

**CITY COUNCIL REGULAR MEETING  
MAY 21, 2014 @ 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 May 21, 2014, in the Library Meeting Room.

**B. INVOCATION AND PLEDGE OF ALLEGIANCE**

*Mayor 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, Dave Reggiani* and *James Burton*. Council members *Bret Bradford* and *EJ Cheshier* were absent. Also present were City Manager *Randy Robertson* and City Clerk *Susan Bourgeois*.

**D. APPROVAL OF REGULAR AGENDA**

*M/Reggiani S/Burton* to approve the Regular Agenda.

*Mayor Kacsh* said he would be adding the Student Council members from Mt. Eccles Elementary School who were present to speak to Council tonight.

Vote on motion: 5 yeas, 0 nays, 2 absent (Bradford, Cheshier). Motion passes.

**E. DISCLOSURES OF CONFLICTS OF INTEREST – none**

**F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

1. Guest Speaker – The Student Council from Mt. Eccles Elementary School presented the Mayor with a check for \$342.16 which they had raised at a bake sale and had voted to donate to the Cordova Center.

2. Audience comments regarding agenda items - none

3. Chairpersons and Representatives of Boards and Commissions

*Harbor – Burton* said there hadn't been a Harbor Commission meeting since his last report to Council; *Health Services Board – Carpenter* said there hadn't been a Health Services Board meeting since her last report to Council; *Parks and Rec – Carpenter* said there hadn't been a Parks and Recreation Commission meeting since her last report to Council; *Planning and Zoning – Reggiani* said that P&Z had met last week and they had approved a preliminary plat and it was before Council tonight, they also approved a conditional use permit with conditions recommended by staff as well as a few added by the commission – that was for CWC to replace their tower on ski hill; *School Board – Bradford* was not present but *Mayor Kacsh* said he had been at the School Board meeting and he made comments regarding a resolution they had before them which they wound up referring to staff.

4. Student Council Representative Report – the student Council member was not present.

**G. APPROVAL OF CONSENT CALENDAR**

*Mayor Kacsh* informed Council that the consent calendar was before them.

*Reggiani* called out item 5 and it was placed later in the agenda as item 18a.

~~5. Ordinance 1117~~

~~An ordinance of the City Council of the City of Cordova, Alaska, authorizing a lease for a portion of Lot 5A, Block 3, Odiak Park Subdivision, Plat 79-5, specifically 38,069 square feet of land to the State of Alaska, Department of Fish and Game – 1<sup>st</sup> reading~~

6. Resolution 05-14-24

A resolution of the City Council of the City of Cordova, Alaska, approving the Final Plat of Replat, portion of Lot 3 Alaska State Land Survey No. 81-28, Plat 81-28, creating Lots 3a and 3b Alaska State Land Survey No. 81-28

7. Change the “previously recorded as unexcused” absence of Council member Carpenter from the March 05, 2014 Regular Meeting to “*excused*”

8. Record excused absence of Council member Bradford from the May 07, 2014 Regular Meeting  
Vote on Consent Calendar: 5 yeas, 0 nays. Cheshier – absent; Joyce-yes; Bradford-absent; Bailer – yes; Carpenter-yes; Burton – yes and Reggiani-yes. Consent Calendar was approved.

#### **H. APPROVAL OF MINUTES**

*M/Joyce S/Burton* to approve the Minutes.

9. Special Meeting Minutes 10-30-13

10. Regular Meeting Minutes 05-07-14

Vote on motion: 5 yeas, 0 nays, 2 absent (Bradford, Cheshier). Motion passes.

#### **I. CONSIDERATION OF BIDS**

10a. Contract approval with GV Jones & Associates for Engineering Services for the LT2 Water System Compliance project

*M/Joyce S/Bailer* I move to direct the City Manager to enter into a contract with G.V Jones & Associates of Anchorage, Alaska, to provide Engineering Services for LT2 Water System Compliance for the sum of \$1,615,300.

*Joyce* said from what he read it appears as though there were only two bidders and this was the better of the two. *Bailer* said he sees where this will be completed by September 30, 2016, he wondered if there were liquidated damages included. *Public Works Director Rich Rogers* said that would be a provision in the contract with the contractor – we don’t yet have a contract with them yet; this is just moving ahead with the engineering firm. *Reggiani* said he thought it was a little difficult to understand which piece of procurement code was being utilized. He hoped next time it could be clearer in the memo and agenda item write-up. *Joyce* said he is satisfied with where we are and where we are going.

Vote on motion: 5 yeas, 0 nays, 2 absent (Bradford, Cheshier). Motion passes.

#### **J. REPORTS OF OFFICERS**

11. Mayor’s Report – *Mayor Kacsh* said he attended the School Board meeting because he hoped they would have a resolution supporting Council’s resolution as was discussed at the last Council meeting. It wasn’t worded as the Board had preferred and they referred it to staff. He also met with a film crew that was pitching a show to either the Discovery channel or National Geographic.

