

Regular City Council Meeting
June 1, 2022 @ 7:00 pm
Cordova Center Community Rooms A & B
Minutes

A. Call to order – Mayor David Allison called the Council regular meeting to order at 7:00 pm on June 1, 2022, in the Cordova Center Community Rooms.

B. Invocation and pledge of allegiance – Mayor Allison led the audience in the Pledge of Allegiance.

C. Roll call - Present for roll call were **Mayor David Allison** and Council members **Tom Bailer, Cathy Sherman, Jeff Guard, Anne Schaefer, Kristin Carpenter** and **Ken Jones**. Council member **Melina Meyer** was absent. Also present were City Manager **Helen Howarth** and City Clerk **Susan Bourgeois**.

D. Approval of Regular Agenda – M/Guard S/Schaefer to approve the agenda.

Council member **Sherman** mentioned a typo in the minutes that she made the Clerk aware of and that would be remedied, no reason to pull from the consent calendar.

Hearing no objection, **Mayor Allison** declared the agenda approved as submitted.

E. Disclosures of Conflicts of Interest and ex parte communications

Council member **Jones** brought up the prospect that Council member **Sherman** may be conflicted on agenda item 14 because her husband is a retired USFS employee. **Mayor Allison** ruled no conflict and gave Council the option to overturn his ruling; Council did not overturn the ruling.

F. Communications by and Petitions from Visitors

1. Guest speakers - none

2. Audience comments regarding agenda items

Clay Koplín of 100 Jensen Drive spoke in favor of Ordinance 1200 – he strongly advocates for expanded representation on the Harbor Commission and he is ok with state and/or federal representation in an ex officio, non-voting, capacity.

David Roemhildt of Mile 6, Copper River Highway spoke against parts of ordinance 1200. He opined that multiple ex officio members would result in a less functional meeting. He also said no other City boards or commissions have such language – he didn't like that these ex officio members could be non-citizens. He was in support of the additional citizen members of the commission, just not the ex officio members.

Wendy Ranney of 2500 Orca Road also agrees with ordinance 1200 – the part that increases membership to 7 but is not in favor of adding the ex officio members.

Mark Frohnäpfel of 813 Woodland Drive –spoke against ordinance 1200 – doesn't think someone like a Shoreside rep, like himself, doesn't think that would be appropriate as a voting member – he doesn't like the ex officio membership – especially because it would be someone with a stake in the harbor.

James Burton of 902 LeFevre he is ok with the idea of adding 2 seats to the Harbor Commission and recommended there could be a sunset clause until after the project. Like the others who spoke before him, he is against the idea of adding the ex officio members.

Hein Kruithof of Lot 21 Sawmill Bay Rd – doesn't see why you'd add 2 seats that would vote a specific way, have their own agenda, vs. 2 seats open to the whole community.

3. Chairpersons and Representatives of Boards and Commissions – no CCMC Board or School Board reports

a. PWSRCAC City Representative report – **Robert Beedle** provided a written report.

G. Approval of Consent Calendar

4. Minutes of the May 18, 2022 Regular Council Meeting

5. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022, recordation of excused absence of Council member **Cathy Sherman** from the May 18, 2022 Regular Meeting

Vote on the Consent Calendar: 6 yeas, 0 nays, 1 absent. Meyer-absent; Bailer-yes; Guard-yes; Jones-yes; Sherman-yes; Carpenter-yes and Schaefer-yes. Consent Calendar was approved.

H. Approval of Minutes - in consent calendar

I. Consideration of Bids - none

J. Reports of Officers

6. Mayor's Report – **Mayor Allison** had a written report in the packet and added, busy weekend this weekend: 1) PWSSC Copper River Nouveau is this weekend along with the ribbon cutting for the new building – he'll be in attendance - Saturday; 2) there is a meet and greet with **Stutes** and **Stevens** at the LIO on Friday, 4-5:30pm; 3) Alaska State Chamber meetings 445pm at the Cordova Center.

