

**Regular City Council Meeting
September 4, 2019 @ 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 7:05 pm on September 4, 2019, 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 Clay Koplín* and Council members *Ken Jones, Melina Meyer, Anne Schaefer* and *David Glasen*. Council members *Tom Bailer* and *David Allison* were present via teleconference. Council member *Jeff Guard* was absent. Also present was City Clerk *Susan Bourgeois*.

Mayor Koplín mentioned that *Manager Lanning* had contacted him about an injury and was unable to attend tonight. *Sam Greenwood*, Public Works Director will have a report for Council later in the meeting.

D. Approval of Regular Agenda

M/Meyer S/Glasen to approve the Regular Agenda.

Mayor Koplín said the executive session will not be required tonight.

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

E. Disclosures of Conflicts of Interest and ex parte communications

Council member *Schaefer* said she is employed by the PWSSC but feels as though there is not a substantial financial interest for her in agenda item 17. *Mayor Koplín* agreed and said she did not have to recuse herself on that item, however, if Council disagreed, they could vote on that. No Council member disagreed with the Mayor's ruling.

Council member *Bailer* said he acted as an unpaid consultant on the competing bid for agenda item 10 but he does not believe he is conflicted. *Mayor Koplín* also agreed, no Council member was interested in voting the decision.

F. Communications by and Petitions from Visitors

1. Guest speakers - none

2. Audience comments regarding agenda items - none

3. Chairpersons and Representatives of Boards and Commissions

CCMCA Board - there was no report; School Board - there was no report.

Bailer commented that PWSAC fall meeting will be held in Cordova on October 10. His intent was to make that known to Cordova business owners so they may have interest in staying open a little later in the season than normal.

4. Student Council Representative Report - was not present.

G. Approval of Consent Calendar

~~5. Resolution 09-19-36 A resolution of the City Council of the City of Cordova, Alaska approving the final plat for R-D-C Warehouse Subdivision Addition # 1~~

~~6. Resolution 09-19-37 A resolution of the City Council of the City of Cordova, Alaska, approving the site plan from David Roemhildt for commercial outside storage on Lot 3, Block 2, South Fill Development Park~~

7. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022

Recordation of excused absences of the following:

Council members Ken Jones and Jeff Guard from the August 21, 2019 Regular Meeting

Mayor Koplín declared the consent calendar before Council - Council member *Jones* called out items 5 and 6 which were then placed after item 20.

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

H. Approval of Minutes

M/Schaefer S/Meyer to approve the minutes.

8. Minutes of the 08-21-19 Council Regular Meeting

9. Minutes of the 08-28-19 Council Public Hearing

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

I. Consideration of Bids

10. Direction to Manager to negotiate a contract with Wolverine Supply for wall replacement and roof repair of City pool building per RFP# PR19-03

M/Schaefer S/Jones to direct the City Manager to negotiate a contract with Wolverine Supply, Inc., to provide materials and to perform all work as described in RFP # PR19-03 Replacement of Exterior Back Wall 14X40 and Roof Repair City Pool Building for a sum not to exceed ninety-seven thousand dollars and zero cents (\$97,000).

Schaefer spoke in support of the motion, she said if this was the proposal that came back with the best price, we should do this, we have to fix the wall and roof. *Jones* asked about the process and who chooses which proposal to bring before Council. PWD *Sam Greenwood* said the memo that comes before Council is clear, it is 5.12.040. As far as deciding on proposal, there is a committee of staff (3 to 5 people usually) with specific criteria that score the proposals. ITB's - or bids are straight-up cheapest price wins. *Allison* asked about the competing proposal if the local preference of 5% per code was looked at. *Greenwood* said yes, the other bid was considerably higher than this one, local preference was looked at and wasn't a factor. *Bailer* suggested that *Greenwood* ensure that the door that is being replaced has a lighted exit sign, he'd hate to see the contractor ding us on that. *Greenwood* said she will ensure that is included, she said the RFP did include language that said per IBC so that should be accounted for. *Greenwood* said she wanted to ensure that Council understood there was a resolution later for the funding part of this action.

