

**CITY COUNCIL REGULAR MEETING
JANUARY 15, 2014 @ 7:30 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Acting Vice Mayor EJ Cheshier called the Council Regular Meeting to order at 7:30 pm on January 15, 2014, in the Library Meeting Room.

B. INVOCATION AND PLEDGE OF ALLEGIANCE

Acting Vice Mayor EJ Cheshier led the audience in the Pledge of Allegiance.

C. ROLL CALL

Present for roll call were Council members *Tim Joyce* and *EJ Cheshier*. Council Members *Kristin Carpenter*, *David Allison*, *Dave Reggiani* and *James Burton* were present via teleconference. *Mayor James Kacsh* and Council Member *Bret Bradford* were absent. Also present were City Manager *Randy Robertson* and City Clerk *Susan Bourgeois*.

D. APPROVAL OF REGULAR AGENDA

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

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Cheshier-yes; Burton-yes; Joyce-yes; Carpenter-yes; Allison-yes and Reggiani-yes. Motion passes.

E. DISCLOSURES OF CONFLICTS OF INTEREST - none

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speaker - *Joel Azure*, NVE performance deed of trust proposal – *John Whissel* was present in place of *Joel Azure*, he is the Director of Environmental and Natural Resources at the Native Village of Eyak. He presented a letter from *Joel Azure* basically asking for an extension in regard to the deed of trust. The project they had proposed hasn't moved forward at the schedule they had hoped it would. They have not been successful in obtaining the grant funding that is necessary. *Cheshier* asked if there were Council questions; there were none but *Cheshier* asked how long of an extension they were asking for. *Whissel* said the request was for an additional three years. He continued that it's realistic to anticipate funding within a year.

2. Audience comments regarding agenda items – none.

3. Chairpersons and Representatives of Boards and Commissions

Harbor – Burton said no meeting in January – next is February

HSB – Cheshier said there was just an HSB meeting previous to this Council meeting and they looked at financials and did some credentialing and there will be a few resolutions brought before Council at the February 5 meeting that HSB is forwarding on to them.

Parks and Rec – Carpenter said no meeting to report on.

Planning and Zoning – Reggiani said P&Z had a meeting on January 7 and there were several agenda items tonight that were forwarded to Council form that meeting. Also, they elected a chair – *Tom Bailer* and a new Vice-Chair, *John Greenwood*.

School Board – Bradford was not present, but it was stated that there was a school board meeting tonight.

4. Student Council Representative Report – There was no student council rep present.

G. APPROVAL OF CONSENT CALENDAR

Acting Vice Mayor EJ Cheshier informed Council that the consent calendar was before them.

5. Resolution 01-14-04 A resolution of the City Council of the City of Cordova, Alaska adopting an alternative allocation method for the FY14 Shared Fisheries Business Tax program and certifying that this allocation method fairly represents the distribution of significant effects of fisheries business activity in FMA 15: Prince William Sound

6. Council waiving right to protest renewal of liquor licenses - Alaskan Hotel & Bar and Laura's Liquor Shoppe

Vote on Consent Calendar: 6 yeas, 0 nays, 1 absent (Bradford). Carpenter-yes; Cheshier-yes; Joyce-yes; Allison-yes; Burton-yes and Reggiani-yes. Consent Calendar was approved.

H. APPROVAL OF MINUTES

M/Joyce S/Burton to approve the Minutes.

7. Regular Meeting Minutes 12-18-13

8. Regular Meeting Minutes 1-02-14

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Joyce-yes; Allison-yes; Burton-yes; Cheshier-yes; Reggiani-yes and Carpenter-yes. Motion passes.

