

**MINUTES OF THE REGULAR COUNCIL MEETING
OF THE CITY OF KODIAK
HELD THURSDAY, OCTOBER 12, 2017
IN THE BOROUGH ASSEMBLY CHAMBERS**

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

Deputy Mayor Randall C. Bishop called the meeting to order at 7:30 p.m. Councilmembers Laura B. Arboleda, Charles E. Davidson, Gabriel T. Saravia, Richard H. Walker, and John B. Whiddon were present and constituted a quorum. Mayor Pat Branson was absent. Deputy City Manager Matthew Van Daele, City Clerk Debra 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 Whiddon MOVED to approve the minutes of the September 28, 2017, regular meeting as presented.

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

III. PERSONS TO BE HEARD

a. Proclamation: Filipino American National History Month

Councilmember Arboleda read the proclamation, which urges all citizens to celebrate the rich history and contributions of Filipino Americans in Kodiak.

Patilou Peralta, President of Fil-Am, accepted the proclamation and thanked the Mayor and Council.

Clerk Marlar indicated the Northern Edge presentation was scheduled to occur; however, they were presenting at the Kodiak Island Borough Assembly work session, and there was a brief delay in their arrival.

The Council voiced consensus to switch the order under Persons to Be Heard and for III.c. Public comments to be switched to item III.b.

b. Public Comments

Larry LeDoux thanked the Kodiak Police Department for their assistance in the recent high school lockdown when there was indication of a potential threat. He stated the police responded immediately and they were professional, collaborative, and provided a safe environment. He thanked KPD for their service, and he thanked the City for the partnership and collaboration with

the crossing guard program. He said he enjoyed working with Mayor Branson and Councilmember Whiddon on the Fisheries Work Group and he is hopeful the group continues meeting.

Aimee Williams, Director of the Discover Kodiak, provided a quarterly report that included updates on the following: Kodiak King Salmon Derby; Alaska Tourism Industry Association; Visitor Guide; cruise ships; and the website.

Stacy Studebaker thanked the Navy for coming to Kodiak and supported the need for their training; she shared her concern for their training in the Gulf of Alaska during the month of May. She said many Alaskan communities requested a date change by resolution and the training still occurred in May. She requested Northern Edge 19 to schedule offshore and during the fall months.

Emily Stolarayk from Cordova said she has drafted resolutions since 2014 to change the Northern Edge training dates in Alaska. She said Cordova passed a resolution to change the training dates and thanked the City Council for adopting a similar resolution. She said she is a steward to protect the land and subsistence and did not feel the Navy has addressed some of the concerns of the public. She urged the Council to question the science and impacts of Northern Edge.

Christina Hendrickson, a former resident of Kodiak who lives in Girdwood, said she is a former pentagon contractor that specialized in environmental permits. She supports the resolutions to move the Northern Edge training. She shared her concerns that the Navy did not adequately study Alaska. She asked the Council to insist on a collaborative effort rather than informative updates for Northern Edge from the Navy.

Birch Foster spoke in favor of the Otmolei project to extend the City water service to the end of the road.

Tom Lance said he was representing himself and the Sun'aq Tribe; he advocated that the Navy work with local tribes for Northern Edge and adhere to the local long-term ocean plan. He emphasized that Kodiak is rich with natural resources and sustainability is important. He thanked the Navy for their service.

Jeff Stewart said he is concerned that the Navy and community are not on the same page, and he hopes this will occur in the future.

c. Northern Edge 2017 Presentation by Alexander Stone, US Navy

Northern Edge is a U.S. Pacific Command exercise hosted by the Alaskan Command. The exercise is designed to sharpen combat skills, improve command, control, and communication relationships; and mature interoperable plans and programs.

Alexander Stone and Admiral Korka of the US Navy presented highlights regarding Northern Edge 17, which included: NE17 timeline and economic impact; Navy maritime goals and activities conducted; environmental planning; protective mitigation measures; usage; and lack of impacts to marine species.