7. Manager's Report – City Manager **Helen Howarth** reported: 1) Governor has yet to sign the state budget so some revenues are unknown - \$3 million for the harbor looks solid though; 2) she gave kudos to **Cathy Renfeldt** and her team at the chamber and everyone else who helped with the cruise ship that came through – very successful, everyone seemed to have a great time – another visit on June 23; 3) another shooting tragedy in America, she's had calls from citizens asking about our preparedness for active shooter scenarios – so, we will have a work session next time, June 15 – to discuss active shooter training/preparedness and we will also talk about the fentanyl crisis, she'll assemble the appropriate members of the community to speak to these issues – public awareness work sessions.

a. South Harbor Rebuild update – **Greenwood** gave an update of the ongoing South Harbor work – main focus now is hammering out the RFP for design-build - its 85 – 90% done, risk assessment and environmental work continues (NEPA, letter of funds availability), grant applications have been submitted (Denali we may hear by June 10th or so on the transportation grant, August is when we may hear about the infrastructure one), if Governor signs and we have the \$3m and we hear from Denali and get that, it will be super helpful to be able to add those to known funding sources before we release the RFP.

8. City Clerk's Report – **Bourgeois** had a written report in the packet which was information for citizens about the Special Primary Election

K. Correspondence

9. 05-04-22 DNR Public Notice re PWSSC Easement Request

10. 05-17-22 Alaska Energy Authority letter regarding NEVI (national electric vehicle infrastructure) Program

11. 05-18-22 Agency review for ADL 233987 for James Smith dba Port Etches Farms

12. 05-24-22 Agency review for ADL 234003 for Logan Arnold dba Kelpy Boy

13. 05-24-22 ADoT&PF Copper River Highway Transportation Master Plan Spring 2022 Newsletter

L. Ordinances and Resolutions

14. Ordinance 1200 An ordinance of the Council of the City of Cordova, Alaska amending Section 11.08.020 of the Cordova Municipal code to increase the number of Harbor Commission members from five to seven and to authorize City Council to appoint up to three additional ex officio members to the Harbor Commission – 1st reading

M/Schaefer S/Guard to adopt Ordinance 1200 an ordinance of the Council of the City of Cordova, Alaska amending Section 11.08.020 of the Cordova Municipal code to increase the number of Harbor Commission members from five to seven and to authorize City Council to appoint up to three additional ex officio members to the Harbor Commission

Schaefer said she is in support of adding 2 members – more applications than the number of seats available have been received the last several times we've appointed to the Harbor Commission – a good problem to have – more input the better. As far as ex officio, she thinks there is some confusion about the role of ex officio, maybe this is the wrong format for the commission. Any resident can apply to be a member, any resident or organization can participate in meetings via public comments and/or by writing letters. **Schaefer** said she'd be willing to support an amendment to strike the ex officio part.

Guard said there is a lot happening in the harbor, he thinks there is confusion regarding voting

members and non-voting members, he's not completely sold on ex officio – he said we have not done a good enough job communicating to all the entities/agencies in the harbor – USFS, ADFG, troopers (important parts of the community) – every part of Cordova needs a voice in this – we shouldn't be locking anyone out of decisions. **Sherman** said she may have been the one bringing up ex officio – she's worked on committees where those have worked well – she has heard from members of the community, she's spoken to the Harbormaster, she is in support of expanding to seven. She is willing to let the ex officio part go but hopes we broaden and diversify the commission when we appoint the two new members. The broader and more diverse the commission is, the stronger end product we will have. **Jones** said it has become abundantly clear that this body, through multiple actions over this last year is unhappy with the makeup of the Harbor Commission. This body has completely ignored the recommendations of the subject matter experts which it appointed – which is their prerogative. He does not disagree with going to 7 seats – he is not in favor of 10; not in favor of the ex officio. He thinks the seats should be relative to the user groups. **Bailer** said he's not sure how he feels about diversity – he likes diversity of user groups. He wouldn't want someone who lives up on the hill and has no use of the harbor at all. He'd support referring it to staff and having it come back with only the additional 2 seats not the ex officio.

M/Carpenter S/Sherman to amend the ordinance as follows: in the title, put a period after seven and delete the rest of the title, delete “and allow for the participation of additional ex officio members” in the 4th whereas and in 11.08.020 starting on the fifth line delete “City Council, may, ... harbor facilities.”

City Attorney agreed that would constitute a substantial enough change for another first reading, especially because the will of the Council is to have to come back that way. Council had some discussion – they all wanted the ordinance to come back for a first reading with all of the ex officio language removed. Once it was determined that this amendment accomplished that, they were ready to vote.

