

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, APRIL 14, 2016
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Mayor Pat Branson called the meeting to order at 7:30 p.m. Councilmembers Laura B. Arboleda, Randall C. Bishop, Charles E. Davidson, Gabriel T. Saravia, and Richard H. Walker were present and constituted a quorum. Councilmember John B. Whiddon was absent. City Manager Aimée Kniazowski, Deputy City Manager Mike Tvenge, City Clerk Debra L. Marlar, and Deputy Clerk Michelle Shuravloff-Nelson were also present.

Salvation Army Sergeant Major Dave Blacketer gave the invocation and the Pledge of Allegiance was recited.

II. PREVIOUS MINUTES

Councilmember Bishop MOVED to approve the minutes of the March 17, 2016, special meeting as presented.

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

III. PERSONS TO BE HEARD

a. Proclamation: Declaring Month of the Military Child

Councilmember Bishop read the proclamation, which encourages all citizens to show appreciation and understanding to the military children in our communities and recognize their commitment, courage, sacrifice, and continued resilience.

Josh Vogan, Aviation Maintenance Technician Chief, Tabitha Vogan, and their sons Hunter and Parker came forward to accept the proclamation. Velma Vining, USCG Kodiak Child Development Services Specialist and Ombudsman Coordinator shared that Tabitha is Ombudsman for the Air Station at Kodiak and stated she appreciates the services they both provide. She said the National Guard is also in Kodiak and stated there are many military children in Kodiak to be celebrated this month.

b. Proclamation: Declaring Week of the Young Child

Councilmember Arboleda read the proclamation, which encourages all citizens to work to make a good investment in early childhood education.

Amanda Sandford, from the KANA Infant Learning Program, and on behalf of the Kodiak Early Childhood Coalition, accepted the proclamation. She expressed her appreciation for supporting the youngest learners. Velma Vining thanked the Mayor and Council and provided information on the Annual Kodiak Children's Fair on April 16 and a free dinner and train-

ing at St. Paul Lutheran's Hall. Velma stated the week of the young child focuses on early literacy programs, thanking teachers, and ensuring there are policies that support children's early learning.

c. Public Comments

Lt. Genevieve Rich, a reservist, said she was representing the USCG at the Kodiak Subarea Committee Meeting to be held May 24, 2016. The agenda topics for the meeting include: Unified Oil Spill Contingency Planning; Upcoming Kodiak Subarea Committee Activities; Alaska Regional Response Team priorities and Dispersant Pre-Authorization zones; Introduction to local spill response representatives; oil spill drills and exercises and briefs on Coast Guard, EPA, and ADEC incident response processes and policies.

IV. UNFINISHED BUSINESS

a. Second Reading and Public Hearing, Ordinance No. 1344, Repealing Kodiak City Code 12.08.030, Obstructions; Amending Kodiak City Code 12.12.030, Outdoor Dining Permit/Encroachment Permit Required; and Enacting Kodiak City Code Chapter 12.18, Encroachment Permits, Regarding the Permission of Encroachments on City Sidewalks and Other City Property

Mayor Branson read Ordinance No. 1344 by title. The Kodiak City Code has a brief reference to encroachment permits; however, there is no mention of a means to issue them. The City has issued encroachment permits for many years, and the City's Schedule of Fees, Charges, and Tariffs includes an encroachment permit fee. There has been an increase in public requests for such permits, and the City Attorney recommended that Title 12 be amended to better provide for issuance.

Councilmember Arboleda MOVED to adopt Ordinance No. 1344.

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

b. Second Reading and Public Hearing, Ordinance No. 1345, Enacting Kodiak City Code 3.16.015, Definitions, Kodiak City Code 3.16.025, Investment Committee, and Kodiak City Code 3.16.027, Investment Manager; And Amending Kodiak City Code 3.16.020, Treasury Management, and Kodiak City Code 3.16.030, Permissible Investments; to Provide for an Investment Committee to Oversee Investments of City Funds, Professional Management of the Investments and Related Matters

Mayor Branson read Ordinance No. 1345 by title. The City recently adopted Resolution No. 2016-09 to form an investment committee to enhance and improve the management of City financial assets. Ordinance No. 1345 will amend Kodiak City Code Chapter 3.16 Investment and Collateralization of Public Funds and change the authority of investing City funds from the Finance Director to the Investment Committee.

