

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD AUGUST 24, 2006,
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Carolyn L. Floyd called the meeting to order at 7:31 p.m. Councilmembers Charles E. Davidson, Dennis A. McMurry, Josefina F. Rosales, Gabriel T. Saravia, Thomas D. Walters, and David M. Woodruff were present and constituted a quorum. Acting Manager/Finance Director Mary Munk, City Clerk Debra L. Marlar, and Deputy Clerk Barbara J. Volpe were also present.

After the Pledge of Allegiance, Pastor Larry Cornett gave the invocation.

II. PREVIOUS MINUTES

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

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

III. AGENDA AMENDMENT

None.

IV. PERSONS TO BE HEARD

a. Proclamation: National Alcohol and Drug Addiction Recovery Month

Councilmember Walters read the proclamation, which was accepted by Melanie Nelson, Director of Providence Safe Harbor and the Counseling Center.

b. Public Comments

Shawn Dochtermann, Jiggers Association, spoke against the Pombo rider to H.R. 5018. He expressed concern that the content of the rider was not more fully described by the City's fisheries consultant and lobbyists.

Stephen Taufen, Groundswell Fisheries Movement, voiced his group's opposition to the Pombo rider to H.R. 5018, specifically, the Rock fish pilot program timeline change. He also read from a letter sent by Robert Albertson.

V. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, Ordinance No. 1212, Declaring Lot 3, U.S. Survey 3467 (Approximately 16,343 Sq. Ft.), Not Needed for or Devoted to Public Use and Authorizing Its Sale

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Mayor Floyd read Ordinance No. 1212 by title. The Council has indicated a willingness to sell City-owned property, which is excess to the needs of the City, to interested purchasers at the appraised value of the property. At the June 27, 2006, work session, the Council reviewed a request by Dick Rohrer to purchase property adjacent to a lot that he owns on Mill Bay Road. At the work session, the Council expressed a willingness to formally consider Mr. Rohrer's request. This ordinance declares a portion of Lot 3, U.S. Survey 3467 (approximately 16,343 sq. ft.), adjacent to Lot 12, U.S. Survey 3098, not needed for or devoted to a public use and authorizing its sale. At the July regular meeting, a question was raised about the application of FAA Part 77 regulations to the property. Staff recommend the ordinance be amended so that only a portion of the FAA Part 77 regulations be applied to the property; that being the application of the "primary surface object free area."

Councilmember Walters MOVED, seconded by Councilmember McMurry, to adopt Ordinance No. 1212.

Councilmember Davidson MOVED, seconded by Councilmember Walters, to amend Ordinance No. 1212 by inserting the words "related to the primary surface object free area" following the words "FAA Part 77 regulations" in the first whereas clause and Sections 2 and 3.

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

Councilmember Davidson voiced his opposition to the sale of the parcel, expressing his concern about the proximity of the airport runway to the property, as well as the possibility of the City needing to repurchase the land in the future to accommodate airport upgrades.

Councilmember Walters noted that he supported the sale of the property, because the City needs to expand business in order to increase revenue.

The roll call vote on the amendment was Councilmembers Davidson, McMurry, Rosales, Saravia, Walters, and Woodruff in favor. The motion passed.

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

VI. NEW BUSINESS

a. **First Reading, Ordinance No. 1213, Declaring Tracts D-2 and D-3, U.S. Survey 4947, and Lot 1, Kodiak Business Park Subdivision (Near Island) Not Needed for or Devoted to Public Use and Authorizing Their Sale**

Mayor Floyd read Ordinance No. 1213 by title. The Council has indicated a willingness to sell City-owned property, which is excess to the needs of the City, to interested purchasers at the appraised value of the property. Afognak Native Corporation has expressed their interest in purchasing City property on Near Island. This ordinance declares Tracts D-2 and D-3, U.S. Survey 4947, and Lot 1, Kodiak Business Park Subdivision (formerly a portion of Tract D-4), not needed for or devoted to a public use. This ordinance also authorizes the City Manager to

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cause the property to be replatted, if requested by the Afognak Native Corporation, and requires the Afognak Native Corporation to exercise their option to purchase the property within 180 days of the effective date of the ordinance.

Councilmember Woodruff MOVED, seconded by Councilmember Rosales, to pass Ordinance No. 1213 in the first reading and advance to second reading and a public hearing at the next regular meeting

Councilmember Walters expressed his dismay that the City did not encourage the Afognak Native Corporation when the organization wanted to build in the City several years ago. He expressed his appreciation for the Corporation's willingness to build a facility here at this time, providing jobs for the community and keeping families in Kodiak.

Councilmember Davidson inquired about the appraisal process and the expense to the City in the future.

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

b. Resolution No. 06-28, Urging the Federal Subsistence Board to Designate Kodiak Rural

Mayor Floyd read Resolution No. 06-28 by title. In February 2006, the City of Kodiak went on record supporting rural designation of the community by the Federal Subsistence Board for subsistence purposes. Unfortunately, in June, after a great deal of effort by many members of the community, the Board made a preliminary determination that Kodiak's designation should be changed to nonrural. This resolution responds to the preliminary decision and provides justification for the City's assertion that Kodiak should be designated rural. The resolution may also provide the basis for City testimony before the Federal Subsistence Board, when they hold hearings in Kodiak in September 2006.

