

City of Coffman Cove
Regular City Council Meeting
Thursday, December 15, 2011 @ 7:00 pm at City Hall

Call to order: 7:00 pm

Roll Call: Sara Yockey, here; Randy Lenz, here; Carolyn Duncan, here; Elaine Price, here; Misty Fitzpatrick, here; Michelle Page; here.

Pledge of Allegiance:

Fill Council Seat E: Carolyn Duncan read the letters of intent from the applicants for the seat, Ruth Lux and Brian Wilson. Ruth Lux added that she was on Council for three years, as well as serving as the Mayor. She took part in “squashing” several lawsuits that could have cost money for the City, and she has been an active participant in the City. Brian Wilson spoke about helping with budgets and would like to see the city continue on the positive course it has been heading on. He believes he could help with many aspects of City business. Michelle made a motion to appoint Ruth Lux, Sara seconded, Roll call- Michelle Page, Yes; Sara Yockey, Yes; Misty Fitzpatrick, No; Carolyn Duncan, No; Elaine Price, No; Randy Lenz, No. Motion fails. Carolyn Duncan makes a motion to appoint Brian Wilson. Misty Seconds. Roll Call- Michelle Page, Yes; Sara Yockey, Yes; Carolyn Duncan, Yes; Misty Fitzpatrick, Yes; Randy Lenz, Yes; Elaine Price, Yes. Motion passes. Council thanks Ruth Lux for applying to Seat E. Brian Wilson is read the Oath and is accepted into Council Seat E.

Appoint SEASWA Board Member: No applicants at this time; will be posted until January’s meeting and appointed at that meeting.

Public Comment:

Persons to be heard: Cheryl Fecko, not present. Misty asked that she be put on the next agenda.

Approval of Agenda: Carolyn had a couple housekeeping items on the minutes from last meeting. Sara also had more she wished to be added to the minutes. Carolyn apologized for skipping over public comment last month.

Consent agenda:

1. Meeting Minutes
2. Project Manager’s Report
3. Financial Report
4. IFA Report
5. Port Authority
6. Mayor’s Report
7. Tourism Report
8. Water/ Sewer Report

Carolyn made a motion to approve the agenda for this meeting, with the exclusions of The Port Authority, and Water/Sewer reports. Sara Seconds. AIF. Motion Passes.

Correspondence/Issues:

Carolyn mentioned that we had received a notice of an environmental assessment from the Tongass National Forest Ranger District on Twelve Mile Creek; the public is welcome to respond or have a copy of that letter.

We received a letter from Elaine Price to Carolyn, submitting her resignation from the City of Coffman Cove as Project Manager and City Administrator. She will not be resigning from Council. Elaine is also available to help part time with the City if needed with paperwork and lobbying. She will not be giving up her residency in Coffman Cove. Carolyn makes a motion to accept Elaine's resignation, Randy seconds, Roll Call- Michelle Page, Yes; Sara Yockey, yes; Randy Lenz, yes; Carolyn Duncan, yes; Misty Fitzpatrick, yes; Brian Wilson, yes. Motion passes.

Resolutions & Ordinances:

1. Resolution 12-6 Speed Test- Sara makes a motion to approve resolution, Misty seconds, AIF. Motion passes.

2. Resolution 12-7 Legislative Priorities Washington DC- Randy mentioned that he just received the copy prior to this meeting, therefore has not had a chance to look it over thoroughly and would like to move it to the next meeting. Carolyn makes a motion to table the Resolution until the next meeting, Sara seconds, AIF. Motion passes.

3. Resolution 12-8 Legislative Priorities State of Alaska- Carolyn makes a motion to adopt the Resolution, Elaine seconds. Elaine explains that this request was put in previously, and she believes that we have a good chance of being productive in this resolution request. Michelle asked if we would be getting grant money for, or how would this be financed? Misty replied that we would apply for a grant after this resolution passed. Carolyn added this would be good for the boating community and also for people who are looking for work around Coffman Cove. There is no match for the legislative appropriation. Brian Wilson thinks it would benefit the community and is for this resolution. This would also fall under the insurance that we have now. Roll call- Michelle Page, yes; Sara Yockey, yes; Randy Lenz, yes; Brian Wilson, yes; Elaine Price, yes; Carolyn Duncan, yes; Misty Fitzpatrick, yes. Motion passes.

