

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, SEPTEMBER 14, 2017
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 Randall C. Bishop, Charles E. Davidson, Gabriel T. Saravia, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Councilmember Laura B. Arboleda was absent. City Manager Mike Tvenge, Deputy Clerk Michelle Shuravloff-Nelson, and Assistant Clerk Shannon Hamer were also present.

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

II. PREVIOUS MINUTES

Councilmember Whiddon MOVED to approve the minutes of the August 10, 2017, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Proclamation: Declaring Senior Center Month

Councilmember Davidson read the proclamation, which urges all citizens to recognize the special contributions of senior center participants and the special efforts of the staff and volunteers who work every day to enhance and enrich the lives of the elder citizens in our community.

David Blacketer thanked Mayor Branson for proclaiming Senior Center Month. He thanked the Council for their support and stated the Center has continued to build over the last 20 years. He said seniors strive to better the community by volunteering and being active citizens. He shared some of the programs at the senior center, and he indicated there are many resources available for the membership.

b. Public Comments

Major Dave Davis thanked the Mayor and Council for the nonprofit grant to the Salvation Army.

Marion Owen spoke to the Council about the sales tax history and referred to Ordinance No. 1171. She spoke about her experience when she applied for a business license in Kodiak in comparison to her experience in Seattle. She said in Kodiak she received a letter about the parameters of paying her taxes, and when she lived in Seattle, she received a "welcome to the business community" letter. She said the system is not fair to those trying to make ends meet. She men-

tioned having a sales tax of three or four percent instead of a sales tax cap, and suggested an alcohol tax and removing the tax on groceries.

Paddy O'Donnell handed out a copy of Ordinance No. 1171. He said he does not support raising the tax cap from \$750 to \$3000, and he suggested raising the tax cap in smaller increments. He talked about the huge impact it would have on his business. He said he understands the need for revenue but has concern for the harm it could do to local businesses.

IV. UNFINISHED BUSINESS

None

V. NEW BUSINESS

a. First Reading, Ordinance No. 1365, Amending Kodiak Municipal Code Title 7 Entitled "Health and Sanitation" to Adopt Chapter 7.40 Entitled "Marijuana Regulation," and Designating the Kodiak City Council as the City's Local Regulatory Authority on Marijuana

Mayor Branson read Ordinance No. 1365 by title. Alaska voters approved Ballot Measure 2 on November 4, 2014, which provided for general legalization of marijuana. Ordinance No. 1365 will designate the Kodiak City Council as the City's local regulatory authority on marijuana. Alaska Statute provides for the transfer of a portion of license application fees to the "local regulatory authority," and this ordinance will ensure collection of any available fees.

Councilmember Davidson MOVED to pass Ordinance No. 1365 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, Saravia, Walker, and Whiddon in favor. Councilmember Arboleda was absent. The motion passed.

b. First Reading, Ordinance No. 1366, Amending Kodiak Municipal Code Title 8 Entitled "Public Peace, Safety, And Morals" to Adopt Kodiak City Code 8.40, "Prohibited Acts Regarding Marijuana," to Prohibit the Extraction of Tetrahydrocannabinol ("Thc") or any Cannabinoid by Use of Materials or Methods Deemed Dangerous to Public Health and Safety, Unless Otherwise Permitted By Law

Mayor Branson read Ordinance No. 1366 by title. Alaska voters approved Ballot Measure 2 on November 4, 2014, which provided for general legalization of marijuana. Ordinance No. 1366 will prohibit the manufacture of marijuana products by use of solvents containing compressed flammable gases or solvent-based extraction methods. This will help protect the public health and safety against known and unreasonable risks of certain manufacturing processes of a legalized marijuana industry.

Councilmember Bishop MOVED to pass Ordinance No. 1366 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, Saravia, Walker, and Whiddon in favor. Councilmember Arboleda was absent. The motion passed.

c. Resolution No. 2017–23, Naming Election Workers for the October 3, 2017, Regular Municipal Election

Mayor Branson read Resolution No. 2017–23 by title, which names election workers and canvass board members for the October 3, 2017, regular municipal election.

Councilmember Walker MOVED to adopt Resolution No. 2017–23.

