

**CITY COUNCIL REGULAR MEETING  
JUNE 04, 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 June 04, 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 *Tim Joyce, Tom Bailer, Bret Bradford, Dave Reggiani* and *James Burton*. Council members *Kristin Carpenter* and *EJ Cheshier* arrived late at 7:05 pm and 7:30 pm respectively and both also via teleconference. 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.

*M/Joyce S/Reggiani* to amend the regular agenda by adding item 7a under consideration of bids regarding Council approval of equipment auction items.

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

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

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

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

1. Guest Speaker - none

2. Audience comments regarding agenda items – *David Allison* of 203 Whiskey Ridge Rd, commented on setting the mill rate. He said he doesn't mind raising the mill rate but too much at once would be hard on people. He doesn't like raising it just because we can; if there is a reason, fine; roads, replenish our reserves etc.

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 would be a regular Health Services Board meeting on July 2 and some Providence folks would be down here for that, she was hoping the board could get together once before that; *Planning and Zoning – Reggiani* said that P&Z will be meeting next week; *Joyce* reported that the Cordova Center Committee met with the fundraising consultants, *Anne* and *Cecily* and the big local fundraising campaign kickoff will be July 4.

**G. APPROVAL OF CONSENT CALENDAR**

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

4. 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 – 2<sup>nd</sup> reading

5. Proclamation of Appreciation for LCDR Michael Sarnowski

6. Record excused absence of Council member Bradford from the May 21, 2014 Regular Meeting

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

**H. APPROVAL OF MINUTES**

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

7. Public Hearing Minutes 05-21-14

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

## **I. CONSIDERATION OF BIDS**

7a. Council approval of disposal of equipment auction items

*M/Joyce S/Bailer* to approve the disposal of the equipment auction items as presented in the memo from the Manager.

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

## **J. REPORTS OF OFFICERS**

8. Mayor's Report – *Mayor Kacsh* said that he has had a plaque to give to *David Allison* but with meetings being canceled, etc., he is just now able to present it to him and it is in appreciation for his 6 most recent years' service on City Council. *Allison* expressed his appreciation to all of the Council members and all of the other volunteers that make Cordova a great place to live. *Mayor Kacsh* said that he will be attending the Copper River Nouveau this weekend and then will meet with the Chamber next week to discuss tactics to keep a positive message with the AMHS and the State.

9. Manager's Report – *Robertson* said the swimming pool is in great shape; the new filtration system is up and running well – Council needs to go see how it looks. The grand re-opening is on June 10. He said the Police department is looking at doing a bike patrol. *Bailer* said he has heard lots of good comments on the cleanup around town so he wanted to pass that along. However, he has also heard people wonder if the cleanup is in place of other things getting done (i.e. weeds being cut down but pot holes not being filled). *Mayor Kacsh* asked about the infrared pothole machine and *Robertson* said we are about a week away. *Robertson* said the health insurance cooperation with the CCMC is working well, to both of our advantage; he thanked *Theresa Carte* and her staff for the collaboration.

10. City Clerk's Report – *Bourgeois* said she had prepared the mill rate scenarios for tonight's meeting and had spent some time researching the ordinance eliminating the mill rate differential, also on tonight's agenda.

## **K. CORRESPONDENCE**

11. Letter to Mayor from AML in re 2014 dues 05-01-14

12. Letter from Council to Senator Berta Gardner in re Exxon reopener 05-22-14

13. Letter from Cliff Ward in re south Harbor ramp 05-25-14

14. Letter from John Harvill in re Harbor and Harbormaster 05-28-14

*Mayor Kacsh* asked if the AML bill had been paid and if it had been budgeted. The Clerk said yes it was paid, had been budgeted at \$2000 she paid the rest from Council contingency. *Bailer* commented on the letter from *John Harvill* praising the Harbormaster he agrees that he takes pride in his job and is making the harbor better because of it. *Bradford* echoed those comments and said he hoped more people would use the North Fill ramp because he has heard comments similar to *Ward's* letter from some others of late. *Joyce* said he has been watching the North Fill ramp and has seen only two guys using it, he doesn't understand why. *Bailer* said he has heard from fishermen that when there is more infrastructure available there they will use it; wash-down and other services. *Burton* said he has seen a line of trailers backing boats in there, obviously the other side has been the traditional spot, but there has been increased use on the North Fill.

## **L. ORDINANCES AND RESOLUTIONS**

15. 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

**M/Reggiani S/Burton** 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 and to make council member service on commissions permissive rather than obligatory.

**Reggiani** said this has been discussed and this is the second reading and we are ready to go. **Joyce** said he still doesn’t support it he thinks it’s a mistake and making the Council members service permissive will have us lose some knowledge on what’s happening there. There is 20 years of precedence and he doesn’t like the three-year terms. **Mayor Kacsh** agreed that he doesn’t like this he fears the lack of flow of information back and forth. He also doesn’t like three years; forcing someone’s hand in the long run, and/or forcing Council’s hand.

