A. CALL TO ORDER
Mayor James Kacsh called the Council Regular Meeting to order at 7:00 pm on October 7, 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 Bailor, Robert Beedle, David Reggiani and James Burton. Council member Josh Hallquist was absent. Also present were City Manager Randy Robertson and City Clerk Susan Bourgeois.

D. APPROVAL OF REGULAR AGENDA
M/Burton S/Reggiani to approve the Regular Agenda.
Vote on motion: 6 yeas, 0 nays, 1 absent (Hallquist). Motion was approved.

E. DISCLOSURES OF CONFLICTS OF INTEREST
Council member Bailor declared that it may be perceived that he has a conflict on Ordinance 1135 because he rents an apartment to the Daskalos’. He does not believe that he’s conflicted but he thought it best to disclose the relationship. Mayor Kacsh ruled that it was not a conflict and stated that he spoke to the City Attorney who agreed as well.

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS
1. Guest Speaker – Buck Adams, UBS, City Investments was accompanied by Chad Adams, also of UBS. Overall it has been a rough year especially in global fixed income markets. Cordova’s investment portfolio is down about 3% on the year. September, August, October are the three most volatile months usually. On August 24, a huge occurrence when the market fell drastically (1,000 points) was that ETF’s (exchange traded funds), which normally track the market they are tied to, didn’t trade with the index they represent. Aurora and Tactical Income builder are UBS’ 2 portfolios that use ETFs, so they are now in the process of transitioning these two portfolios back into mutual funds. They are choosing mutual funds with the biggest and best companies in the world. Joyce asked about the loss in the permanent fund because he was concerned that they will not be able to use anything in the 2016 budget based on the earnings in the permanent fund. Adams said we are not at year-end yet. Robertson mentioned that staff will be bringing to Council the possibility of extending our current line of credit. Adams said he will do his part and start working on getting that approved.

2. Audience comments regarding agenda items
Mary Ann Bishop of 700 Fourth Street representing PWS Audubon Society spoke against the passage of Ordinance 1135.
Greg Meyer of 1 Cannery Row, business owner and 35 year resident of Cordova spoke about the passage of Ordinance 1135, hoped Council would postpone it instead.
Scott Pegau of 110 Mt. Eccles Estates spoke to agenda item 22 and he said of the three options P&Z had discussed option 2 but did not vote to recommend that to Council they said they wanted more input. He urged Council to not go with option 2 as it would bypass the P&Z input.
Emily Stolarczyk of 501 Sixth Street addressed Council on Ordinance 1137 and is in support of the passage of the ordinance.

3. Chairpersons and Representatives of Boards and Commissions
Mayor Kacsh welcomed back the Student Council representative, Ashley Reece. Reece mentioned that Student Council is working on the orange campaign which is an anti-bullying effort scheduled for October 21.
Health Services Board met earlier in the evening and Carpenter reported that they are working on responding to the Critical Access Hospital Survey results that were received a few weeks ago. So medical staff bylaws and policies and procedures are being updated and approved and CCMC personnel policy is being worked on too. The CT Scanner should be up and running by December.
Beedle reported on the recent RCAC meetings in Kodiak and said the September 2016 RCAC meetings are scheduled for the Cordova Center.
G. APPROVAL OF CONSENT CALENDAR

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

4. Ordinance 1134 An ordinance of the City Council of the City of Cordova, Alaska, repealing and reenacting Cordova Municipal Code Chapter 18.08 and amending Chapter 18.39 to expand permitted uses and to generally update and consolidate the requirements of the Waterfront Commercial Park District – 2nd reading


6. Resolution 10-15-43 A resolution of the City Council of the City of Cordova, Alaska, authorizing an Advisory Services Agreement between Quorum Health Resources, LLC and the City of Cordova

7. Resolution 10-15-44 A resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a five (5) year lease agreement with Carl J. Arvidson and Margaret R. Arvidson, which includes an option to purchase for Lot 13, Block 12, Original Townsite

8. Approval of exception to CMC 6.12.030 for concert in Cordova Center

9. Record excused absence of Council member Reggiani from the September 16, 2015 Regular Council meeting

Council member Joyce called out number 7 and Bailer called number 8. Mayor Kaach placed them as items 21a and 21b respectively.

Vote on the consent calendar: 6 ayes, 0 nays, 1 absent. Burton-yes; Joyce-yes; Beedle-yes; Hallquist-absent; Carpenter-yes; Reggiani-yes and Bailer-yes. Consent calendar was approved.

H. APPROVAL OF MINUTES

M/Bailer/S/Burton to approve the minutes.

10. 10-29-14 Special Meeting Minutes
11. 11-12-14 Special Meeting Minutes
12. 06-23-15 Special Meeting Minutes
13. 09-16-15 Regular Meeting Minutes

Vote on motion: 6 ayes, 0 nays, 1 absent (Hallquist). Motion was approved.

