

**Regular City Council Meeting**  
**May 17, 2023 @ 7:00 pm**  
**Cordova Center Community Rooms A & B**  
**Minutes**

**A. Call to order** – **Mayor David Allison** called the Regular City Council Meeting to order at 7:00 pm on May 17, 2023, 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 Allison** and Council members **Cathy Sherman**, **Kasey Kinsman**, and **Ken Jones**. Council members **Tom Bailer**, **Melina Meyer**, and **Kristin Carpenter** were present via teleconference. Council member **Anne Schaefer** was absent. Also present were City Manager **Helen Howarth** and City Clerk **Susan Bourgeois**.

**D. Approval of Regular Agenda**

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

**E. Disclosures of Conflicts of Interest and ex parte communications** – none

**F. Communications by and Petitions from Visitors**

1. Guest speakers - none

2. Audience comments regarding agenda items

**Steve Namitz** USFS District Ranger for Cordova spoke in support of Council approving Ordinance 1207 a lease with the USFS.

**Mark Frohnafel** of 813 Woodland Drive and terminal manager for Shoreside Petroleum in Cordova asked Council to wait to hear about the PIDP grant before approving the lease with the USFS.

3. Chairpersons and Representatives of Boards and Commissions:

PWSRCAC City Rep **David Janka** reported that RCAC just had their Spring meeting in Valdez, he would get the written report to the Clerk and she could put that in the next Council packet. They had a very interesting and informative tour of the terminal.

School Board President **Barb Jewell** reported: 1) **Sara Hottinger** spearheaded a Health Sciences Intensive where instructors from UAA taught some high schoolers a weeklong intensive course, 13 students were involved, about half ours and half from other schools, kids received 2 college credits after completing the 30-hour intensive which included classroom training and hands-on experiences, the idea was to help school-to-work pathways – this state program is focusing on where we are having shortages; 2) successful graduation last weekend, all 20 students graduated – 19 are accepted into post-secondary opportunities; 3) the board has had a couple of budget work sessions and they've made revisions, they are looking at an increase of \$680 to the BSA – which will be given this time outside of the BSA as an equivalent to that but a one-time funding – they had been hoping for more like \$800 and \$1,000 would have made them whole – the budget they are looking at will include increases to the classified staff salaries – also increased number of teachers – they will have a special meeting to approve the budget, then submit that to City Council, once Council gives them an answer, they will adopt their final budget – they will be asking for \$2.13 million as a cash contribution from the City.

4. Student Council Report – the last written student council report of the school year was in the packet – student council sponsored a successful Cleanup Day in May and they have two more planned for July 22 and Oct 21. They held a fun end of year lock-in where students shared a meal and stayed up late watching movies. Two senior Student Council members, **Grace Collins** and **Jacob Ranney** graduated on May 13.

**G. Approval of Consent Calendar**

**4a. Proclamation of Appreciation to Jeff Guard**

**5. Minutes:**

- a. 04-17-23 Board of Equalization Meeting Minutes; and b. 05-03-23 Regular City Council Meeting Minutes
6. Council Action to Waive Protest of Renewal of Liquor License for OK Restaurant #2433 Restaurant-Eating Place
7. Resolution 05-23-18 A resolution of the Council of the City of Cordova, Alaska, approving the license for a mobile restaurant for Earl Wiese dba Sourdough Wagon
8. Resolution 05-23-19 A resolution of the Council of the City of Cordova, Alaska, stating support for a Transportation Alternatives Program application to the Alaska Department of Transportation for funds to restore public access to the Hartney Bay Recreation Site
9. Council certification of the 2023 Property Tax Assessment Roll
10. Per Charter Section 2-8 and Cordova Municipal Code 3.12.022, recordation of unexcused absence of **Tom Bailer** and excused absence of **Melina Meyer** from the May 3, 2023 Regular Meeting  
Vote on the Consent Calendar: 6 yeas, 0 nays, 1 absent. Kinsman-yes; Schaefer-absent; Jones-yes; Meyer-yes; Bailer-yes; Carpenter-yes; and Sherman-yes. Consent Calendar was approved.
- Mayor Allison** read item 4a. the Proclamation of Appreciation to **Jeff Guard** aloud for the audience and Council to hear. **Guard** was present and accepted a gift from the City and a copy of the proclamation, there was a round of applause.

