

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD MAY 11, 2006,
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Deputy Mayor David M. Woodruff called the meeting to order at 7:30 p.m. Councilmembers Charles E. Davidson, Dennis A. McMurry, Josefina F. Rosales, and Thomas D. Walters were present and constituted a quorum. Mayor Carolyn L. Floyd and Councilmember Gabriel T. Saravia were absent. City Manager Linda L. Freed and City Clerk Debra L. Marlar were also present.

After the Pledge of Allegiance, Salvation Army Captain Dave Davis gave the invocation.

II. PREVIOUS MINUTES

Councilmember Walters MOVED, seconded by Councilmember Davidson, to approve the minutes of the April 27, 2006, regular meeting as presented.

The roll call vote was Councilmembers Davidson, McMurry, Rosales, Walters, and Woodruff in favor. Councilmember Saravia was absent. The motion passed.

III. AGENDA AMENDMENT

None

IV. PERSONS TO BE HEARD

a. Proclamation: Declaring Peace Officers' Memorial Day and Police Week

Councilmember McMurry read the proclamation, which recognized police officers for their dedicated service to the community and honored those who had lost their lives or had become disabled in the line of duty. Councilmember Walters presented the proclamation to Kodiak Chief of Police T.C. Kamai and Police Corp Chaplains Paul Smith and Dave Davis.

b. Public Comments

Carolyn Heitman, via telephone, urged the Council to exempt food items from sales tax and commented about the proposed one cent sales tax increase .

Andy Lundquist, via telephone, spoke against the proposed one cent sales tax increase and urged the Council to let the voters decide whether to build new City facilities or raise the sales tax.

V. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, Ordinance No. 1205, Amending Kodiak City Code Title 18, Chapter 28, Pertaining to Port and Harbor Facilities

MAY 11, 2006

Deputy Mayor Woodruff read Ordinance No. 1205 by title. Ordinance No. 1168a, effective August 13, 2004, was a companion ordinance to the harbor fee resolution. It was originally recommended by the Port and Harbors Advisory Board (PHAB) to implement a fee for auxiliary skiffs moored in the harbor. Prior to adoption, the City Council directed staff to revise the language from that recommended by the PHAB. In June 2005, the auxiliary vessel ordinance was again amended at the request of the PHAB by changing the dates in the body of the applicable code section. In June 2005, when the Council adopted the revision to the auxiliary skiff code section, the Council referred the issue back to the PHAB for further review. The PHAB discussed the issue at length at their January 12, 2006, meeting and code language to implement their recommendations was developed by Harbor staff and is included in Ordinance No. 1205.

Councilmember Walters MOVED, seconded by Councilmember Davidson, to adopt Ordinance No. 1205.

Deputy Mayor Woodruff 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 Davidson, McMurry, Rosales, Walters, and Woodruff in favor. Councilmember Saravia was absent. The motion passed.

VI. NEW BUSINESS

a. First Reading, Ordinance No. 1206, Rescinding Ordinance No. 1189 and Authorizing a GPS Monument Contract on Pillar Mt. With Plate Boundary Observatory, UNSVCO, Inc.

Deputy Mayor Woodruff read Ordinance No. 1206 by title. The Plate Boundary Observatory (PBO) is part of the EarthScope project funded by the National Science Foundation and conducted in partnership with the U. S. Geological Survey and NASA. Last year, researchers from the PBO requested approval to place a GPS monument on Near Island near the existing radio tower. After the Council approved the request, additional research showed that the site was unsuitable. The PBO subsequently identified a site on Pillar Mountain, near the City's communication site, that met their needs. The improvements that the PBO want to place on Pillar Mountain consist of a small GPS antenna (5'), a small GPS panel, and equipment panel. The purpose of the monument is to measure ground shifts caused by earthquakes and slow fault slip between earthquakes at the site of the monument. Due to the length of time the monument is expected to be in place, staff recommended approval of its placement by ordinance.

Councilmember Davidson MOVED, seconded by Councilmember Rosales, to pass Ordinance No. 1206 in the first reading and advance to second reading and a public hearing at the next regular meeting.

The roll call vote was Councilmembers Davidson, McMurry, Rosales, Walters, and Woodruff in favor. Councilmember Saravia was absent. The motion passed.

b. Resolution No. 06-14, Authorizing Placement of The Moving Wall (Vietnam Veterans Memorial) at Baranof Park June 14-21, 2006

MAY 11, 2006

Deputy Mayor Woodruff read Resolution No. 06-14 by title. The Moving Wall is a half-size replica of the Washington, D.C., Vietnam Veterans Memorial that has been touring the country for almost twenty years. Two structures of The Moving Wall now travel the United States from April through November, spending about a week at each site. Kodiak sponsors Dewey Bell and Mike Machulsky have requested the use of Baranof Park, Joe Floyd Track and Field, from June 14th through the 21st for display of The Moving Wall.

