

**CITY COUNCIL REGULAR MEETING
NOVEMBER 5, 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 November 5, 2014, 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 *Tom Bailer*, *Bret Bradford* and *Hayley Hoover*. Council members *Tim Joyce* and *Dave Reggiani* were present via teleconference. Council members *Kristin Carpenter* and *James Burton* were absent. Also present were Student Council Representative *Gabrielle Brown*, City Manager *Randy Robertson* and City Clerk *Susan Bourgeois*.

D. APPROVAL OF REGULAR AGENDA

M/Bailer S/Bradford to approve the Regular Agenda.

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Hoover-yes; Bradford-yes; Joyce-yes; Bailer-yes; Reggiani-yes and Brown-yes. Motion was approved.

E. DISCLOSURES OF CONFLICTS OF INTEREST

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speaker

a. Belen Cook, was present on behalf of the Native Village of Eyak, inviting Council members to the Sobriety Celebration which was coming up the weekend of November 13-15. She gave a brief overview of events and speakers that would be present this year.

b. Sean McCallister, of Providence Health and Services Alaska reported to the City Council that there have been 2 proposals presented to the HSB – a collaborative decision has been made regarding hiring *Dr. Stephen Sundby* as CEO and he is a non-Providence employee and this necessitates a change to the management agreement. An amendment will be forthcoming as soon as possible to remain in compliance. Secondly there may be a change regarding Providence no longer being a managing partner but instead a consulting partner. *Bradford* and *Joyce* both asked *McCallister* questions about Providence's future involvement with Health Care in Cordova. *Bradford* mentioned that the community weighed-in in the past regarding wanting Providence's involvement and he wanted to ensure it was still there – *Joyce* also asked if Providence's support of Health Care in Cordova would remain. *McCallister* assured them that Providence would remain fully committed in Cordova – a new, mutually beneficial arrangement will be next to tackle.

c. Buck Adams of UBS was present via teleconference to speak regarding his quarterly report in the packet and Council opted to hear from him as a guest speaker. He said we have positive rates of return this year which is a good thing. Consolidated rate of return is at 2.8 – 2.9% year to date. *Joyce* asked if *Buck* knew now or could get the answer to the following question: how much in dollars has the permanent fund earned over the past year. *Buck* could say this: ytd central treasury is up \$71,000 and the permanent fund is \$280,479.

2. Audience comments regarding agenda items – none

Mayor Kacsh asked to back track to conflicts of interest and he reminded *Hayley Hoover* that there was a vote on item 19 regarding a lease with the PWSSC and he thought she was conflicted on that due to her employment with the PWSSC. She agreed as did Council.

3. Chairpersons and Representatives of Boards and Commissions - Harbor, HSB, Parks & Rec, P&Z, School Board

Robertson reported that Parks and Recreation Commission met a few weeks ago, they elected a new chair, they spoke about trails, recognized Providence's contributions, they have a special meeting this coming

Friday at 6pm to discuss budget. **Bradford** said School Board meets next week on the same day that we have a budget work session so he won't be able to attend.

4. Student Council Representative **Gabrielle Brown** mentioned that 2 weeks ago there was a pep assembly and spirit week for High School volleyball. There was a Sadie Hawkins dance on that same week, on Saturday, it was well-attended. On Halloween there was a costume competition and all-agreed **Mr. Carroll** was the winner – he was dressed as a superhero. There was a suicide prevention training last night put on by North Star Behavioral Health and 10 students (nine from Student Council) were in attendance. Volleyball is at regionals this weekend and wrestlers will be in Houston.

G. APPROVAL OF CONSENT CALENDAR

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

5. Proclamation for Sobriety Celebration

6. Resolution 11-14-45 a resolution of the City Council of the City of Cordova, Alaska, approving Providence's selection of Dr. Stephen Sundby as Chief Executive Officer/administrator of the Cordova Community Medical Center (CCMC)

Vote on Consent Calendar: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Joyce-yes; Bailer-yes; Hoover-yes; Reggiani-yes; Bradford-yes and Brown-yes. Consent Calendar was approved.