#### H. Approval of Minutes - in consent calendar

#### I. Consideration of Bids/Proposals/Contracts - none

#### J. Reports of Officers

11. Mayor's Report – **Mayor Allison** said the USPS had contacted him but still have not scheduled a return trip to Cordova.

12. Manager's Report – City Manager **Helen Howarth** reported: 1) staff has been busy – actively involved in the 2022 financial audit – should have it earlier than the past couple of years; 2) we started IBEW negotiations last week – goal is to have an agreed upon contract before budget is finalized in December, Council will be involved in approving the contract; 3) next week we will begin the training for the new financial software – it will be a process, we are excited to have a more robust system which will provide staff and council with financial information as decisions are made; 4) legislative session set to adjourn tomorrow – they are still actively negotiating, mostly around school funding and the size of the PFD.

a. South Harbor Project Update Report – **Collin Bronson** reported on project happenings, everything is pretty well on track, one small holdup is the equipment for the metering for each slip, working with engineers, vendors and CEC to get that worked out.

**Howarth** had one more item, our new museum director will begin Monday, **Ashley Bivins**, moved here from Haines, has a Masters in Museum Science, excited to have her here.

13. City Clerk's Report – **Bourgeois** reported: 1) Sheridan Alpine will give an end-of-season report June 7; 2) mill rate resolution will be before Council June 7 – tonight in the Consent Calendar you certified the roll and the mill rate is next step; 3) there will be a public hearing on June 7 for the rate-setting resolution as well as second reading for any of these ordinances that are approved tonight.

#### K. Correspondence

15. 05-03-23 Public and Agency Review Notice for Aquatic Farmsite Lease for Anya Honkola dba Bluff Point

#### L. Ordinances and Resolutions

16. Ordinance 1205 An ordinance of the Council of the City of Cordova, Alaska, amending Section 14.24.020 by deleting the definition of vault or rough box and amending 14.24.080 C by eliminating the requirement of a vault or rough box, removing reference to vault or rough box, and renumbering the burial requirements accordingly - 1<sup>st</sup> reading

**M/Kinsman S/Sherman** to adopt Ordinance 1205 An ordinance of the Council of the City of Cordova, Alaska, amending Section 14.24.020 by deleting the definition of vault or rough box and amending 14.24.080 C by eliminating the requirement of a vault or rough box, removing reference to vault or rough box, and renumbering the burial requirements accordingly

**Kinsman** he thinks it is appropriate for us to eliminate the requirement and pass that responsibility on to an individual if they so desire to have a rough box. **Sherman** said she thinks this will save people hassle and money and our cemetery records are in better shape now, so this is appropriate. Other Council members said they would support the ordinance.

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

**17.** Ordinance 1206 An ordinance of the Council of the City of Cordova, Alaska, amending Section 14.20.090 Containers-Location by changing the section title to Containers-Placement and by adding the following language: “containers of refuse shall not be placed prior to 6 am on the scheduled pick-up day”  
- 1<sup>st</sup> reading

**M/Sherman S/Kinsman** to adopt Ordinance 1206 An ordinance of the Council of the City of Cordova, Alaska, amending Section 14.20.090 Containers-Location by changing the section title to Containers-Placement and by adding the following language: “containers of refuse shall not be placed prior to 6 am on the scheduled pick-up day”

**Sherman** said she understands the purpose of this – she asked staff if an alternative to putting your trash out the day of pickup not earlier than 6am was to bring it to the baler yourself. Public Works Director **Samantha Greenwood** said, yes, people can bring it to the baler during open hours instead. **Sherman** asked if this was year-round and also if having a bear proof container changed this. **Greenwood** said, yes, year-round, as ADF&G has said, there are other animals getting in trash, not just bears and on the bear-proof containers – it has been determined that there really are no such things. **Kinsman** asked if there are any shed-type structures that are considered bear-proof, that people could put their trash in. **Greenwood** said they can put trash in those structures, just not before 6am on pickup day. **Jones** said he’d support. **Carpenter** asked about the language in the ordinance, she wondered why the word “outside” was not included. There was discussion about that, but no amendments were made to the language. **Meyer** asked at what time the garbage needs to be out, i.e. what time is pickup? **Greenwood** said that pickup days are consistent for all areas, times are variable. The refuse department employees begin their day at 7am but will not usually pickup in residential neighborhoods until 8am at the earliest.

