

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, FEBRUARY 28, 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, Charles E. Davidson, Terry J. Haines, Gabriel T. Saravia, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. 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 January 24, 2013, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Public Comments

Kevin Arndt asked the Council for the opportunity to present a proposal for the drying and incineration of sludge as an alternative means of biosolids disposal.

Todd Hiner spoke in favor of incineration of biosolids and Kevin Arndt's proposal. He requested the proposed motion later on the agenda be amended to strike composting as an option of biosolids disposal. He reviewed portions of City Charter and Code regarding contract bidding and award requirements and urged that bidding and contracting is done in an open and public manner. He spoke against human compost.

Judi Kidder spoke in favor of Kevin Arndt's biosolids incineration proposal. She voiced she is in favor of creating Class B compost at the landfill and spoke against creating Class A compost that would be used outside of the landfill.

Dave Allen Van Mun, via telephone, spoke in favor of Kevin Arndt's proposal to incinerate biosolids.

Sandra West spoke in favor of the proposed pedestrian pathway from Pier II to Deadman's curve and urged the City to sign the DOT agreement to accept the grant funds for the project.

Marilynn Guilmet thanked the Council for the decision to pursue composting at the landfill and not at the Middle Bay site. She asked that a Councilmember propose an amendment to the

composting motion later on the agenda to allow the City Manger to explore all alternatives for a long term solution for biosolids management.

Renee Darrenkamp, via telephone, spoke against funding the pedestrian path from Pier II to Deadman's Curve.

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, Ordinance No. 1304, Establishing Supplemental Appropriation No.1 to the Budget for the Fiscal Year Commencing on the First Day of July 2012 and Ending on the Thirtieth Day of June 2013

Mayor Branson read Ordinance No. 1304 by title. Supplemental Appropriation No. 1 to the FY2013 budget is in the amount of \$42,487,704. It is customary for the City Council to approve at least one supplemental budget annually to authorize the adjustments of current revenues and expenses. These adjustments are for the operating funds as well as additions to project funds for grant revenues received and additional expenditures needed that were not known at the time the original budget was adopted. This is the first budget amendment to the FY2013 budget.

Councilmember Davidson MOVED to adopt Ordinance No. 1304.

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, Davidson, Haines, Saravia, Walker, and Whiddon in favor. The motion passed.

b. Second Reading and Public Hearing, Ordinance No. 1305, Amending Kodiak City Code 14.04.010, 14.24.010 and 14.24.020; Enacting Kodiak City Code 14.04.080 and 14.24.030; and Repealing and Reenacting Kodiak City Code 14.24.040; Regarding the Adoption of Building and Other Codes and Related Matters

Mayor Branson read Ordinance No. 1305 by title. The State of Alaska adopted new building codes on November 16, 2012, and as a deferred jurisdiction, the City of Kodiak is required to adopt codes that meet or exceed the State's adopted codes. The Joint Building Code Review Committee met numerous times to discuss, review, and develop the proposed code changes. The Kodiak Island Borough Assembly is also in the process of adopting the same amendments by ordinance.

Councilmember Haines MOVED to adopt Ordinance No. 1305.

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, Davidson, Haines, Saravia, Walker, and Whiddon in favor. The motion passed.

V. NEW BUSINESS**a. First Reading, Ordinance No. 1306, Enacting Kodiak City Code 10.36.022, Notice to Owners and Lienholders, Kodiak City Code 10.36.024, Hearing, and Kodiak City Code 10.36.026, Disposal of Abandoned Vehicles, to Establish a Procedure for the Disposal of Abandoned Vehicles**

Mayor Branson read Ordinance No. 1306 by title. At the direction of the City Council, the Police Department has sought to find a cost effective and operationally efficient strategy to address junk and motor vehicles abandoned on public property. These efforts cannot begin until the existing City code is amended. Ordinance No. 1306 will enact these requirements and enable the Police Department to implement a cost-effective and operationally efficient strategy to address junk and abandoned motor vehicles.

