

**CITY COUNCIL REGULAR MEETING
SEPTEMBER 16, 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 September 16, 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, Tim Joyce, Tom Bailer, Josh Hallquist* and *James Burton*. Council member *Robert Beedle* was present via teleconference – arriving at 7:23 pm. Council member *David Reggiani* was absent. Also present was City Clerk *Susan Bourgeois*.

D. APPROVAL OF REGULAR AGENDA

M/Burton S/Joyce to approve the Regular Agenda.

Joyce mentioned that item 23 was listed as a discussion item and we had been staying away from items that were not action items. *Mayor Kacsh* said he would hold it to a brief ten minute discussion that could end in Council direction to staff.

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

Tom Carpenter of 501 Lakeview Drive said he was representing Copper River Seafoods tonight and said he would like to thank Council for their consideration of the final plat approval before them tonight (item 6). He said that the City has a great Planning Department – they worked quickly to get the information to the Planning Commission and then to Council in order to handle this timely, in short order, which will help satisfy their housing need for this construction project.

3. Chairpersons and Representatives of Boards and Commissions

Burton said the Harbor Commission met and will have a couple of resolutions coming to Council. They also discussed *Jim Johnson's* letter which is in correspondence tonight.

Carpenter said HSB had just met previous to the Council meeting and there is nothing to add.

Planning & Zoning Commission – *Bailer* said there a couple of items before Council that came through Planning and Zoning Commission.

a. P&Z Commission Resolution 15-12 re Capital Improvements

Mayor Kacsh asked *Bailer* about this resolution. *Bailer* said that the commission discussed and ordered these priorities and he said it's telling that the number one is street improvements because that hits everyone.

G. APPROVAL OF CONSENT CALENDAR

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

4. Ordinance 1136 an ordinance of the City Council of the City of Cordova, Alaska, amending Cordova Municipal Code chapter 19.04 – flood protection to amend sections 19.04.010, 19.04.100, 19.04.150, 19.04.230, and 19.04.270 and enact sections 19.04.275, 19.04.276, and 19.04.277 to comply more fully with the national flood insurance program standards and to amend section 19.04.090 to adopt the December 16, 2015 flood insurance study and flood insurance rate map – 1st reading

5. Resolution 09-15-41 a resolution of the City Council of the City of Cordova, Alaska, approving the final plat of “Logan Subdivision”

6. Resolution 09-15-42 a resolution of the City Council of the City of Cordova, Alaska, approving a final plat titled “Vacating A.T.S. 220 T-4, Lot 9 Cannery Row Subdivision Plat 2003-3 and U.S. Survey 829 amended, creating: Copper River Seafood Tract A and Lot 9A”

7. Exception CMC 6.12.030 for Historical Society event in Cordova Center

8. Record unexcused absences of Council members Hallquist and Burton from the September 2, 2015 Regular Council meeting

Vote on the consent calendar: 5 yeas, 0 nays, 2 absent. Burton-yes; Joyce-yes; Beedle-absent; Hallquist-yes; Carpenter-yes; Reggiani-absent and Bailer-yes. Consent calendar was approved.

H. APPROVAL OF MINUTES

M/Burton S/Joyce to approve the minutes.

9. 09-02-15 Regular Meeting Minutes

Vote on motion: 5 yeas, 0 nays, 2 absent (Beedle, Reggiani). Motion was approved.

I. CONSIDERATION OF BIDS - none

J. REPORTS OF OFFICERS

10. Mayor's Report – *Mayor Kacsh* said he had a written report in the packet.

11. Manager's Report – with *Robertson* not in attendance, *Jon Stavig* said he had no report for Council tonight.

a. Cordova Center update report – *Weston Bennett* gave a report on construction at the Cordova Center. He said the asphalt paving in the upper and lower lots would begin on September 25. Furniture delivery and setup is ongoing – mostly the conference furniture. Electrical life and safety inspection will be on Monday, September 21. A/V install, Arctic IT install, occupancy inspection – all of these coming up week of September 21. The museum conference will start on September 29. *Joyce* asked if all the A/V equipment will be in for the conference. *Bennett* said that the different vendors and subs will be in doing their part – Dimensional, Alcantel, etal.

12. City Clerk's Report – *Bourgeois* said she has been catching up on minutes, inserting code updates and preparing for the move to the Cordova Center.

K. CORRESPONDENCE

13. Letter from B. Mickelson re breakwater fill lot 09-02-15

14. Letter from J. Reynolds re breakwater fill lot 09-02-15

15. Letter from J. Johnson re harbor stall billing 09-07-15

16. Letter from M. Henrichs, NVE request for sobriety donation 09-08-15

17. Letter from UFA, request for City of Cordova membership 08-28-15

18. Email from Dan Logan regarding Planning Department Staff 09-09-15

19. Letter from Kosloski, thanking Cordovans for help during his visit 09-09-15

Joyce asked *Burton* about the *Johnson* letter (15 above) and wondered how the discussion went at the Harbor Commission meeting. *Burton* said the commission opined that the Harbor department needs to be consistent on billing and they will support *Tony (Schinella)* and staff in that regard.

