

**CITY COUNCIL REGULAR MEETING
NOVEMBER 06, 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 November 06, 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 *Tim Joyce, David Allison, Bret Bradford, EJ Cheshier* and *Dave Reggiani*. Council members *Kristin Carpenter* and *James Burton* were 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: 5 yeas, 0 nays, 2 absent (Carpenter, Burton). Motion passes.

E. DISCLOSURES OF CONFLICTS OF INTEREST

F. COMMUNICATIONS BY AND PETITIONS FROM VISITORS

1. Guest Speaker - none

2. Audience comments regarding agenda items

Paul Swartzbart thanked Council for their volunteer work – it is appreciated. He spoke to agenda item 16 and asked Council to reimburse the ski club for payment of liability insurance in 2013. He said in the 25 years since Sheridan Alpine Association has been contracted to run the ski hill for the City (City owns the hill), the City has always paid the liability insurance. The contract says that the City is to provide the insurance. The City joined a group for insurance a few years back as a cost savings measure and Sheridan Alpine Association as a contractor was dropped from the policy. The ski hill went a few years with no insurance and then they bought some last year and are hoping to be reimbursed for that cost as well as they are hoping to have a line item included in next year's budget to cover that insurance. The cost for 2013 was \$10,800.

Mayor Kacsh went back to 'Guest Speaker' portion of the meeting as the Future Problem Solvers arrived and they wanted to speak about plastic bags. Anita Smyke introduced her Future Problem Solvers to speak about a project they have been working on.

Lindsey Hammer said that last spring they studied the topic "ocean soup" and they learned about the "great pacific garbage patch" found between California and Hawaii which is about the size of the Continental United States. The ratio of plastic to plankton in this ocean soup is 40:1 but unfortunately the fish can't tell the difference. Since many Cordovans make their living from a healthy ocean we are passionate about educating people on their use of disposable plastics. We feel like a ban on one-time use plastic bags will prevent our community from contributing to this already unmanageable problem. She went on to show results of a survey they did this summer and 74% of the people surveyed supported a ban and 21% did not and 5% were indifferent. She ended by asking Council what their thoughts are concerning the idea of a ban.

Joyce mentioned that this survey was done before we started recycling in Cordova. *Bradford* asked if they had asked the local grocery stores their opinion. *Smyke* said that Martha Nichols had mentioned she would go with the will of the public. *Smyke* said it's about education so they are showing the movie, *Bag It* on Tuesday night at the Forest Service and they invite the Council to attend. She gave the Homer, AK example where the Council banned it and then the citizens repealed it by vote. She said she thinks the

citizens wanted to vote on it initially, so she would prefer to do it that way here too. **Smyke** said educating the citizens here would be the way to go.

Back to audience comments regarding agenda items

Bill Lindow said he was here to support Paul Swartzbart as he is a member of the board of Sheridan Alpine Association also. If there are any questions that he can assist with.

Theresa Carte Administrator of CCMC said she was here for the Providence contract discussion so she can assist when they get to that agenda item.

3. Chairpersons and Representatives of Boards and Commissions

Harbor Commission – Harbormaster **Schinella** was in the audience and said that there would be a Harbor Commission meeting next week.

HSB – **Allison** said under Pending Agenda they would be scheduling a special HSB meeting for next week.

Parks and Rec – **Herschleb** was in the audience and said there was a scheduled meeting the week after next.

Planning and Zoning – **Reggiani** said next week for P&Z.

School Board – **Bradford** said there's a school board meeting next week but he would be out of town. **Allison** said he could attend instead.

4. Superintendent's report – **Bourgeois** mentioned that **Keel** was out of town and asked to reschedule and be on Council's next agenda.

5. Student Council Representative's report: not present

G. APPROVAL OF CONSENT CALENDAR

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

6. Ordinance 1112

An ordinance of the City Council of the City of Cordova, Alaska, authorizing the conveyance of Lot One (1), Block One (1), Cordova Industrial Park to Ocean Beauty Seafoods, LLC – 2nd reading

7. Resolution 11-13-60

A resolution of the City of Cordova, Alaska, authorizing the City Manager to enter into a land exchange agreement of City property described as Tract 1B in plat no. 2013-2

8. Proclamation for the 20th annual Native Village of Eyak sobriety celebration

9. Liquor license renewals for Ambrosia Restaurant Lic. #3226, Baja Taco Lic. #4786

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

H. APPROVAL OF MINUTES

M/Reggiani S/Bradford to approve the Minutes.

10. Special Meeting Minutes 05-21-13

11. Regular Meeting Minutes 10-16-13

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

I. CONSIDERATION OF BIDS

12. Contract for legal service

M/Allison S/Bradford to approve the contract for general counsel legal services with Birch Horton Bittner and Cherot as presented.