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

d. Resolution No. 2017–24, Appropriating \$250,000 of Unassigned Fund Balance of the Sewer Improvement Fund to Sewer Capital Project – Upgrade Lift Stations Project No. 7509 and Authorizing Change Order No. 5 With Brechan Construction, LLC

Mayor Branson read Resolution No. 2017–24 by title. In 2011 staff began to evaluate and plan for the refurbishment or replacement of lift stations 1 through 4. Smith and Loveless (manufacture of all four stations) was consulted to discuss temporary repairs at lift station 3 in order to get an additional pump operational. Lift stations 1 thorough 4 were included in the capital improvement needs because of operations short comings and physical condition of the stations. The need to get either another pump operational or by-pass at lift station 3 is crucial to prevent a critical situation in the event of the existing pump failure.

Councilmember Whiddon MOVED to adopt Resolution No. 2017–24.

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

e. Resolution No. 2017–25, Rescinding Resolution No. 2017–14 and Re-Establishing an Economic Development Special Committee

Mayor Branson read Resolution No. 2017–25 by title. The City Council has identified the need for an economic development plan. Economic Development Consultant Wanetta Ayers has been retained to assist with this plan and recommended the City establish a committee to achieve its economic development goals. Resolution No. 2017–14 established guidelines and Committee membership to include six community members and three elected officials. More than six individuals submitted applications to serve on the Committee. Resolution No. 2017–25 will provide the Council with more flexibility to appoint as many members as it deems necessary to initiate a plan to achieve economic growth.

Councilmember Whiddon MOVED to adopt Resolution No. 2017–25.

Councilmember Davidson MOVED to substitute for the pending resolution, Resolution No. 2017–25(SUB).

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

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

f. Authorization of Purchase of Hurst (Jaws of Life) Equipment for the Fire Department

Per the approved FY2018 operating budget, the Fire Department is replacing failing Hurst extrication equipment (Jaws of Life). The existing equipment is over 25 years old and is in dire need of replacement. LN Curtis and Sons of Kent, Washington submitted a quote for approved equipment in the amount of \$41,637.08. Per City Code 3.12.020 the total purchase price exceeds the City Manager's spending authority thus requiring City Council approval. Staff recommends Council authorize the purchase of approved equipment in the amount of \$41,637.08 with funds coming from the Fire Department General Fund Operations budget 100.150.100.470.126.

Councilmember Walker MOVED to authorize purchase of Hurst (Jaws of Life) equipment from L.N. Curtis in the amount of \$41,637.08, plus shipping costs, with funds from the General Fund, Fire Administration, Machinery and Equipment Account No. 470.126

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

g. Appointment to Economic Development Special Committee

Earlier in the meeting Council adopted Resolution No. 2017-25(SUB) to establish a committee to develop and initiate an economic develop plan. The resolution set guidelines and defined the membership to include the Mayor, and two Councilmembers, of which one shall be designated as Chair and one as Vice-chair; and community members who represent any of the following: Aviation and Support Services, Community and Civic Organizations, Construction Contracting and Trades, Health Care and Medical Support Services, Hospitality and Tourism, Marine Transportation and Support Services, Professional and Business Services, Retail Goods and/or Services, Seafood Harvesting, Seafood Processing, and other Representation Deemed Appropriate by the City Council. There is no residency requirement. The City Manager, as well as additional City staff designated by the City Manager, shall serve as nonvoting consulting members of the committee, if requested. The City's Economic Development Consultant shall also serve as a non-voting member of the committee.

Councilmember Bishop MOVED to appoint to the Economic Develop Special Committee Mayor Branson, Councilmembers Randall Bishop and John Whiddon, with John Whiddon designated as Chair and Randall Bishop as Vice Chair, and the following community members: Alan Austerman, Barbara Bigelow, Julie Bonney, Trevor Brown, Tyler Kornelis, Chris Lynch, Aimee Williams, and Rebecca Skinner as Alternate No. 1 and Daniel McKenna-Foster as Alternate No. 2.