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

J. Reports of Officers

11. Mayor's Report - *Mayor Koplín* reported that he's been working on several items this past week: fisheries, ferry, ferry, ferry and ferry. *Mayor Koplín* said he's been continuing dialogue but right now it looks like we'll have no service for 8 months. There is a slight chance that we may get something after January, we won't know for sure until after September 12. He wants to run by Council the fact that this will make media coverage, there is at least one reporter who is riding the last ferry and he, as *Mayor*, will be asked questions and wants to say how devastating this will be for Cordova after all the suggestions and options we've put time and effort into trying to assist the administration, etc. *Jones* said it would be nice if the *Mayor* mentioned the extra \$5 million our representative got in that was then line-item vetoed by the Governor. *Mayor Koplín* reported that there has been good movement with ADF&G on some Fisheries Development Committee initiatives, proposals and we may see good opportunities for other fisheries in PWS, which is great.

12. Manager's Report - City Manager *Alan Lanning* was not present. Public Works Director *Samantha Greenwood* updated Council on 2 items: 1) the water situation is better, we seem to be over the hump, there was rain and usage is way down - there was great support from the community and from the processors, she wanted to recognize that as well as recognize the amazing water crew that got us through this: **Joel Felix, Joseph Sison, Daniel Adajar, Jon Hutchens and Ronalyn Adajar** and **Malvin Fajardo** who is always a water employee, no matter what his title is, was essential. The crew has answered millions of questions from her, she has learned a lot and they have been extremely patient. **Heather Brannon**, emergency management coordinator, also helped get word out for the City. 2) she also reminded Council that the grant is on, its in front of them for action tonight, she said it's a great project, it'll cost a lot of money but it is well supported, she asked them to picture Adams Street (the beautiful new pavement/sidewalk), picture all of Second Street from Davis to the Copper River Highway looking like that, it is a pretty picture. *Mayor Koplín* asked what the amounts of the support from other entities came to. *Greenwood* said between NVE, CTC and CEC we will get \$430,000 to put toward the match. She reminded them that we are competing with urban communities so on the safety side, we don't have the fatalities they are going to have which will gain them those points when grants applications are scored - our opportunity to make up points will be in our match commitment level, the higher the better.

13. City Clerk's Report - *Bourgeois* reported: 1) she's been busy mostly with agenda & packet advertising, minutes, etc. as we've had several special meetings of late with City Manager interviews - they had one earlier today (2 interviews) that she thought went off really well and another tomorrow with 2 more interviews, 2) she also worked on many of the items on tonight's agenda, got assistance from Dean on amending the budget in the resolution and ordinance tonight, she reworded those to accurately reflect the line-item transfers, etc. 3) also, speaking of Representative *Louise Stutes* earlier, she was in touch with *Stutes* and her assistant *Matt Gruening* after last meeting and it sounds as though they will gladly carry the *irene Webber* bridge naming resolution to the legislature next year. *Mayor Koplín* mentioned the Clerk's evaluation that should be coming up - *Bourgeois* said she did look into that and she's placed it on Pending Agenda but last time we decided to offset the Manager's and the Clerk's evals for Council and hers should be in February 2020.