I. CONSIDERATION OF BIDS

14. Council direction to City Manager regarding City Attorney RFP

M/Carpenter/S/Burton to direct the City Manager to engage with Birch Horton Bittner and Cherot for a contract to continue providing legal services to the City for a term not to exceed three years.

Carpenter spoke in favor of the current City Attorney’s. Joyce read through the other proposals and didn’t think we could get any better service than we have been getting. Beedle said he will not be supporting the motion he did review the proposals and he doesn’t have a lot of faith in lawyers. He thinks Council should discuss some of the other attorneys.

Reggiani said he is uncomfortable with the motion he hoped we could discuss getting to a short list; having some of the other firms come in for interviews. Burton agreed and thinks interviews are a great idea. Council talked about coming up with this list of who to invite. Carpenter withdrew his motion, Burton (the second) agreed.

M/Joyce/S/Carpenter to make a list of those we would ask the City Manager to invite here to present their proposals to us: Hoffman & Blasco and Boyd Chandler & Falconer.

M/Beedle/S/Carpenter to amend the motion by adding Landye Bennet & Blumstein as well.

Vote on motion to amend: 6 ayes, 0 nays, 1 absent (Hallquist). Motion to amend was approved.

Vote on main motion: 6 ayes, 0 nays, 1 absent (Hallquist). Main motion was approved.

J. REPORTS OF OFFICERS

15. Mayor’s Report – Mayor Kaach said on Friday he met with the Lieutenant Governor and he discussed the state of the state and what he took away from the meeting was that Cordova should plan on being vocal with our needs.

16. Manager’s Report – Robertson said the oil spill exercise last week out of Valdez, he thinks it went relatively well. Robertson said he had a long talk with Mr. Bitney regarding the ferry schedule – which is out and he’d like to speak to Council next time. Robertson thanked Buck and Chad Adams for once again, free of charge, offering financial counseling to City staff. Robertson said the Biderki gym floor is looking excellent; it was done way faster than anticipated. He said he’ll bring new staff members for introductions at the next meeting. Robertson said it was just a
remarkable conference last week in the Cordova Center. He said the moving parts were tremendous and he said the volunteerism was outstanding.

a. Cordova Center update report – Cathy Sherman reported that attendees of the recent Alaska Historical Society and Museums Alaska conference came from as far away as Savoonga, Nome, Craig and Whitehorse in the Yukon Territory. 143 people from out of town 17 cancelations due to the ferry and plane issues. 23 Cordovans and others registered to participate in the Angel project – which was the restoration of our bear gut parka; Denis Keogh organized this through a grant from Museums Alaska and Rasmunson foundation. Workshops took place Wednesday through Saturday and all the meals were catered by local restaurants that were interested in participating. The Cordova Historical Society hosted the conference and was able to purchase three-quarters of the food and items needed for the event locally. There were post-conference tours offered that were well-attended. Overall, the building served us well – it cleaned up well and we received accolades from all the guests. Sherman continued to tell about this week’s event – which was the Alaska State Commission on Disabilities and Special Education and then next week the Center is hosting the Alaska Mental Health Board and the Advisory Board on Alcoholism and Drug Abuse – for 3 days Monday – Wednesday. Also on Wednesday night there is the first event in the auditorium – a concert. The big conference had a total of 206 registrants.

17. City Clerk’s Report – Bourgeois said that the City Hall offices have been busy packing up and moving furniture and files and everything up to the Cordova Center.

K. CORRESPONDENCE
18. 09-29-15 Letter from Bishop opposing Ordinance 1135
19. Letter and advisory petition from EPC supporting Ordinance 1137

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 – 2nd reading
M/Joyce/S/Bailer 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.

Joyce said this has seen a lot of public testimony. Council has received input from the Harbor Commission. He feels comfortable that the Harbor Commission’s concerns have been addressed. Joyce said that people are still bringing up the Science Center too but he is certain that Council knows that they have done everything possible to get the Science Center to use that property. It just didn’t work out and he said that the City is “open for business”. Bailor echoed Joyce’s comments. He said the concerns have been addressed. Beedle said Joyce’s comments are his opinions but not fact. He said we need to ensure that the Breakwater will be protected and maintained. Carpenter said she voted against this in the past and will again. She is not against the proposal specifically, but she thinks the lot was built with public money and she thinks a non-profit should be using it. Burton said he doesn’t know why people are still discussing the Science Center on this – that is not what this is about. He also mentioned the need for more hotel rooms in this town with the Cordova Center and future conferences.

