting and this will be the first time that meeting is being held outside of Valdez. Anywhere from 50-100 people will be in Cordova for this over the two – three days. **Robertson** said that this morning he learned that **Malvin Fajardo** would be leaving the team. He'll be leaving City employment on September 18 – that will be a big hit and we will have to work our way through that. He has done a tremendous job for us and has been with the City for 13 or 14 years.

a. Cordova Center update report – **Joyce** said that last time we had a worst case scenario handout and now the new information is that state is calculating the interest from the time they got the money from EVOS. So there is still interest we are owed that we might have to collect from EVOS for the time they held it before giving it to the state. Also, the capital campaign looks to be a couple of hundred thousand short and with the match that's \$400K. So, he is concerned about where do we come up with the shortage if we are just unable by a couple of hundred thousand to make the last payment to the contractor. He hoped **Cathy (Sherman)** or **Randy (Robertson)** could elaborate. He wondered if we could dip into the general fund reserve in the interim before any of these other revenues come in. **Robertson** said that the line of credit has been completely restored so that gives us access to \$1.3 million which would have to be restored before year-end. Alternatively, we could use general fund reserve money as this time of year the cash flow in is healthy and out is not so egregious, so we are fairly robust in the general fund at this time. **Jon Stavig** was in the room and confirmed that the revenue stream this time of year is healthy and he opined that we could ask UBS for an extension on that line of credit which currently does sunset in December. **Robertson** added that with the anticipation of Timber Receipts not coming through this year, we have slowed down hiring on some vacant positions. Those vacancies have added to favorable savings within personnel budgets thereby also adding to the robust balance available in the general fund reserve. **Joyce** said he was just bringing this up to think about; he isn't suggesting one or the other method to cover the shortfall yet.

11. City Clerk's Report – **Bourgeois** said she had nothing further to report than that which was written in the packet. **Bailer** commented about the Assessor now working on the 2016 roll per her report. He said the Assessor was at his property recently and seemed unaware of the letter sent by **Mike Renfro** about how they intend to handle the changes for 2016. **Bourgeois** said that was an employee of **Mike Renfro's** and she assured Council that they were handling things as per the letter, she would contact **Renfro** and staff to ensure that is true.

12. Quarterly Reports

- a. Public Safety – Chief of Police **Mike Hicks**
- b. Information Technology – **Jason Gabrielson**
- c. Port & Harbor – Harbormaster **Tony Schinella**
- d. Library Department – Director **Miriam Dunbar**
- e. Finance Department – Director **Jon Stavig**
- f. Parks and Recreation Department – Director **Susie Herschleb**
- g. Cordova Volunteer Fire Department – Fire Marshal **Paul Trumblee**
- h. Public Works Department – Director **Rich Rogers**

Mayor Kaesh asked if Council had any questions about quarterly reports. **Beedle** asked **Rogers** about the RFP for the Library/Museum building. He saw it on the City website and his opinion would be to sell it as the building on the lot, not as the building needing to be removed. **Robertson** asked City Planner **Sam Greenwood** to respond. **Greenwood** said that Planning and Zoning Commission recommended that City Council handle it this way: i.e. put out a proposal for the building to be moved, if that didn't get proposals, a next step would be taken. City Council agreed with that recommendation and staff was directed accordingly; therefore, the RFP is out. **Beedle** said he would like to talk about it, he said that precluded proposals for the existing building on the lot. **Carpenter** said it seems as though we have already acted on this, she doesn't recall the exact meeting date but he would have to see if he could get it back on the agenda if he has a different opinion. **Bourgeois** said it did in fact happen exactly the way **Greenwood** has stated, she said she would get the minutes to all Council members tomorrow morning. **Beedle** continued with his opinion on the matter and asked about the opportunity to change their minds. **Joyce** said he thinks there are still options as Council can accept or reject any proposals that come through and if no proposals come forward, they can move onto the next step.

K. CORRESPONDENCE - none

L. ORDINANCES AND RESOLUTIONS - none

M. UNFINISHED BUSINESS - none

N. NEW & MISCELLANEOUS BUSINESS

Item 4. Moved here. 4. Council authorized exception per CMC 6.12.040

M/Joyce S/Bailer to approve City Staff's request for an exceptional use permit per CMC 6.12.040 to allow the

consumption of beer/wine only at the the City ballfield on Whitshed on Friday August 21, 2015.