Councilmember Davidson asked if training could have happened in a different month other than May and whether the beached whales were an impact of the Northern Edge training. Admiral Korka confirmed the training schedule could be changed. He commented that some of the training schedule depends upon the availability of the ships, the deployment schedule, and the budget associated with training and procurement. He asked for a prioritization of months for the training schedules to occur and least optimal month to schedule.

Alexander Stone said that during the Northern Edge 17 exercise there was no report of any stranding of mammals. He referred to the EIS stranding documentation. He encouraged the public to send him any local studies they feel need to be considered.

Councilmember Whiddon thanked the Admirals for their service and attendance at the Council meeting. He said Kodiak is a Coast Guard City; he expressed the importance of coordinating and scheduling the best optimal time for Kodiak's fishing season, and provided an update on the recent declared federal emergency for pink salmon.

IV. UNFINISHED BUSINESS

a. Acceptance of Recommendations From the City Marijuana Advisory Special Committee

Alaska voters passed Ballot Measure 2, An Act to Tax and Regulate the Production, Use, and Sale of Marijuana, on November 4, 2014, which initiated the State and Statewide municipalities to begin to determine how to regulate marijuana on both State and municipal levels.

On May 26, 2016, the Council adopted Ordinance No. 1350, Enacting KCC Chapter 5.52 Prohibiting Marijuana Establishments in the City. The ordinance became effective July 1, 2016, and expired January 1, 2017. The six-month opt out period was to provide time for the City's Marijuana Advisory Special Committee, which was established by Resolution No. 2016-16, to recommend guidelines for implementing taxation, regulation, production, sale, and use of marijuana within the Kodiak City limit. The committee met several times and brought forward 13 recommendations for Council consideration at the November 16, 2016, regular meeting. The Council reviewed the recommendations and moved to postpone the vote to accept them until the Marijuana Advisory Committee had further discussed the recommended distance of a facility to a school, marijuana testing, and edibles. The Marijuana Advisory Committee subsequently met, and the Council voiced a consensus at its June 27, 2017, work session to approve the recommendations contained in Attachment B.

Councilmember Arboleda MOVED to amend the motion on the floor by substituting with the following motion: Move to accept the 14 recommendations drafted by the City Marijuana Advisory Special Committee as documented in Attachment B and direct staff to draft ordinances to implement these recommendations.

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

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

a. Second Reading and Public Hearing, Ordinance No. 1369, Repealing Kodiak City Code 3.08.160, "Administrative Costs and Reimbursements," to Eliminate the 2% Deduction for Timely Filing of Sales Tax Returns and Remittance of Collected Sales Tax

Deputy Mayor Bishop read Ordinance No. 1369 by title. Currently businesses within the City that collect and remit sales tax file returns quarterly. Included in this reporting is the option of retaining 2% of the tax collected to offset administrative costs; however, not all businesses retain the 2% option. For those businesses that do retain the 2% option, the result is approximately \$200,000 in uncollected sales tax. This ordinance is scheduled to become effective January 1, 2018.

Councilmember Walker MOVED to adopt Ordinance No. 1369.

Deputy Mayor Bishop 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, Walker, and Whiddon in favor. The motion passed.

V. NEW BUSINESS

a. Authorization of FY2018 Special Services Contract with Alaska Department of Public Safety

The Alaska Department of Public Safety (DPS) requested the renewal of its contract with the City to provide services, which support the mission and operations of the Alaska State Troopers (AST) and Alaska Wildlife Troopers (AWT) in Kodiak. In exchange for providing these services, DPS will compensate the City \$78,750.00 for FY2018.

Councilmember Arboleda MOVED to authorize the FY2018 Special Services Contract with the Alaska Department of Public Safety, Division of Alaska State Troopers, and authorize the City Manager to sign the contract on behalf of the City.

