

**MINUTES OF THE REGULAR COUNCIL MEETING  
OF THE CITY OF KODIAK  
HELD THURSDAY, MARCH 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 Charles E. Davidson, Gabriel T. Saravia, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Councilmember Terry J. Haines arrived at 7:35 p.m. Councilmember Randall C. Bishop was 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 February 28, 2013, regular meeting as presented.

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

**III. PERSONS TO BE HEARD**

**a. Proclamation: Women's History Month**

Mayor Branson read the proclamation, which urges residents to increase their knowledge and appreciation of the valuable role women play in our lives. Mayor Branson presented the proclamation to Sandra Wilkins, Outreach Coordinator for the Kodiak Women's Resource and Crisis Center. Ms. Wilkins thanked the Mayor and Council for the proclamation and for their continued support.

**b. Proclamation: Declaring March 28 as Choose Respect Day**

Councilmember Whiddon read the proclamation, declaring March 28, 2013, as "Choose Respect" Day, which asks Kodiak residents to join in standing up against domestic violence, sexual assault, and child sexual abuse.

*Councilmember Haines arrived.*

Mayor Branson presented to proclamation to Sandra Wilkins who accepted it and thanked the Mayor for her participation and support of the "Choose Respect" walk.

**c. Public Hearing on Resolution No. 2013-05, Amending Sections 7, 12, and 13 of the Schedule of Fees and Charges**

Mayor Branson read Resolution No. 2013–05 by title. The City sets its fees and charges for various services by a resolution of the Council. It is important to review and adjust the fee schedule on a regular basis to ensure the City is receiving adequate revenues with which to provide services. The City Council identified the importance of an annual review and update of the schedule of fees and charges by including this as a budget goal since FY2011. Staff completed the review and submitted a list of proposed changes to fees pertaining to the Fire, Parks and Recreation, and Police departments.

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

**d. Public Hearing on Resolution No. 2013–06, Rescinding Resolution No. 08–16 and Amending the Tariff of Rates and Charges for Taxicab Services**

Mayor Branson read Resolution No. 2013–06 by title. Last year, the City sales tax was increased from 6% to 7%. Kodiak City Code (KCC) 3.08.090(e) states a business providing for-hire passenger vehicle transportation services may, in lieu of adding the tax as a separate item, include the tax in the charge for the transportation. The current taxicab tariff states that fares include 6% City sales tax.

Mayor Branson closed the regular meeting and opened the public hearing.

**Bonnie McDonald** spoke against amending the taxicab tariff and asked the Council to consider a 7% flat tax for all permit holders. She expressed concern regarding the increasing number of gypsy cabs and illegal fares many of the taxicabs are charging. She said the illegal fares are contributing to the loss in taxicab sales tax revenue for the City and stated that the loss in revenue supports a flat tax for all taxicabs.

**Anthony Jackson** spoke in favor of a flat tax rate for all permit holders. He also testified to the increasing number of illegal and gypsy taxicabs and urged the Council to regulate taxicabs under dispatch again.

**Chartio Boatwright** spoke regarding illegal and gypsy taxicabs and said she was against amending the taxicab tariff.

There being no further public testimony, the Mayor closed the public hearing and reopened the regular meeting.

**e. Public Comments**

**Anthony Jackson** spoke about illegal and gypsy taxicabs and expressed interest in working with the City and the police department to address the issue.

**IV. UNFINISHED BUSINESS**

- a. Second Reading and Public Hearing, 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. 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 the requirements and enable the Police Department to implement a cost effective and operationally efficient strategy to address junk and abandoned motor vehicles.

Councilmember Davidson MOVED to adopt Ordinance No. 1306.

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 Davidson, Haines, Saravia, Walker, and Whiddon in favor. Councilmember Bishop was absent. The motion passed.

**V. NEW BUSINESS**

**a. Resolution No. 2013-05, Amending Sections 7, 12, and 13 of the Schedule of Fees and Charges**

Mayor Branson read Resolution No. 2013-05 by title. The City sets its fees and charges for various services by a resolution of the Council. The City Council identified the importance of an annual review and update of the schedule of fees and charges by including this as a budget goal since FY2011. Staff completed the review and submitted a list of proposed changes to fees pertaining to the Fire, Parks and Recreation, and Police departments.

Councilmember Haines MOVED to adopt Resolution No. 2013-05.