Council discussed items 16 & 17 and there was a concurrence to donate \$300 to NVE Sobriety and also to join UFA.

L. ORDINANCES AND RESOLUTIONS

20. Ordinance 1135 an ordinance of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a thirty year lease agreement, which includes an option to purchase, with Salty Steer, LLC for portions of Lot 1 & 2, Block 7A, Tidewater Development Park and a portion of ATS 220

M/Bailer S/Burton to adopt Ordinance 1135 an ordinance of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a thirty year lease agreement, which includes an option to purchase, with Salty Steer, LLC for portions of Lot 1 & 2, Block 7A, Tidewater Development Park and a portion of ATS 220

Bailer said he has supported this all along, he would have like to have seen more in-between steps during the development. *Joyce* said he also supports this. He is glad to see consistency as this looks a lot like other recent land sales we have done. *Hallquist* said he read through the agreement and he is satisfied and will support this. *Beedle* said he also read through this and is not happy that the Harbor Commission's recommendations were basically ignored. He said it is a breakwater not just a piece of land. *Burton* said he has every bit of comfort with this – he thinks we are on solid ground. *Carpenter* said that previously Council discussed the possibility of having something written as a plat note that would reference the breakwater maintenance.

Vote on motion: 4 yeas, 2 nays, 1 absent. Beedle-no; Joyce-yes; Hallquist-yes; Bailer-yes; Carpenter-no; Burton-yes and Reggiani-absent. Motion was approved.

M. UNFINISHED BUSINESS

21. Council confirmation of *Mayor Kacsh's* appointment of the City of Cordova representative to the PWSAC Board of Directors

M/Bailer S/Burton to approve **Mayor Kacsh's** appointment of **Bret Bradford** to serve as the City representative to the PWSAC Board of Directors for a term that runs October 2015 through September 2018.

Vote on motion: 6 yeas, 0 nays, 1 absent. Joyce-yes; Bailer-yes; Burton-yes; Beedle-yes; Reggiani-absent; Hallquist-yes and Carpenter-yes. Motion was approved.

N. NEW & MISCELLANEOUS BUSINESS

22. Council direction regarding negotiating a contract with CCMC CEO

M/Joyce S/Carpenter to direct the City Manager to negotiate a contract for CCMC CEO between the HSB and Dr. Stephen Sundby.

Joyce said we have gone around on this; Providence was managing, governance of the hospital needs work, QHR soon to be coming on. *Joyce* said *Sundby* is there, has been there, has done a good job, has worked with QHR in the past and we need a CEO. *Bailer* said that in light of the recent audit he will not support this motion; he'd like to see more information in the next week to 10 days before we decide on anything. *Carpenter* said she understands what *Bailer* is saying but here we have someone who knows the lay of the land over there, someone who has stepped up, worked with staff, put a team together to take actions to address the findings in the survey. She supports working with the team we've got, especially with the transition imminent. *Hallquist* said he understands *Bailer's* comments because some of the stuff we've seen here is worrisome but he supports *Sundby* and the motion; doesn't think we can lay all of that at *Sundby's* feet. *Burton* is in support of the motion. *Beedle* said he is concerned that the head of the hospital for all this time was unaware of all of these policies that haven't been implemented/ followed per the audit. He is hesitant, and is uncertain of which way he'd go right now. *Joyce* said with the change forthcoming, a new administrator would not be a good idea, continuity is better during the transition to QHR. *Carpenter* said that a year ago she and *Joyce* and *Robertson* interviewed with Providence, three CEO candidates and *Sundby* was their pick – unanimously. *Mayor Kacsh* was also of the opinion that a change in leadership now would be difficult for everyone. *Bailer* further spoke against the motion stating that he would like to see all of the results of the inspection – said there is still some they haven't seen.

Vote on motion: 4 yeas, 2 nays, 1 absent. Carpenter-yes; Hallquist-yes; Bailer-no; Beedle-no; Burton-yes; Reggiani-absent and Joyce-yes. Motion was approved.

(may be discussed in executive session)

Mayor Kacsh said he would like to have an executive session at the end of the meeting to give guidelines/parameters to the Manager regarding this negotiation.

23. 2015 CCMC subsidy discussion – *Mayor Kacsh* said he wonders at what level the community is interested in subsidizing the hospital at annually. He said this isn't a short term cash-flow need or discussion it's an "annual" subsidy question. *Beedle* said this is "putting the tailgate before the horse". If we don't get our federal Medicare/Medicaid issues figured out soon, we'll be subsidizing the full \$2 - \$3 million to completely run the hospital. *Carpenter* said that this is more of a conceptual discussion regarding what we might think to put into the 2016 budget. *Joyce* agreed, this will be taken up at budget time; \$200K, \$400K, let's have that discussion at budget time.