H. APPROVAL OF MINUTES

M/Bailer S/Bradford to approve the Minutes.

7. Public Hearing Minutes 10-15-14

8. Regular Meeting Minutes 10-15-14

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Bradford-yes; Reggiani-yes; Bailer-yes; Hoover-yes; Joyce-yes and Brown-yes. Motion was approved.

I. CONSIDERATION OF BIDS

9. Approval of SRTS Third Street drainage and sidewalk installation contract

M/Bradford S/Bailer to direct the City Manager to enter into a contract with Wilson Construction of Cordova, Alaska, to perform drainage and sidewalk installation on 3rd Street for a sum of two hundred ninety-five thousand eight hundred forty-four dollars and fifty-five cents (\$295,844.55).

Bradford mentioned the lack of a fiscal note which helps to clarify the funding source. **Mayor Kacsh** agreed that he had looked for an accompanying fiscal note for this item as well. **Greenwood** spoke to the item and said it was a 100% grant-funded project. **Reggiani** understands that this is grant funded and reimbursable, he wondered if there was a maximum dollar amount or if it just covers the cost of the project. **Reggiani** also asked how many bids were received and how and why the winning bidder was chosen. **Rich Rogers** said there had been 2 bidders and the low dollar responsible bid was chosen. **Rogers** also said the entire cost of the project will be covered.

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Bradford-yes; Reggiani-yes; Hoover-yes; Joyce-yes; Bailer-yes and Brown-yes. Motion was approved.

10. Approval of UV Equipment (LT2) contract

M/Bailer S/Bradford to direct the City Manager to enter into a contract with Trojan Technologies, Portland, OR, to provide UV supplies and services per RFP#05-14 for a sum not to exceed four hundred ninety-eight thousand dollars and zero cents (\$498,000.00).

Reggiani asked how many bids were received. **Robertson** said there were 2 bids this one was the low dollar bid. **Bradford** made the same comment as last item – a fiscal note would be helpful so as to understand the funding source(s). **Joyce** asked what the scope of this project entails; are the UV lights being installed at all three City water sources. **Rogers** said yes, all three, Eyak, Meals and Orca. **Joyce** was asking because in case we develop another potential water source, will we, within this contract be able to include that possibility as far as design. **Rogers** said absolutely, the design engineer is well-aware of the increased flow potential.

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Hoover-yes; Joyce-yes; Bradford-yes; Bailer-yes; Reggiani-yes and Brown-yes. Motion was approved.

J. REPORTS OF OFFICERS

11. Mayor's Report – **Mayor Kacsh** said he has heard a lot of feedback from people about the Polar Bear issue.

12. Manager's Report – **Robertson** said as far as the Polar Bear, he has heard a lot about it too; he encourages people, whether pro or con, to make comments by 11/14 to Emily with the State of Alaska. **Robertson** introduced **Weston Bennett**, the City's new Superintendent of Facilities. On November 17 there will be a meeting of concerned citizens and all the appropriate entities, City, Police, NVE, Ilanka, CCMC, **Sylvia Lange** spearheaded this after the last fatality. A facilitator, **Mr. Hall** a professor from UAA will lead the discussion – time and location tba. Department Head presentations next week on budget Nov 10 & 12 – **Mr. Carlson** of the school district will be here on 11/12. **Clay Koplín** also asked for a little time – presenting about Crater Lake.

a. Planning memo in re: Tidelands Acquisition – **Robertson** asked for Council direction on where to go with this as it does not look like a particularly onerous task to get with the state and request these tidelands. **Hoover** asked the cost. **Robertson** said from what they have determined it is just given to us from the state. Council discussed the options as listed in the report, they gave direction to the City Manager as far as check with the state on purchase or deeding, etc., and then how much are they willing to deed over.