Councilmember Davidson MOVED to adopt Ordinance No. 1345

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

c. Second Reading and Public Hearing, Ordinance No. 1346, Authorizing a Lease Between the City of Kodiak and United States Department of Transportation, Federal Aviation Administration Alaska Region for Pillar Mountain Communication Lease Site No. 12, Described as a Parcel of Land Within U.S. Survey 3945

Mayor Branson read Ordinance No. 1346 by title. The City of Kodiak has leased Communication Site No. 12 on Pillar Mountain to the Federal Aviation Administration (FAA) since 2004. The most recent lease will expire in June, and the FAA wishes to continue to lease the site. Due to the terms, the lease must be approved by ordinance.

Councilmember Bishop MOVED to adopt Ordinance No. 1346.

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

V. NEW BUSINESS

a. First Reading, Ordinance No. 1347, Rescinding Ordinance No. 1314 and Authorizing Amendment of Lease No. 211696 Between the City of Kodiak and ACS of the Northland, LLC, for Pillar Mountain Communications Site No. 10

Mayor Branson read Ordinance No. 1347 by title. Council adopted Ordinance No. 1314 on January 23, 2014, which authorized Lease Agreement No. 211696, a five-year communication site lease with ACS of the Northland LLC. The lease was not signed by ACS as they requested changes to Section 8, the insurance requirement, which amends the Lease Agreement to reflect ACS has the option to self insure.

Councilmember Walker MOVED to pass Ordinance No. 1347 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 Arboleda, Bishop, Davidson, Saravia, and Walker in favor. Councilmember Whiddon was absent. The motion passed.

b. Authorization of Emergency Repairs to Pier II Cleats

The City Manager used emergency authority KCC 2.08.060(f) to authorize repairs to Pier II on March 18, 2016. Two cleats at Pier II were damaged by the State Ferry TUSTUMENA. Requests for quotes to perform the repairs were solicited to qualified local vendors. Brechan Construction LLC was the low bidder at \$17,500.

Councilmember Walker MOVED to authorize emergency repairs to Pier II cleats from Brechan Construction LLC in the amount of \$17,500 with funds from the Harbor Enterprise Fund and authorize the City Manager to execute the documents on behalf of the City.

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

c. Recommendation of Appointment of City Applicant to the Planning and Zoning Commission

Three of the seven seats on the Planning and Zoning Commission are designated as City seats. Kyle Crow was recommended for appointment to a City seat for a term ending December 2016, by the City Council at their regular meeting on June 11, 2015. The Kodiak Borough Mayor made the appointment on July 2, 2015. Mr. Crow resigned from the Planning and Zoning Commission, and the Council needs to recommend an applicant for appointment. At Tuesday's work session, Deputy Mayor Walker and Councilmembers interviewed an applicant for the vacant City seat on the Planning and Zoning Commission.

Councilmember Davidson MOVED to recommend Don Gates for appointment to the vacant City seat on the Planning and Zoning Commission for a term ending December 2016.

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

{Clerk's Note: Mr. Gates subsequently withdrew his application.}

d. Appointment of City Councilmembers to the Kodiak Island Borough Marijuana Task Force

The Assembly of the Kodiak Island Borough passed Resolution FY2016-31 establishing a Marijuana Task Force to consider the issues surrounding the legalization of marijuana and advise the Assembly and administration of their findings. The eleven-member Task Force includes two members of the Kodiak City Council, which shall be appointed by the Council.

Councilmember Walker MOVED to appoint Councilmembers Randy Bishop and Laura Arboleda to the vacant City seats on the Kodiak Island Borough Marijuana Task Force.