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

**18.** Ordinance 1207 An ordinance of the Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a twenty-year lease with the United States Forest Service (USFS), for a portion of property described as a roughly 4,500 square foot portion of Lot 3, Block 7A, Tidewater Development Park  
- 1<sup>st</sup> reading

**M/Sherman S/Carpenter** to adopt Ordinance 1207 An ordinance of the Council of the City of Cordova, Alaska, authorizing the City Manager to enter into a twenty-year lease with the United States Forest Service (USFS), for a portion of property described as a roughly 4,500 square foot portion of Lot 3, Block 7A, Tidewater Development Park

**Sherman** said she is in favor of this after reading all the documentation and reading Harbor Commission minutes and knowing the history she thinks there has been compromise and this is a reasonable solution, with the 16-month out as we plan for the future. **Carpenter** said she will echo what **Sherman** said. **Jones** said he is opposed to this, he thinks a lot of information was left out of this packet – information from 2012, 2015, 2022 and 2023 PIDP maps. He said there is not really any upside for the City to move this forward at this time. The Harbor Commission approved a resolution last week that recommends the City rehab the old airplane float and the only place it would fit would be in the location where this lease is.

**M/Jones S/Bailer** to refer to staff until the first October meeting.

**Howarth** said that staff has put an enormous amount of time and work on this. She said the PIDP grant does not include an airplane float and a net-mending float – it is certainly a desire of people in this community to have those two things but if we had included those 2 things in the PIDP grant, we would've been less competitive. Council has committed an additional \$4 million to complete the South Harbor and that means we do not have a penny to do anything extra on the North Harbor side. We are of course still actively looking for a grant that would support such improvements, because we understand the need and want for those. Staff at the USFS and at the City and Attorneys have spent a huge amount of time coming up with a compromise in the lease agreement that acknowledges the uncertainty of how we may proceed on the North side, how the USFS dock may or may not be in the way of improvements and we negotiated the 20 year lease with the 16-month notice for no reason at all to get out of the agreement. What we are missing out on is money – this lease will earn us \$10,000 per year, currently we are 2 years into a holdover on a \$1/year lease. **City Planner Johnson** asked Council not to refer to staff because he thinks the 2 items need to be thought of separately. We can approve this lease which in no way infringes on our ability to do further improvements on the North side – we can get out of these lease at any time in 16 months. **Sherman** will not vote to support a delay in this – this lease with the 16-month clause is the best thing we can do right now. **Jones** supports the motion to refer to staff – he thinks there is a need for the net-mending float conversation before approving this. The Harbor Commission resolution recommending the rehab of the old airplane float. He said the funding could come from the 2018 and 2020 disaster funding that the City will be receiving. **Howarth** said the existing airplane float has been deemed unrepairable by the engineers. **Bailer** asked if the 16-month clause alleviates any concerns for Shoreside Petroleum and what they want to build as part of the project on that side. **Johnson** said the preliminary designs show that there is more than 100 feet from where the Shoreside fueling station would be and the USFS dock. If we are awarded the grant and we get into the design phase and it is determined that there is location conflict, we will invoke the 16-month clause and ensure the USFS is out before construction starts. **Johnson** said the length of the lease really doesn't matter at all considering we have the 16-month clause. **Bailer** asked if the lease has an acceleration factor worked in, so the rate adjusts each year like some of our other leases have. **Johnson** said he inadvertently left that out of this lease, but he could still get it in for second reading, would not require Council to refer it to staff. **Kinsman** said he is in favor of referring back to staff – his idea was that this is valuable land, and he doesn't know if it has been discussed whether they can be in another location in the harbor. **Carpenter** said she will not support a motion to refer; she tries really hard to take staff's opinions into account, we pay them to do this work, do the due diligence and come to us with a recommendation. **Meyer** said she is leaning to not refer to staff, she does not believe there is more information needed, she's not sure what more staff could do.