I. CONSIDERATION OF BIDS

J. REPORTS OF OFFICERS

9. Mayor's Report – *Mayor Kacsh* was not present.

10. Manager's Report – *Robertson* reported that: 1) We are postured to discuss these performance deeds of trust tonight in executive session with our attorney on the line, *Cortney Kitchen*, but if Council believes it is too difficult with everyone on the phone, you may consider delaying until more of you are in the room. This is important as it is the first time we will handle this performance deed of trust issue and there are more pending that will come before you soon. 2) Update on Senator Stevens visit – he sent a thank you note – it was a good visit; 3) Mt Eccles playground – a report from *Mr. Bailer* says that it is progressing well – we will need several days of dry weather to complete it; 4) *Jon Stavig* is checking in on the snowpocalypse money about every two days; presently its moved from the audit desk to the pay desk and it's looking like \$313K. 5) on New Year's Day Bidarki experienced serious leaks through the roof and the gym floor is warped – insurance adjustor has already been here – we are working hard to ensure we have it up and functional in time for Ice Worm events; 6) *Ms. Start* will be here tomorrow from ADEC – our go-to person for the LT2 and Baler projects. He asked if there were Council questions. *Joyce* asked if he was dealing with the roof at Bidarki as well as the gym floor. *Robertson* said yes, of course he was, we have been up there and *Hallquist*, who is very experienced in roofing, completely resealed it with hot tar, it is a band-aid but we may use insurance money to help with that as well.

11. City Clerk's Report – *Bourgeois* said that the declaration of candidacy period is open for the General Election on March 4, 2014 and it closes February 4. So far she said *Tom Bailer* has declared for Council seat C, no one yet for Council seat B and *David Allison* and *Sheryl Glasen* have declared for the one open School Board seat.

K. CORRESPONDENCE

12. Council letter to Anchorage area legislators regarding AMHS funding 01-03-14

13. Mayor thanks to M. Frohnepfel for interest in P&Z Commission 01-03-14

14. Mayor thanks to J. Betts for interest in Harbor Commission 01-03-14

L. ORDINANCES AND RESOLUTIONS

15. Ordinance 1113 An ordinance of the City Council of the City of Cordova, Alaska, authorizing a lease for a portion of Lot 2, Block 7A, Tidewater Development Park, Plat 93-2, specifically a building known as the Prince William Sound Science Center and the south west 50 feet of the dock to the Prince William Sound Science and Technology Institute, an Alaska nonprofit corporation, doing business as Prince William Sound Science Center for the operation of the Prince William Sound Science Center – 1st reading

M/Joyce S/Burton to adopt Ordinance 1113 an ordinance of the City Council of the City of Cordova, Alaska, authorizing a lease for a portion of Lot 2, Block 7A, Tidewater Development Park, Plat 93-2, specifically a building known as the Prince William Sound Science Center and the south west 50 feet of the dock to the Prince William Sound Science and Technology Institute, an Alaska nonprofit corporation,

doing business as Prince William Sound Science Center for the operation of the Prince William Sound Science Center.

Joyce asked if this has been agreed to and everyone is happy. *Robertson* said that is not the case. The PWSSC Board meets January 24 and *Ms. Hoffman* and *Mr. Smallwood* said they may have a response back from the board after that meeting. They realize that per Council's direction we are moving forward with passing the ordinance with the lease as is. *Reggiani* said he thought the fourth whereas that Council added to the lease language should also be added as a whereas in the ordinance to further express Council's intent.

M/Joyce S/Burton to amend the ordinance by inserting the fourth whereas from the lease also as the fourth whereas in the ordinance.

Vote on motion to amend: 6 yeas, 0 nays, 1 absent (Bradford). Carpenter-yes; Joyce-yes; Cheshier-yes; Burton-yes; Reggiani-yes and Allison-yes. Motion passes.

Vote on main motion: 6 yeas, 0 nays, 1 absent (Bradford). Reggiani-yes; Allison-yes; Cheshier-yes; Carpenter-yes; Joyce-yes and Burton-yes. Motion passes.

M. UNFINISHED BUSINESS

16. Update of active and inactive City committees

City Clerk *Bourgeois* said that 2 of the committees that had been listed on the "Pending Agenda" page were removed because the authorizing resolutions of those committees had said they were in force until they presented their final report to Council (E-91 RFP Committee and Public Services Building Design Committee had both done so). The other three committees: Fisheries Advisory, Cordova Center and Trails, per their authorizing resolutions are in force until such time that Council deems them no longer needed. At this time, Council opted to keep those three committees active.

N. NEW & MISCELLANEOUS BUSINESS

17. Acceptance of Planning & Zoning Commission Resolution 14-02

M/Joyce S/Reggiani to accept resolution 14-02 from the Planning and Zoning Commission.

