

**MINUTES OF THE REGULAR COUNCIL MEETING  
OF THE CITY OF KODIAK  
HELD THURSDAY, JULY 12, 2018  
IN THE BOROUGH ASSEMBLY CHAMBERS**

**I. MEETING CALLED TO ORDER/INVOCATION/PLEDGE OF ALLEGIANCE**

Mayor Pat Branson called the meeting to order at 7:30 p.m. Councilmembers Laura B. Arboleda, Randall C. Bishop, Charles E. Davidson, Daniel Mckenna-Foster, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. City Manager Mike Tvenge, City Clerk Debra Marlar, and Deputy Clerk Michelle Shuravloff-Nelson were also present.

Salvation Army Major Dave Davis gave the invocation and the Pledge of Allegiance was recited.

**II. PREVIOUS MINUTES**

Councilmember Whiddon MOVED to approve the minutes of the June 14, 2018, regular meeting as presented.

The roll call vote was Councilmembers Arboleda, Bishop, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. The motion passed.

**III. PERSONS TO BE HEARD**

**a. Public Comments**

**Lawrence Anderson**, Board of Directors of Senior Citizens of Kodiak Inc., provided a quarterly report. He highlighted some of the services provided to those that are 60 years and older, and he reported on the percentage of ethnic populations served. He spoke about an upcoming caregiver training. He said they are on track with their mission to enhance the quality of lives for senior citizens, which was confirmed by their recent surveys.

**IV. UNFINISHED BUSINESS**

**a. Second Reading and Public Hearing, Ordinance No. 1380, Amending Kodiak City Code Chapter 2.12, Relating to the Fire Department Employee Residency Requirement**

Mayor Branson read Ordinance No. 1380 by title. The Kodiak Fire Department requires staff to live within 5.5 miles of the station, maintain a land line telephone in residence, and meet medical requirements to fulfill the duties of firefighting. Due to increased housing costs and availability, the Fire Chief has requested the mileage requirement be lengthened to 12 miles in order to allow staff more cost effective housing choices. In addition, the Chief has requested the land line phone requirement be amended to accept cell service as an alternative. The final change to this section clarifies language pertaining to pre-employment physicals and physical ability tests.

Councilmember Davidson MOVED to adopt Ordinance No. 1380.

Mayor Branson closed the regular meeting, opened and closed the public hearing when no one came forward to testify, and reopened the regular meeting.

The roll call vote was Councilmembers Arboleda, Bishop, Davidson, Walker, and Whiddon in favor. Councilmember Mckenna-Foster opposed. The motion passed.

## V. NEW BUSINESS

### a. Authorization of FY2019 Special Services Contract With Alaska Department of Public Safety

The Alaska Department of Public Safety (DPS) requested the renewal of its contract with the City to provide services that support the mission and operations of the Alaska State Troopers (AST) and Alaska Wildlife Troopers (AWT) in Kodiak. In exchange for providing these services, DPS will compensate the City with \$78,750 for FY2019.

Councilmember Bishop MOVED to authorize the FY2019 Special Services Contract with the Alaska Department of Public Safety, Division of Alaska State Troopers, and authorize the City Manager to sign the contract on behalf of the City.

The roll call vote was Councilmembers Arboleda, Bishop, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. The motion passed.

### b. Authorization of Animal Shelter Operation Contract With the Humane Society of Kodiak

The City of Kodiak has contracted with the Humane Society of Kodiak (HSK) for the operation of the City animal shelter since 1995. Staff supports the work the Humane Society does for the City and community and recommends Council authorize the two-year contract with the Humane Society of Kodiak at an annual amount of \$125,000, which is reflected in the FY2019 budget adopted by Council on May 10, 2018.

Councilmember Arboleda MOVED to authorize Contract No. 237762, ending June 30, 2020, with the Humane Society of Kodiak in the amount of \$125,000 each year for FY2019 and FY2020 with funds coming from the General Fund, Police Department, Animal Control account and authorize the City Manager to sign the documents on behalf of the City.

The roll call vote was Councilmembers Arboleda, Bishop, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. The motion passed.

### c. Authorization of Marketing and Tourism Development Agreement

Council has authorized agreements with the Kodiak Island Convention and Visitors Bureau, known as Discover Kodiak, to provide marketing and tourism outreach for Kodiak since FY2009.

Councilmember Whiddon MOVED to authorize the FY2019 Marketing and Tourism Development Agreement No. 237760 with Discover Kodiak in the amount of \$108,000 with

funds coming from the Special Revenue Funds, Tourism Development Fund and authorize the City Manager to sign the agreement on behalf of the City.