Joyce said that with the two months of detailed bills we received it's a tough call to make because this contract could save us a lot or might make us pay more. He also wondered if it was better just to enforce or create some policies regarding contacting the attorneys which would help us reduce the costs. He is not convinced right now that this contract is the way to go. After some discussion, **Bradford, Reggiani, Cheshier, Allison** and **Mayor Kacsh** all were in agreement.

Vote on motion: 0 yeas, 5 nays, 2 absent (Carpenter, Burton). Motion fails.

J. REPORTS OF OFFICERS

13. Mayor's Report - **Mayor Kacsh** said the meeting with the Governor went well and he said if the Cordova Center was in the budget when it got to him he wouldn't veto it. **Representative Austerman** was in town and the City staff did a great job – overall went really well when he was here. We will now make that same pitch the **Senator Stevens**. He also sat in on a teleconference with **Commissioner Patrick Kemp**. Whittier dock ramp should be temporarily fixed by December and permanently fixed by March.

14. Manager's Report – **Robertson** reported on these items: 1) he heard from **Bitney** who said that the meetings with Austerman went extremely well; 2) hat's off to **Susie Herschleb** and crew, pool issue handled quickly & efficiently, contacted Chester Pools and they are here and working and things are looking much better than expected – **Herschleb** was in the audience and said by Wednesday of next week they should be open again. **Robertson** also asked Council to go into Bidarki and look around as things are shaping up there too, clean, neat, decorated, looking good; 3) **Robertson** spoke about City employee clean-ups which we have had three of on Wednesday mornings for three hours, lots of departments have participated and some volunteers as well; approximately 200 bags of trash and recyclables have been taken out; he mentioned that something interesting turned up today and he asked the Chief of Police to speak to that:

Chief George Wintle showed Council what's called a "drug kit" it was a *Crown Royal* bag with three syringes and a spoon and other drug paraphernalia in it; he said it was found over the hill at the end of Adams Avenue. He said it is a danger for the employees out there cleaning up this community as well as to kids that may have come across something like this, a threat and a danger.

Robertson continued that during **Representative Austerman's** visit, he and Harbormaster **Schinella** spoke to him about harbors and possible state funding in the form of a bond for harbor projects statewide. **Austerman's** suggestion to be most viable to get Cordova's harbor on there would be to have a shovel-ready project. **Schinella** came to the table to speak to Council and he said he had an old estimate for the engineering cost and it was \$500K which an engineer quoted him today saying that that should be increased by 3% per year. **Joyce** opined that it would be more like a couple of hundred thousand for design because some of the costs they may have quoted include inspections and the like. **Robertson** said that **Austerman** had seemed most interested in G float and said we should "eat the elephant one bite at a time". What **Robertson** meant is that a plan for the entire rebuilds of the harbor may not be what they want to see but a portion might be something we could get included in the bond.

Zamarron spoke about the baler project and was giving Council an update on a timeline and a more precise list of the projects that are to be tackled. He mentioned again that he is in talks with EPA to allow us to use some of the loan funds for the things that are considered "Clean Water" related. They really like the "waste to wood" system, which we have opted to remove from the project. **Zamarron** remains in communication with them and he is trying to get as many of the parts of the project deemed "clean water" related but it was the burn system that they were very interested in initially. Council asked some questions regarding the costs, the loans, etc. **Zamarron** said we have the loan available, if we don't use it there is no interest to pay no penalty to us letting it sit there unused. Eventually, they will ask for the money back. We have a loan now that is 10 years old that we are just exhausting the last of it and we won't be paying any of it back until it's all spent. **Reggiani** said that two things have been delineated here. The wood to heat system in a residential neighborhood is a non-starter for him and he's glad that's not happening. He said it's not to say that can't happen elsewhere. He'd like to see the Planning Commission work with Public Works and the Refuse department on considering moving the baler system out somewhere closer to the landfill. **Reggiani** spoke about there seeming to be some urgency and is it that he is asking for the \$213K in matching funds? So we can commit to fixing up the existing baler. **Zamarron** responded in the affirmative. He said the \$497K is a remnant grant from when we built the landfill, so they are looking for a spending plan for that money. Now that we can't use the loan, he will

formalize the spending plan minus the loan funds and have it for Council at the next budget meeting and it will be a 2014 project. **Bradford** said what does Council need to do to get this thing rolling? **Reggiani** said, sounds like it will be on next budget work session. **Robertson** said that this EPA stuff has morphed lately; he and **Zamarron** spoke to a Murkowski staffer on Friday and he mentioned it was a sequestration issue perhaps. **Robertson** said today's report was an information briefing but that a more detailed itemized list will be available soon.

