

**CITY COUNCIL REGULAR MEETING
SEPTEMBER 18, 2013 @ 7:30 PM
LIBRARY MEETING ROOM
MINUTES**

A. CALL TO ORDER

Mayor James Kacsh called the Council Regular Meeting to order at 7:30 pm on September 18, 2013, 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, David Allison, EJ Cheshier, Dave Reggiani* and *James Burton*. Council member *Bret Bradford* was absent. Also present were City Manager *Randy Robertson* and City Clerk *Susan Bourgeois*.

D. APPROVAL OF REGULAR AGENDA

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

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

E. DISCLOSURES OF CONFLICTS OF INTEREST - none

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speaker – *Joanie Behrends* gave a short power point presentation about the CERT (community emergency response team) program and she and *Dick Groff* awarded certificates to those who recently completed the program: *Robert Behrends, Natasha Casciano, Jeremy Donohue, Jason Fischer, Catherine Reed, Richard McCalvy, Sharon McCalvy, Emily Stolarcyk, James Thorne, Todd Mair* and *Alexandra Russo*.

2. Audience comments regarding agenda items

Mark Palmer President of Ocean Beauty Seafoods spoke in favor of Council approving agenda item 23 to sell Lot 1 Block 1 CIP to Ocean Beauty for expansion of their facility.

3. Chairpersons and Representatives of Boards and Commissions

Harbor Commission – Burton mentioned their last meeting where they discussed the fee schedule and land use maps. *Schinella* also told *Burton* today that the Travel Lift was out of service and it could be down 120 days.

HSB – Allison said next meeting October 2 and there are 2 hospital items on tonight's agenda.

Parks and Rec – Carpenter said P&R will meet on September 25.

Planning and Zoning – Reggiani said there was an agenda item from P&Z and they also discussed capital improvement project recommendations which will come to Council at budget.

School Board – Bradford was absent.

G. APPROVAL OF CONSENT CALENDAR

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

4. Record excused absence of Council member *Reggiani* from the September 4, 2013 regular meeting.

5. Record excused absence of Council member *Burton* from the September 4, 2013 regular meeting.

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

H. APPROVAL OF MINUTES

M/Cheshier S/Reggiani to approve the Minutes.

6. Regular Meeting Minutes 09-04-13

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

I. CONSIDERATION OF BIDS - none

J. REPORTS OF OFFICERS

7. Mayor's Report - **Mayor Kacsh** said he had a written report and in that report he had asked Council if they were interested in tackling the topic of trapping and then possibly pass something similar to avoid it having to be on the ballot. He said if Council concurred, he would hold a town meeting forum for both sides to talk – not a Council meeting, but a community meeting. Council was fine with a public meeting as described. **Mayor Kacsh** went on to say he met with CDFU and ADF&G today and hopes they can resolve things so what happened this year early season doesn't happen again. He has been in touch with the Governor's scheduler and is trying to get an in person meeting sometime in the next 30 – 45 days.

8. Manager's Report – **Robertson** said 1) newcomers briefing went very well, capacity crowd, etc. very pleased; 2) Cordova Center – he is extremely pleased with the amount of activity, 11 working on Saturday, have been averaging a dozen a day since; spoke with **George Haley** and we are still projecting an October date for them to be done and gone from the facility; **Attorney Wells** says no need for executive session tonight but she plans to speak to Council at the next meeting; 3) met with **Doug Brown** about the school playground which looks like it could be repaired and usable by January or February; 4) **Robertson** said he and **Zamarron** and **Greenwood** and **Howard** met with NVE – **Joel Azure** and **Jonah Dart-McLean** concerning a partnership which is in a resolution before council tonight; 5) met with **Theresa Carte** and **Mr. Lamoureux** and **Mr. McAlister** from Providence; 6) thanked **Ms. Sherman** for her art show – they raised over \$2,500 last week and more is coming in – Cordovans are generous and artistic

a. **John Bitney**, City Legislative Lobbyist

said he had a short report in the packet but he wanted to update everyone on these things as well: 1) later when Council approves their CIP list his opinion would be that Cordova Center should remain number one; 2) there has been some preliminary discussion that there may be a state bond package being in the mix next session and if that is the case it might be sort of a “ports & harbors” bond package considered for inclusion as part of that – essentially, Cordova has #s 2, 3, 4 as harbor related projects so that is a good idea to keep.

b. **Jon Stavig**, Finance Director – financials were in the packets and there were no Council questions.