4. Resolution 12-9 POWCAC- Prince of Wales Advisory Committee. Sara makes a motion to approve this resolution, Michelle seconds, AIF. Motion Passes.

Unfinished Business:

1. Rodriguez (request to move w/s stub-out.) – Carolyn explained that John had requested to remove a stub-out on a non-sub dividable lot. This was a problem because people have requested this before, but not in the same exact situation. Sara is worried that it will be hard on our infrastructure if we remove one. Carolyn believes we should consider this because it is such a unique situation. She has looked through everything she could find on what we have regarding removing stub-outs. Brian said he would not have a problem with it if he had someone there who knows what the repercussions can be from removing one. Carolyn made a motion to permit John Rodriguez to remove and cap the water sewer service at his own expense, under the supervision of the water sewer plant manager, the materials used will have to satisfy our code requirements, and standards under our water sewer ordinance, and the city employee's wages spend inspecting should be paid by John for the inspection. He should also sign a rider of liability for one year, and should sign a letter agreeing to the terms of this motion. In return, the city would agree that after the water/sewer operator signs off on the new installation, John Rodriguez would only be billed for one service. Elaine wanted the motion to add the restriction that he cannot add multiple buildings to the lot because he claimed that he didn't need that stub out. Brian thinks that is a good point, but Michelle pointed out that there are a lot of people that have more than one building on their property. Michelle doesn't agree with Elaine's motion. Sara added that we need a second on the motion. Michelle

seconds. Sara doesn't feel we should do it because it sets precedence that other people can do it when we have denied them in the past. Michelle said because his lot is so small, it cannot be sub divided so this is a special circumstance. Misty added that we need to change the code to reflect things like this. She also added that because of our meter, it shouldn't matter how big his house is or how many are on it. Brian is satisfied with the motion. It does not include Elaine's comment. Roll Call- Michelle Page, yes; Sara Yockey, no; Randy Lenz, yes; Brian Wilson, yes; Elaine Price, no; Carolyn Duncan, yes; Misty Fitzpatrick, yes.

New Business:

1. Service Animals- Carolyn discussed why we need to produce a service animal only ordinance for city buildings. There have been animals allowed in the city buildings, that have not been cleaned up after. Michelle asked if there is a tag on the animal, and Sara mentioned that it is usually a piece of paper. Carolyn answered that there just needs to be a note on a one time basis for service animals. We are not sure if this ordinance needs to include therapy animals also. Asking council to review rough draft and give notes before this ordinance is introduced. We need to have an ordinance before we can legally ask for certification. This will be addressed at the next meeting.

Public/Council Comment:

Sara would like to discuss the workshop on Thursday, December 29th. She would like to discuss the budget, but maybe not the water/sewer because that would be a lot to talk about all at once. Sara talked about how we need to look at our rate scale for the water/sewer. Misty talked about Glen Hamburg looking over the Utility Audit. Sara asked for January or February for the water/sewer workshop. Michelle would like to see the meeting scheduled for at least 5 days after the workshop to amend the budget. It was decided that the workshop will start at 6pm on the 29th. The special meeting will be decided during that meeting.

Michelle commented that Bryce Brucker has done a fantastic job on the Christmas decorations, and we should all thank him for the wonderful job he has been doing. Carolyn mentioned we should get a card to him, and also to AP&T for putting up the wonderful Christmas lights around town.

Randy Neuburger asked who was in the audience of the city council meeting, and asked also if the council would call him back after the executive session.

Randy Lenz asked that the Council packets be received five days in advance at least. He would like the city clerk to get the packets to the council at least five days early so the council members are able to make informed decisions. Misty commented that the city doesn't receive the things in the packet until right before the meeting sometimes. He also commented that on the financial statement for the month, the council didn't receive a credit card statement with it. Misty replied that she hasn't been able to look through and pay the bills for this month. The last credit card statements received were sent to the council.

Sara asked if we had talked to Alaska Business Partners about coming out and doing training. Misty replied that she had talked to Valerie and they had ironed out the balance sheet. Valerie also said the soonest she could be here would be after the first of the year.