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

21. Ordinance 1137 An ordinance of the City Council of the City of Cordova, Alaska, adopting Cordova Municipal Code Chapter 8.37 governing the use of non-biodegradable plastic carry-out bags and polystyrene foam disposable food service ware in the City of Cordova – 1st reading
M/Burton S/Carpenter to adopt Ordinance 1137 an ordinance of the City Council of the City of Cordova, Alaska, adopting Cordova Municipal Code Chapter 8.37 governing the use of non-biodegradable plastic carry-out bags and polystyrene foam disposable food service ware in the City of Cordova.

Mayor Kasch said he is putting this before Council as one option on how to handle this. Joyce said he likes the idea of the one year wait period so businesses can use up inventory on these items and so that they can plan ahead on alternatives. Bailor supports this even though plastic bags are not single use bags for him, he reuses them for many different applications. Reggiani supports the idea, supports recycling, but struggles with whether this is a place for government. He wonders if we have put the effort in to reaching out to the store owners and seeing if they can handle this without our intervention. Mayor Kasch said this came from the Future Problem Solvers and they had contemplated putting it to a vote. However, Mayor Kasch thought Council could pass it and avoid the need of going to a vote of the people. Beedle thought this was a good idea but not in this exact form. Carpenter said she has seen other approaches –
such as a 5 cent rebate if not using plastic but she thinks this method we are considering puts the least amount of burden on the vendor. As far as whether this is the role of government — she believes habits are hard to change and sometimes we do need to force their hands. Burton said he looked at every single name on the advisory petition that EPC sent to Council (in tonight’s packet) and there were people from all walks of life. He appreciated the diversity and thinks it’s a very well-supported initiative. Carpenter thought a nine month time-frame might be enough to use up inventory.

M/Carpenter S/Burton to amend the ordinance to begin on June 1, 2016 instead of October 1, 2016.

Reggiani asked if that would be substantive and would require another first reading. Bourgeois said yes. She also said this ordinance still had to be reviewed by the City Attorney as well, so it might not be back right away for another reading. Burton said either the chamber or someone else made up some bags and that would be really helpful to the community. Mayor Kacsh said as a retailer, it will be difficult as all change is, but 9 months maybe too short to use all the inventory he has regarding plastic bags.

Vote on motion to amend: 1 yea, 5 nays, 1 absent (Hallquist). Motion to amend failed.

The discussion shifted to enforcement. If this is put into code, Reggiani wondered what the penalties will be if a vendor chooses to continue to dispense plastic bags. Carpenter said that would be somewhat easy to determine as many other municipalities have gone to this. Robertson said he’d get word out to citizens for input before the next reading of the ordinance. Burton said he would prefer incentive-based vs. punitive regarding enforcement.

M/Reggiani S/Beedle to refer to staff to get attorney’s review and specifically thoughts on enforcement of this if it were put into Code.

Vote on motion: 6 yea, 0 nays, 1 absent (Hallquist). Motion was approved.

21a. 7. Resolution 10-15-44 A resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a five (5) year lease agreement with Carl J. Arvidson and Margaret R. Arvidson, which includes an option to purchase for Lot 13, Block 12, Original Townsite

M/Joyce S/Bailer to approve Resolution 10-15-44 a resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a five (5) year lease agreement with Carl J. Arvidson and Margaret R. Arvidson, which includes an option to purchase for Lot 13, Block 12, Original Townsite.

Joyce said he only pulled this to make it clear that an error had been made in the attached lease; the rate was taken from a different lease and it needed to be adjusted. The City Manager can do that himself, there is no need to amend the resolution at all.

Vote on motion: 6 yea, 0 nays, 1 absent (Hallquist). Motion was approved.

21b. 8. Approval of exception to CMC 6.12.030 for concert in Cordova Center

M/Carpenter S/Joyce to approve the exception to CMC 6.12.030 for a concert to be held in the Cordova Center.

Carpenter said this is something that will come up a lot in the future so we may have to consider a different policy but for this instance she is in support. Bailor said he does not support this – it’s a City building and there is no place for alcohol there. He prefers we go with the school’s policy – no alcohol at all, zero-tolerance. Then he said he would support a comprehensive plan, with public hearings and public input, relative to all City facilities. Joyce said this facility (the Cordova Center) will be bringing in a lot of business and people scheduling meetings, conferences, etc. will have banquet associated with alcohol and alcohol will be expected. We will lose business if we ban the serving of alcohol in the Cordova Center. Joyce said these will not be big melees in the Center, there will be wine offered with dinner and the like. He might agree to a plan for the Cordova Center only. Reggiani shares some of the feelings being voiced. He’d agree to pass this exception tonight but said we should discuss at pending agenda the ordinance coming forward for review. Reggiani said he has been to many conferences and alcohol is the norm and we do need to accommodate the conference planners. Bailor said that basically that was his point as well.

Vote on motion: 6 yea, 0 nays, 1 absent (Hallquist). Motion was approved.

M. UNFINISHED BUSINESS

22. Council action regarding disposal of Library / Museum Building

M/Joyce S/Carpenter to direct the City Manager to put out an RFP for the sale of the lots with the building on it.