K. Correspondence

14. 08-19-19 **Mayor Koplín** email to USFS in support of PNH temporary Heli-Skiing Guiding Opportunities

15. 08-27-19 Cordova School Board Resolution 2020:01 Supporting Year-Round Ferry Service to Cordova

L. Ordinances and Resolutions

16. Substitute Ordinance 1176 An ordinance of the City Council of the City of Cordova, Alaska, authorizing the transfer of \$1,300,000 from the General Reserve Fund (Permanent Fund) for the purpose of bringing current, PERS obligations for CCMCA and authorizing amendment to the City of Cordova approved 2019 budget - 2nd reading

M/Meyer S/Schaefer to adopt Substitute Ordinance 1176 An ordinance of the City Council of the City of Cordova, Alaska, authorizing the transfer of \$1,300,000 from the General Reserve Fund (Permanent Fund) for the purpose of bringing current, PERS obligations for CCMCA and authorizing amendment to the City of Cordova approved 2019 budget

Meyer said we need to get CCMC updated on PERS, for the employees over there as well as the organization itself because the City will be liable for it. **Mayor Koplín** asked the Clerk about when this will be final. **Bourgeois** said this is second reading, it is a substitute because she added the budget amendment into the ordinance, it was originally only a transfer from permanent fund, now it's a transfer and accomplishes the budget amendment too. It will take seven yes votes to pass this and since one Council member is not in attendance, the **Mayor** will be allowed to be the seventh yes if all six of the council members present do vote yes.

M/Schaefer S/Glasen to amend the ordinance by changing the account code 104-300-40740 to 104-399-99999 and in the description in that line change PF Misc. Revenue to Appropriation of Fund Balance.

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Guard). Motion was approved.

Council member **Jones** said he was leaning toward not supporting this, he wanted to hear Council discuss the merits other perspectives and perhaps change his mind. **Glasen** said right now we are almost 2 years behind on the employee's retirement payments over there - in his mind we have to do this for these people, we will get into legal trouble if we don't do this. **Schaefer** added that on top of how bad it is that we owe this amount, it is also gaining 12% interest monthly, so that it's ever growing. **Meyer** said she wants to add that we aren't just putting a band-aid on this and trying to continue running a hospital this way, we are making good headway with NVE for a different healthcare model in Cordova. **Allison** said we could pay this out of our General Fund instead, with only 4 votes, but that isn't the prudent thing to do, we pay payroll out of that, that holds enterprise funds depreciation accounts, that shouldn't be where this comes from. **Allison** said he supports this but wants strong assurances from CCMC that PERS gets paid as a first priority with every payroll from now on, we can't get into this situation again. **Bailer** echoed the comments about assurances and wanted it to be clear that we are angry, we are not happy about this; I feel as though we've been deceived a little bit. **Mayor Koplín** agreed that with the good ground being made between **Greg Meyer** and CCMC and NVE, he feels better making a tough decision like this. **Meyer** asked **Jones** if he had anymore questions or concerns that Council could answer for him, since he's been out of range for a little bit while fishing. **Jones** wanted to know how close we are to selling the hospital or closing it, because that is what he'd like to do. **Mayor Koplín** said he's heard that a few times these last couple or 3 months; he thinks in the last couple of leadership meetings he believes that Tribal Health has been discussed as absolutely an option. **Meyer** and **Mayor Koplín** both also discussed the exchange of information that is occurring between CCMC and NVE, the communication has been much better than it has been and sharing of data is clearly happening. **Glasen** asked if **Draney** (CEO of CCMC) could come to the table and answer a few questions. **Glasen** asked if they received the \$530+ thousand from Medicaid reimbursement. **Draney** said they did, he said the check came Friday (Aug 30) - he is in communication with **Kevin Worley**, CFO at PERS and he has calculated an amount (\$534K or so) and when we send that, we will be current through September 2018. He said they are currently inputting that data into payroll and then they'll cut the check. **Glasen** asked also if **Bert Adams** has done a walkthrough at the hospital. **Draney** reported that NVE's architect and others are scheduled for a walkthrough on Sunday (Sept 8). He said first on the table are the 2 clinics and so he is taking the architect through the clinics on Sunday. He has also shared blueprints of the hospital and there have been meetings with the NVE behavioral health folks to share data on visits and staffing. **Draney** said he can't say exactly when, but he thinks in the very near future there will be a combination of clinics. He opined that the hospital can't do it alone, they need financial assistance and he thinks a relationship with NVE is the answer. **Glasen** said to Council member **Jones** that **Greg Meyer**, CCMCA Board Chair is taking the lead and working closely with **Bert Adams** at NVE and the steps and actions being taken by NVE are proving that they are serious. **Draney** said he sees it as 3 steps: 1) paying the PERS off; 2) the clinics moving over and then; 3) the whole hospital - financially there is no choice.