**Reggiani** spoke in favor of it; doesn’t see where it changes the flavor of the past twenty years.

Vote on motion: 6 yeas, 1 nay. Cheshier-yes; Carpenter-yes; Burton-yes; Bradford-yes; Bailer-yes; Reggiani-yes and Joyce-no. Motion passes.

**16. Ordinance 1118** An ordinance of the City Council of the City of Cordova, Alaska, repealing Cordova Municipal Code section 5.36.245 entitled “rural zone and mill rate differential” to eliminate the mill rate differential and separate tax zone created for the 68.23 square miles of land annexed to the City in March, 1993  
**M/Joyce S/Reggiani** to approve Ordinance 1118 An ordinance of the City Council of the City of Cordova, Alaska, repealing Cordova Municipal Code section 5.36.245 entitled “rural zone and mill rate differential” to eliminate the mill rate differential and separate tax zone created for the 68.23 square miles of land annexed to the City in March, 1993.

**Joyce** said the fact of the matter is that in the court case that occurred after the annexation in 1995 there was a five-year term put on this differential which expired in about 2000. Also, he said all the deficits in the annexed area at that time have been addressed; there’s fire & police protection, streetlights, etc. so he believes that the justification for the mill rate reduction has gone away. **Carpenter** agreed and is prepared to vote in favor of this. She believes today there is a much more comparable level of service and a big difference between now and when the settlement agreement was reached is that the City puts a lot more money into the medical center now which benefits everyone equally. **Joyce** wanted to bring up that this would not be in effect until next year for taxation purposes. **Reggiani** spoke in favor as well. He showed council a copy of a Municipality of Anchorage tax bill which shows a breakdown of what each service area in Anchorage pays millage equivalents to cover as far as expenses that the Municipality has annually. As far as communication, he thinks that would go a long way toward the community understanding taxes and what the taxes help support. **Bailer** spoke in support of the ordinance as well as **Reggiani’s** idea concerning tax bills.

Vote on motion: 7 yeas, 0 nays. Bradford-yes; Reggiani-yes; Cheshier-yes; Carpenter-yes; Joyce-yes; Bailer-yes and Burton-yes. Motion was passes.

**17. Resolution 06-14-25** a resolution of the City Council of the City of Cordova, Alaska, setting the mill rates for 2014

**M/Joyce S/Reggiani** to approve Resolution 06-14-25 a resolution of the City Council of the City of Cordova, Alaska, setting the mill rates for 2014 at 12.4 for the City and 11.4 for the annexed area.

**Joyce** said he went to that rate because of the off-budget expenses for the hospital, which came out of savings, which needs to be replaced. **Bourgeois** explained that since the packet had been printed and distributed, she did receive the final Alyeska taxable value (on Monday), which was up approximately \$4.8M from the original assessed value. She had plugged the new number in and to attain the revenue of \$2.129M that **Joyce** had been shooting for, with the increase, the mill rates could now be set at 12.07 and 11.07 instead of the 12.4 and 11.4.

**Bradford** said he will not be able to support an almost 30% property tax increase for a capital project for the hospital. **Reggiani** said he would support it, recalling the overwhelming community support at the health care

meetings. *Joyce* said we have been buying things a lot over the past few years and it has been reducing our savings, if we do that again this year, we will reduce savings even more.

*Mayor Kacsh* thought that this was a very steep jump for one year. He would prefer to see a mill rate that would bring in revenue at a little closer to the budgeted amount. *Bradford* said he also heard the support for the CT scanner but never heard anyone support a 30% increase in property tax to pay for it. *Cheshier* said we are needing to spend money on the hospital and the community supports it and so he supports it. *Burton* said he is in support of scenario 2, he will not support 12.4 and he does understand the need for the CT scanner. *Carpenter* said she doesn't have much to add and will vote in favor of this. *Bailer* said this will hit people hard. *Mayor Kacsh* said this would hurt the lower income household that is already struggling to stay in town. *Joyce* said he is willing to look at an in-between number. *Reggiani* insisted that Council has a spending problem. *Mayor Kacsh* reminded everyone that we set the revenue goal at budget of \$1.862 which was up from previous years of \$1.5M. *Burton* said he understands the dilemma but still thinks it needs to happen at a slower pace. He was hoping scenario 2 would be the chosen mill rates for this year. *Cheshier* opined that we have been under-taxing according to our spending for the past two to three years and we are drawing our reserves down and it's time to start building them back up.

*M/Joyce S/Reggiani* to amend the mill rates to 12.07 and 11.07.

*Reggiani* said he didn't think it needs to be amended. He said he'd go along with it but didn't think it was necessary. The Clerk did her due diligence and updated the number based on one property being updated. *Reggiani* said the intent of the main motion was option number 4. *Mayor Kacsh* said it was better to be very clear as to the mill rates Council was opting for.

Vote on motion to amend: 7 yeas, 0 nays. Joyce-yes; Burton-yes; Cheshier-yes; Reggiani-yes; Carpenter-yes; Bradford-yes and Bailer-yes. Motion was approved.

