

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, JANUARY 10, 2013
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Pat Branson called the meeting to order at 7:30 p.m. Councilmembers Randall C. Bishop, Gabriel T. Saravia, Richard H. Walker and John B. Whiddon were present and constituted a quorum. Councilmembers Charles E. Davidson and Terry J. Haines were absent. City Manager Aimée Kniazowski, City Clerk Debra L. Marlar, and Temporary Acting Deputy Clerk Catherine Perkins were also present.

After the Pledge of Allegiance, Salvation Army Sergeant Major Dave Blacketer gave the invocation.

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the December 13, 2012, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Proclamation: Stalking Awareness Month

Mayor Branson read the proclamation, which acknowledges stalking as a serious crime and applauds the efforts of victim service providers, police officers, prosecutors, national and community organizations, and private sector supporters for their efforts in assisting victims and promoting awareness about stalking. She presented the proclamation to Sandra Wilkins, Outreach Coordinator for the Kodiak Women's Resource and Crisis Center.

b. Public Comments

Marilyn Guilmet voiced concerns about health and environmental issues of composting and spoke against sludge disposal and composting at the Middle Bay site.

Sara Thayer, via telephone, voiced opposition to Ordinance No. 1303.

Judy Kidder spoke against sludge disposal at the Middle Bay site. She also voiced her belief that it was difficult to obtain information about the issue.

Bill Wren noted that out of several thousand Kodiak Island residents, only five individuals had voiced opposition to sludge disposal/composting at the Middle Bay site. He urged people to be professional and adult when voicing their opinions regarding sludge disposal at Middle Bay and to stop personal attacks and threats.

IV. UNFINISHED BUSINESS

- a. Second Reading and Public Hearing, Ordinance No. 1302, Amending Kodiak City Code 3.08.140(A) to Require Sales Tax Returns to Report the Number of Transactions in Which a Portion of the Price or Charge is Exempt From Sales Tax Under Kodiak City Code 3.08.120**

Mayor Branson read Ordinance No. 1302 by title. To comply with the Council's request for improved sales tax estimates based on different sales tax maximum caps, the sales tax return process should be amended to add the number of transactions in which a portion of the price or charge is exempt from sales tax under KCC 3.08.120. KCC 3.08.140(a)(6) currently stipulates the City Council may require additional information on a sales tax return, but is not specific. Ordinance No. 1302 will improve the Code language by adding a sentence that requires reports to include the number of transactions that are exempt from sales tax based on the sales tax cap.

Councilmember Whiddon MOVED to adopt Ordinance No. 1302.

Mayor Branson 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, Saravia, Walker, and Whiddon in favor. Councilmembers Davidson and Haines were absent. The motion passed.

V. NEW BUSINESS

- a. First Reading, Ordinance No. 1303, Amending Kodiak City Code 2.36.010(B), Definition of City Records, and Kodiak City Code 2.36.060(A), Access to Public Records, to Exclude Reference Documents and Transitory Documents From the Definitions of City Records and Public Records, Respectively**

Mayor Branson read Ordinance No. 1303 by title. State law and City Code provide access to official City records. The City Clerk's Office routinely responds to requests for public City records and responded to 27 requests in 2012. Oftentimes, requestors ask for reference material or transitory (temporary) information that is not considered to be a record. The City Attorney recommended KCC 2.36 be amended to clarify that reference and transitory documents are not included in the definition of a City record. This amendment will enable staff to more efficiently assist the public and clarify for the public the information that may be received.

Councilmember Bishop MOVED to pass Ordinance No. 1303 in the first reading and advance to second reading and public hearing at the next regular or special Council meeting.

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

- b. Acceptance of FY2012 Comprehensive Annual Financial Report (Audit)**

Each year the City Council retains a qualified accounting firm to perform an annual audit of the City's financial records and accounting practices. The City Charter and the City Code require the

Council to accept the comprehensive annual financial report. The Council typically accepts the audit by motion.

Councilmember Bishop MOVED to accept the City's Fiscal Year 2012 Comprehensive Annual Financial Report.

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

VI. STAFF REPORTS

- a. City Manager Kniaziowski reported on the many meetings already held this month. She also reported on the Legislative Information Office open house, as well as staff training with Mr. Paul Glick on budget development and philosophy. She reported the first batch of Class B compost had reached operating temperatures and that it is continuing to be mixed and monitored. She said she attended the community meeting with the unified command staff regarding the Shell oil drilling rig grounding incident. She said the unified command did a good job updating the community of the situation and that the command center will be officially standing down in Anchorage. She reported on the construction of the new public library and the ice rink. She said the ice rink is operational again and will offer a shortened kid's hockey season. She said she would like the community to know there was extensive damage to the ice rink, but the City was able to respond quickly, and she thanked the Parks and Recreation employees for their hard work.
- b. City Clerk Marlar reminded the public of upcoming City Council meetings. She informed the Council and the public that audio recordings of Fisheries Work Group meetings and Council work sessions are now available on the Clerk's website. She thanked City IT Administrator Lee Peterson for his help with making the meeting recordings available. She also wished City Manager Kniaziowski happy birthday.

VII. MAYOR'S COMMENTS

Mayor Branson said she is glad the ice rink is operational again. She thanked the City staff for their work on the audit. She also reported on the numerous meetings the Council attended this month. She said she hopes the community understands how committed the City's elected officials and staff are to serving the public, noting elected officials have other commitments as well. She said the Council is open to comments and working with the community to find solutions.

VIII. COUNCIL COMMENTS

Councilmember Walker agreed with Mayor Branson's comments and said he enjoys working with the Council and continuing to learn about City issues. He commented on his attendance at and benefits of the budget training session. Councilmember Walker complimented everyone involved for their hard work and quick response time on the Shell oil drilling rig grounding incident.

Councilmember Whiddon agreed with Mayor Branson's comments. He added that one of the Council's roles and responsibilities is to provide leadership to the community, and he thinks

Councilmembers make the best decisions they can. He said he finds public comments very helpful and encouraged that dialog, but expressed concern about some comments made via social media.

Councilmember Saravia said he is glad to be back after vacation and encouraged the public to keep voicing their concerns. He reminded the public there are elections every year and encouraged anyone who is interested to run for office. He wished Manager Kniazowski a happy birthday and thanked the staff for their hard work. Councilmember Saravia said he is always willing to speak to and read information provided by the public.

Councilmember Bishop said he agrees with what has previously been said about public comments and said comments are both appreciated and encouraged. He said he recognizes the new sales tax reporting requirement may seem burdensome to retailers, but the additional information will allow the Council to better serve the community.

IX. AUDIENCE COMMENTS

Judy Kidder said she thinks Facebook is good way to get information out to the community and encouraged the public to attend meetings and give their input. She said the ice rink is a valuable asset to the community and she would be willing to pay to use it.

Marilyn Guilmet reiterated her opposition to compositing, especially at the Middle Bay site.

X. ADJOURNMENT

Councilmember Whiddon MOVED to adjourn the meeting.

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

The meeting adjourned at 8:27 p.m.

CITY OF KODIAK



MAYOR

ATTEST:



CITY CLERK

Minutes Approved: January 24, 2013