The roll call vote was Councilmembers Arboleda, Bishop, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. The motion passed.

**d. Non-objection to the Transfer of Liquor Licenses 1155 and 1156 for CNG, Inc. dba Tony's Bar and Tony's Liquor**

CNG, Inc. dba Tony's Bar and Tony's Liquor filed applications for a transfer of ownership with the State of Alaska Alcohol & Marijuana Control Office (AMCO). State regulations require that AMCO forward the applications to the City Council for the option to protest the approval of the applications for the transfer of the alcohol packaging store and beverage dispensary licenses. The transfer is due to an internal realignment of stock ownership.

Councilmember Walker MOVED to voice non-objection to the Alcohol & Marijuana Control Office regarding transfer of ownership application for CNG, Inc. Beverage Dispensary License No. 1155 and Packaging Store License No. 1156.

The roll call vote was Councilmembers Arboleda, Bishop, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. The motion passed.

**e. Authorization of Novation Agreement for Borrow Material Permit No. 14-2**

On May 22, 2018, the City Engineer received an email from Jim Graham letting him know that Brechan Construction LLC purchased various assets and assumed responsibility for previously executed contracts held by Brechan Enterprises Inc. Jim Graham requested that Brechan Enterprises Inc. be released from further obligations regarding the Breakwater Quarry Borrow Permit No. 14-2 and that Brechan Construction LLC be allowed to assume all obligations under the permit.

Councilmember Walker MOVED to authorize the Novation Agreement between the City of Kodiak and Brechan Construction LLC for operation of Breakwater Quarry Borrow Material Permit No. 14-2 and authorize the City Manager execute the agreement on behalf of the City.

The roll call vote was Councilmembers Arboleda, Bishop, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. The motion passed.

**f. Authorization of the Five-Year Regional and Community Jail Contract With the Alaska Department of Corrections**

The Alaska Department of Corrections (DOC) has proposed a new five-year contract with the City to provide short-term regional and community jail services for persons held for violations of State law. The new contract would be effective July 1, 2018, and continue in force through June 30, 2023. The contract can be terminated upon ninety (90) days notice from the terminating party, and contract amendments for additional work could be incorporated through mutually agreed upon appendices or attachments. The base contract amount is \$991,552 with an additional \$37,380 included for pretrial electronic monitoring services the City provides for the State.

Councilmember Whiddon MOVED to authorize a five-year professional services contract for regional and community jail services with the Alaska Department of Corrections (DOC Contract No. 2091006) commencing on July 1, 2018, and ending on June 30, 2023, for \$1,028,932 and authorize the City Manager to sign the agreement on behalf of the City.

Councilmember Davidson MOVED to postpone the vote on this motion until the August 9, 2018, regular Council meeting.

The roll call vote to postpone was Councilmembers Arboleda, Bishop, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. The motion passed.

## **VI. STAFF REPORTS**

### **a. City Manager**

Manager Tvenge provided an update on the Birch Avenue project; he said Brechan Construction LLC is on schedule and on budget. They will expect to start rebuilding Birch Avenue in August. He met with the Borough Manager and they will work on the E911, Building Inspection, and Animal Control contracts; he said they will be completed when they have consensus and he will bring them forward to Council. He recognized three dedicated and hardworking employees that are retiring from the City. He said Anna Castillo began working for the City's Finance department in 1978 and after 21 years she transferred to the Fire department. He said Sandi Heglin a Senior Accountant started in 1987 in Finance and has held various positions in the department in her 31 years with the City. He shared that Harbormaster Lon White worked for the City for 36 years, and had worked as a harbor officer, maintenance, and deputy director within the harbor. He said Lon played an instrumental role in the Pier III project and Channel Transient float replacement. Manager Tvenge wished them all well in retirement.

### **b. City Clerk**

Clerk Marlar provided an update on the process to conduct a third party review related to the termination of the former Deputy City Manager. Clerk Marlar said the candidate nominating packets for the 2018 election are available in the Clerk's office, and the filing date is from August 1 through August 15, 2018. She the City Clerk's webpage has been updated to include a meeting notification for Council agenda and packet materials. She said if citizens have any difficulties signing up for the notifications, they should contact the Clerk's office. She gave an upcoming Council meeting schedule. Clerk Marlar said she has worked with Lon for many years and stated that he will be missed.