Vote on the main motion as amended: 7 yeas, 0 nays, 1 absent. Allison-yes; Schaefer-yes; Guard-absent; Meyer-yes; Glasen-yes; Bailer-yes; Jones-yes and Mayor Koplín-yes. Motion was approved.

17. Substitute Resolution 08-19-31 A resolution of the City Council of the City of Cordova, Alaska establishing and approving lease terms for the lease of facilities in the Shelter Cove area from the Prince William Sound Science Center for a term of two years, for approximately \$2,200, for use of the area by the City of Cordova Parks and Recreation Department

M/Glasen S/Meyer to approve Substitute Resolution 08-19-31 A resolution of the City Council of the City of Cordova, Alaska establishing and approving lease terms for the lease of facilities in the Shelter Cove area from the Prince William Sound Science Center for a term of two years, for approximately \$2,200, for use of the area by the City of Cordova Parks and Recreation Department

Glasen spoke against the resolution, he thinks we pretty much gave them the land and they are just trying to get out of paying property taxes. He said it doesn't seem like a good deal, it seems if the Science Center isn't building yet they could just let Bidarki use the land. *Meyer* said the property had deed restrictions on it, we weren't collecting taxes on it previously. They have a lot of fundraising to do and they are going to have a great campus one day, she can see why we'd use it for a couple of years, and we are low on camping sites so it will be beneficial to us. *Jones* asked what the current lease rate is for the PWSSC on the building in the harbor that the City leases to them, he thought it was a dollar. *Bourgeois* with assistance from the City Planner said that the lease used to be for a dollar several years ago, but when all the leases were recalculated, they went to the customary lease rate the City uses which is 10% of assessed value plus 6% sales tax annually. *Bailer* said he is not in favor. He said we could learn from the PWSSC, they are looking closely at every dollar they spend, he wished our staff and this Council could scrutinize spending in the same way. However, he still thinks they could just be letting us use the lot, don't need to ask for money in return. *Schaefer* said that PWSSC is a non-profit that chooses to pay sales tax so she cannot believe it's a matter of not wanting to pay property tax. She sees this as continuing the relationship with the science center. She will be supporting it. *Allison* said he was disappointed when he first read this because he does think it appears like the Science Center is giving everything and the City is the taker. After this summer with what seemed to be motorhomes all over town without being told to do anything and not much usage at the tent platform site, he wonders if we need this location at all in the future. He said if there is that much need the Science Center can rent them out themselves. *Jones* said we sold the property to them, if they want to lease spaces there, that is in their purview to do so, he does not think the City needs to be leasing those platforms at this time. It could be a revenue stream for them to assist in fundraising for constructing their campus.

Vote on the motion: 2 yeas (Meyer, Schaefer), 4 nays (Allison, Glasen, Jones, Bailer), 1 absent (Guard). Motion failed.

18. Resolution 09-19-34 A resolution of the City Council of the City of Cordova, Alaska designating capital improvement projects

M/Allison S/Jones to approve Resolution 09-19-34 A resolution of the City Council of the City of Cordova, Alaska designating capital improvement projects

M/Allison S/Schaefer to remove item 2. School repairs.

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Guard). Motion was approved.

M/Bailer S/Allison to amend by adding "upgrade community water supply" as number 2 on the list.

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Guard). Motion was approved.

M/Jones S/Schaefer to amend by removing item 6 "Hospital Upgrades".

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Guard). Motion was approved.