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

VI. STAFF REPORTS

a. City Manager

Deputy City Manager Mike Tvenge stated there was no City Manager staff report.

b. City Clerk

City Clerk Marlar shared that she and Manager Kniaziowski attended a government social media training, and a social media policy that establishes best practices will be created and Facebook and Twitter accounts for the City will be created, which will include one for Emergency Management. She informed the public of the next scheduled Council work session and regular meeting.

VII. MAYOR'S COMMENTS

Mayor Branson thanked Deputy Manager Tvenge for filling in for Manager Kniaziowski during the meeting and thanked Deputy Mayor Walker for presiding over the work session in her absence. She thanked Councilmembers Arboleda and Bishop for volunteering for the Marijuana Task Force. She said she briefly spoke with Senator Murkowski while she was in town for Comfish, and she met with Senator Dan Sullivan on various funding issues. She said she became aware of STIP applications for roads and pedestrian pathways and has forwarded this information to Manager Kniaziowski. Mayor Branson met with Governor Walker and the First Lady in Juneau. She said the Senate Finance Committee had provided updates and the increase to PERS for this year had been eliminated, and the discussion on revenue sharing is still occurring. She said she anticipates a special session. She said there will be space in the Harbor where the United Fisherman Marketing Association previously leased space. She asked that a presentation be given to Council on plans for this available space. She said she hopes the plan will include new bathrooms in the Harbor offices and involve the removal of the problematic bathrooms downtown.

VIII. COUNCIL COMMENTS

Councilmember Walker said he enjoyed the visits with Senator Dan Sullivan and shared Senator Sullivan was involved in good committees in Washington DC. He said the Armed Service Committee is one that is working to support Alaskans, and there was also discussion on growing the USCG as a support unit for the Arctic mission and focusing on the priorities of global warming. He said he was pleased to hear the support from Senator Sullivan for village Mayors on development and EPA issues.

Councilmember Davidson said the Juneau trip went well and he met with the Governor and delegation. He said that City attorney Holly Wells gave a good overview of the Marijuana Legislation, and he was pleased with Councilmembers Arboleda and Bishop for volunteering to represent the City Council on the Marijuana Task Force. He said he is anxious to receive an update on revenue sharing and he expects some deductions in local funding.

Councilmember Arboleda said she appreciated Bruce Schactler's work on the beautiful garbage cans and his presentation at the work session. She said she appreciates being appointed to the Marijuana Task Force.

Councilmember Saravia said he missed Mayor Branson in her absence. He thanked Councilmembers Arboleda and Bishop for serving on the Marijuana Task Force and said he appreciates the citizens that volunteer for committees.

Councilmember Bishop thanked Artic Care and the organizations that helped facilitate the free medical services for citizens in Kodiak.

IX. AUDIENCE COMMENTS

None

X. EXECUTIVE SESSION

a. Discussion of City Manager's Employment Agreement

Councilmember Davidson MOVED to enter into executive session as authorized by Kodiak City Code Section 2.04.100(b)(2) to discuss the City Manager's employment agreement.

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

Council entered into executive session at 8:07 p.m.

Mayor Branson reconvened the regular meeting at 8:52 p.m.

XI. POTENTIAL ACTION FOLLOWING EXECUTIVE SESSION

a. Authorization of City Manager's Employment Agreement

This action will authorize the City Manager's employment agreement by extending it for one year, from May 1, 2016, through April 30, 2017.

Councilmember Walker MOVED to authorize the City Manager's employment agreement, Record No. 222297, through April 2017 and include a 2.38% increase to her existing salary.

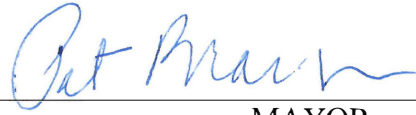
XII. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 8:53 p.m.

CITY OF KODIAK



MAYOR

ATTEST:


CITY CLERK

Minutes Approved: April 28, 2016