Bailer said he disagrees. He doesn’t know why an amount was put on the RFP. He would prefer it go back to Planning and Zoning. Beedle said his biggest concern is the added cost to the people of Cordova, he wants it out of the City’s hands, as was promised. Reggiani reiterated the motion – RFP for land and building – he said he supports that. Burton asked if we can put out an RFP with an either/or option Mayor Kacsh said he was going to suggest that as well – an RFP with all proposals accepted. Joyce agrees and thinks the City Manager can work that into the RFP – as he is listening to us right now. Reggiani agreed – any and all proposals will be accepted. Robertson said he understood – any and all proposals accepted.
Vote on motion: 6 yeas, 0 nays, 1 absent (Hallquist). Motion was approved.

N. NEW & MISCELLANEOUS BUSINESS

Mayor Kaesh mentioned that something should come before them next time regarding the alcohol code – i.e. Cordova Center. Burton said he would anticipate something about extending the UBS line of credit. Robertson said that Stavig would have a budget schedule to discuss at the October 21 meeting.

O. AUDIENCE PARTICIPATION

Dave Janka Box 498 Slip G-1, said he had lived in Valdez when the Civic Center there was built and something he remembers as being difficult was the name of it, i.e. what people wound up calling it. He said words are important especially coming from the Council – he doesn’t want it called Civic Center or Conference Center or Convention Center, he said that alienates the community – he wants the community to feel part of it. It’s the Cordova Center or the Community Center. He mentioned that the Inn at Whittier and the City of Whittier are fighting over a damaged breakwater there that occurred 4 years ago – he said it might be smart for us to talk to Whittier about that. He said regardless of the Science Center he is concerned about the negative impact to established locally-owned businesses that will close.

Alice Grimwood thanked the Council for the plastic bag discussion. She also said that the clerks at stores are less-inclined now to give her a plastic bag automatically, even if she’s forgotten hers because they remember that she’s brought in a reusable one before. She also mentioned that she’s grateful for the plastic dog poop bags that are around town and recently one was empty. Carpenter said that different entities are responsible for different stations, be it NVE, City, CRWP – there should be a name on each one so if she sees an empty one that is who to call.

Donald Kurz 1001 Lake Avenue gave props to the CHS Volleyball team who won their own tournament this past weekend. Notably they beat a very good 3A team, the Nome Nanooks. He praised Coach Janelle Greenwood and her senior-laden squad. This coming weekend they play Ninilchik at home. Also Zach Hamberger finished 14th out of 117 racers at the state tournament for Cross Country.

P. COUNCIL COMMENTS

Joyce said he appreciated the good discussion tonight at Council – that’s how it should go. He appreciates ASLN for their good service to the community.

Carpenter said that we just had a large conference of 150 people but not all the conferences we have will be that big. More will be between 25 – 50 people so as far as hotel rooms we won’t be maxing out town for every conference.

Beedle mentioned the recent 72 hour BP drill. He said kudos to Dick (Groff) and Joanie (Behrends) for their participation. He’d like to see Council support CDFU’s work toward a Tanner Carb fishery in PWS.

Bailer said congrats to the JV Volleyball for their participation this weekend too – and their coach Victoria Peterson.

Burton wanted to congratulate the Cordova Center Committee, Cathy and our staff for pulling off the conference. Also Dawson for being able to make that happen. Burton said that there were some comments made tonight that kind of bother him and he is really speaking to the community right now. He said not everybody started in this town as a local. There were comments about locally-owned businesses, etc. and everyone has to start somewhere. We have some restaurant owners now who weren’t “local” a few years ago but they sure are now and they are valuable, and well-respected members of our community. He would like to see a friendly atmosphere in this town. He knows people don’t always like the decisions made here – it is tough to sit here and make them but we should all be kind in the way that we speak about people, their business ideas and their hopes and dreams.

Q. EXECUTIVE SESSION

25. see item 14 above – Council did not use this e.s. in discussion of item 14.

26. Contract negotiation CEO of CCMC

Mayor Kaesh said that there is an executive session scheduled but Council can decide what to do about it because really, the HSB is the entity that oversees the Hospital Administrator, not Council. Joyce said the only employees that the Council can direct are the City Manager and the City Clerk. If the City Manager is negotiating for the Council and has specific questions of the Council in that regard, otherwise it is up to the HSB. Mayor Kaesh agreed and that is why Council is going to adjourn this meeting and handle this as the HSB which is in a recess right now and they can call that meeting back into order after this meeting.

R. ADJOURNMENT

M/Bailer S/Joyce to adjourn.
Hearing no objections the meeting was adjourned at 9:31 pm.

Approved: November 4, 2015

Attest: _________________________
Susan Bourgeois, CMC, City Clerk