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

**b. Resolution No. 2013-07, Authorizing the Issuance of a Permit to the Kodiak College Sociology Class for the Use of the Teen Center for a Dance to Raise Awareness of Food Insecurity and Hunger in Kodiak**

Mayor Branson read Resolution 2013-07 by title. The students of the Sociology class at Kodiak College are requesting permission to host a dance at the Teen Center on April 6, 2013, to promote awareness of hunger and food insecurity in Kodiak.

Councilmember Walker MOVED to adopt Resolution No. 2013-07.

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

**c. Resolution No. 2013-08, Expressing Support for Renaming the State Airport in Kodiak After Benny Benson in Observance of His Centenary**

Mayor Branson read Resolution 2013-08 by title. Kodiak's state legislative delegation has requested both local governments to weigh in on local resident Jay Barrett's request to rename the Kodiak state airport in honor of John Ben "Benny" Benson, Jr., the designer of the Alaska state flag. The Kodiak Island Borough reviewed the request at their March 7 meeting and adopted a resolution in support of the renaming effort.

Councilmember Whiddon MOVED to adopt Resolution 2013-08.

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

**d. Confirmation of Deputy Clerk Appointment**

The Deputy Clerk position has been vacant since the end of November. After advertising the position, both locally and statewide, the Clerk made a conditional offer of employment to Michelle Shuravloff-Nelson. Kodiak City Code 2.08.080 stipulates the City Clerk appoints the Deputy Clerk subject to confirmation by the City Council.

Councilmember Haines MOVED to confirm the Clerk's appointment of Michelle Shuravloff-Nelson as Deputy Clerk.

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

**e. Authorization of a Professional Services Contract for Audit Services**

Each year the City Council retains a qualified professional audit 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 City's contract for these services expired when the FY2012 audit was completed. Staff issued a request for proposals for professional audit services on January 7, 2013. Two proposals were received and rated.

Councilmember Davidson MOVED to authorize a professional services contract with Mikunda Cottrell & Co. at a fee of \$46,120 for fiscal year 2013, \$48,426 for fiscal year 2014, and \$50,363 for fiscal year 2015, plus out of pocket expenses, with funds coming from the Finance Department's operating budget, professional services line item and authorize the City Manager to execute the agreement on behalf of the City.

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

**f. Authorization of Professional Services Contract for Ambulance Billing Services**

Currently, the Finance Department is responsible for billing ambulance transports provided by the City's Fire Department. Due to the complexity and specificity of ambulance billing, the Finance Department desires to contract this service out to a professional company. Staff researched options for this and has identified Systems Design West LLC as the recommended

provider of ambulance billing and payment processing for a fee of \$22 per transport. The Fire Department provides approximately 800 ambulance transports per year, with current projected revenues of \$40,000. Staff believes the increased efficiency in billing through this professional services agreement will yield a higher return.

Councilmember Walker MOVED to approve a professional services agreement with Systems Design West LLC to provide ambulance billing and payment processing at a fee of \$22.00 per transport, with funds coming from the Finance Department's operating budget, professional services line item and authorize the City Manager to execute the agreement on behalf of the City.

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

**g. Appointment to Prince William Sound Regional Citizens Advisory Council**

The City of Kodiak has a dedicated seat for a representative on the Prince William Sound Regional Citizens' Advisory Council. Jane Eisemann, who has served as the City's representative since 2001, has requested re-appointment. Ads were placed in the newspaper notifying the community of the position and inviting interested applicants to apply. Jane Eisemann was the sole applicant.

Councilmember Davidson MOVED to re-appoint Jane Eisemann to a two-year term as the City of Kodiak representative on the Prince William Sound Regional Citizens' Advisory Council.

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

**h. Recommendation of Appointment to the Vacant City Seat on the Planning and Zoning Commission**

A City-designated seat on the Planning and Zoning (P&Z) Commission became vacant upon the resignation of Brent Watkins, whose seat expires at the end of December 2013. City-designated seats on the P&Z Commission are appointed by the Borough Mayor from a list of recommendations from the City Council. In the past, the Council has recommended one or more applicants for appointment. The Council reviewed P&Z applications at the March 26 work session and needs to submit its list to the Borough for appointment by the Borough Mayor.

Councilmember Whiddon MOVED to recommend William Kersh for appointment to the vacant City-designated seat on the Planning and Zoning Commission.