9. City Clerk's Report - **Bourgeois** said she had provided a written report in the packet.

K. CORRESPONDENCE

10. PWSRCAC request for project ideas 08-29-13

11. Mayor letters of thanks to the City Manager Assessment Committee members 09-06-13

12. Mayor letter to Hastings and DeFazio in re SRS funding 09-06-13

13. Mayor & Council letter to DoT Commissioner in re AMHS 09-12-13

14. Harvill letter to Mayor & Council in re Robertson 09-07-13

15. Letter from Annette Janka to Council about trapping 09-12-13

Joyce said he could give a report on the status of the Whittier dock as an MTAB member. He said there is an issue with the dock and they are looking to complete a temporary fix by middle of October. Final fix might be later like November or December. He also reported that they are looking at other options as well such as a local barge company and the use of their dock.

L. ORDINANCES AND RESOLUTIONS

16. Resolution 09-13-50

A resolution of the City Council of the City of Cordova, Alaska, designating capital improvement projects

M/Reggiani S/Burton to approve Resolution 09-13-50 a resolution of the City Council of the City of Cordova, Alaska, designating capital improvement projects.

Council agreed that the Cordova Center should remain at the top, however, due to Bitney's report they agreed that Harbor projects should be loaded after that – like at 2, 3, 4, 5.

M/Cheshier S/Joyce to amend Resolution 09-13-50 by placing the priorities in this order:

1. Cordova Center; 2. G Float Replacement; 3. Municipal Dock (Ocean Dock) Renovation; 4. Shipyard Building; 5. Shipyard Fill; 6. South Fill Sidewalks; 7. South Fill Expansion & Sawmill Avenue Extension; 8. Public Safety Building; 9. Recreation Building; 10. Ferry Trail

Vote on motion to amend: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

Vote on main motion: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

17. Resolution 09-13-51

A resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to approve payment of \$400,000 to Cordova Community Medical Center

M/Joyce S/Allison to approve Resolution 09-13-51 a resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to approve payment of \$400,000 to Cordova Community Medical Center.

Allison said he has a few concerns such as: 1) this should be a loan; 2) we haven't seen the hospital's detailed financials in a while; 3) the "meaningful use" money was supposed to be used to pay us back but it has been used for operations instead; 4) repayment was supposed to be quick. He is in favor of this proposal but he really wants to see the financials in a couple of weeks.

M/Allison S/Joyce to amend the resolution to say "loan" instead of "payment" in the "now, therefore, be it resolved" paragraph.

Joyce said he supports the amendment.

Vote on motion to amend: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

There was discussion about where this extra \$150K would be coming from and concerns about where the original payment to fund EHR came from. **Reggiani** said it goes back to process and he said it would be handy to have a fiscal note attached to this so that we could understand where this was coming from. He went on to say that the next step if this passes, would be a budget amendment. **Allison** said he agrees with **Reggiani** and said we need to pass this, to pay the bills and then we should come back at the next meeting with a budget amendment resolution. **Cheshier** agreed.

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

18. Resolution 09-13-52

A resolution of the City Council of the City of Cordova, Alaska, authorizing the City and CCMC to agree to repayment terms for any and all outstanding debt

M/Cheshier S/Burton to approve Resolution 09-13-52 a resolution of the City Council of the City of Cordova, Alaska, authorizing the City and CCMC to agree to repayment terms for any and all outstanding debt.

