

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, DECEMBER 12, 2019
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 Randall C. Bishop, Charles E. Davidson, Terry J. Haines, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Councilmember Laura B. Arboleda was absent. City Manager Mike Tvenge, City Clerk Nova Javier, 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 14, 2019, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Public Comments

None

IV. UNFINISHED BUSINESS

None

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 Davidson MOVED to elect the Deputy Mayor by a secret vote on paper ballot, provided that the first candidate to receive four affirmative votes be appointed for a one-year term, and further provided that if no candidate receives four affirmative votes in the first ballot, that the applicant with the fewest votes be removed from consideration on subsequent ballots, until a candidate receives four affirmative votes.

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

Clerk Javier announced that Councilmember Whiddon was voted on unanimously by secret ballot vote as Deputy Mayor.

Mayor Branson congratulated Councilmember Whiddon for the election of Deputy Mayor.

b. Ordinance No. 1391 Amending Title 10 of the Kodiak City Code to Establish Parking Tickets as Minor Offense, Consolidate the Chapters on Vehicle Impound and Abandonment, and Make Further Revisions to the Title

Mayor Branson read Ordinance No. 1391 by title. The proposed ordinance accomplishes several goals in addition to “housekeeping” changes made throughout. The primary reason for this amendment is to once again establish parking violations as a minor offense and transfer processing authority to the court system. Under the existing code, parking violations are subject to an administrative hearing conducted by the City Manager or their designee. The current system is not efficient. The revised process would allow a ticketed person to pay the fine online or request a trial in front of a magistrate. Second, the chapters on vehicle impound and abandonment are combined into a single chapter because these two areas overlap in practice. The revision allows for a streamlined process for removing and impounding vehicles. It also more clearly defines the penalties for an abandoned or junk vehicle by allowing the City to fine the last registered owner of the vehicle. Currently the City will occasionally send an invoice to the last registered owner, but the invoice is rarely paid because there are no consequences for nonpayment. The fine schedule has been updated.

Councilmember Haines MOVED to pass Ordinance No. 1391 in first reading to advance to second reading and public hearing at the next regular or special Council meeting.

Councilmember Whiddon stated that members of the public have shared comments about citizens sleeping in vehicles on Shelikof Street. He said he supports this ordinance.

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

c. Resolution No. 2019–24, Urging the State of Alaska Department of Environmental Conservation to Provide Necessary Information on the Existing Oil Spill Statutes and Regulations that the Department Claims Can be Eliminated or Significantly Reformed

Mayor Branson read Resolution No. 2019–24 by title. After the 1989 Exxon Valdez Oil Spill, Alaskan citizens and the Alaska Legislature worked together to protect the State from major oil spills by enacting comprehensive laws and regulations. As a result, Alaska has world-class oil spill prevention and response requirements to protect its people and its environment, as well as commercial and sport fishing, aquaculture, recreation, tourism, subsistence, and cultural interests.

Councilmember Walker MOVED to adopt Resolution No. 2019–24.

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

d. Appointment of City Representatives to Kodiak Fisheries Work Group

The Kodiak Fisheries Work Group meets monthly and informally discusses relevant fisheries issues and, when necessary, makes recommendations to the City Council and Borough Assembly. Councilmembers Terry Haines and John Whiddon are the current City's representatives to the FWG.

Councilmember Davidson MOVED to appointment John Whiddon and Terry Haines to the Kodiak Fisheries Work Group.

Councilmember Davidson praised Councilmember Whiddon for his dedication and performance on the Fisheries Work Group.

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

e. Recommendation of Appointment of City Applicant to the Planning and Zoning Commission

Alaska Statute 29.40.020 provides that an appointment to the Planning and Zoning Commission is made by the Borough Mayor for a three-year term from a list of recommendations submitted by the City Council. Three of the seven seats on the Planning and Zoning Commission are designated as City seats. Out of these three seats, one seat is currently vacant and one seat is to expire 2019. The seat to expire 2019 is currently held by Mr. Joseph Delgado and he expressed his wishes to continue his service and submitted his application. Mr. Delgado was initially interviewed by the Council in May 2019.