Executive Session: Sara made a motion to adjourn into executive session for the purpose of the members of the City Council to discuss a personnel matter. Carolyn noted it was at 7:59, Randy seconded. Roll

Call: Misty Fitzpatrick, yes; Sara Yockey, yes; Elaine Price, yes; Randy Lenz, yes; Brian Wilson, yes; Carolyn Duncan, yes. Motion passes

Council returned from executive session, 8:48 pm. Randy Neuberger was called. Randy Lenz made a motion to censure Elaine Price for her conduct in the real estate transaction in Lot 1 of Chum Creek Sub division. Sara Yockey seconded. Roll call: Michelle Page, yes; Sara Yockey, yes; Carolyn Duncan, no; Misty Fitzpatrick, no; Randy Lenz, yes; Brian Wilson, no. Motion Fails. Randy discussed possibly making a motion to seek legal advice to see if there is a conflict of interest. Sara asked if we had talked to Glen Hamburg about this particular conflict of interest. It was decided that none of the questions asked would pertain to this situation. Randy noted that anyone in the city could come to the city and claim a conflict of interest, and it is the city's responsibility to investigate and make a decision. Randy feels that there was a conflict of interest and we need to make a decision on it. Randy makes a motion to seek legal counsel to have Michelle Page speak to them in the city's interest to look into whether or not there has been a conflict of interest. Sara seconded. Elaine would like to have two people speak to a lawyer, one pro, and one con. Brian Wilson agreed to do so with Michelle. Misty wants to amend the motion to include a limit on the spending for the lawyer. Carolyn said that we are able to get a free hour with Leslie Longenbaugh from AMLJIA..... Sara wants to know if we can go through a local government specialist first to see how to address this matter, but is pretty sure that he will tell the council to consult an attorney. Brian Wilson reminded us that we need to stick to facts and documents because that is what is going to matter in the lawyers eyes. Elaine mentioned that she has consulted a lawyer, so it doesn't matter to her. Misty would like to sit in on the conversation with the lawyer. Brian answered that anyone on council should be able to be there. Roll call- Michelle Page, yes; Sara Yockey, yes; Carolyn Duncan, no; Misty Fitzpatrick, yes; Brian Wilson, yes; Randy Lenz, yes. Motion passes.

Sara would like to add that the council cannot be productive if we cannot be respectful to each other. "The dynamic of the council is not working, I don't appreciate being ignored at a public meeting, and I would like this recorded in the minutes, I feel like it is embarrassing, Elaine, when I ask you a specific question and you blatantly ignored me three times at the last meeting." Elaine couldn't recall ignoring her before. Sara replied that people in the community came up to her and told her how rude it was that Elaine ignored her. Sara went on to explain that she had asked questions to Elaine, and council members had to chime in and ask Elaine again if she had heard because of her delayed response. Sara would like the same respect that is given to everyone else on the council. Elaine responded that it is a two way street, and she would not like to argue at a public meeting. Sara explained that she is not trying to argue, but would like respect at the meeting.

Michelle noted that in the Project Manager's report, there was something in there about council members not being able to contact the grader operator. Michelle wanted the council to know that she tried to call Misty and Carolyn and couldn't get a hold of anyone, so she called Clint. She just wanted to clear it up that she was not going over anyone's head, just couldn't get down her road.

Misty wanted some direction on the post office hot water work order. Clint told Misty that it is a very small and inefficient hot water heater, and the estimated cost for getting it fixed is \$300-\$400. Everyone decided to bring it up at the budget workshop. Also Ruth would like the heater in the post office to be moved. Clint wasn't sure what to do, and could not get a sure answer on where she wanted it placed or what to do in order to resolve the issue. There are some communication problems between Clint and Ruth, so Misty would like the council or someone on the council to go discuss what Ruth wants out of the city to fix this issue. Michelle would like someone who knows where this heater could potentially be

moved and knows what to do with heaters to deal with it. Elaine left the conference. Misty decided to put the work order back into the box. Sara wanted to say that underneath the printer would be a good spot for the stove. Misty asked if Sara wanted to speak to Ruth, and Michelle and Sara both said they would talk to Ruth. Sara made a motion to adjourn, Misty seconded. AIF.

Carolyn Duncan, Mayor

ATTEST: Kassi Knock, Acting City Clerk