b. Cordova Center update report – **Rich Rogers** introduced **Weston Bennett** who has come from Anchorage with his wife Sally and 2 kids and he will help with the City facilities and of course will manage the Cordova Center Project. **Rogers** mentioned the design review forum tomorrow night at Mt. Eccles. **Rogers** also answered a question that **Bailer** had asked a few meetings ago regarding insulation; he said the insulation will be blown in at 18-19 inches thick and then after it settles it will be re-measured. **Mayor Kacsh** asked **Rogers** if the architect has been timely in responding to RFIs as they have been coming in. **Rogers** said they have been timely on RFIs and submittals and they have even asked which answers are needed before others so they can assure flow of information and continuation of movement on the project.

13. City Clerk's Report - **Bourgeois** reported on the Election of November 4. She said there were 716 ballots cast at the polls for the City Special Election. There were 455 yes votes on Prop 1 and 259 no votes which means that the absentee votes outstanding still (up to 173) cannot change the outcome. There will need to be a special meeting to certify the election next week and she anticipated having that on Wednesday, November 12 just before the work session that is already scheduled at 6 pm. She went on to praise the City Election Board as well as the State Election board who all worked well together to pull it off.

14. Staff Quarterly Reports – 3Q 2014

- a. Fire Department, **Paul Trumblee**
- b. UBS City Investments, **Buck Adams**
- c. Parks and Recreation Department, **Susie Herschleb**
- d. Public Works Department, **Rich Rogers**

K. CORRESPONDENCE

15. Letter from NVE requesting donation for Sobriety Celebration

There was council concurrence for a \$300 donation to NVE for the sobriety celebration.

16. Letter from MEWS apartments owner requesting letter of support

The Mayor said he would write this letter unless there was objection from Council. There was no objection.

17. Draft letter from Council to DNR regarding Polar Bear Moorage

Council had varying opinions but there was not consensus to send a letter such as this to be signed by all of Council.

L. ORDINANCES AND RESOLUTIONS

18. Ordinance 1119 an ordinance of the City Council of the City of Cordova, Alaska, authorizing a sublease for a 2,500 square foot portion of USS 1765 of Township 15 South, Range 3 West, Section 22, Copper River Meridian, Alaska, commonly identified as tripod hill, to Cordova Telephone Cooperative, Inc. – 2nd reading
M/Bailer S/Bradford to adopt Ordinance 1119 an ordinance of the City Council of the City of Cordova, Alaska, authorizing a sublease for a 2,500 square foot portion of USS 1765 of Township 15 South, Range 3 West, Section 22, Copper River Meridian, Alaska, commonly identified as tripod hill, to Cordova Telephone Cooperative, Inc.

Reggiani asked who was currently co-located on this tower. **Greenwood** responded that NVE, USCG and CWC were. **Reggiani** asked how we feel about the enforcement aspect of this provision of the lease. **Greenwood** said that before any co-location, a conditional use permit would have to be granted. They also are supposed to notify the State and the City of any co-location, any improvements to the site, anything that is done up on the ski hill.

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Bradford-yes; Bailer-yes; Hoover-yes; Reggiani-yes; Joyce-yes and Brown-yes. Motion was approved.

19. Resolution 07-14-28 a resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a five (5) year lease of the building locally known as the “Old Sea Grant Office” located on a portion of Lot 3, Block 7A, Tidewater Development Park with the Prince William Sound Science Center

M/Bradford S/Bailer to approve Resolution 07-14-28 a resolution of the City Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a five (5) year lease of the building locally known as the “Old Sea Grant Office” located on a portion of Lot 3, Block 7A, Tidewater Development Park with the Prince William Sound Science Center.

Bradford asked if there have been any changes to this from last time. **Robertson** said just the concerns Council had about maintenance have been addressed. **Bailer** thanked staff for getting right on this and getting it back before them.