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

Council was back to discussing the main motion on approval of the ordinance.

**Kinsman** said he was not in favor, this is very valuable land/location – he said USFS had a sweetheart deal and we are setting them up with another sweetheart deal – thinks that space could generate better revenue and there are better opportunities for them to be elsewhere in the harbor. **Carpenter** urged Council member **Kinsman** to do the math – what could bring in \$10,000/year in that location? She thinks this is advantageous to the City. **Sherman** asked those who are not in support, would it be worth an amendment to shorten the term, though continue to include the 16-month clause? **Mayor Allison** asked **Bourgeois** if that would constitute a big enough change to the ordinance that it would have to come for first reading again. **Bourgeois** did not believe so, based on the “section 1” language in the ordinance which gives the manager leeway to still negotiate changes to the lease language even after approval of the ordinance. **Jones** said he won't support this even with a shorter term. **Bailer** asked about the Harbor Commission's opinion on this. **Johnson** pointed out page 77 of the packet which is a resolution of the Harbor Commission supporting a lease with a 16-month clause. **Bailer** said the 16-month clause he likes, he wants the increases based on inflation worked into the lease. Council suspended the rules to hear direct input from **Steve Namitz** of the USFS. There was a question about the need for security. **Namitz**

said he has law enforcement vessels and they do need secure space. **Namitz** said he has spoken with the state a little bit, but that is not what this is, they are looking for this dock in this space like they've had since 1965. **Meyer** said she was leaning toward supporting this, she wondered if the USFS had seriously looked into other accommodations in the harbor, such as with the state, she is frustrated that it seems like they have not looked into other options. She doesn't think she needs more information – she's in favor on first read and said we'll see where it goes. **Bailer** seemed to feel the same, he is willing to support on first reading knowing there is a second reading; he would like clarity from the Harbor Commission.

Vote on the motion: 4 yeas, 2 nays, 1 absent. Carpenter-yes; Sherman-yes; Bailer-yes; Meyer-yes; Schaefer-absent; Kinsman-no; and Jones-no. Motion was approved.

After the ordinance was approved, **Howarth** asked Council for good direction on what they want to see negotiated as changes to the lease terms. Council clearly supported annual CPI-based increases like other City leases have.

**M. Unfinished Business – none**

**N. New & Miscellaneous Business**

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

**Jones** asked for an action item concerning the Harbor Commission resolution that would be coming forward. City Clerk **Bourgeois** asked for clarification, usually when a recommendation from a board or commission comes forward to Council it would come as a report, under boards and commissions. If it is an agenda item, she said it was very unclear because the Harbor Commission resolution was vague. **Mayor Allison** agreed for it to be a discussion item.

**O. Audience Participation**

**David Janka** said it was very unfortunate that when the North Harbor was replaced, people were allowed to just take old parts of the docks. They were raw Styrofoam, well beyond their life span and people just hauled parts of docks off and placed them all across the sound, thinking they might use them someday. Styrofoam is plastic, it is hazardous to fish and wildlife – in some places it was anchored, without permits in State Parks. These docks and floats were not intended for where they were put, and they are being ripped apart. He also opined that the airplane float is well-beyond its life expectancy.

**P. Council Comments**

**Carpenter** appreciates staff's work.

**Bailer** expressed that sometimes we ask questions so the public can hear the answers.

**Kinsman** learned a lot tonight, had good citizen input. He said he resoundingly heard from the community in opposition to this lease and he must represent that.

**Meyer** said she is still on the fence in general about the lease.


**Sherman** said it was a good discussion, she tries to read Harbor Commission and other minutes when appropriate, she encourages others to do so too. She'd like to see public information put out on ordinances 1205 and 1206. Thanked **Dave Janka** for his report on RCAC. Housing Work Session at noon was great. She gave an update on the museum, lots of work being done by the Historical Society.

**Q. Executive Session – none**

**R. Adjournment**

Hearing no objection **Mayor Allison** adjourned the meeting at 9:24 pm.

Approved June 7, 2023

Attest:   
Susan Bourgeois, CMC, City Clerk