Councilmember McMurry MOVED, seconded by Councilmember Davidson, to adopt Resolution No. 06-14.

Councilmember Davidson expressed appreciation to Dewey Bell, who was instrumental in bringing The Moving Wall to Kodiak.

The roll call vote was Councilmembers Davidson, McMurry, Rosales, Walters, and Woodruff in favor. Councilmember Saravia was absent. The motion passed.

c. Authorization of Amendment to Pillar Mt. Lease No. 12 With the Federal Aviation Administration

The Federal Aviation Administration (FAA) established a navigation system called Capstone, which is based on GPS-based avionics and data link communications systems. The FAA identified Pillar Mountain as an ideal location for a Capstone ground-based transceiver system. All equipment associated with the system will be installed within the FAA's current Pillar Mountain lease site and will use an existing foundation for the 25-foot tilt-down antenna. The City's communications consultant, Dr. Henry Richter, reviewed the request and has indicated that he sees no interference to the City's communication system from the FAA request.

Councilmember Rosales MOVED, seconded by Councilmember Walters, to authorize Amendment 1 to Pillar Mt. Communication Lease Site No. 12 (DTFAAL-05-00007) with the Federal Aviation Administration.

The roll call vote was Councilmembers Davidson, McMurry, Rosales, Walters, and Woodruff in favor. Councilmember Saravia was absent. The motion passed.

VII. Staff Reports

a. City Manager

Manager Freed commented about anticipated State revenues to help fund City capital projects and thanked Representative LeDoux and Senator Stevens and their staffs for their efforts on behalf of the City. She also noted the City was expected to receive \$315,000 to be paid toward the City's public employees retirement system (PERS) obligation and \$203,000 in State revenue sharing. Manager Freed noted an article in the "Kodiak Daily Mirror" had incorrectly stated the City had proposed to increase sales tax by 1%; she clarified the proposed increase was one cent. She also clarified that the cost for the proposed jail as currently designed is \$6 million, not \$9 million.

MAY 11, 2006

Manager Freed also commented on the City's PERS liability, which is currently estimated at \$16 million and noted the City is mandated by the State Constitution to pay the PERS liability.

b. City Clerk

The City Clerk informed the public of the dates, times, and locations for upcoming work sessions and the next regular meeting. She also reminded the public that the regular meeting agenda packet is available via the Internet.

VIII. MAYOR'S COMMENTS

Deputy Mayor Woodruff stated the Alaska Aerospace Development Corporation had awarded a contract to the Kodiak-Kenai Cable Company to lay fiber optic cable to the Kodiak Launch Complex. He also commented on the progress of various fisheries.

IX. COUNCIL COMMENTS

Councilmembers voiced appreciation to the Kodiak Police Department for its dedication and efforts to keep the community safe and peaceful.

Councilmember McMurry urged motorists to watch out for kids.

Councilmember Rosales thanked the City Manager and City Clerk for their work on behalf of the City. She also encouraged the public to enjoy the upcoming Crab Festival.

Councilmember Davidson congratulated 2006 high school graduates. He also asked the Council to reconsider endorsing a community barbecue June 10th in recognition of National League of Cities Small Cities and Towns Day. After Council discussion, the Council voiced a consensus to endorse the event, as long as City staff were not required to help organize it.

Councilmember Walters commented about the need to replace the police department and jail, noting the existing facilities were dilapidated and the space was insufficient. He noted the Council continued to explore options to replace the facilities as economically as possible. He informed the public that the City operated the jail for the State, and the State's \$2 million contribution toward constructing the new jail was appreciated, but was insufficient. He also stated the community would be involved in deciding how to proceed with constructing new City facilities.

X. AUDIENCE COMMENTS

Bob Hatcher, via telephone, thanked the Kodiak Police Department for its service to the community. He stated he inspected the jail during his former position as a safety inspector and noted the facility does not meet codes and specifications. He also complimented the Council for the manner in which it worked together.

XI. ADJOURNMENT

MAY 11, 2006

Deputy Mayor Woodruff adjourned the meeting at 8:28 p.m.

CITY OF KODIAK

Carolyn Floyd

MAYOR

ATTEST:

Debra Martin

CITY CLERK



Minutes: Approved: June 8, 2006