

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, DECEMBER 13, 2018
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Acting Deputy Mayor Randall C. Bishop called the meeting to order at 7:30 p.m. Councilmembers Terry J. Haines, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Mayor Branson and Councilmembers Laura B. Arboleda and Charles E. Davidson were absent. 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 November 8, 2018, regular meeting.

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

III. PERSONS TO BE HEARD

a. Public Comments

Larry Van Daele thanked City staff for providing the after action report from the January earthquake, and he thanked Police Chief Putney and Fire Chief Mullican for the information during the public meeting. He expressed his concern that the State of Alaska had not signed the after action report and volunteered to contact them. He shared his concern that some sirens have not been fixed and stated his opinion that the City should reprioritize funding allocations until the sirens were fixed.

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, 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

Acting Deputy Mayor Bishop 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 (PR&R) has been consistently identified by employees and department heads alike as being a critical need. Council reviewed the PRR amendments

at previous work sessions and passed the ordinance in the first reading at the November regular meeting.

Councilmember Walker MOVED to adopt Ordinance No. 1383.

Acting Deputy Mayor Bishop 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 Bishop, Haines, Walker, and Whiddon in favor. Councilmembers Arboleda and Davidson were absent. The motion passed.

V. NEW BUSINESS

a. Election of Deputy Mayor

Under the provisions of City Charter Article II, Section 2, the City Council shall elect one of its members as Deputy Mayor no sooner than thirty days, nor more than sixty days, from the beginning of the newly-elected Councilmembers' terms. The Deputy Mayor serves a one-year term and acts as Mayor in the Mayor's absence. If a vacancy occurs in the office of Mayor, the Deputy Mayor serves until another Mayor is elected by the Council.

Councilmember Whiddon MOVED to elect Laura Arboleda as Deputy Mayor for a one-year term.

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

b. Appointment of City Representative to the Kodiak Fisheries Work Group

Resolution No. 2018-02, which was adopted January 11, 2018, re-established the scope and authority of the Kodiak Fisheries Work Group (FWG) and reduced the number of City and Borough representatives serving on the FWG from three to two. Mayor Pat Branson and Councilmember John Whiddon have served as the City's representatives to the FWG. Councilmember Haines has expressed interest in serving on the FWG and Mayor Branson has voiced support that he be appointed to replace her. Councilmember Whiddon will continue to serve as the other City representative until a successor is appointed.

Councilmember Walker MOVED to appointment Terry Haines to the Kodiak Fisheries Work Group to serve until a successor is appointed.

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

c. Recommendation of Appointments to City Seats on the Planning and Zoning Commission

Three of the seven seats on the Planning and Zoning Commission are designated as City seats. There is one vacant City seat and one that expires at the end of December. The Council needs to recommend applicants for appointment by the Borough Mayor. Two applications have been received from City residents – one from incumbent Barry Altenhof and one from former City P&Z representative Alan Schmitt.

Councilmember Haines MOVED to recommend Alan Schmitt for appointment to the vacant City seat on the Planning and Zoning Commission for a term to end in December 2020 and Barry Altenhof to the expiring seat for a term to end in December 2021.

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

d. Authorization for the Clerk Hiring Committee to Negotiate With Nova Javier for the City Clerk Position

The City Clerk is hired by and works directly for the City Council under contract. In November 2018 the City Clerk indicated she planned to retire effective April 30, 2019. The Deputy City Clerk has expressed she is not interested in the Clerk position at this time. The Council established a Clerk Hiring Committee at their November 6, 2018, work session. On November 21, 2018, the Clerk Hiring Committee received a letter of interest from Nova M. Javier, MMC. On November 28, 2018, the Clerk Hiring Committee met to establish a timeline and to review the letter of interest and other materials submitted by Ms. Javier.

Councilmember Walker MOVED to authorize the Clerk Hiring Committee to negotiate with Nova Javier for the City Clerk position.