Councilmember Bishop MOVED to pass Ordinance No. 1306 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, Davidson, Haines, Saravia, Walker, and Whiddon in favor. The motion passed.

b. Resolution No. 2013–03, Rescinding Resolution No. 2011–30 and Adopting a Revised Travel Policy for the Mayor and Councilmembers

The Council adopted a travel policy via Resolution No. 2011–30 in September 2011, which established policies and procedures for requesting and approving travel for the Mayor and Councilmembers. The Council reviewed the policy at its January 2013 planning work session and requested revisions. The revisions will allow more than three Councilmembers to travel to an event when approved by the Mayor and will clarify the travel reservation process. The revision will also eliminate the existing requirement for the Council to meet and voice a consensus at least 21 days prior to a travel event, which will provide a more flexible schedule for the Council to discuss upcoming travel.

Councilmember Whiddon MOVED to adopt Resolution No. 2013–03.

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

c. Resolution No. 2013–04, Approving the City Council’s Budget Goals for FY2014

The Council reviewed a list of current and proposed budget goals at their annual planning meeting in January. They selected goals that will be used to develop the FY2014 budget. The goals are similar to FY2013’s, but include new goals that articulate Council’s policy direction. The goals will be used by staff in the development of the FY2014 City budget.

Councilmember Walker MOVED to adopt Resolution 2013–04.

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

d. Authorization of Amendment to the City Clerk's Employment Agreement

The City Clerk is one of two fulltime City employees who is hired by contract and works directly for the Council. During the Clerk's annual performance and contract review in November, the Council expressed a desire to amend the Clerk's salary, effective November 5, 2012. The Clerk's contract was previously amended in 2002, at which time the Clerk was placed on Schedule II (General Salary Structure) of the City's Personnel Rules and Regulations (PRR). The Council removed the Clerk from the PRR Salary Structure with the adoption of Ordinance No. 1268(SUB) at the January 24, 2013, regular meeting.

Councilmember Haines MOVED to amend Section 3 of the City Clerk's employment agreement by replacing the existing language with the following: "City agrees to pay Clerk a salary at the annual rate of \$98,294, effective November 5, 2012," and to amend Section 5 of the City Clerk's employment agreement by replacing the existing language with the following: "The City Council shall conduct a review of the Clerk's job performance annually according to the provisions established for regular City employees by the Personnel Rules and Regulations. Each such review shall be the basis for determining the Clerk's salary, effective as of the most recent anniversary of the commencement of the contract terms."

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

e. Direction to the City Manager to Pursue a Biosolids Management Plan at the Kodiak Island Borough Landfill

The City Council held a special work session February 18, 2013, to discuss biosolids management due to community concerns about the location of a composting facility at Middle Bay. The meeting covered the history of the issues surrounding the management and disposal of biosolids generated at the Wastewater Treatment Plant going back to the late 1990s. The presentations focused on the history of decisions made, the alternative management options explored, the Kodiak Island Borough's (KIB) inability to continue to accept biosolids at the landfill, and the series of decisions made as a result of KIB's decision. The City Manager requested direction from the Council on what short- and long-term options to take in order to reach a final decision on the best and most affordable biosolids management method.

Councilmember Whiddon MOVED to direct the City Manager to work with the Kodiak Island Borough to develop a long-term biosolids management solution by composting at the Kodiak Island Borough Landfill and to discontinue composting efforts at Middle Bay.

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

f. Authorization of Professional Services Contract for Dam Safety Inspections, Project No. 7034/05-03

State of Alaska Department of Natural Resources (ADNR) regulations require that Hazard Class I or II dams have periodic safety inspections performed by a qualified engineer. All Hazard Class I and II dams must be inspected every three years.

Councilmember Walker MOVED to authorize a professional services contract with Golder Associates in the amount of \$41,241, with funds coming from the Water Improvement Fund, Periodic Safety Inspection account, Project No. 7034/05-03, and authorize the City Manager to execute the agreement on behalf of the City.

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

g. Authorization of Trident Basin Development Quarry, Borrow Material Permit No. 13-4

The Trident Basin Float Plane facility is growing and continues to need additional area for facility parking and staging adjacent to the Andrew Air facility. It has been the City's goal to eventually provide the area needed, but it has also been understood that significant rock removal would be required and would likely take years to develop a usable pad area. Anderson Construction has held the Trident Quarry Permit since 2005 but has not actively mined the quarry in recent years. Seeing the lack of activity, Golden Alaska Excavating LLC, another local grading contractor, approached the City about the possibility of taking over the permit from Anderson. City staff met with Mike Anderson to discuss releasing the permit and allowing Golden Excavating to take over the Trident Basin Quarry. Anderson maintains a second quarry permit at the boatyard area and agreed to release the Trident Basin Quarry permit to allow Golden Excavating to move forward.