Allison said that from the HSB perspective, this is a great deal. He recalls stating when this passed at the HSB level, that it would be a harder sell at the Council level. **Allison** said he would prefer to see something budgeted as a repayment each year. He would like to see a detailed statement from our Finance Director, i.e. what we think that they owe and where that money came from (GF, PF, etc.). He would rather not sign an agreement like this that really doesn't pay us back anything in the next two years. **Joyce** agreed with **Allison** and **Cheshier** said he is not prepared to agree to this payback plan but he is glad that the hospital is operating in the black for the first time in a very long time.

M/Cheshier S/Reggiani to refer to staff.

Vote on motion to refer: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

19. Resolution 09-13-53

A resolution of the City Council of the City of Cordova, Alaska supporting cooperation and partnership with the tribal council and leadership of the Native Village of Eyak in applying for tribal transportation program safety funds (TTPSF) from within programs authorized by the federal highway agency to pay for engineering design and construction of sidewalks from Railroad Ave to Harbor Loop Rd, replacement of the stairs that provide access to Railroad Ave from the high school area and the construction of a covered stairway to access Harbor Loop Rd from Railroad Ave.

M/Allison S/Cheshier to approve Resolution 09-13-53 A resolution of the City Council of the City of Cordova, Alaska supporting cooperation and partnership with the tribal council and leadership of the Native Village of Eyak in applying for tribal transportation program safety funds (TTPSF) from within programs authorized by the federal highway agency to pay for engineering design and construction of sidewalks from Railroad Ave to Harbor Loop Rd, replacement of the stairs that provide access to Railroad Ave from the high school area and the construction of a covered stairway to access Harbor Loop Rd from Railroad Ave.

Robertson mentioned that he met with *Joel Azure* of NVE and the discussion began with the Whitshed Bike Path project having been delayed on the STIP. *Joel* mentioned his access to these TTPSF monies and we all met – *Greenwood, Azure, Zamarron, Howard, Dart-McLean* on Friday. At this time, *Joel Azure* came to the table to address Council. He said when he heard informally that the Whitshed bike path was off the table, he got with the City and they put their heads together to come up with a plan in short-order that they could seek this funding for. Railroad Avenue has been a tribal safety concern and the City agreed it was a good choice. Unlike the bike path – no matches are needed for this so it is a great opportunity.

Cheshier said looks like a no-brainer. *Joyce* agreed that he supports the project. *Carpenter* asked if there would be some public involvement in this. *Azure* said that as far as the safety grant, there was public comment period in order to determine priorities and this route was a number one priority.

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

20. Resolution 09-13-54

A resolution of the City Council of the City of Cordova, Alaska, authorizing City Manager Randy Robertson to enter into a sole source contract with Joanie Behrends as the emergency management planner for the City of Cordova

M/Allison S/Cheshier to approve Resolution 09-13-54 a resolution of the City Council of the City of Cordova, Alaska, authorizing City Manager Randy Robertson to enter into a sole source contract with Joanie Behrends as the emergency management planner for the City of Cordova.

Robertson said that the bottom line is that the feds gave us \$2K more after the budget was approved, so we are asking now for the additional \$2K for the match. *Trumblee* mentioned that really we only need the \$1K for this year. *Joyce* asked *Trumblee* if he could have found the \$1K in his budget. *Trumblee* said his budget is really tight and he doesn't think he can. *Joyce* said, when *Trumblee* said yes to the extra funding from the feds, he was committing the City to spend more money. *Trumblee* said that the previous City Manager (Don Moore) accepted the proposal. *Reggiani* said back to process, he said a fiscal note would be very helpful; this would generate a budget amendment resolution; do you have any idea where this would come from. *Robertson* and *Stavig* said they would recommend it come from the unrestricted fund balance. *Reggiani* opined that we just seem to keep adding to the budget instead of working within the budget. He said he is sensitive to that because we worked really hard on the budget and he thought there was wiggle room in there, instead we keep adding to it and spending down our general fund reserve. *Allison* said these are good discussions for a future meeting and a different situation; this is a specific emergency management consideration. Everyone knows *Joanie (Behrends)* and knows she has done an excellent job and he is certain there is \$1K to be found in the budget.