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

VI. STAFF REPORTS

a. City Manager

Deputy City Manager Van Daele said it has been a busy couple of weeks for staff. He commented that the Kodiak Fire Department has been doing an exemplary job of responding to a multitude of situations, ranging from structure fires to vehicular accidents to environmental mitigation. He said it is truly extraordinary what staff are able to do for our citizens, and their passion for the craft and dedication to Kodiak community is commendable. He said Parks and

Recreation Director Gronn and his crew have been hard at work turning water into ice and was pleased to announce the rink is operational. He referred the public to the City's website for the ice rink's schedule. He highlighted there will be a hockey skills clinic featuring NHL alumni players from the Boston Bruins, St Louis Blues, Detroit Red Wings, and Montreal Canadiens. The inaugural "Kodiak Cup" hockey tournament will take place on Sunday.

Deputy Manager Van Daele said the Borough's Solid Waste Advisory Board met on Monday, and they discussed the public outreach and education plan should the City Council decide to move forward with a single-use plastic shopping bag ordinance. He said the Port and Harbor Advisory Board met on Tuesday and voted unanimously to recommend the Council adopt the ordinance to sell seafood from vessels at the harbor facilities with a few minor changes to the title and permit authority within the ordinance. He provided an update that two weeks ago Manager Tvenge, Chief Wallace, and he did a walkthrough to start to better understand the downtown situation and talked with business owners. He said it was immediately evident what the local business owners and their patrons are experiencing. He said they are working together to start developing plans to address these challenges. He shared that Kodiak is not alone, and many other communities in Alaska are facing similar circumstances. He said the access to care and diagnosis of mental health issues, drug and alcohol abuse, and an overriding lack of resources to address these societal needs is an undeniable challenge. He said he is hopeful and looks forward to the opportunity to work with local business owners, community groups, and the public to make Kodiak stronger and more prosperous in the downtown area.

b. City Clerk

City Clerk Marlar thanked the election workers and the Canvass Board for their work and service. She said there was a voter turnout of 16.9 percent. She informed the public of the next scheduled Council community forum, work session, and regular meeting.

VII. MAYOR'S COMMENTS

Deputy Mayor Bishop thanked the election workers for their service. He congratulated Mayor Branson and Councilmember Arboleda on their re-election. He thanked Discover Kodiak for their work on the tourism event that was recently in Kodiak and he thanked the business owners for the recent shop the rock activity. He thanked his colleagues for their work and he encouraged the public to attend the community forum, stating he looks forward to the positive ideas and collaboration.

VIII. COUNCIL COMMENTS

Councilmember Saravia congratulated re-elected officials. He thanked the Kodiak Police Department for their immediate response to the school for the lockdown. He thanked the Navy for their service and the information they provided during the meeting.

Councilmember Whiddon acknowledged the police department for their response. He congratulated re-elected officials. He praised the new generation in leadership roles, which included the Deputy Mayor and Deputy City Manager. He commended the shop the rock event and he hopes there are more innovative activities in the future. He commented that he hopes that the public comes with ideas and solutions for the community forum. He said the goal is to create a better

Kodiak. He recognized the Navy and admirals for their visit to Kodiak, which shows their willingness for collaboration. He encouraged those that cannot attend the community forum to send their comments to the Clerk's office.

Councilmember Arboleda congratulated Mayor Branson and Councilmember Bishop on their re-election and thanked the Deputy City Manager and the elected officials for their work.

Councilmember Davidson congratulated Mayor Branson, Councilmembers Arboleda and Bishop on their re-election. He encouraged the public to attend the community forum, and he referred to Ordinance No. 1361, which gives telephonic guidelines for work sessions and meetings. He said he hopes the voter turnout increases in the future.

Councilmember Walker congratulated the re-elected officials. He said the voter turnout is low, and he hopes there are methods to increase the turnout in the future. He thanked the fire and police departments. He expressed his appreciation for the staff walking downtown and looking forward to solutions for improvement on a local and statewide level regarding SB91. He thanked the Navy and acknowledged the admirals' visit. He said Kodiak is a military town and a fishing industry and feels they listened.

IX. AUDIENCE COMMENTS

None

X. ADJOURNMENT

Councilmember Davidson MOVED to adjourn the meeting.

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

The meeting adjourned at 9:07 p.m.

CITY OF KODIAK

MAYOR

ATTEST:

CITY CLERK

Minutes Approved: October 26, 2017