Councilmember Bishop MOVED to recommend Mr. Joseph Delgado for appointment to the vacant City seat on the Planning and Zoning Commission for a term ending December 2022.

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

f. Appointment of City Advisory Board Members

Several advisory board seats will expire at the end of December. Volunteers were solicited via newspaper advertisements, public service announcements, and City Clerk and department head recruitment efforts. Applications have been received for appointment to the Parks and Recreation Board and the Port and Harbors Advisory Board. Except for the Personnel Board whose appointments are made by the Council, appointments to the other boards are made by the Mayor and confirmed by the Council.

Councilmember Whiddon MOVED to postpone the appointment of City Advisory Board Members to the next regular meeting of the Council.

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

VI. STAFF REPORTS

a. City Manager

Manager Tvenge stated he will be issuing a community permit to the Kodiak Hockey League (KHL) which is a non-profit organization. He said KHL will conduct fundraising activities at the Baranof Park ice rink to include the following: light concession sales, merchandise sales, and skating clinics. He shared that KHL will provide the City with a certificate of insurance naming the City as additionally insured and he clarified that the activities are allowed under KCC 504.050 (d).

He said that “Skate with Santa” will take place from 6 p.m. until 8 p.m. Friday December 20 at the ice rink. He informed the public there will be a limited number of skates available at no cost for those without skates. Manager Tvenge said he will sign the Fire and Rescue Mutual Aid Agreement between the City and Kodiak Island Borough Fire Protection Area no.1, Bayside Fire Station. He highlighted that the agreement indicates that each party agrees to respond, to the extent it deems reasonably prudent and possible, to requests for assistance from the other and to furnish firefighting and emergency rescue services. He said the judgement as to whether or not it is reasonably prudent and possible shall rest exclusively with the party from whom assistance is sought. He said there is no termination date; however, the agreement may end with 30 days written notice.

Manager Tvenge said that the Mission Road electronic speed signs are up and reminded drivers that the speed limit is 20 mph. He asked the public to please adhere to this speed, especially now with the darkness and restricted visibility. He wished everyone a Merry Christmas.

b. City Clerk

City Clerk Javier informed the public of the next scheduled Council work session and regular meeting. She announced the upcoming Fisheries Work Group meeting and that the City’s offices will be closed on Christmas and the New Year’s Day.

VII. MAYOR’S COMMENTS

Mayor Branson thanked Councilmembers Whiddon and Haines for continuing to serve on the Fisheries Work Group. She thanked volunteers for the advisory board positions. She shared that the Joint work session went well. She stated the Governor’s budget was introduced for 2021, she stated this puts weight on the legislature to come up with different revenues or to make cuts. She said they will be working on protecting the Marine Highway System and shared the Northern Economics will be releasing a report. She wished Councilmember Arboleda congratulations on the birth of her son.

VIII. COUNCIL COMMENTS

Councilmember Haines wished everyone a Merry Christmas. He reminded the public to drive safely. He thanked Councilmember Whiddon for his decade of service on the Fisheries Work Group. He encouraged citizens to get involved in advisory boards.

Councilmember Bishop encouraged citizen involvement on committees and advisory boards. He congratulated Councilmember Whiddon on the election of Deputy Mayor and he thanked City management and staff for their work.

Councilmember Whiddon thanked Council for their kind words. He mentioned the evolution of the Fisheries Work Group; he commented on the changes from having a fisheries analyst to the group absorbing the work. He thanked Terry for his invaluable work on the FWG. He thanked Alan Schmitt for his advisory board and his participation on Ordinance No. 1391. He recognized Eric Howard a co-owner of Island Air and applauded their involvement in the community. He wished everyone a happy holiday season and he thanked the City staff.

Councilmember Davidson shared his appreciation for the Vic Fischer award and he thanked the Mayor, Council and staff for their support. He wished everyone a Merry Christmas in English and Tagalog.

Councilmember Walker congratulated Councilmember Arboleda and family on the birth of her son and wished everyone a Merry Christmas.

IX. AUDIENCE COMMENTS

None.

X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 7:56 p.m.

CITY OF ODIAK

Pat Ar

MAYOR

ATTEST:

Dora M. Janni
CITY CLERK



Minutes Approved: January 9, 2020