

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, JANUARY 8, 2015
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, Terry J. Haines, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Councilmembers Charles E. Davidson and Gabriel T. Saravia were absent. City Manager Aimée Kniaziowski, City Clerk Debra L. Marlara, and Deputy Clerk Michelle Shuravloff-Nelson 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 11, 2014, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Proclamation: Stalking Awareness Month

Councilmember Bishop read the proclamation, which acknowledges stalking as a serious crime and supports 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. Isabel Sorto accepted the proclamation for the Kodiak Women's Resource and Crisis Center.

b. Public Comments

None

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, Ordinance No. 1328, Authorizing a Contract With the Kodiak Historical Society to Operate the Baranov Museum

Mayor Branson read Ordinance No. 1328 by title. The City of Kodiak has partially funded the Kodiak Historical Society (KHS) to operate the Baranov Museum for many years. The KHS requested that the City enter into an operating agreement or contract with them for the services. The City Manager worked with the KHS Executive Director over several months to develop a two-year agreement. Based on City Charter requirements and legal advice, the approval for a two-year operating agreement is made by Council through the ordinance process.

Councilmember Haines MOVED to adopt Ordinance No. 1328.

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

b. Appointment to the City Position on the 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 (PWSRCAC). Jane Eisemann, who had served as the City's representative since 2001 resigned her position, and another individual needs to be appointed to the City-designated seat. Ms. Eisemann's vacant seat expires in May 2015. PWSRCAC staff informed the City that the Council may recommend appointment through May 2015 or may recommend appointment through May 2017. At the December 11, 2014, regular meeting the Council moved to approve the seat through May 2017. At that same meeting, the Council's motion to elect the position via secret ballot resulted in a tie vote; thereby, moving the issue to this meeting for the Mayor to break the tie.

Mayor Branson appointed Wayne Donaldson as the City of Kodiak representative on the Prince William Sound Regional Citizen' Advisory Council. Mr. Donaldson will serve through May 2017.

V. NEW BUSINESS

a. First Reading, Ordinance No. 1329, Authorizing the City to Enter Into an Amendment to the Preferential Use Agreement With Horizon Lines of Alaska, LLC

Mayor Branson read Ordinance No. 1329 by title. Ordinance No. 1329 authorizes amendment of the Preferential Use Agreement between the City of Kodiak and Horizon Lines of Alaska, LLC, previously approved by Council on October 23, 2014. Section VIII-A of the agreement is amended to allow for Horizon Lines to have a lien on the New Crane securing general corporate financing obligations of the company. The change does not affect the financial terms of the agreement.

Councilmember Walker MOVED to pass Ordinance No. 1329 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, Haines, Walker, and Whiddon in favor. Councilmembers Davidson and Saravia were absent. The motion passed.

b. First Reading, Ordinance No. 1330, Amending Ordinance No. 1323, Authorizing a Lease of a Communication Site in U.S. Survey 3945 on Pillar Mountain To NCWPCS MPL 31 – Year Sites Tower Holdings, LLC

Mayor Branson read Ordinance No. 1330 by title. The City has issued a lease for the Pillar Mountain Communication Site No. 11 with AT&T and affiliates since 2010. The current lease for Site No. 11 with CCATT, LLC, expired in December. Its successor, NCWPCS MPL 31-Year Sites Tower Holdings, LLC, through Crown Castle, requested the lease be renewed. The Council renewed the lease via Ordinance No. 1323 at the September 11, 2014, regular meeting. The company requested additional changes to the lease after the ordinance was approved by Council, so staff worked with them and the City Attorney to review and incorporate changes acceptable to both parties. This action requires Council to amend the original ordinance and lease to reflect the changes by approving the revisions through Ordinance No. 1330.

