

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, NOVEMBER 8, 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, Terry J. Haines, 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 October 25, 2018, regular meeting.

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

III. PERSONS TO BE HEARD

a. Public Comments

Dawn Black shared her concern regarding the Baranov Museum's new and upcoming permanent exhibit about the Battle of Refuge Rock. She said that only one opinion of the exhibit is illustrated and she referred to the U.S. National Archives as the fully translated account.

Lawrence Anderson said the Senior Citizens of Kodiak Inc. would celebrate 45 years and earn their fourth accreditation through the National Council on Aging. He encouraged attendance at their event on Saturday, November 10 to celebrate the achievement. He read a quarterly report, which included the following: meal service delivery; KATS rides; lifeline services; respite; and Medicare services. He said these services improve the quality of life of older adults. He thanked the Council for their assistance and nonprofit grant award.

Major Dave Davis expressed his gratitude for serving as a volunteer and encouraged citizens to get involved on boards and committees. He said we are approaching the holiday season and wished everyone well.

Clerk Marlar shared that Councilmembers received a letter of concern from employees of Global Seafoods North America.

Steel McNeil said he has been a City employee for over ten years. He voiced concern and said there was little notice to the employees about the PR&R changes, specifically the 1401.1 tuition reimbursement. He said he was able to receive tuition reimbursement in the past and he is disappointed on the proposed cap. He said the \$2,000 cap will not be sufficient to cover the cost of higher education, and he feels it does not support the employees who wish to better themselves.

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, Ordinance No. 1382, Authorizing First Amendment of a Pier II Use and Upland Lease Agreement with American President Lines LLC

Mayor Branson read Ordinance No. 1382 by title. Ordinance No. 1382 authorizes the City of Kodiak to modify the Pier II Use and Upland Lease Agreement with American President Lines, LLC (APL). The modifications include changes to volume discounts, billing, and the use of secondary berths. After initial review, a local APL representative has stated the amended wharfage rates are not acceptable and they would like to continue to look at primary and secondary berthing for their barges and operations. Staff recommended Council postpone this amendment until Dispute Resolution and additional Termination Clauses are added.

Councilmember Davidson MOVED to adopt Ordinance No. 1382.

Councilmember Davidson MOVED to postpone Ordinance No. 1382 to a future meeting to be determined by the City Manager.

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

V. NEW BUSINESS

a. First Reading, Ordinance No. 1383, Amending Chapters 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, And 19 of the City Personnel Rules And Regulations; Amending the Definitions in the City Personnel Rules And Regulations; and Amending Kodiak City Code 2.08.065 Deputy City Manager-Appointment, Powers, And Duties

Mayor Branson read Ordinance No. 1383 by title. For the last few years, a comprehensive review and update to the City of Kodiak's Personnel Rules and Regulations Manual (the PR&R) has been consistently identified by employees and department heads alike as being a critical need. City staff with attorney Leslie Longenbaugh began drafting the amendments to the PR&R manual. Council has reviewed the amendments, and at the October 23, 2018, work session, there was

discussion of the final changes to be made and direction to introduce by ordinance at the next regular Council meeting.

Councilmember Walker MOVED to pass Ordinance No. 1383 in the first reading and advance to second reading and public hearing at the next regular or special meeting.

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

b. Authorization to Purchase a CAT 926M Wheeled Loader from NC Machinery

Council approved \$220,000 in funding to replace a 1996 CASE 621B wheeled loader for Public Works in the FY2019 budget. Staff requested information from Yukon Equipment for a new CASE 621G XT wheeled loader, and from NC Machinery for a new CAT 926M wheeled loader. Both quotes were for similarly outfitted equipment, FOB Kodiak, and included a general purpose 3.5 yard bucket, a 6.5 yard light material/snow bucket, 72" pallet forks, a spare wheel/tire and additional features. The Yukon Equipment Inc. (CASE) quote is \$203,613, plus \$1,486 for the manual (\$205,099 total) and the NC Machinery (CAT) quote is \$203,565, plus \$1,200 for manuals (\$204,765 total). NC Machinery offered more specified features required by the City than Yukon Equipment Inc.

Councilmember Bishop MOVED to authorize the award to NC Machinery in an amount not-to-exceed \$204,765 for the CAT 926M loader from the Streets Improvement Fund Project No. 5003 Annual Sidewalk Curb & Gutter and authorize the City Manager to execute the documents on behalf of the City.

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

c. Authorization of Bid Award to MicroAge for Nimble Adaptive Storage Array

The City of Kodiak accepted sealed bids for one Hewlett Packard Enterprise (HPE) Nimble Adaptive Storage Array. The HPE Nimble SAN is a rack mounted Redundant Array of Hard Drives to be used by the City for virtual server storage; the design of the array allows for not only faster data access, but also increases the amount of data that can be stored (30+ Terabytes). As a primary storage device, it helps to protect data as it has multiple redundancies not only of the hard drives but of the controllers and network connection paths as well. The current systems that are providing that function are now at capacity and at/or beyond the supported life span. The bids were opened in the City Conference Room on October 15, 2018, and MicroAge was the only responsive bidder.