## **VII. MAYOR'S COMMENTS**

Mayor Branson wished all three individuals retiring well and she thanked them for their many years of service. She said she met with Mayor Rohrer and determined that the joint work sessions would be held quarterly, and there will be discussion on a consolidation committee at the September joint work session. She thanked Clerk Marlar for the parliamentary training material and updates at the work session; she said it is always helpful to have reminders.

## VIII. COUNCIL COMMENTS

Councilmember Mckenna-Foster thanked the Clerk's office for the new automatic meeting notification subscription on the City's website. He expressed his concern that vendors hired by the City need to produce deliverables. He questioned what the deliverables were from the City's Economic Development contract and if the contractor is still working with the City. He expressed frustration that he can't find documents on the City's website. He stated his opinion that the City hires contractors without follow through. He questioned if the City is making good investments with City money. He expressed excitement about the Pedestrian Plan and Near Island Plan and expressed frustration that he cannot easily find the documents on the website. He spoke in support of the crane downtown and stated the process to receive training to use the crane has impediments. He said this type of commerce is not easy and is hopeful for a new and easier process. He said he went to the Clerk's office and received assistance for a citizen that wanted to have a food truck; he mentioned that the City does not have a food truck permit process and processes need to be more clear and concise.

Councilmember Bishop extended his appreciation to those retiring from the City. He commented that a wealth of knowledge is departing the City's workforce. He encouraged citizens to run for a seat on the City Council.

Councilmember Whiddon said August 4, 2018, is the birthday of the USCG. He said it will be a big celebration and he thanked the USCG for all that they do. He said there was a Fisheries Work Group meeting yesterday and he provided a summary. He said Brad Gilman, the lobbyist in D.C. and Garrett Everidge from the McDowell Group called into the meeting to discuss potential impacts of the tariffs with China. He shared that ADF&G indicated the salmon runs are very low and Chignik had requested an emergency petition. He shared the City wrote a letter regarding the Chignik emergency and the BBNA resolution calling for changes to Kodiak's salmon management plans and that the City wants a public and transparent process on any changes that can impact the community. He said Representative Stutes plans to re-introduce House Bill 199. He said they are still awaiting a final update on the \$56 million pink salmon disbursement. He thanked Mr. Anderson for his comprehensive report and Lon for his years of service.

Councilmember Walker congratulated all the individuals that are retiring. He said he has known Lon for many years and shared that he has a lot of knowledge and he has enjoyed working with him. He said that last election was a low turnout. He encouraged people to participate and to vote for the state and local elections. He thanked Clerk Marlar and staff for their help and Manager Tvenge for his work. He said the City is about infrastructure and they have to get by with what they have, which occurs in communities statewide. He thanked Councilmembers for their service. He wished everyone well and to catch fish this season.

Councilmember Davidson thanked the retiring individuals. He stated he hopes the Council will approve Richard Birdsall to perform a third party review of the Deputy City Manager dismissal process.

Councilmember Arboleda stated we are very fortunate to live in a place where we can readily go to beach. She reminded the public to keep the island clean. She thanked the Clerk's office for the automatic meeting notification. She thanked Anna, Sandi, and Lon and wished them well in

retirement. She encouraged citizens to run for election, especially if they have a passion for Kodiak.

Mayor Branson said there is no casual spending within the City.

**IX. AUDIENCE COMMENTS**

**Lawrence Anderson** complimented the harbor and police departments. He said he has worked for the City and there is a lot of work that goes on behind the scenes that people do not see. He thanked the elected officials and staff and stated he loves the community of Kodiak.

**Lon White** shared he was hired by George McCorkle at a very young age and he is thankful for his mentorship early in his career and Marty Owens's management guidance later in his career. He said it has been a pleasure and an honor to work at the harbor. He said the department and staff are his family. He shared that Kodiak has one of the greatest ports and harbors. He said he is proud that within the last few years over \$50 million dollars of harbor projects have been completed with a majority of outside funding. He said Fishermen's Hall was remodeled and showers and restrooms have been added. He said he is glad the crane is operational and shared that the model they used was Homer's model that has been successful and in place for numerous years. He thanked the Council for their support.

**X. ADJOURNMENT**

Councilmember Davidson MOVED to adjourn the meeting.

The roll call vote was Councilmembers Arboleda, Bishop, Davidson, Mckenna-Foster, Walker, and Whiddon in favor. The motion passed.

The meeting adjourned at 8:35 p.m.

CITY OF KODIAK

*But Branson*  
MAYOR

ATTEST:

*Delan Mance*  
CITY CLERK

Minutes Approved: August 9, 2018