Joyce said this comes up every now and again, we've done it for ski hill for salmon jam, I think we've done it for skaters cabin on occasion, he said he has no trouble with this at all. **Bailer** said he thinks this is a poor look for the City, he's not going to support it. He said we have sobriety, we support the sobriety meetings, we have employees that may or may not have trouble with alcohol, he thinks it's a bad look at a kid's public park. **Bailer** said a Christmas party at an establishment for food, wine and beer, the employees buy it themselves mostly, and it's not a liability for the City. **Joyce** said this is a summer BBQ and ball game, he does not have any issue regarding sobriety which is not a City function, it is the Native Village of Eyak's event. In his opinion, one event in a year is not a big deal.

Vote on motion: 2 yeas, 2 nays, 3 absent. Hallquist-absent; Reggiani-absent; Bailer-no; Beedle-no; Carpenter-yes; Joyce-yes and Burton-absent. Motion failed.

13. Pending Agenda, Calendar, Elected & Appointed Officials lists

Mayor Kacsh said he would like Council to look soon at the HSB code change as well as making the interim CCMC CEO a permanent employee, i.e. approving a contract for him.

O. AUDIENCE PARTICIPATION

Kerin Kramer of NVE had a request in with **Robertson** for a letter of support from the City for the Ilanka Community Health Center cycle of renewal for their grant. She is surprised she doesn't see it on the agenda, because they were wondering if Council could approve the signing of such a letter of support. She may have misunderstood **Robertson** – she thought he said to come to this meeting because he would be bringing it to Council.

Donald Kurz of 1001 Lake Avenue said he appreciated **Mr. Bailer's** stance on the alcohol consumption at the field of dreams. He also said that the multipurpose field over on Whitshed was hydroseeded instead of having sod put on it. He said it has never really taken as that field is 40-50% moss. He appreciates Cordova's support on the flag football.

P. COUNCIL COMMENTS

14. Council Comments

Joyce thanked staff for their quarterly reports, they were very informative and he appreciates them and hopes that gets passed along.

Bailer thanked **Kurz** for the flag football, he went and watched and he thanked those helping out. He said, as far as the water treatment plant building, it is obvious to him as a builder, that whoever typed up these replies has very little knowledge of building. It is disappointing and he is hearing some of the same things he heard with the Civic Center – it's here, we've got to go, we'll fix it later. He is disappointed that staff didn't catch some of these things. Council people shouldn't be raising these issues. Don't say, it's whatever Council wants, you guys are the engineers, the buildings maintenance guys, you should be looking at this and say oh yeah, that's an issue, let's do it a better way. That is why he voted no one that, he hopes they will do better on the mechanical end of it.

Beedle thanked staff for their reports. Also he thanked Council for all the time they put in, hours that aren't paid.

Carpenter echoed **Tim's** comments about staff reports that were submitted, they are appreciated.

Q. EXECUTIVE SESSION

15. CCMC Hospital Management

16. Breakwater Fill Lot negotiation Greenwood reported that this executive session item was not necessary tonight.

M/Carpenter 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 CCMC Hospital Management.

Vote on motion: 4 yeas, 0 nays, 3 absent. Beedle-yes; Carpenter-yes; Burton-absent; Hallquist-absent; Bailer-yes; Reggiani-absent and Joyce-yes. Motion was approved.

Hearing no objection, Mayor Kacsh called for a five minute recess at 8:00 pm.

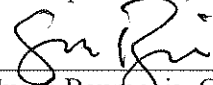
Council re-entered the regular session at 8:03 pm; Council entered executive session at 8:03 pm and was back in regular session at 8:26 pm. **Mayor Kacsh** stated that direction was given to the City Manager regarding negotiations.

R. ADJOURNMENT

M/Bailer S/Carpenter to adjourn. Hearing no objections the meeting was adjourned at 8:27 pm.

Approved: September 2, 2015

Attest:


Susan Bourgeois, CMC, City Clerk