Vote on main motion as amended: 5 yeas, 2 nays. Cheshier-yes; Joyce-yes; Bradford-no; Burton-no; Carpenter-yes; Bailer-yes and Reggiani-yes. Motion was approved.

## **M. UNFINISHED BUSINESS**

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

#### **18. CVFD Request to continue with EMPG 05-20-14**

*M/Joyce S/Bradford* to continue the EMPG program, request funds from Alaska DHS&EM and sole source with Joanie Behrends as the EMPG Planner.

Vote on motion: 7 yeas, 0 nays. Cheshier-yes; Bradford-yes; Carpenter-yes; Bailer-yes; Joyce-yes; Burton-yes and Reggiani-yes. Motion was approved.

#### **19. Pending Agenda and Calendar**

Council opted to cancel the second meeting in June, scheduled for June 18, 2014. They also agreed to schedule a work session with *Jim Quick* of *Dawson Construction* for Wednesday June 11 at 7pm.

## **O. AUDIENCE PARTICIPATION**

*Alice Grimwood* of the Radio Station said she wanted to inform Council that there are two ladies doing everything at the Post Office as they have just let one other employee go. If they have noticed, she has that mail has been pretty slow lately and some people have complained to the USPS regarding this.

*Donald Kurz* of 1001 Lake Avenue apologized for missing the last Council meeting, had a medical issue. He also had a concern with the condition of the ball field and the ball field bathrooms lately. He said there was excessive trash today when he was down there. He thinks parents could be doing a better job policing themselves and their kids.

## **P. COUNCIL COMMENTS**

### **20. Council Comments**

*Bailer* said he appreciated *Donald's* concern about the ball fields and thinks adults do need to pay a little more attention. He said over the past holiday weekend there had been a large kid-gathering of 200 some people out

the road and the next morning when he walked over to where they had been, you couldn't even tell; they did a great job of cleaning up after themselves.

*Joyce* said he has heard good things about the refuse transfer site on the South Fill. He was impressed with the people sorting their own stuff there.

*M/Reggiani S/Joyce* to take a five minute recess. With no objection the meeting was recessed at 8:30 pm and reconvened at 8:37 pm.

## **Q. EXECUTIVE SESSION**

### **21. City Land Sales and Performance Deeds of Trust**

*M/Joyce S/Reggiani* 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, City Land Sales and Performance Deeds of Trust.

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

Council entered the executive session at 8:38 pm and reconvened the regular meeting at 9:15 pm.

### **22. Attorney advice regarding CTC - Ski Hill lease**

*M/Joyce S/Reggiani* 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, the CTC - Ski Hill lease.

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

Council entered the executive session at 9:17 pm and reconvened the regular meeting at 9:55 pm.

*M/Burton* to reconsider Resolution 06-14-25. *Joyce* said ... point of order as he didn't believe that someone on the failing side of the motion could reconsider it. *City Clerk Bourgeois* said that our code does allow for an instance which is anti to Roberts Rules, she read from Cordova Municipal Code...

**3.12.070 Meetings—Government of proceedings.** Robert's Rules of Order as newly revised shall govern the proceedings of the council when applicable and when not in conflict with state statute or this code, except with the following exception(s):

Any member may give notice of reconsideration of a failed motion.

*Joyce* went on to say that this was not a failed motion. The City Clerk agreed and said she had been mistaken. However...

*M/Bailer S/Burton* to reconsider Resolution 06-14-25.

*Burton* said he still had a hard time and he thinks the public will have a hard time so he thought he'd go somewhere in the middle. Therefore, he opted to...

*M/Burton S/Bradford* to amend the resolution by inserting 11.33 and 10.33 as the mill rates in Resolution 06-14-25.

*Joyce* said he can appreciate what *Burton* is trying to do but he thinks it would still have to be paid for in full (i.e. the CT scanner). *Reggiani* said he has always advocated for lowered property taxes especially on good raw fish tax years. He thinks this year we just have to take care of bad spending habits and raise property tax as well. If we go away from paying for the CT scanner in full this year, we would be continuing those bad spending habits. *Joyce* said we might have to curb one of our biggest expenses which is the schools. *Burton* said to that, if we raise taxes and drive people with kids out, our school population shrinks, state funding goes up and our allowed match goes up; a vicious cycle. *Cheshier* said take a little sip of water and swallow the bitter pill.

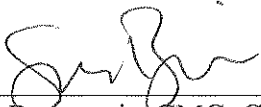
Vote on motion to amend: 3 yeas, 4 nays. Cheshier-no; Bradford-yes; Burton-yes; Joyce-no; Carpenter-no; Bailer-yes and Reggiani-no. Motion fails.

Vote on main motion: 4 yeas, 3 nays. Carpenter-yes; Cheshier-yes; Joyce-yes; Bailer-no; Burton-no; Reggiani-yes and Bradford-no. Motion passes.

**R. ADJOURNMENT**

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

Approved: July 16, 2014

Attest:   
\_\_\_\_\_  
Susan Bourgeois, CMC, City Clerk