Robertson asked **Brandon Dahl** to give a six month update on recycling. He gave a handout that would be in next billing as an insert. Residential recycling pickup was begun in June and we are using cheap, thin plastic bags now. So far, 130,000 pounds of recycling have been taken out. He said it's not a money making venture but there is some revenue coming in offsetting costs. However, we are handling the trash too much, we are not very efficient, that will take an investment in the equipment we have. We will come back to you with plans for that. **Robertson** wanted Council to hear about this because he said they would be on the front line helping us to sell this, i.e. changing behaviors etc.

Staff Reports – 3rd Quarter 2013

- a. City Fire Marshal, *Paul Trumblee*
- b. Parks & Recreation Director, *Susie Herschleb*
- c. Harbormaster, *Tony Schinella*
- d. Finance Director, *Jon Stavig*

15. City Clerk's Report - **Bourgeois** had a written report in the packet.

K. CORRESPONDENCE

16. Letter from Sheridan Alpine Association requesting insurance payment reimbursement from the City 10-10-13

17. Letter from PWSCC to Mayor & Council regarding funding 10-15-13

18. Letter from Mayor & Council to Governor regarding ferry 10-17-13

19. Letter from Mayor to Governor regarding teleconference 10-22-13

20. Letter from AKDOT&PF regarding Whitshed Road speed limit 10-23-13

21. Letter from CAYAC regarding youth basketball in Cordova 10-23-13

22. Polar Tankers letter of thanks to Harbormaster Schinella 10-11-13

There was discussion concerning the Sheridan Alpine Association letter regarding reimbursement. Council suggested that a resolution come before them at a future meeting to reimburse the Ski Club and they would also like research done and ensure that they are in the 2014 budget for insurance.

L. ORDINANCES AND RESOLUTIONS

23. Resolution 11-13-61

A resolution of the City Council of the City of Cordova, Alaska, appropriating \$550,000 from the Cordova Center fund balance to pay necessary professional services and other costs related to the Cordova Center construction project

M/Bradford S/Cheshier to approve Resolution 11-13-61 a resolution of the City Council of the City of Cordova, Alaska, appropriating \$550,000 from the Cordova Center fund balance to pay necessary professional services and other costs related to the Cordova Center construction project.

Joyce wanted to point out for the record that this is money that is there already, this is just moving it into a different account so we can pay bills with it.

Vote on motion: 5 yeas, 0 nays, 2 absent (Carpenter and Burton). Joyce-yes; Allison-yes; Cheshier-yes; Reggiani-yes and Bradford-yes.

M. UNFINISHED BUSINESS

24. 2014 Budget discussions – Council decided to continue these discussions this at the next budget work session

N. NEW & MISCELLANEOUS BUSINESS

25. Providence 'evaluation of management' discussion including review of contract Council discussion was that they thought Providence was supposed to come up with the performance indicators – per the management agreement section 2.11.5. *Joyce* suggested a letter maybe from the HSB to Providence. *Allison* said that at Pending Agenda he was going to mention a special HSB meeting scheduled on November 14 with *Susan H-B* and *Sean* who will be here in person and we can discuss these items as well as financial updates and the preliminary report from the auditor. *Theresa Carte* was in the audience and agreed. There are quite a few contract modifications that should be handled at that meeting as well. Council directed the City Clerk to send them the Code on HSB and they asked Theresa for a copy of the bylaws because these need to be looked at as well.

26. Pending Agenda and Calendar

11/14/13 at 5:30 special HSB meeting probably to require 2 hours. Immediately following will be a Council budget work session.

11/20/13 Regular Meeting – the Mayor will be at AML, *Reggiani* said he would be available to run the meeting as Vice-Mayor.

Council decided to have January 1 meeting on January 2

O. AUDIENCE PARTICIPATION - none

P. COUNCIL COMMENTS

27. Council Comments

Allison thanked staff for clean-up efforts and thanks for them sticking with us through the meeting.

Bradford echoed that and said the cleanup is noticeable and looks good.

Joyce said he agreed and wanted to say that the AMHS has lacked communication with the City but he said they also have not been good at communicating with MTAB.

Mayor Kacsh encouraged people to find a veteran on Veteran's Day and thank them.

Q. EXECUTIVE SESSION

28. Cordova Center finances – attorney update

Robertson said this was not necessary tonight.

R. ADJOURNMENT

M/Allison S/Bradford to adjourn the regular meeting at 9:30 pm

Hearing no objection, the meeting was adjourned.

Approved: December 4, 2013

Attest: _____

Susan Bourgeois
Susan Bourgeois, City Clerk