Councilmember Bishop MOVED to pass Ordinance No. 1330 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, Haines, Walker, and Whiddon in favor. Councilmembers Davidson and Saravia were absent. The motion passed.

c. Resolution No. 2015-01, Accepting a State of Alaska Legislative Grant for E911 Updates

Mayor Branson read Resolution No. 2015-01 by title. The State of Alaska approved re-appropriation of funds in the amount of \$381,472 from the Department of Transportation and Public Facilities to Department of Commerce, Community, and Economic Development for a new FY2015 Designated Legislative Grant per AS 37.05.315 (Grants to Municipalities) for the purpose of E911 equipment replacement. Staff recommends Council formally accept the grant funds by adopting Resolution No. 2015-01.

Councilmember Whiddon MOVED to adopt Resolution No. 2015-01.

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

d. Authorization of Change Order No. 1 (Second Amendment) to the Composting Contract With Quayanna Development Corporation

Council approved the original contract agreement with Quayanna Development Corporation (QDC) for composting of biosolids at Middle Bay on October 25, 2012, for a period of five years. Amendment No.1 was signed on December 14, 2012, which addressed delays in permitting of the Middle Bay site and allowed a Class B composting process be moved to a small piece of land on top of the current Kodiak Island Borough Landfill site. Amendment No. 2, executed by Change Order No. 1, is being presented to Council. This change order provides for a one-time lump sum payment of \$87,370 to compensate QDC for increased cost going back to October 2013 and also provides for an additional monthly amount of \$8,275.33 due to changed conditions. The increases approved by this change order will be effective January 1, 2015, and continue until the new permitted Class A compost facility is operational.

Councilmember Haines MOVED to authorize Change Order No. 1 (Second Amendment) to the composting contract with Quayanna Development Corporation with required funding to be trans-

ferred from the Sewer Utility fund balance to the WWTP biosolid disposal line item with FY2015 Supplemental Budget Amendment No. 1.

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

e. Acceptance of the FY2014 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. Council typically accepts the report and results of the audit by motion. Staff recommends Council approve the results of the financial statement audit for Fiscal Year 2014 in accordance with KCC 3.24.020 and accept the Fiscal Year 2014 Comprehensive Annual Financial Report.

Councilmember Walker MOVED to accept the City's Fiscal Year 2014 audited Comprehensive Annual Financial Report.

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

f. Advisory and Personnel Board Appointments and Planning and Zoning Commission Recommendation

Several seats expired on various City advisory boards at the end of December. 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. Additionally, the Council makes a recommendation to the Borough Mayor for appointment to City designated seats on the Planning and Zoning Commission.

Mayor Branson appointed Nick Szabo, Marty Owen, and Paddy O'Donnell to regular seats on the Port and Harbors Advisory Board, with terms ending December 31, 2017; and Stormy Stutes as Alternate No. 1 and Raymond May as Alternate No. 2 on the Port and Harbors Advisory Board, with terms ending December 31, 2016.

Councilmember Whiddon MOVED to appoint Pat Szabo to the Personnel Board for a term ending December 31, 2016, recommend Alan Schmitt for appointment to the three-year City seat on the Planning and Zoning Commission; and confirm the Mayoral advisory board appointments to the Port and Harbors Advisory Board as stated.

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

VI. STAFF REPORTS

a. City Manager

Manager Kniazowski said the water levels were an all time high at the WWTP last month. She indicated a small emergency team was stood up to monitor the flooding last month. She mentioned the rain impacted the roof at the Fire station and some repairs were done. She indicated that DEC opened public notice and comments for the composting permit through January 20. She said the Downtown Water, Sewer, and Storm Drain Draft Master Plan will be finalized and brought back to the Council for approval in February. She indicated that the Monashka project is going well and Pier III is moving forward with some challenges with pilings. She stated the Parks and Recreation Advisory Board met with the new Director and the meeting went well. She indicated some repairs are being made at the skate park and parts of the park will be closed for repairs. She shared the Christmas lights will be taken down at the end of January. She stated she was excited the Kodiak Public Library was chosen as a location for Poems in Place. She said the Council planning session will be held on January 31 and as a follow up to a recent inquiry, the general fund balance dipped due to capital projects in previous years.