Vote on motion: 4 yeas, 0 nays, 1 conflict of interest (Hoover), 2 absent (Carpenter, Burton). Bradford-yes; Joyce-yes; Reggiani-yes; Bailer-yes and Brown-yes. Motion was approved.

M. UNFINISHED BUSINESS - none

N. NEW & MISCELLANEOUS BUSINESS

20. Approval of land disposal and method - portion of ATS 220 to OBSI

M/Bradford S/Bailer to direct the City Manager to dispose of a portion of ATS 220 which contains the area of encroachment only by direct negotiation with Ocean Beauty with the special condition that Ocean Beauty shall incorporate the additional land purchased from the City in the required re-plat of Lot 1 Block 1 and a re-plat of ATS 220 in that area.

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Hoover-yes; Bradford-yes; Bailer-yes; Reggiani-yes; Joyce-yes and Brown-yes. Motion was approved.

21. Pending Agenda, Calendar, Elected & Appointed Officials lists

Mayor Kacsh mentioned that they have to schedule a lunch meeting with **Joanie Behrends** as a requirement of the EMO grant. He said he would get with her and report back to Council – maybe sometime during the first week of December.

Bourgeois mentioned the Design Forum for the Cordova Center tomorrow night at 7pm at Mt. Eccles. Next week budget work sessions on Monday and Wednesday at 6pm – in the Library and a 545 pm special meeting on Wednesday previous to the budget work session to quickly certify the election as required.

At this time Council also opted to cancel the meeting of November 19 due to 4 Council members being unavailable because of travel conflicts and AML conference attendance. If anything urgent arises, they could be available for a special meeting on November 23 or November 24.

Council opted to put the PWSSC December 1 deadline for a site plan on the agenda for the November 12 special meeting also.

O. AUDIENCE PARTICIPATION

Jim Holley a member of the Cordova Center committee sees the shortfall as an opportunity for all of the people in this community to come together and become a part of the project. He insisted that we have to take financial ownership in this thing. He said it is very important that we all make a commitment. He said there are pledge forms, money doesn't have to be given now. He said that the donors we are requesting funding from do not like to see that we aren't participating 100% in donating among ourselves.

P. COUNCIL COMMENTS

22. Council Comments

Reggiani said his comment goes back to **Buck Adams** presentation. He would ask **Randy** to give Council a dollar amount that is the exact amount earned by the City Permanent Fund from January 1, 2014 till October 31, 2014. He'd like that available for the next budget meeting.

Joyce commented regarding lease disposal and cited 5.22.090 B *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.*

Hoover thanked the Council members for bearing with her with the gaps in her knowledge, and thanked them for filling in some of the blanks.

Bailer said there are many gaps in his knowledge which have yet to be filled in.

Q. EXECUTIVE SESSION

23. Performance deed of trust report from Attorney – **Robertson** said there was no need for this item.

24. Chief of Police Council Briefing

M/Bailer S/Bradford to recess the meeting to clear the room before the executive session and then to go into executive session to discuss matters involving consideration of governmental records that by law are not subject to public disclosure specifically a briefing from the Chief of Police.

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Joyce-yes; Hoover-yes; Reggiani-yes; Bradford-yes and Bailer-yes. Motion was approved.

The meeting was recessed from 9:06 pm until 9:12 pm.

Council entered the executive session at 9:12 pm and reconvened the regular meeting at 9:44 pm.

25. City Manager evaluation summary and contract review

M/Bradford S/Bailer to go into executive session to discuss subjects that tend to prejudice the reputation and character of any person, provided that the person may request a public discussion, specifically, City Manager evaluation summary and contract review.

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Hoover-yes; Bradford-yes; Bailer-yes; Joyce-yes and Reggiani-yes. Motion was approved.

R. ADJOURNMENT

M/Joyce S/Bradford to adjourn. Hearing no objections the meeting was adjourned at 9:56 pm.

Approved: December 3, 2014

Attest:


Susan Bourgeois, CMC, City Clerk