Councilmember Davidson MOVED, seconded by Councilmember Walters, to adopt Resolution No. 06-28.

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

c. Resolution No. 06-29, Authorizing the Issuance of a Permit to the Kodiak Democratic Party for Use of Public Property in Conjunction With a Public Picnic

Mayor Floyd read Resolution No. 06-29 by title. The Kodiak Democratic Party has requested permission to use the St. Paul Harbor Spit and Gazebo for a community picnic on September 10, 2006, from 12 p.m. to 6 p.m. Donations to support the organization will be accepted by the organization, if offered. Kodiak City Code Section 5.04.010 prohibits business activities on City property, and Kodiak City Code Section 5.04.060 requires a permit for community festivities.

Councilmember Walters MOVED, seconded by Councilmember Saravia, to adopt Resolution No. 06-29.

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

d. Resolution No. 06-30, Authorizing the Issuance of a Permit to the Kodiak Military History Museum for Use of Public Property for a Fund-Raising Event to Support the Museum

Mayor Floyd read Resolution No. 06-30 by title. The Kodiak Military History Museum has requested permission to use the St. Paul Harbor Spit and Gazebo for a community barbecue on September 2, 2006, from 11 a.m. to 4 p.m. Donations will be encouraged, as the barbecue is intended as a fundraiser for the organization.

Councilmember Rosales MOVED, seconded by Councilmember McMurry, to adopt Resolution No. 06-30.

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

e. Authorization of Professional Services Contract With DOWL Engineers for the Rezanof Water Main Upgrade, Armstrong to Ismailov, Project No. 07-03

The properties on the north side of Rezanof between Armstrong and Ismailov are currently served by a two-inch plastic water line. This project will construct a conventional eight-inch ductile iron water main to improve water flow and pressure to the properties in the area. This project will also reduce winter maintenance calls related to this line, which occur on a regular basis. The new water main will cross Rezanof at Ismailov and connect to the water main in Ismailov, improving water quality for all the properties located on these dead-end water mains. DOWL Engineers has provided a proposal for the design of the upgraded waterline. They have proposed a lump sum fee of \$46,485 for design services, with bidding assistance and construction support services performed on a time-and-materials basis, with a budget estimate of \$9,910.

Councilmember Rosales MOVED, seconded by Councilmember Davidson, to authorize a professional services contract with DOWL Engineers in the amount of \$56,395 for the Rezanof Water Main Upgrade, Armstrong to Ismailov, Project No. 07-03, with funds coming from the Capital Projects Fund, Water Improvement Fund, Budget Project No. 7018.

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

f. Authorization of Bid Award to Anderson Construction for the Sharatin Road Water and Sewer Upgrade, Project No. 06-26

Bids for the Sharatin Road Water and Sewer Upgrade project were opened on August 14, 2006. Three bids were received:

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| Anderson Construction LLC | \$324,590 |
| Brechan Enterprises, Inc. | \$369,400 |

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| Twin Peaks Construction, Inc. | \$530,300 |
| Engineer's Estimate | \$576,850 |

The project entails the installation of approximately 1,100 linear feet of water main and 600 linear feet of sewer main in the undeveloped Perenos Drive right-of-way and in a portion of Sharatin Road. The project will improve water quality in the area by creating a water line loop and extending the sewer main to serve lots that have no sewer service at the present time.

Councilmember Walters MOVED, seconded by Councilmember Davidson, to award the Sharatin Road Water and Sewer Upgrade, Project No. 06-26, to Anderson Construction in the amount of \$324,590, with funds coming from the Capital Projects Fund, Water Improvement Fund, Budget Project No. 7014.

Councilmember Walters voiced a desire for staff to consult and coordinate with the Borough prior to such projects in unpaved subdivisions outside the City limits.

Councilmember Woodruff expressed opposition to providing water and sewer infrastructure outside of City limits and voiced a preference to give projects within City limits priority.

Councilmember Saravia noted appreciation for the low bid by the contractor. However, he also voiced his concurrence with Councilmember Woodruff.

Councilmember Davidson voiced support of the project, stating that Borough citizens pay additional fees for City services provided outside of City limits.

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

g. Authorization of Purchase of a Large Equipment Lift System From Gray Automotive Products Company

Due to the design and construction of ambulances and fire trucks, the City vehicle maintenance shop requires a system with the ability to lift the vehicles in order to perform routine maintenance. A mobile lift system will allow the City to maintain vehicles on site, rather than transport them off island at great expense. The Gray Lift System is a wireless portable system that offers the flexibility to lift equipment safely and effectively.

Councilmember Davidson MOVED, seconded by Councilmember Rosales, to authorize the purchase of a Gray Lift System, Model WPLS-160, and 8T-HR vehicle supports from Gray Automotive Products Company in the amount of \$66,570, with funds coming from the General Fund, Public Works Department, Garage Sub-Department.