Councilmember Bishop MOVED to authorize Borrow Material Permit No. 13-4 with Golden Alaska Excavating LLC for the Trident Basin Quarry.

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

h. Authorization of Bid Award for Aleutian Homes Water and Sewer, Phase V, Project No. 7026/10-03

Aleutian Homes Water and Sewer Replacement Phase V, Segment A is a continuation of the grade of utilities, pavement, and sidewalks in the Aleutian Home Area. The total Phase V project was reduced in size due to limited funding. The project includes a portion of Thorsheim Street north of the Oak Street intersection to just north of the Fir Avenue intersection. Bids for the project were received on February 14, and Brechan Enterprises Inc. was the low bidder.

Councilmember Haines MOVED to authorize the bid award for construction of the Aleutian Homes Water and Sewer Phase V Segment A to the lowest bidder, Brechan Enterprises Inc., in the amount of \$1,539,580, with funds coming from the Water Capital Improvement Fund, Aleutian Homes Water and Sewer Replacement Project, Project No. 7026/10-03.

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

i. Authorization of Amendment to Monashka Pumphouse Feasibility Study, Project No. 7029/11-05

Monashka Reservoir and Pumphouse are the primary sources of water for the City of Kodiak's public water system. The plans for the pumphouse indicate that construction began sometime in 1972. In October 2011 Council approved the Monashka Pump House Upgrade Feasibility Study. The purpose was to evaluate the building and its operational components and determine if the existing building could be upgraded to last another 40-plus years and what it would take to upgrade electrical and pumping systems. The initial work was completed in March 2011. This work recommended further investigation into the building structure itself before a final recommendation could be made. This work was completed in early December 2012. The final investigation found serious deficiencies within the building structure that make it highly unlikely to be refurbished.

Councilmember Whiddon MOVED to authorize an amendment to the Monashka Pumphouse Feasibility Study, Project No. 7029/11-05 to CH2MHill in a lump sum contract amount of \$140,000, with funds coming from Water Capital Improvement Fund, Project No. 7029/1105.

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

j. Authorization of a Professional Services Contract for Oil Spill Cleanup on City Property

On January 22, 2013, Kodiak Fire Department (KFD) was called about a fuel spill and fuel odor behind 1213 Selief Lane. KFD responded and found a source of fuel in a drainage area behind 1213 Selief Lane on City property. They placed oil absorbent pads and did some preliminary investigation into possible sources. KFD reported the spill to the Alaska Dept. of Environmental Conservation that same day. Since the fuel is on City property and the source has not been located, the City is required to respond to prevent further spreading of the oil into the drainage system. The City contacted NORTECH, a local environmental cleanup company, for support in handling the containment and cleanup.

Councilmember Haines MOVED to authorize the City Manager to execute a professional services agreement with NORTECH for oil spill cleanup on City property in an amount not to exceed \$25,000, with funds coming from the Public Works operational budget.

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

k. Appointment to the Salmon/Herring Vessels Seat on the Kodiak Fisheries Advisory Committee and Declaring the ADF&G Advisory Committee Seat Vacant

In 2007, the City and Borough formed a joint Kodiak Fisheries Advisory Committee (KFAC) to provide recommendations to both the City Council and Borough Assembly on fisheries issues and to provide a forum in which to discuss Kodiak's many fisheries and marine-related resource issues. In 2011, the committee was restructured to reduce the committee to eleven seats and allow for a meeting quorum of six members. Oliver Holm, who was previously appointed to the

ADF&G Committee seat, has requested appointment to the Salmon/Herring Vessels seat. At its February 7, 2013, meeting the Borough Assembly approved the vacation of the KFAC ADF&G seat and confirmed Mr. Holm's appointment to the Salmon/Herring Vessels seat. Since KFAC is a joint committee, the City Council needs take the same action if it desires to grant Mr. Holm's request.

Councilmember Davidson MOVED to declare the ADF&G Advisory Committee Seat vacant and appoint Oliver Holm to the Salmon/Herring Vessels Seat on the Kodiak Fisheries Advisory Committee.