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

**VI. STAFF REPORTS**

**a. City Manager**

City Manager Kniazowski commented on Parks and Recreation issues. She stated the winter ice rink/hockey season is quickly coming to a close after a late start due to arson and the subsequent repairs. She said the ice compressor is deteriorating and is not holding pressure, causing standing water, which combined with warmer temperatures, has caused the ice to start melting. She said because this, the ice rink was shut down for public use a few days earlier than scheduled, and users are being notified of the early closure. She reported on her trips to the Juneau legislative reception and the managers' conference in Fairbanks and said both trips were very successful. She noted the City has set a record for having 26 inmates in the City jail and that Chief of Police Kamai is working to get some of the inmates transferred back to the mainland. She gave an update on the library said she would arrange for the Council to tour the facility. She said there have been no further issues regarding snow removal on the track, and she thanked the Kodiak Island Borough School District for their help in finding a solution to the problem. She urged the public to not allow dogs to walk on the new track and said it is very damaging to the new facility. She gave an update on the Pier III project. She said the Council audit presentation has been rescheduled for the April 23 work session. She commented that the vessel Pacific Producer ran aground near Ouzinkie and is currently undergoing inspections. She added that the boat owes money to the City of Kodiak and it is not welcome at city facilities. She offered condolences to the family and co-workers of Kodiak Police Department employee David Allen who passed away unexpectedly.

**b. City Clerk**

City Clerk Marljar informed the public of the next scheduled Council work sessions and regular meetings.

**VII. MAYOR'S COMMENTS**

Mayor Branson thanked Jane Eisemann for her years of service on the Prince William Sound Regional Citizens' Advisory Council, and she welcomed Michelle Shuravloff-Nelson to the Clerk's office. She commented on her trip to Juneau and said both the Monashka Pumphouse project and the E911 system project were very well received. She thanked Commissioner Cora Campbell for attending the "Choose Respect" walk and said it was a well attended and meaningful event. She wished Councilmember Haines happy birthday.

**VIII. COUNCIL COMMENTS**

Councilmember Walker commented on his trip to the Juneau legislative reception. He said he was glad to attend the joint meeting with the Borough Assembly and the Department of Transportation and said there might be designs for a new ferry to replace the Tustumena in the near future. He congratulated the Kodiak girl's high school basketball team on a great season and congratulated Coach Smiley on being named coach of the year.

Councilmember Haines commented on illegal taxicabs and recognized there is problem with illegal fares, which needs to be addressed. He thanked Chief of Police Kamai for his work on establishing a procedure for disposal of abandoned vehicles. He commented about the fee increase for ambulance billings and boatyard fees and said they are necessary to make the City run more efficiently. He thanked the sponsors of the Juneau legislative reception and expressed condolences to the family David Allen.

Councilmember Davidson agreed with the comments made about the Juneau legislative reception. He asked the City Clerk if a taxicab could self-dispatch if they have a permit, and City Clerk Marlar confirmed that anyone who holds a taxi permit can dispatch their own cab. He also stated all businesses need to have the same sales tax rate, and it is necessary to increase the taxicab tariff. He thanked the community and staff for keeping the City running.

Councilmember Whiddon wished Councilmember Haines happy birthday. He commented on the taxicab issue and said it is only fair that all businesses pay the same sales tax rate. He expressed interest in discussing taxi regulations at a future Council meeting. He noted that the House of Representatives passed a resolution to go to the North Pacific Fisheries Management Council recommending a 50% reduction on Chinook salmon bycatch, noting it could potentially have a large impact to Kodiak. He also said the Pollock season just ended and there was some economic impact due to activity by other communities outside of Kodiak and said those issues will be addressed.

Councilmember Saravia welcomed the new Deputy Clerk and expressed condolences to the family of David Allen. He acknowledged the problem of gypsy and illegal taxicabs and stated the issue needs further discussion. He also commented on fishing issues and the loss of Pollock delivered to Kodiak and lack of revenue because of it.

**IX. AUDIENCE COMMENTS**

None

**X. ADJOURNMENT**

Councilmember Whiddon MOVED to adjourn the meeting.

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

The meeting adjourned at 8:51 p.m.



CITY OF KODIAK

*Pat Brown*  
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MAYOR

ATTEST:

*Debra Marlar*  
\_\_\_\_\_  
CITY CLERK

Minutes Approved: April 11, 2013