Councilmembers voiced varying opinions about acquiring the lift and some suggested modifying the proposed new boat travel lift to accommodate repair of large City vehicles. All acknowledged the proposed lift system would provide for the repair and maintenance of the City's large vehicles, which would eliminate the need to service the equipment off island.

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

h. Parks and Recreation Advisory Board Appointments

The two alternate seats on the Parks and Recreation Advisory Board are currently vacant. At the July 25, 2006, work session, Mayor Floyd and Councilmembers interviewed Dave Owens and reviewed an application submitted by Tim Gail for appointment to the Parks and Recreation Advisory Board. Except for the Personnel Board, whose members are appointed by the Council, and the Employee Advisory Board, whose members are elected by City employees, members of advisory boards are appointed by the Mayor and confirmed by the Council.

Mayor Floyd appointed Tim Gail to the Parks and Recreation Advisory Board Alternate Seat No. 1, and Dave Owens to Alternate Seat No. 2.

Councilmember Walters MOVED, seconded by Councilmember Saravia, to confirm the Mayoral appointments of Tim Gail to the Parks and Recreation Advisory Board Alternate Seat No. 1, expiring December 31, 2006, and Dave Owens to Alternate Seat No. 2, expiring December 31, 2007.

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

VII. Staff Reports

a. City Manager

Finance Director Munk passed on Manager Freed's thanks and congratulations to several City employees for their years of service to the City: Alvin Drabek, Harbor, 25 years; Craig Walton and Russ Patrick, Public Works, 10 years; and Peggy Weston, Library, 5 years.

b. City Clerk

City Clerk Marlar reminded the community that the Clerk's Office is accepting petitions for Council candidates through September 1, 2006. She also reminded the public of the requirements for candidacy, as well as the requirements to vote in City elections. She further encouraged those who have moved into or outside the City limits to update their voter registration address. She announced the dates of the next Council work session and regular meeting.

VIII. MAYOR'S COMMENTS

Mayor Floyd expressed her appreciation for comments from the public regarding fishing industry issues. She noted that the U.S. Coast Guard Commandant had been in Kodiak for two days. Mayor Floyd made the public aware of an upcoming conference to be held September 30 and October 1, 2006, which will address the housing and long-term care needs of Kodiak's senior citizen population. She encouraged members of the community to attend the open house to be held at the police station in September, so that they may gain an appreciation for the conditions

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there and the need for a new facility. She noted the recent activities of the Kodiak High School sports teams.

IX. COUNCIL COMMENTS

Councilmember McMurry reminded the community that the local state fair and rodeo will be held the first weekend in September; he encouraged the public to participate.

Councilmember Rosales urged citizens to consider the public safety building bond issue, as it is important for the safety of the community. She also acknowledged the work of local crossing guards, noting that school will start very soon.

Councilmember Davidson encouraged community members to participate in the events to be held at the St. Paul Harbor Spit on September 2 and 9. He also asked that citizens drive safely and watch out for schoolchildren. He further expressed his concern about the failure of the City's fisheries consultant to inform the Council about the Pombo rider to H.R. 5018.

Councilmember Walters expressed his appreciation for the input from members of the fishing community. He noted that Councilmembers had asked the City's lobbyist in Washington, D.C., to watch these issues closely. He asked that the City Manager look into what the City's fisheries consultant and lobbyists know about proposed House Bill 5018. Councilmember Walters also noted that the Council would not support commitment of public funds to businesses for marketing projects, as such projects are not beneficial to all. He further voiced his personal support of building of a solarium attached to the hospital, but acknowledged that providing health care is not included in the City Charter.

Councilmember Saravia thanked members of the fishing community for their concern and advice. He expressed his concern that the City's fisheries consultant did not provide information about the Pombo rider. Councilmember Saravia made the community aware that the public schools return to class on Monday, while private schools started today. He asked that drivers be aware and careful when driving in school zones. He concurred with Councilmember Walters on the issue of the solarium. Councilmember Saravia expressed his gratitude for the service of long-term City employees. He encouraged City residents to register to vote and encouraged petitions for candidates.

Councilmember Woodruff stated that he is disconcerted about the possible change in location of a new public safety building and prefers the Selief Lane site. He reminded the community of the City's leash law, noting that the problem of loose dogs is especially evident at the harbor. Councilmember Woodruff thanked advisory board volunteers and long-term City employees for their service. He concurred with other Councilmembers in their concern about H.R. 5018.

X. AUDIENCE COMMENTS

Stephen Taufen, Groundswell Fisheries Movement, expanded on his comments made earlier in the meeting.

Rhonda Maker thanked Councilmembers for their words of support on fisheries issues. She asked that the Council be more adamant in their resolution regarding those issues.

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Jack Maker thanked Councilmembers for their comments about fisheries issues. He also expressed concern about rumored fees to launch kayaks from City ramps.

XI. ADJOURNMENT

Mayor Floyd adjourned the meeting at 9:05 p.m.



CITY OF KODIAK

Caroline Floyd
MAYOR

ATTEST:

Delna Martin
CITY CLERK

Minutes Approved: September 28, 2006