Burton asked if this sale would limit public access to shell beach. City Planner *Greenwood* said it would not.

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Cheshier-yes; Carpenter-yes; Burton-yes; Allison-yes; Reggiani-yes and Joyce-yes. Motion passes.

18. Council decision on property disposal, portion ATS 220

M/Joyce S/Reggiani to dispose of approximately 1,900 square feet of ATS 220, (19 X 100) located on the West side of Lot 1, Block 1 of the Cordova Industrial Park for not less than fair market value as outlined in chapter 5.22.060A method 1 (direct negotiation), including the following special condition: that the land will be surveyed and incorporated into the existing Lot 1 Block 1 Cordova Industrial Park, by a plat which will be recorded at the State of Alaska Recorder's Office.

Joyce, for the record, said that method one is direct negotiation with the proposer as opposed to putting this lot out for bid or proposal.

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Reggiani-yes; Cheshier-yes; Carpenter-yes; Joyce-yes; Allison-yes and Burton-yes. Motion passes.

19. Council decision on property disposal, Lot 5, Block 2 South Fill

M/Joyce S/Reggiani to dispose of a portion of Lot 5, Block 2, South Fill Development Park for not less than fair market value as outlined in chapter 5.22.060A by method 1 (direct negotiation).

City Clerk *Bourgeois* mentioned that there had been an error on the memo in the packet. The vote at the P&Z commission was listed as a 7-0 vote but in fact it had been 6-1 with *McGann* dissenting. She wanted that clear for the record. Also the legal is incorrect in the suggested motion – it is Lot 5 **Block 2** not Block 1, South Fill.

Cheshier mentioned that this is the AC property (part of their parking lot).

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Joyce-yes; Burton-yes; Cheshier-yes; Reggiani-yes; Carpenter-yes and Allison-yes. Motion passes.

20. Pending Agenda and Calendar

Bourgeois said that P&Z Commission has changed its regular meeting in February to February 4 instead of February 11.

O. AUDIENCE PARTICIPATION

Tom Bailer of 304 Orca Inlet Drive mentioned the school playground project and how the workers were excited in the beginning, good weather and then today they were like drowned rats and asked if the weather was always this awful. He said the City has a really good staff now and *Mr. Hallquist* has been a really good addition; he really knows construction. So, when they bring you these projects, (you know we have the baler coming up and other things) if you can expedite these things and get your questions answered ahead of the meeting, it is crucial to get these projects out during the good building season – makes a huge difference on the quality and craftsmanship. As far as Bidarki roof, the wrong material was used to patch it in the past and *Hallquist* was right on it, recognized that right away and got it patch correctly, quickly. Those kinds of personnel can really save this community some money.

P. COUNCIL COMMENTS

21. Council Comments

Reggiani thanks *EJ Cheshier* for running the meetings tonight; did a great job.

Carpenter ditto *EJ*, thanks for holding down the fort.

Joyce yes, agreed, good job *Mr. Senior Council member*. Also he wants to reiterate thanks to hospital staff for some of the money they have been able to bring into the community. Some went toward exercise equipment, wellness at Bidarki.

Cheshier agreed that was to be his final comment as well, a big deal for our community.

Cheshier called for a short recess before entering executive session. With no objection, the meeting was recessed at 8:27 pm. At 8:33 pm Council was back in regular session.

Q. EXECUTIVE SESSION

22. Attorney advice regarding City Performance Deeds of Trust (materials under separate cover to Council)

M/Joyce S/Reggiani to enter into an executive session to discuss a matter the immediate knowledge of which would clearly have an adverse effect on the finances of the government, specifically attorney advice regarding performance deeds of trust.

With no objection, Council entered the executive session at 8:34 pm. The regular session was reconvened at 8:44 pm.

Council entered executive session at 8:34 pm and regular session was reconvened at 8:44 pm. *Joyce* said he would recommend that the City Manager and the City Clerk put an executive session item back on the agenda for the February 5 meeting for further discussions on this same matter. Council concurred.


R. ADJOURNMENT

M/Reggiani S/Joyce to adjourn the regular meeting at 8:44 pm

Hearing no objection, the meeting was adjourned.

Approved: February 5, 2014

Attest:


Susan Bourgeois, City Clerk