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

1. Appointment to the Parks and Recreation Advisory Board

One alternate seat remains open on the Parks and Recreation Advisory Board. Amy Fogle has submitted an application for re-appointment to the board. Ms. Fogle previously held a position that expired in December 2012. Appointments to the board are made by the Mayor and confirmed by the Council.

Mayor Branson appointed Amy Fogle to an alternate seat on the Parks and Recreation Advisory Board for a term ending December 31, 2013.

Councilmember Davidson MOVED to confirm the Mayoral advisory board appointment to the Parks and Recreation Advisory Board as stated.

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

VI. STAFF REPORTS

a. City Manager

City Manager Kniazowski congratulated Finance Director Mary Munk and staff for once again receiving the Distinguished Budget Presentation Award from the Government Finance Officers Association (GFOA). She said there are positions open in the Parks and Recreation department and clarified for the public that any City director position is a professional, upper management position, and the Parks and Recreation Director position continues to be advertised. In response to rumors, she said she has no intention of cutting the Parks budget or reducing staff. She thanked the current Parks and Recreation staff for their hard work. She also spoke about snow removal on the new track, stating the City has adopted a policy of no snow removal on the track for the first year to figure out the best and safest way to remove the snow without damaging the track and voiding the warranty. She said the old method of snow removal cannot be used on the new surface, and City Engineer Glenn Melvin has been doing research to find the best way to remove snow. She reported on her recent trips to the Alaska Municipal League (AML) Winter Meeting and Southwest Alaska Municipal Conference (SWAMC). She also gave updates on the

Class B composting project, the recent swim meet, and the new library. She reminded the public that Saturday, March 2 was the tax-free day in the City.

b. City Clerk

City Clerk Marljar informed the public of the next scheduled Council work sessions and regular meeting. She expressed appreciation to the Mayor and Council for their continued support.

VII. MAYOR'S COMMENTS

Mayor Branson congratulated Finance Director Mary Munk and her staff for the GFOA award and the Kodiak Arts Council for celebrating 50 years in the community. She gave an update on her trip to AML and said the Council will be going to Juneau in March to lobby for City projects. She said she was excited to see the library project moving forward, as well as the Pier III project. She said the Council will work with staff on the budget and will seek public input as well. She encouraged the community to take advantage of tax-free day.

VIII. COUNCIL COMMENTS

Councilmember Walker gave an update on his trip to SWAMC. He said he enjoyed networking with other communities and spoke about some of the resolutions that were voted on while he was there. He encouraged local businesses and community members to attend SWAMC in the future.

Councilmember Haines congratulated Mary Munk for the budget award. He expressed appreciation to the Clerk and other staff. He praised the Port and Harbors Advisory Board for their work. He thanked Amy Fogle for her commitment to the Parks and Recreation Advisory Board. He noted Baranof Park will continue to be developed as a community park. He encouraged the community to participate in tax-free day.

Councilmember Davidson thanked Mary Munk and staff for their hard work. He thanked Mr. Arndt for his incineration idea, stating he wished Mr. Arndt had proposed this option earlier in the process. He thanked all the advisory board members for their work.

Councilmember Whiddon congratulated Mary Munk on receiving the budget award and thanked staff for making finances easier to understand. He said it was a privilege to not only serve on the Council and help lead the community, but also work with qualified and professional staff. He said the shipyard needs work and financial analysis to help it become an economic generator for our community.

Councilmember Saravia congratulated Mary Munk for receiving the Distinguished Budget Presentation Award for the eleventh year in a row, and he also thanked the City Clerk for her hard work. He commented on the fishing season and thanked the public for their comments and input. He thanked Mr. Arndt for coming forward with his incineration idea and stated he wished Mr. Arndt had come forward earlier in the process.

Councilmember Bishop congratulated Mary Munk and staff on receiving the budget award. He reported on his experience at SWAMC and encouraged the community to take part in tax-free Saturday.

IX. AUDIENCE COMMENTS

Sandra West thanked the City Council and Manager and noted Kodiak is a great town.

Judy Kidder made additional comments about composting and again spoke in favor of incineration.

X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 9:15 p.m.

CITY OF KODIAK

Pat Brown

MAYOR

ATTEST:

Delia Walker

CITY CLERK

Minutes Approved: March 28, 2013