12. Manager’s Report – *Robertson* said he spoke with John Bitney and Bitney said he and his band would be here June 6 for the Copper River Nouveau. *Robertson* also introduces two new employees to the City Council; *Savannah Webber* of the police department dispatch office and *Jason Gabrielson* the new technology lead at the Library. He also mentioned that the pool project is underway; changing over to saline system and some of the leftover Providence money allowed us to purchase a lift that helps the disabled get into and out of the pool as well as a rapid swim suit dryer. He challenged *Ms. Herschleb* to maybe have a grand reopening when it’s ready to go, in bout 2 to 3 weeks. He checked on the baler project and *Mr. Rogers* checks it daily; on a good glide path. *Joyce* commented that the baler site on the South Fill has been very convenient for people.

13. City Clerk’s Report – *Bourgeois* said she had a written report in the packet.

#### **K. CORRESPONDENCE**

14. Army Corps of Engineers public notice 04-18-14

15. Army Corps of Engineers public notice 04-18-14

16. Letter to Governor Parnell in re Capital budget 05-08-14

#### **L. ORDINANCES AND RESOLUTIONS**

17. Substitute Ordinance 1115

An ordinance of the City Council of the City of Cordova, Alaska, amending sections 3.40.020 entitled “planning commission created- membership,” 3.40.030 entitled “planning commission-chairman,” 3.40.050

entitled “planning commission-members’ terms of office,” 3.52.020 entitled “advisory parks and recreation commission-membership,” and 11.08.020 entitled “harbor commission” to clarify and make consistent council member designation for service on city commissions, make council member service on commissions permissive rather than obligatory, and to reduce the number of commissioners on the parks and recreation commission from seven to five

**M/Reggiani S/Bailer** to adopt Substitute Ordinance 1115 an ordinance of the City Council of the City of Cordova, Alaska, amending sections 3.40.020 entitled “planning commission created- membership,” 3.40.030 entitled “planning commission-chairman,” 3.40.050 entitled “planning commission-members’ terms of office,” 3.52.020 entitled “advisory parks and recreation commission-membership,” and 11.08.020 entitled “harbor commission” to clarify and make consistent council member designation for service on city commissions, make council member service on commissions permissive rather than obligatory, and to reduce the number of commissioners on the parks and recreation commission from seven to five.

**Reggiani** said we had a couple of discussions at a few different meetings on this. **Mayor Kacsh** said that overall the feeling he gets from board and commission members that he has talked to is that they prefer a Council member on there and don’t like the “may” instead of “shall”. He also thinks many of the board and commission members don’t like the change to three years terms or council members and he is concerned that Council isn’t taking into account the Parks and Rec Commission’s opinion to not change that commission to five members. **Bailer** said he will support this; he hears what the Mayor is saying but he doesn’t see anything in writing. He said as far as the go-between for Council and Commissions, in the P&Z Commission, it can be the City Planner who is there for every meeting. **Reggiani** agreed that the Council member is there on their own merits, with their own opinions, not as a representative of Council. **Burton** likes the “may” because it leaves the door open. As far as Parks and Rec being lessened to 5 members, it would have been nice to see a note from them regarding their opinion on that. **Mayor Kacsh** said Council member **Carpenter** and he were both at that Parks and Rec meeting and they heard it first-hand. He also opined that we have been lax and it is on us to help garner the interested people and help fill the seats.

**M/Carpenter S/Reggiani** to amend the ordinance to change the Parks and Recreation Commission size back to how it reads now; i.e. seven members, instead of the five that this ordinance changes it to.

Joyce opined that this would be a substantial change and would therefore require another public hearing and second reading.

Vote on motion to amend: 5 yeas, 0 nays, 2 absent (Bradford, Cheshier). Motion passes.

Vote on main motion: 4 yeas, 1 nay (Joyce), 2 absent (Bradford, Cheshier). Motion passes.

**18.** Ordinance 1116 an ordinance of the City Council of the City of Cordova, Alaska, enacting section 2.20.010 C of the Cordova Municipal Code to increase the notification requirements for City elections

**M/Reggiani S/Burton** to approve Ordinance 1116 An ordinance of the City Council of the City of Cordova, Alaska, enacting section 2.20.010 C of the Cordova Municipal Code to increase the notification requirements for City elections.

**Reggiani** said this is a second reading there has been discussion, it makes the advertising more clear. **Joyce** agreed.

Vote on motion: 5 yeas, 0 nays. Burton – yes; Joyce-yes; Cheshier – absent; Bradford-absent; Carpenter-yes; Reggiani-yes and Bailer – yes. Motion was approved.