Vote on the motion to amend: 5 yeas, 1 nay, 1 absent. Meyer-absent; Carpenter-yes; Bailer-yes; Guard-yes; Sherman-yes; Jones-no and Schaefer-yes. Motion was approved.

Vote on the main motion as amended: 6 yeas, 0 nays, 1 absent. Bailer-yes; Jones-yes; Carpenter-yes; Guard-yes; Schaefer-yes; Meyer-absent and Sherman-yes. Motion was approved.

15. Resolution 06-22-18 A resolution of the Council of the City of Cordova, Alaska, setting the property tax mill levy for the 2022 tax year at 11.54 mills for all properties in the City of Cordova

M/Guard S/Carpenter to approve Resolution 06-22-18 A resolution of the Council of the City of Cordova, Alaska, setting the property tax mill levy for the 2022 tax year at 11.54 mills for all properties in the City of Cordova

Guard said this is the amount we budgeted he is in support. **Carpenter** agreed, she appreciated seeing the mill rate history – a common refrain is oh, taxes are going up again, but in fact they have gone up and down over the years. She did some crude math and said the difference between 2021 and 2022 will be minimal, maybe \$145/household. **Sherman** and **Schaefer** also spoke in support. **Jones** said he will support this; he believes the annexed area should not pay the same as in town because they don't get the same services – he wanted his comments on that on the record. **Bailer** said he will support this but said we have to do something soon – this year's budget is balanced on one-time \$500-600K emergency funding – that would raise the mill rate a lot if we had to make that up with property taxes.

Vote on the motion: 6 yeas, 0 nays, 1 absent. Sherman-yes; Guard-yes; Jones-yes; Schaefer-yes; Carpenter-yes; Bailer-yes and Meyer-absent. Motion was approved.

16. Resolution 06-22-19 A resolution of the Council of the City of Cordova, Alaska, establishing the level of local school funding and approving the budget of the Cordova Public School District for the fiscal year ending June 30, 2023

M/Jones S/Carpenter to approve Resolution 06-22-19 A resolution of the Council of the City of Cordova, Alaska, establishing the level of local school funding and approving the budget of the Cordova Public School District for the fiscal year ending June 30, 2023

Jones spoke in support – great schools, extra forest receipts for schools, all good. **Carpenter** also in support, echoes **Jones'** comments. **Sherman** is in support and was glad for the joint work session

where the school board and administration could explain all this to us. **Guard** and **Bailer** in support. **Schaefer** asked when the Forest receipts come in – **Howarth** said in fall, so it will be within this years City budget and will front-load the School's 2022-2023 school year. **Jones** said as we move toward budget in the fall, and if we do fully fund the schools, he'd like to see us get the full services back, meaning preschool.

Vote on the motion: 6 yeas, 0 nays, 1 absent. Jones-yes; Guard-yes; Meyer-absent; Sherman-yes; Bailer-yes; Carpenter-yes and Schaefer-yes. Motion was approved.

M. Unfinished Business – none

N. New & Miscellaneous Business

17. Council action to protest or waive protest for new Cordova liquor license brewpub classification, *The Big Fish Brewpub*, for Becky Chapek

M/Schaefer S/Jones to waive protest for application of Cordova liquor license # 6041, *The Big Fish Brewpub*, brewpub.

Schaefer asked what happens to their existing license. **Howarth** said – she has a liquor license (beverage dispensary), and this second license gives her the ability to brew beer too and sell it at her place. You need either a beverage dispensary or a restaurant eating pace designation to get a brewpub also. **Jones** said initially he would like to support this, new business – he does have a little concern that this business would be open only the minimum number of hours required. He doesn't like that this precludes other beverage dispensary licensed businesses from being able to get the brewpub designation, but he's not in favor of protesting. **Guard** said he does share that concern, also doesn't want to protest, he'd be interested in referring to staff to come up with some language that lays out performance that would be required during the first two years of the license in order for Council to not protest upon renewal or something along those lines.

M/Guard S/Sherman to refer to staff.

Sherman agreed, she feels like we need more information. **Carpenter** asked if that language would go to the state or if it would be for our own use? **Jones** opined that he won't support referring – he thinks the applicant has been listening to this conversation and is aware of Council's concerns – he doesn't want to slow her down.

Vote on the motion to refer: 3 yeas, 3 nays, 1 absent. Bailer-yes; Carpenter-no; Meyer-absent; Jones-no; Sherman-yes; Schaefer-no and Guard-yes. Motion failed.