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

Next regular council meeting is October 7. There will also be the regular quarterly HSB meeting on October 7 and *Bourgeois* said there would be a public hearing on 3 ordinances that will be up for second readings that evening as well.

O. AUDIENCE PARTICIPATION

Randy Apodaca of 329 First Street, a CCMC employee, said he is thankful that Council is willing to discuss the subsidy issue, because it is necessary, resources are thin there. He thanked them for opening up the dialogue on the subsidy issue.

Sundby said that to add on to that, the problems that were noted in the survey have to do with the lack of finances available to remedy a lot of those things.

P. COUNCIL COMMENTS

25. Council Comments

Beedle thanked the Fire Department for the calendar that was inside his Council envelope this time. He also received the Cordova Center pamphlet and he is in Kodiak at the RCAC meeting and he will pass on that pamphlet to the right people to hopefully score an RCAC upcoming meeting in Cordova.

Joyce said there is already quite the list of meetings to take place over the next couple of years. Outside money into town – that's why we did this.

Carpenter said one of those events is a wedding (Council member **Burton's**). She also noted that RCAC is scheduled for the Cordova Center a year from now. She encouraged people to look for the schedule of the upcoming museum conference because there are a ton of cool events scheduled for that conference.

Bailer said it is interesting that we spent quite a bit of time deciding to spend \$300 yet we are paying so-called experts a lot of money to design buildings and they are just blowing smoke... He thinks there's an opportunity to save \$10K - \$15K on that building by doing it right. He said it is tough sitting in this seat when money is tight and you know it's wrong but it goes on, it's tough.

Hallquist opined that on the LT2 project, he didn't want to get down into the weeds but he thinks we should listen to **Bailer** more on that, he knows that stuff. He would like to see the in-house engineer do more in-house.

At 8:15 pm **Mayor Kacsh** called for a 5 minute recess; there was no objection.

Council member **Beedle** said he had to leave the meeting.

Council was back in the regular session at 8:18 pm.

Q. EXECUTIVE SESSION

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 the contract negotiation for the CCMC CEO.

Vote on motion: 5 yeas, 0 nays, 2 absent (Beedle, Reggiani). Motion was approved.

Council entered executive session at 8:18 pm and was back in regular session at 8:44 pm.

Council opted for a second round of Council comments as some issues were raised regarding Council's roles and duties and City staff's roles and duties. **Bailer** said he is frustrated and he knows he should ask the manager these things – i.e. what his different staff members are tasked with. He thought maybe a meeting with the manager should be held regarding expectations. He shakes his head at some of the things he sees getting done and he has brought it to staff's attention with no satisfaction. **Bailer** said he imagined this would be done during the Manager's evaluation. **Joyce** suggested a meeting with the Manager for **Bailer** to get copies of the various job descriptions. However, **Joyce** continued, as far as **Bailer's** comments in open session to the public, about the employees, he is way out of line. **Bailer** said he isn't getting his concerns answered and he'd prefer to meet as a group to discuss expectations. **Mayor Kacsh** was of the opinion that Council's roles and responsibilities might need to be gone over again. **Joyce** said that would be appropriate in the form of a training session. **Burton** said it doesn't have to be so difficult. When there was a question about specific building materials, he stopped and talked to the City employees who were using the materials and he just asked for the details behind their decision making, etc. **Burton** was satisfied. **Burton** continued that if we, as Council members, get our answers behind the scenes then there is less to tackle here, at the meetings. **Bailer** said, we can't talk to the guys at the shop. **Bourgeois** said, it is fine to talk to/ ask questions of City employees. Council members should avoid directing or telling City employees what to do or how to do it; there is absolutely nothing wrong with asking questions. **Burton, Joyce** and **Carpenter** all concurred with that sentiment. **Bailer** and **Hallquist** each further commented regarding specific employees and **Mayor Kacsh** advised them against making such comments in an open session. **Mayor Kacsh** continued that Council is the policy making body. If not happy with **how** something is going to be undertaken based on how it is presented, then Council has the ability to vote no on whether or not it gets done at all. However, once Council as a whole votes to proceed, then Council members individually, should cease from commenting on **how** that thing is being done; they are then out of it at that point. **Carpenter** commented also that these "project" type concerns are a really narrow slice of the entirety of the managing of the City that is going on and that the City Manager is doing great things in other arenas and that needs to be considered by Council sometimes. **Mayor Kacsh** also opined that Council members should speak their minds but the manner they use to do so is pretty important; tactfully, respectfully, and directed to the Manager when that is appropriate, not to staff.

R. ADJOURNMENT

M/Burton S/Joyce to adjourn.

Hearing no objections the meeting was adjourned at 8:54 pm.

Approved: October 7, 2015

Attest: 
Susan Bourgeois, CMC, City Clerk