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

VI. STAFF REPORTS

a. City Manager

Manager Tvenge reported that the Fire department staffing level is on the rise; he stated there are two additional fire fighter positions open. He stated that the department staffing levels were increasing; therefore, an extension of the contract with Delta Medical Transport will not be necessary. He expressed appreciation for the contract and the relief they provided to staff. Manager Tvenge gave an overview of the meeting he and Deputy Manager Van Daele had with Senator Murkowski’s staff last month to discuss the Federal Infrastructure Project. He reported the Kodiak Public Library has new hours, as well as the Cashier’s Office, which will go into effect on October 2. He mentioned the new community bronze bear and he thanked everyone involved in the project. He said the City is working with the Alutiiq Heritage Foundation on a new park to be located near Kashevaroff Street. He reported that the City is working with the Kodiak Island Borough School District to begin training for crossing guards during the school year.

c. City Clerk

Deputy Clerk Shuravloff-Nelson reminded and encouraged the public to vote in the upcoming municipal election on October 3, 2017, she stated the City precincts are the Harbor and Teen Center buildings. She notified the public of the next work session and regular meeting.

VII. MAYOR’S COMMENTS

Mayor Branson said she would like to thank the election workers in advance, and expressed her appreciation to the volunteers of the Economic Development Committee. She gave an overview of the progress of the Downtown Kodiak Revitalization Committee’s action items. She shared that Subcommittee Chair Sandy Solenberger has facilitated the design, purchase and hanging of banners in downtown Kodiak. She said Bruce Schactler is working with the City and Brechan Enterprises on the murals downtown. She thanked April Laktonen Counciller, PhD, of the Alutiiq Museum and staff for their work to get the park underway. Mayor Branson recognized Parks and Recreation Director Gronn and staff’s work on the flowers this summer downtown. She said the Manager is looking at Cops on Call to add more police presence downtown in an efficient way to help with the problems in public areas downtown. She mentioned parking in the downtown area for businesses as an upcoming topic for discussion. She spoke about improving the area between Tonys and Henrys, and with the recent walkway design downtown it has become handicap accessible. She highlighted the success of the Farmer’s Market in the Sutliff’s parking lot and she mentioned the annual Harbor Lights Festival in December.

VIII. COUNCIL COMMENTS

Councilmember Walker thanked the City employees for their hard work and his fellow Councilmembers for their dedication. He said there are many good things happening in the downtown area. He shared that he is excited about the Economic Development Committee.

Councilmember Bishop provided an update on Ordinance No. 1366, which he said prohibits products referred to as “Dad’s wax” or “Shattered glass.” He thanked everyone involved with the

Marijuana Committee, and he expressed excitement about the downtown revitalization's action items.

Councilmember Davidson welcomed the Alaska Power Association membership to Kodiak. He thanked the staff of the Police and Fire Departments who have worked long hours due to being short-staffed. He said he would like the public to realize the sacrifices the staff and their families have made for the public safety of the community.

Councilmember Saravia encouraged citizens to vote in the upcoming election.

Councilmember Whiddon thanked members of the public who have attended the meetings this week, especially Monday night, and for the public feedback on the sales tax issues. He asked, the public the question: what type of community do we want in 3-5 years and how do we get there? He believes the answer is expanding our economic base and generating more sources of taxes. He reported on the Fisheries Work Group Meeting on September 13. He mentioned the Salmon Life Event this Saturday and encouraged people to attend.

IX. AUDIENCE COMMENTS

None

X. EXECUTIVE SESSION

a. Update on City Litigation

The City Council entered into executive session to receive an update and discuss City Litigation.

Councilmember Davidson MOVED to enter into executive session pursuant to AS 44.62.310(c)(1) to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the City.

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

The Council entered executive session at 8:20 p.m.

Mayor Branson reconvened the meeting at 9:30 p.m.

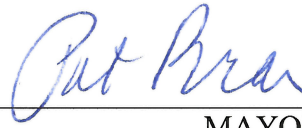
XI. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

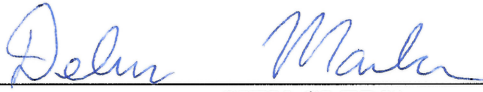
The meeting adjourned at 9:30 p.m.

CITY OF KODIAK



MAYOR

ATTEST:



CITY CLERK

Minutes Approved: September 28, 2017