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

VI. STAFF REPORTS

a. City Manager

Manager Tvenge said Pillar Mountain road was closed until further notice; he said the gate at the bottom of the hill is locked. He commented that there was ice all the way up the road, and the road is expected to remain closed until spring. He reminded the public that Pillar Mountain is a non-maintained service road; however, it is still open to pedestrian travel at this time. He said the Waste Water Treatment Plant at 2853 Spruce Cape Road would receive and dispose of Christmas trees after the holidays. He shared that citizens may dispose of their natural tree on the lower parking area, which will be marked with signs identifying the drop off area. Manager Tvenge shared that the speed limit through the City's portion of Mission Road was reduced to 20 miles per hour. He said after listening to public comments and conducting meetings with Public Works and

Public Safety it was determined that section of the road would benefit by lowering the speed limit 5 miles per hour and signage was placed accordingly. He said the City will enter into an agreement with KEA to provide electricity at a discounted rate to run the electric boiler at the Kodiak Public Library, which is intended to reduce the overall heating bill by five percent or greater. He highlighted this will save the City approximately \$500 annually and emphasized that every little bit helps reduce the City's expenses. He said the City will collect household water samples beginning in January 2019 to comply with DEC requirements. He shared that staff will contact a list of residents to volunteer samples for testing; volunteers will receive a discount on their January or February water bills. He wished everyone a safe and happy holiday season.

b. City Clerk

Clerk Marlar informed the public of the next scheduled Fisheries Work Group meeting on December 19, 2018, the City work session on January 8, and the regular Council meeting on January 10.

VII. MAYOR'S COMMENTS

Acting Deputy Mayor Bishop congratulated newly appointed Deputy Mayor Arboleda on her new role; he said she is ambitious and always brings new ideas. He thanked Alan Schmitt and Barry Altenof for volunteering to serve on P&Z. He said he hopes the New Year brings new perspective and new outlook for 2019 for the City of Kodiak. He said he is pleased with the new speed limit for Mission Road. He wished everyone a happy holiday season.

VIII. COUNCIL COMMENTS

Councilmember Haines thanked Debra Marlar and stated she has provided a great service as Clerk and demonstrated dedication over the years. He thanked the Council for their appointment to the Fisheries Work Group and said he is pleased with the forward progress the group has made over the years.

Councilmember Whiddon congratulated Deputy Mayor Arboleda for her new leadership role. He provided a heartfelt thank you to all the staff for their service. He wished everyone a Merry Christmas and safe travels for those that leave the island.

Councilmember Walker congratulated Councilmembers Haines and Arboleda. He said he was glad to see the reduced speed on Mission Road and he supports lit up signs.

IX. AUDIENCE COMMENTS

Katya Johnson, via telephone, questioned the City Manager's qualifications and stated her opinion that the City Code was violated because his application has not been released to the public. She asked the Council for a legal opinion.

Clerk Marlar asked to make a comment based upon the caller's comments. She provided an overview of the City Manager hiring process, the City Code, the public records request outcome, and verified that she received an attorney's opinion for the

release of the Manager’s application. She clarified that the Manager submitted a letter of intent, which was released based upon the recommendation of the attorney and clarified that the Deputy City Manager’s application was not releasable to the public in accordance with City Code.

X. EXECUTIVE SESSION

a. City Manager’s Annual Performance Review

Annually, the City Council reviews the performance of the City Manager. In accordance with the Open Meetings Act, the City Manager does not object to the evaluation being done in executive session.

Councilmember Whiddon MOVED to enter into executive session, as authorized by Kodiak City Code Section 2.04.100(b)(2), to conduct the City Manager’s annual performance evaluation.

Councilmember Whiddon MOVED to postpone the executive session to perform the Manager’s evaluation to a future meeting when the full Council and Mayor are present.

The roll call vote on the postponement was Councilmembers Bishop, Haines, Walker, and Whiddon in favor. Councilmembers Arboleda and Davidson were absent. The motion passed.

XI. ADJOURNMENT

Councilmember Whiddon MOVED to adjourn the meeting.

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

The meeting adjourned at 8:00 p.m.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved: January 10, 2019