b. City Clerk

City Clerk Marlar informed the public of the next scheduled Council work session, regular meeting, and planning session. She said the annual records management report has been submitted to Council as required by Kodiak City Code. She said the records management program hired a consultant in 2004 to help create the current policies and records infrastructure. She gave an overview of the report, which included recommendations, departmental compliance, and a summary of the disposition process. She gave an overview of annual production statistics and public records requests. She thanked the records manager, records coordinators, department heads, and City Manager for their work and adherence to applicable laws. Clerk Marlar stated Pier II vans are used for records storage, which is in a tsunami zone, and she suggested to the Council a records storage center would be optimal in future planning of a new City building.

VII. MAYOR'S COMMENTS

Mayor Branson complimented the City-wide records management program and indicated a better storage facility will be looked at in the future. Mayor Branson congratulated the City Manager for a clean audit and said she was proud of staff. She indicated she was pleased with the contract with the Kodiak Historical Society to operate the Baranov Museum. She thanked all the volunteers for the advisory boards. She stated she was excited to see the plan for the infrastructure downtown and stated the sub-committee chairs will be meeting on January 29. She said the planning meeting is on January 31. Mayor Branson thanked Senator Gary Stevens, Representative Austerman, and Representative elect-Stutes for support of Kodiak capital funding, and she looks forward to the continuing partnerships.

VIII. COUNCIL COMMENTS

Councilmember Walker said he was impressed with the annual audit presentation, and he thanked the City Manager, department heads and staff for their work on all the City-wide projects. He said the town of Kodiak is in good hands. He wished everyone a happy new year.

Councilmember Haines said records management has evolved over the years, and it is a very important part of the City efficiency. He reminded the public to make sure pedestrians, bicyclists,

and children wear reflective gear and use the crosswalks for their safety. He shared he is very excited for the Downtown, Water, Sewer, and Storm Drain Master plan to get formalized.

Councilmember Whiddon said the records management report and the audit presentation were both done well. He said the Fisheries Work Group (FWG) had a lively meeting. He said the group has progressed, and he feels the work is going well and indicated it helps NPFMC. He said the State Acting Interim Director for Fish and Game, Sam Cotton, has put a hold trawl by-catch management plans. He said in the upcoming FWG meeting, they will continue with the economic analysis study; invite stakeholders to participate; and try and have a community forum during Com-fish. He reminded everyone the FWG is open to the public, and the administrative notes are online. He highlighted the Fisheries Analyst will publish a report online after every meeting.

Councilmember Bishop thanked Senator Gary Stevens and Representative Alan Austerman for securing funds for all the capital projects, and he welcomed Representative-elect Louise Stutes. He thanked the department directors for holding the budget and maintaining operations. He thanked the advisory board applicants. He reminded the public that the annual Joe Floyd tournaments will be occurring during the weekend. He wished everyone a happy new year.

IX. AUDIENCE COMMENTS

Alan Schmitt, Interim Chair of the Planning and Zoning Commission, thanked the Council for his appointment recommendation. He said the position is enjoyable, and he said the public hearings for the code rewrite are ongoing. He stated the next public hearing is Monday, January 12 at 6:30 p.m. in the Assembly Chambers. He encouraged the villages to participate during the public hearing. He said Titles 16, 17, and 18 are being reviewed. He commented that he is pleased to participate in the commission and looks forward to community feedback. He complimented the City Council and staff and KIB Assembly and staff for their service.

X. ADJOURNMENT

Councilmember Whiddon MOVED to adjourn the meeting.

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

The meeting adjourned at 8:35 p.m.

CITY OF KODIAK

Pat Mac
MAYOR

ATTEST:

Mishelle Ahrens
DEPUTY CITY CLERK

Minutes Approved: January 22, 2015