Councilmember Arboleda MOVED to authorize the bid award to MicroAge for Nimble Adaptive Storage Array for \$54,133.06 with funds coming from account 100.130.135.470.126 and authorize the City Manager to execute the documents on behalf of the City.

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

d. Authorization of City Clerk's Merit Increase

The City Clerk received a favorable employee evaluation on October 25, 2018. The Clerk is hired by contract, which is authorized by the City Council. The contract stipulates that the employer agrees to increase the Clerk's salary on the basis of a favorable annual employee review, and the increase shall be discussed in executive session and approved in an open meeting. Although the Clerk received a favorable evaluation in 2017, she neither requested nor received a merit increase for 2017. The Council voiced a consensus during the 2018 evaluation to grant the Clerk a 5% merit increase.

Councilmember Davidson MOVED to grant a well deserved 5% merit increase to the City Clerk effective November 5, 2018.

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

VI. STAFF REPORTS

a. City Manager

Manager Tvenge said he had another meeting today with the area's wildlife biologist to find a solution to the nuisance bear activity. The Kodiak Police Department is working closely with Fish and Game to deter bears from getting into the roll carts. He said the bears have become accustomed to the nonlethal shots, and they will likely have to kill these bears if they do not go into hibernation. He encouraged citizens to use caution after dark. He said the City and Kodiak Lions will sponsor the Kodiak Isle of Lights and the skate with Santa event will occur on December 8 at the Baranof Park.

Councilmember Whiddon asked to explain if KPD would be shooting the bears since he thought it was an Alaska State Troopers or U.S Fish and Wildlife responsibility and asked if they have delegated that responsibility. Manager Tvenge clarified that Fish and Game will initiate the shot of any bears, and that KPD will offer the support. Manager Tvenge clarified and said if KPD is a first responder, they would take necessary action.

Councilmember Walker asked about tranquilizing the bears and removing them from City limits. Manager Tvenge said this option was explored, however, the bears would likely return.

b. City Clerk

Clerk Marlar informed the public of the next scheduled Fisheries Work Group meeting on November 28, the City work session on December 11, and the regular Council meeting on December 13.

Councilmember Whiddon said that the new Governor's fisheries appointment is tentatively scheduled to participate in the Fisheries Work Group meeting.

VII. MAYOR'S COMMENTS

Mayor Branson welcomed Councilmember Haines.

VIII. COUNCIL COMMENTS

Councilmember Haines said he has been aware of a bear in his neighborhood. He commented that the bear is not shy and is familiar with the area; he encouraged the public to be cautious.

Councilmember Walker said they have been exposed to bears on Selief. He said there is bear activity in his yard and they have damaged fences in the neighborhood. He said it is important to keep children in doors in the evening, and he encouraged citizens to call KPD regarding bear activity.

Councilmember Bishop shared that we were lucky to have had a nice summer and as we approach winter to be cautious of the road conditions. He thanked the Veterans for their service, and he wished everyone a Happy Thanksgiving.

Councilmember Davidson welcomed Councilmember Haines back. He wished everyone a happy holiday season.

Councilmember Whiddon welcomed Councilmember Haines and said he was pleased to have him back. He thanked Mr. Anderson for his service and a job well done at the Senior Center. He said there are many Veterans in Kodiak and he appreciates their service past and present.

Councilmember Arboleda said upon the season of joy there are families that have lost loved ones and she expressed her condolences. She encouraged people to continue to express their feedback to the Council and stated she feels they are very receptive. She thanked Veterans for their service. She asked the public to be bear aware and wished everyone a Happy Thanksgiving.

IX. AUDIENCE COMMENTS

Major Dave Davis said the Veterans memorial service would be on Sunday morning at the American cemetery at 11 a.m.

X. EXECUTIVE SESSION

a. Discussion With the City Attorney About Kodiak Public Broadcasting Corporation Litigation

Councilmember Davidson MOVED to enter into executive session pursuant to Kodiak City Code 2.04.100(b)(1) for a discussion with the City Attorney about Kodiak Public

Broadcasting Corp. litigation, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City.

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

The Council entered into executive session at 8:11 pm.

The Mayor reconvened the regular meeting at 8:36 p.m.

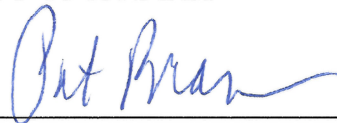
XI. ADJOURNMENT

Councilmember Whiddon MOVED to adjourn the meeting.

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

The meeting adjourned at 8:36 p.m.

CITY OF KODIAK



MAYOR

ATTEST:



CITY CLERK

Minutes Approved: December 13, 2018