Back to the motion to waive protest. **Jones** said he had a concern about this applicant based on past performance, but he is not willing to stand in the way of this, he hopes it flourishes and he wants to see it get up and going right away. **Guard** thinks we made our intentions clear – he is in support of waiving protest. **Schaefer** agreed and is in favor of waiving protest. **Carpenter** and **Sherman** agreed.

Vote on the motion: 6 yeas, 0 nays, 1 absent (Meyer). Motion was approved.

18. Pending Agenda, CIP List, Calendar, Elected & Appointed Officials lists

Clerk will report back on public call-in for Council meetings, **Guard** is also in favor of giving everyone a voice in the process – he wonders if there is a cost or complication factor. June 15, 6pm work session on the active shooter and fentanyl topics – Manager will assemble the people in the know for the discussion/presentations. **Jones** asked when we may have a work session on incentivizing investment in Cordova, property development. **Howarth** said late summer or fall, or sooner if Council wants. Fall sounded good.

O. Audience Participation

Sheryl Glasen of 609 Cedar, representing the School District tonight – she thanks Council for the budget support tonight, she agrees that the education system in Cordova is valued. She then congratulated Logan Namitz (City Council tech assistant) on his recent graduation – there was a round of applause.

Becky Chapek of 608 Cedar Street thanked Council for their support of the brewpub – it is not on a big scale like the brewery is going to be, she expects to see Council again because her next move will

be to bring the license into Cordova. She doesn't think she can perform successfully at the airport – a difficult venue.

Wendy Ranney of 2500 Orca Rd thanked the Council for the good discussion about the ex officio and then a good decision. She cautioned them on how in the same meeting they called out a business coming to them for support and then also discussed having a work session to incentivize new businesses. You may want to re-think how you come across to business owners and spectators.

Tony Schinella Cordova Harbormaster – appreciated Council's working through the ex officio decision, I agree – moving to seven on the commission is a good idea. He also wanted to say, if it hasn't been said enough already, how appreciative he is of all those spending time and working on the harbor project and funding. **Sam, Curtis, Helen** and the community has really helped too, as well as the Harbor Commission – a really big lift all the support is appreciated.

P. Council Comments

Jones thanked all the members for their attendance tonight – he does support the Big Fish Brewpub (as clear from the vote), regardless of how it may have sounded. Glad that we got there on the Harbor Commission decision.

Sherman appreciates the water department – she missed the last meeting – she knows how hard they work, glad to see them recognized again. They fixed the leak on Second Street quickly today. The CVFD had an impressive response - kudos to them for excellent work. Cruise ship visit – she helped at the museum and gave kudos to **Mimi** who worked 8am until who knows how late she was there, 2 historical society members volunteered time and the City Manager – **Helen** was the best greeter, we had over 200 people visit.

Bailer said he thinks staff does a good job of noticing the meetings – the notion that we need to do more is unfounded. People can pay attention and come when there's an item of interest.

Guard opined that the planning process for a harbor renovation that we will live with for a long, long time – it's not a business as usual thing – all voices should be heard, even if they don't get what they want. He's not sure if there is a better way to include all voices but everyone should be heard.

Schaefer thanked Council for attending tonight and thanks for the audience participation which is really helpful to the Council. Also, as far as the Harbor ordinance – it did not come from a place of not approving of the job that the Harbor Commission is doing or that the members of the commission are doing – which was mentioned earlier. Most of us here have sat or are sitting on Boards/Commissions and she is so grateful for those serving the community that way, she knows, the time and effort that goes into serving– it is greatly appreciated – makes our job on Council so much easier. Council has a duty to take that recommendation and then weigh the priorities of the entire community too, listen to staff, City Manager, rest of the community and weigh it all. If we don't agree with the Commission recommendation, it doesn't mean we don't appreciate the work they do.

Carpenter thanked the City Manager for the ideas about fentanyl – whatever we can do to raise awareness about fentanyl is great, it has affected us in this community.

Q. Executive Session – none

R. Adjournment

M/Guard S/Schaefer to adjourn the meeting.

Hearing no objection **Mayor Allison** adjourned the meeting at 8:40 pm.

Approved: June 15, 2022

Attest: 
Susan Bourgeois, CMC, City Clerk