M/Joyce S/Reggiani to refer to staff for further development. After some discussion, it was determined it would be better to handle this tonight and so Council decided to amend on the floor instead. This motion to refer was withdrawn.

M/Allison S/Cheshier to amend the resolution by adding "...and authorizes the City Manager to find the extra necessary money in the 2013 City budget" at the end of the last sentence in the "now therefore be it resolved" paragraph.

Vote on motion to amend: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

Vote on main motion: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

M. UNFINISHED BUSINESS

21. Report back to Council on loan to upgrade sewer system

Zamarron said that Council's questions last time were pertinent, he easily and quickly found where there was a \$1.1M loan taken out in 2005 which has yet to be put on a schedule for repayment. Approximate payment on that is \$62,800/ year which hasn't even begun. If we were to add another \$1.5M loan that repayment would be too much to handle – would be a tough sell.

22. Report back on Purchases, Consideration of Bids and Contract Approval

This was a report back concerning something that came up at a previous Council meeting. There were no Council questions or discussion.

23. Council decision on property disposal, Lot 1, Block 1 CIP

M/Reggiani S/Joyce to award the disposal of Lot 1, Block 1, Cordova Industrial Park to Ocean Beauty Seafoods.

Reggiani said that P&Z had a really good discussion – reviewed all four proposals – all were competitive and good proposals. He said Ocean Beauty rose to the top – he supports the Ocean Beauty proposal.

Joyce said it is also the best value for the City; expanded processing capabilities, expanded work force, expanded raw fish tax, expanded opportunity for the local fishermen. *Cheshier* is glad Ocean Beauty stepped up to the plate he thinks it's a no-brainer and it will do the community a lot of good. *Burton* agreed.

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

24. Cordova Center Phase 2A

M/Joyce S/Allison for City Council to proceed with Phase 2A at this time utilizing money in the Cordova Center Fund balance. EVOSTC reimbursements would be added back into the fund to assist with further phases of construction.

Joyce said that the Committee met last week and they discussed the amount available etc. because there are some grantors out there waiting for us to do something in order to give us more funding. *Cheshier* said he is nervous as hell about spending more money on this until we get some of our legal battles won on this. He is all in favor of moving forward in some fashion but he is not very excited about spending all the money we have available at one time to show somebody else that we are moving forward. *Joyce* said that he thinks *Cheshier* could get some information in the executive session if we were to have that first.

Reggiani said he would like to hear that information as well but sees no executive session listed. He is in favor of moving forward on the Cordova Center but he doesn't feel as though he has enough information to weigh in on jumping all the way to phase 2A. Could 2A be phased? *Cathy Sherman* was asked to respond to this. She said that phasing 2A further would increase the total cost. The committee's emphasis was that we are trying to leverage the funds we have now in place. *Hallquist* was also present and he said phase 2A buys us a bunch of equipment; it hangs a little bit of a ceiling inside the building; and that's the beginning and the end of it. We would spend the phase 2A money in about two months and then we would need another \$2.4M to do the next step. We would buy the boiler and the major electrical components and they would be inside the building; we'd have to build a tent around them and keep them heated. *Hallquist* said the third bite is the biggest bite. *Sherman* wanted to add that approving moving