**18a.** Ordinance 1117

An ordinance of the City Council of the City of Cordova, Alaska, authorizing a lease for a portion of Lot 5A, Block 3, Odiak Park Subdivision, Plat 79-5, specifically 38,069 square feet of land to the State of Alaska, Department of Fish and Game – 1<sup>st</sup> reading

**Reggiani** said he pulled this so there would be a little pause and discussion on this lease. He said when you add all the lease terms together the approval of this would tie up this land for 58 years. If you are familiar with code, we have a maximum of thirty years allowed on a lease. He is not objecting to this lease but thought a discussion was warranted due to the very long term of this lease. **Mayor Kacsh** asked if the code referred to

lease amendments and renewals as well or just initial leases. **Reggiani** said it was his interpretation that it meant not to exceed thirty years cumulative. City Planner **Greenwood** read the pertinent code, “*the term of the lease may not exceed thirty years, including renewals, unless the city council approves a longer term upon finding that the longer term will be beneficial to the city or the citizens of Cordova in light of the purpose of the lease, the use of the premises and the nature of any improvements to be constructed thereon*”.

**Joyce** said that after hearing that he says that Council has the right to approve this per that code section. He thinks it is very important to the public, etc. to keep ADF&G here. **Burton** agreed. **Reggiani** said he supports this as well. **Bailer** said he supports ADF&G.

Vote on motion: 5 yeas, 0 nays, 2 absent (Cheshier, Bradford). Motion passes.

#### **M. UNFINISHED BUSINESS**

**19.** Designation of council rep to Parks and Recreation Commission  
Council agreed to bring this back after Sub Ord 1115 goes into effect.

#### **N. NEW & MISCELLANEOUS BUSINESS**

**20.** 2014 Budget review & discussion

**Robertson** presented what Finance Director **Jon Stavig** had created for Council – basically the out of budget expenses that have been incurred so far this year.

**21.** Certification of 2013 property tax roll

**M/Reggiani S/Bailer** to certify the 2014 Property Tax Roll.

**Reggiani** thanked the Clerk’s department for the summary and the numbers, etc. **Joyce** said this will lead into the important discussions at the next meeting with the setting of the mill rate. **Joyce** mentioned the off-budget items that were purchased, such as the CT Scanner. He also mentioned school funding maybe seeing an increase and the decrease in Title 2 funds, or Timber Receipts. **Reggiani** asked about the mill rate differential between the in-town and out of town mill rates. **Joyce** gave some history and said the differential is in code and could be removed after five years due to a settlement agreement that was signed during annexation. That was in 1995. Other Council members opined in agreement with **Joyce** and the Clerk was directed to bring an ordinance next time eliminating the mill rate differential. **Carpenter** agreed and said the differential was in place and was meant to be removed after a time certain. The Clerk had asked if any other mill rate scenarios were requested to be available and **Reggiani** and **Joyce** asked for scenarios to include: 1) the budgeted revenue amount plus \$267K and, 2) the budgeted revenue amount plus \$267K plus \$95K.

Vote on motion: 5 yeas, 0 nays, 2 absent (Cheshier, Bradford). Motion passes.

**22.** Procedures for the Abatement of Dangerous Buildings – discussion including the requested tax incentives - property tax exemptions information. **Robertson** explained that this was just his way of telling Council of some steps they would be taking, specifically the Planning department, regarding some problem properties around town. **Robertson** said it was his way to give Council some visibility of this before they start hearing about it. **Reggiani** thanked Randy for this – proactive instead of reactive.

**23.** Pending Agenda and Calendar

#### **O. AUDIENCE PARTICIPATION**

**Cathy Sherman** wanted Council to know that Lynden Transport handed her a contribution today to the Cordova Center of \$10,000 in cash and a 50% discount on freight not to exceed \$50,000 over the next two years.

#### **P. COUNCIL COMMENTS**

**24.** Council Comments

**Joyce** wanted to recognize the DMV employees that recently went out of their way to be extra helpful and efficient in performing their job.

**Bailer** agreed with **Joyce**, he also got some great customer service at DMV recently. On the opposite side of that, he said there is a big chuck hole at the end of his road that he sees City vehicles drive through every day.

**Mayor Kacsh** wondered about the possibility of turning the lot behind the Library into seasonal parking overflow for Main Street.

*M/Reggiani S/Burton* to take a five minute recess. With no objection the meeting was recessed at 8:26 pm and reconvened at 8:34 pm.

**Q. EXECUTIVE SESSION**

**25. Cordova Center Finances**

*M/Joyce S/Burton* to enter into an executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect upon the finances of the government, specifically, Cordova Center Finances update.

Vote on motion: 5 yeas, 0 nays, 2 absent (Cheshier, Bradford). Motion passes.

Council entered the executive session at 8:35 pm and reconvened the regular meeting at 10:06 pm.

Council member *Cheshier* arrived at the meeting during the executive session via teleconference at 8:46 pm.

*Mayor Kacsh* said that Council gave advice to the City Manager.

**R. ADJOURNMENT**

*M/Burton S/Joyce* to adjourn. Hearing no objections the meeting was adjourned at 10:07 pm.

Approved: July 2, 2014

Attest:   
Susan Bourgeois, CMC, City Clerk