M/Schaefer S/Meyer to amend item 5. Road Improvements/ADA Sidewalk Improvements by removing "a. Cordova Center staircase", removing "Adams" from part b., adding "Second Street" as a., changing c. "Ferry Trail" to "Ferry terminal sidewalk" and adding "d. General street and sidewalk improvements"

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Guard). Motion was approved.

M/Meyer S/Schaefer to amend item 1. Port and Harbor Renovations by removing "d. South Fill and Sawmill Avenue extension"

Vote on the motion to amend: 5 yeas, 1 nay (Jones), 1 absent (Guard). Motion was approved.

M/Jones S/Glasen to amend item 1. By removing b. Shipyard fill expansion and instead put that under 3. Large Vessel Maintenance Facility and to amend item 3. Large Vessel Maintenance Facility to now have a. Shipyard building and b. Shipyard expansion and improvements

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Guard). Motion was approved.

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

19. Resolution 09-19-35 A resolution of the City Council of the City of Cordova, Alaska authorizing amendment to the 2019 budget in the amount of \$97,000 to fund roof and wall repairs for the Bob Korn Pool building

M/Schaefer S/Jones to approve Resolution 09-19-35 a resolution of the City Council of the City of Cordova, Alaska authorizing amendment to the 2019 budget in the amount of \$97,000 to fund roof and wall repairs for the Bob Korn Pool building

Schaefer said this was discussed earlier when we discussed the contract negotiation item, this funds that approved motion. *Bailer* commented that he hopes we have a strong inspection person on this project as it moves forward. *Mayor Koplín* said the Public Works Director nodded in the audience.

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

20. Resolution 09-19-38 A resolution of the City Council of the City of Cordova, Alaska supporting application to the Alaska Department of Transportation & Public Facilities (ADoT&PF) Community Transportation Program (CTP) grant for “Cordova Second Street Upgrades Project”, authorizing expenditure of \$_____ (__%) to provide a required match and committing to continued maintenance and operations of Second Street

M/Allison S/Schaefer to approve Resolution 09-19-38 A resolution of the City Council of the City of Cordova, Alaska supporting application to the Alaska Department of Transportation & Public Facilities (ADOT&PF) Community Transportation Program (CTP) grant for “Cordova Second Street Upgrades Project”, authorizing a 15.03% match and committing to continued maintenance and operations of Second Street

Bailer asked about the roof drains and whether those would be included in the project, for the homeowners or if they would at least have the ability to pay as a special assessment on the property. *Greenwood* said she is uncertain if the cost will be included from the storm drain to the property line, or all the way, the entire service line, she would have to determine that, but her intention was to charge the property owners if it is not covered. *Bailer* commented that there will be cost savings to the utilities and often they work well with the City employees. *Mayor Koplín* said he agrees, the infrastructure in Second Street is aging and needs replacement, both utility cooperatives made the contributions based on the cost savings they will see in doing this work when the street is already open. *Greenwood* said the contract will be written in a way to include the utility work as well being done simultaneously. *Allison* said he suggested the 15% because he thinks an \$8 million project is good for Cordova, good for the utility companies, it can be paid over time too. If we want this, we have to be serious about it and so get us the most points possible with the 15% match, give us the best shot at getting it. *Schaefer* agrees with *Allison*, be serious, we’ll have time to plan for the expenditures over time. *Meyer* echoed those comments and will support the motion at 15%.

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

20a. 5. Resolution 09-19-36 A resolution of the City Council of the City of Cordova, Alaska approving the final plat for R-D-G Warehouse Subdivision Addition # 1

M/Meyer S/Jones to approve Resolution 09-19-36 a resolution of the City Council of the City of Cordova, Alaska approving the final plat for R-D-G Warehouse Subdivision Addition # 1

Meyer said it looks like this cleans up some property lines and Planning Commission recommended this to us, so no reason not to move ahead.

