

**CITY COUNCIL SPECIAL MEETING
SEPTEMBER 29, 2010
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor Kallander called the Council Special Meeting to order at 12:05 pm on September 29, 2010, in the Library Meeting Room.

B. ROLL CALL

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

C. APPROVAL OF AGENDA

M/Reggiani S/Bradford to approve the agenda.

Vote on motion: 4 yeas, 0 nays, 3 absent (Beedle, van den Broek, Kacsh). Motion carried.

D. DISCLOSURES OF CONFLICTS OF INTEREST - none

E. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Audience comments regarding agenda items.

Jack Hopkins of 6.5 mile he said some people are concerned about the boat trailer registration and lighting enforcement. He thinks some people would like to see it not enforced. He said some people say they contribute quite a few dollars to the community in raw fish taxes etc. and might be interested in taking their business elsewhere if something can't be done about this.

Rod Jensen a resident of Cordova who has lived here all his life – said he wished there were more people here because there is way more interest in this topic than is being represented here. He said he thinks he speaks for a lot of people when he says that he likes the status quo. The ability to move trailers around the same way we've been doing for a hundred years. He thinks we are not on the road system and this trailer enforcement seems excessive for a town of our size.

Jason Borer of 301 Observation said he thought it was a perilous road to go down to selectively enforce certain laws. To selectively enforce because a specific group is complaining is not the way to handle it.

Leroy Paul of 6.5 mile said that this town exists because of fishermen. He said many fishermen have 2 or 3 or 4 trailers – not just one.

Council member *James Kacsh* arrived at 12:15 pm.

F. APPROVAL OF MINUTES - none

G. NEW BUSINESS

1. Council approval of contract for "Contract Administration" for Cordova Center

Mark Lynch said that MRV offered two possible ways for payment, hourly to cap and lump sum. He prepared a memo recommending the lump sum approach. **Mayor Kallander** said that the difference is \$57,000 – **Lynch** replied that it was.

M/Reggiani S/Cheshier to approve a lump-sum agreement to pay MRV Architects of Juneau, Alaska \$247,670 for Construction Management of Phase 1 of the Cordova Center Project.

Vote on motion: 5 yeas, 0 nays, 2 absent (van den Broek, Beedle). Kacsh – yes; Allison – yes; Bradford – yes; Cheshier – yes; Reggiani – yes and Beedle – yes. Motion carried.

2. Council discussion of boat trailer registration/lighting enforcement

Lynch started by saying that he has had people ask him why they have to have lights on their vehicles and other vehicles do not have to. **Lynch** said there is not a good answer to that. He has also heard stories of near collisions with boat trailers due to lack of lighting on the back of the boat trailers. **Lynch** said that **Baty** came to him about a month ago and said he has been asked similar questions and has heard similar stories. The two decided it was best to start enforcing the law but to ease into it. So, **Baty** went and talked to CDFU and he has given notice and he has yet to write a ticket. **Lynch** said as far as the registration side goes that came out of junk cars and vehicles and he was finding abandoned boat trailers with no way of determining whose they were – as of today, there has been compliance on this and more than 400 boat trailers have been registered at the DMV.

Baty said that despite what the public might believe, the police department has not had a hard stance on this – they have advertised in the newspaper, spoken to CDFU to decide a good time-frame for getting compliance to this. He said his department's goal has always been to attain compliance.

Reggiani asked the **Chief** if there have been warnings or stops on this. **Baty** said there have been many warnings and stops on this issue but no citations as of yet. **Reggiani** asked **Lynch** about how this could be taken out of Code as he suggested in his comments earlier. **Lynch** said he would have to get with the City attorney to determine the legality of looking the other way on some State statutes that we have adopted by reference into our Code. **Reggiani** said there are a lot of different types of trailers and with limited hours at DMV now he can see why it has been difficult for people to come into compliance – he is worried that we haven't given enough time.

Bradford said he would like to see this addressed again at a regular meeting. He knows **Rochelle** from CDFU has an interest in this and she is currently out of town.

Allison said he thought this came up a few years ago and Council was going to try to get a farm-type exemption for Cordova – he doesn't know where that ever went. He thinks that common sense should be involved. People should be aware of where they live and understand that boat trailers may be turning, and that during daylight hours, lights are probably not a necessity.

Council members were in agreement to talk about this again at another meeting.

Mayor Kallander asked the **Manager** to provide answers to some questions at the next meeting: 1) who has jurisdiction on the roads in Cordova – i.e. the City or the State? i.e. can a municipality contradict state or federal law? 2) if Council chose to delete the ordinance that speaks to us adopting state law that speaks to registration and lighting, do they have the authority to do that on all roads, City roads?

Cheshier asked if a State Trooper representative could be present at the next meeting to speak to this as well.

H. AUDIENCE PARTICIPATION

Jack Hopkins of six and half mile said that he heard the Manager use a phrase that is a pet peeve of his; he said he heard the Manager speak to... "How they do it in Virginia, etc." *Hopkins* said that this isn't Virginia, this is Cordova, Alaska.

Bob Smith 702 Lake Avenue, he said that they (CDFU) were trying to get a farmer's exemption and that allows for a 150 mile radius of their farm – the ability to move their farm equipment, etc. He said he has no problem with these things but he is concerned about DOT claiming we all need CDL's, medical certificates etc. He said that situation has not been resolved.

Mayor Kallander said that *Bradford* was already going to ask Rochelle to come to the next meeting so he should also ask her to give an update on State DOT regulations.

K. COUNCIL COMMENTS

Cheshier said that he has been beaten up pretty hard about this trailer issue.

Allison said that he appreciates that there have been warnings given on this – giving people a chance to comply

Kacsh said that he has also been beat up pretty hard about this.

Kallander said that people are all over the board on this. So he would like to see this on a future meeting so as to give direction to employees on this.

L. ADJOURNMENT

M/Bradford S/Reggiani to adjourn the special meeting.

Hearing no objection, *Mayor Kallander* adjourned the meeting at 12:55 pm.

Approved: October 20, 2010

Attest: *Susan Bourgeois*
Susan Bourgeois, City Clerk