forward with phase 2A tonight does not mean that Dawson is going to immediately start ordering parts and pieces. We can work with them to time this yet also still have the leverage of saying we are going ahead. **Carpenter** wanted to make the case for getting more information before we make this decision. She would like to see a reverse schedule. She would like to know more information and the status of local and statewide fundraising (businesses, etc.) and she would like to see the marketing plan. **Reggiani** said he would like the opportunity to talk to Dawson and understand a breakdown of what 2A is; he understands the importance of moving forward but he wants to provide input on how we move forward. **Allison** supports moving forward too he asked **Cathy Sherman** what the funders really need to see. **Sherman** said they need to see City financial commitment of proceeding with the project. **Joyce** said the EVOSTC is tricky and if we do nothing we jeopardize the \$1.3M. Council needs to figure out whether they are going to jeopardize that money – we need to get serious. Dawson was here a year or eight months ago and we had a discussion with them about all these phases and how this would work. **Burton** agreed with **Joyce**, said it's been frustrating enough, watching how slow this goes. **Carpenter** said maybe we can wordsmith the motion. **Joyce** said the City might have to put up more funds here soon to show commitment.

M/Cheshier S/Reggiani to refer to staff and to get more information at an upcoming meeting so we know what 2A is.

After some more discussion, Council thought they might opt to amend the motion instead so the motion to refer was withdrawn.

M/Reggiani S/Allison to amend the motion by adding the words “the planning of” before Phase 2A in the first sentence, as follows: for City Council to proceed with **the planning of** Phase 2A at this time utilizing money in the Cordova Center Fund balance. EVOSTC reimbursements would be added back into the fund to assist with further phases of construction.

Vote on amendment: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

Vote on main motion: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

N. NEW & MISCELLANEOUS BUSINESS

16. Pending Agenda and Calendar

Joyce mentioned if we have budget work sessions scheduled yet. **Robertson** said he and **Stavig** are working on that and he will email Council with some dates.

O. AUDIENCE PARTICIPATION

Michael Clutter Ocean Beauty Seafoods Manager thanked Council for their vote of confidence in Ocean Beauty's management and operations here in Cordova. He thanked the Planning & Zoning Commission as well.

Cathy Sherman wanted to mention also as far as the Cordova Center, they have received back the marketing plan and it is 272 pages long and internally she hopes to meet with the chamber and the staff there because they are an integral partner in the plan. So before it comes to Council or to the public we will work through it that way; taking a little longer than anticipated therefore.

P. COUNCIL COMMENTS

17. Council Comments

Allison said thanks to all of those who proposed business plans for the lot in the Industrial Park, and are willing to invest in Cordova. He thanked Cathy and Josh and staff and said hopefully we can phase this so everyone's happy and wondered if there was any other support that we (i.e. Council) can give toward convincing those organizations that we are in till it's done.

Carpenter said that she probably should have brought this up during the Manager's report but that she has spoken to the City Manager about it and has emailed the Public Works Director about it but that the chip sealing up on Fourth Street was a disaster. She said the timing wasn't great and the day it happened when she walked out of her house it smelled like a tar pit. She said there was one nice weather day and then it

poured for 24 hours straight so that a ton of tar & oil washed right down the hill. She would like the City to look into paving instead of chip sealing.

Joyce said he does agree that the timing might not have been right – could have been done in June when it was hotter and dryer. However, he is not sure that we can afford paving.

Q. EXECUTIVE SESSION

27. PWSSC lease negotiations update

M/Allison S/Joyce to enter an executive session to discuss matters the immediate knowledge of which would clearly have an adverse effect on the finances of the government, specifically lease negotiations with PWSSC update.

Vote on motion: 6 yeas, 0 nays, 1 absent (Bradford). Motion passes.

Council took a five minute recess at 10:15 pm; Council entered executive session at 10:23 pm and went back into regular session at 10:55 pm. *Mayor Kacsh* said that the City Manager has been instructed to proceed as was directed in the executive session.

R. ADJOURNMENT

M/Allison S/Joyce to adjourn the regular meeting at 10:55 pm

Hearing no objection, the meeting was adjourned.

Approved: October 02, 2013

Attest:



Susan Bourgeois, City Clerk