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

20b. 6. Resolution 09-19-37 A resolution of the City Council of the City of Cordova, Alaska, approving the site plan from David Roemhildt for commercial outside storage on Lot 3, Block 2, South Fill Development Park

M/Schaefer S/Meyer to approve Resolution 09-19-37 a resolution of the City Council of the City of Cordova, Alaska, approving the site plan from David Roemhildt for commercial outside storage on Lot 3, Block 2, South Fill Development Park

Meyer had a question for staff - if these are temporary storage containers, will they be assessed property taxes. City Planner *Stavig* approached and said yes, in speaking with the City Assessor, they are taxable. *Bailer* said he is not in favor, he will not support this. *Bailer* said originally, he was in favor of selling this property to this developer because he has done such a great job with other projects in town but then when we sold him the old Library and Museum Building, we were worried could he develop all the properties that he had; we were given assurances that he’d still develop this property. He is all about infrastructure, buildings are where it is at, solid assets. *Allison* said he had questioned whether or not there was a performance deed of trust on the property, he had suspected that he paid the liquidated damages to get out of it and staff confirmed that he did. Since that did occur, he can really do whatever he wants here. He is not really happy that it will just be storage containers, but he will support it. *Jones* said he agrees with previous Council members, he would have liked to have seen the original plan developed but he’ll support it. *Meyer* asked staff to elaborate on the kinds of special conditions that could be added to a site plan. *Stavig* said this site plan already has a specific setback distance as a special condition, but that the property has a conditional use permit as well which has 4 special conditions, one of which is that in 3 years this will get looked at again to check status because the conditional use permit has a requirement that it expires and may be renewed by the Planning Commission in 3 years.

M/Bailer S/Glasen to amend the resolution by adding an additional special condition to the site plan that all the connexes will be the same color and that color will be an earth tone.

Vote on the motion to amend: 6 yeas, 0 nays, 1 absent (Guard). Motion to amend was approved.

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

M. Unfinished Business - none

N. New & Miscellaneous Business

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

Bourgeois will add the Clerk’s evaluation in February 2020. *Allison* asked for an agenda item that will be a review of the local preference piece of Code as far as bid/proposal awards. He clarified that he would like an ordinance changing that from 5% to 15 or 20%. *Bourgeois* said that the 5th phone interview candidate has dropped out and she wondered if Council wanted to add another as number 5 or wait until after tomorrow’s 2 interviews and decide after that? The consensus was to wait until after tomorrow’s interviews and then maybe revisit. *Schaefer* asked the *Mayor* about the First Alaskans item, # 11 on Pending Agenda, if there has been any movement on inviting them down here. *Mayor Koplín* apologized and said there has not, he asked *Bourgeois* to send him another reminder. *Bourgeois* said the in-person interviews can be scheduled tomorrow during the special meeting, after the last interview.

O. Audience Participation - none

P. Council Comments

Glaser thanked *Sam Greenwood* for all of her hard work.

Schaefer echoed that on the water issue as well as CTP grant and she thanked the water crew.

Allison thanked *Tom Bailer* for staying up so late in order to attend tonight, also he thanked his other fellow Council members and the *Mayor* for all the volunteer hours put in. Especially *Mayor Koplín* the last couple of months with the ferry issues, that’s been a lot of time and it’s appreciated.

Bailer echoed the praise to *Sam* and water staff as well as Council with day meetings and night meetings, he appreciates the hard work.

Mayor Koplín said he wanted to recognize that *City Lobbyist John Bitney* has also been putting in a lot of time on the ferry issue.

Q. Executive Session

~~22. Recommendations from City Attorney regarding Beecher v. City of Cordova — in executive session because the subjects which may be considered are matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government~~

this executive session was pulled from the regular agenda as there was no update at this time

R. Adjournment

M/Meyer S/Schaefer to adjourn the meeting.

Hearing no objection Mayor Koplín adjourned the meeting at 9:09 pm.

Approved: September 18, 2019

Attest: 
Susan Bourgeois, CMC, City Clerk

