

City of Coffman Cove
Regular City Council Meeting
Thursday, September 21st, 2017
Regular Meeting 7:00PM at City Hall

Call to Order: MEETING CANCELED DUE TO NO QUORUM.

Roll Call:

Pledge of Allegiance:

Public Comment:

Approval of Agenda:

Persons to be Heard:

Consent Agenda:

1. Mayor Report	7. Projects-Grants Report	13. Fire Dept. Report
2. Minutes	8. Financial Reports	14. EMS Report
3. POWCAC Report	9. Post Office Report	15. Library Report
4. Watershed Report	10. Parks/Rec/Maintenance	16. NEFA Report
5. CQE Report	11. IFA Report	
6. Special Events Report	12. Water & Sewer Report	

Correspondence & Information: NEFA boat disposition update.

Resolutions & Ordinances:

1. Resolution 18 02 First Bank signers

Unfinished Business:

1. Scrape Metal Area Request for Proposals
2. Library Commission Board Seat Opening
3. NEFA Board Seat Opening

New Business:

1. Harbor Master Position
2. Arts and Seafood Committee request to use ferry terminal next year.
3. 3CHQ Halibut permit-request for \$800 check-Deedee Jeffreys

Public / Council Comment:

Adjourn

Passed and approved this 21st day of December 2017.

Perry Olson, Mayor

Gina Cavaretta, Clerk

City of Coffman Cove
Regular City Council Meeting
Thursday November 16th, 2017
Regular Meeting **7:00PM** at City Hall

Public Hearing 6:45:

ORDINANCE 18 03 AN ORDINANCE OF THE CITY OF COFFMAN COVE AMENDING THE WORDING OF TITLE X HARBOR, SECTION 10.01.020 DEFINITIONS PARAGRAPH L, LENGTH OF VESSEL.

ORDINANCE 18 04 AN ORDINANCE OF THE CITY OF COFFMAN COVE AMENDING THE WORDING OF TITLE XVI PORT AUTHORITY. THE DISSOLUTION OF THE NORTH END FERRY TO CONFORM TO ALASKA STATE LAW.

ORDINANCE 18 05 AN ORDINANCE OF THE CITY OF COFFMAN COVE AMENDING THE WORDING OF TITLE X ELECTIONS

Call to Order: Perry Olson called the meeting to order at 7 pm.

Roll Call: Mike Underwood: present. Joel Buchanan: present. Randy Wright, Jr.: present. Dick Stewart: present. Brian Wilson: absent. Perry Olson: present. Bridget Wright: present.

Pledge of Allegiance: Yes.

Public Comment: Steve Beilgard has claimed that minutes of a past meeting have been compromised.

Approval of Agenda: Perry made a motion to approve the agenda; adding the EMS request to use the ferry terminal for CPR training under New Business, striking out Resolution 18-03: Ferry Terminal Ownership (#6 under Resolutions and Ordinances); Heather Hedges has requested moving the Arts Festival (#1 under New Business) to next month's agenda. Dick Stewart seconded. Roll Call: All were in favor, none opposed. Motion Passes.

Persons to be heard: None.

Consent Agenda: Perry Olson made a motion to accept the consent agenda, pulling out the NEFA Report and the second part of the Mayor's Report, which covers ownership issues at the Ferry Terminal. Bridget Wright would like to pull out the Water/Sewer report. Dick Stewart seconded. Roll

Call: All were in favor, none opposed. Motion Passes. Discussion: Regarding the NEFA report, Perry pointed out that NEFA had plans to bring the boat back to Coffman after repairs were made. Council told NEFA that they did not want the boat back in the harbor until all debts were paid in full. In conjunction with the minutes of their meeting, NEFA is demanding keys to the ferry terminal, claiming ownership of the building. Threats of a lawsuit have been mentioned by NEFA if the City does not provide the aforementioned keys. Also in the minutes was a motion made by Don Nicholson stating that NEFA would not pay the City any more money until the above issues were resolved. Perry does not believe the City can transfer ownership of the Ferry Terminal based on the agreement we have with the State of Alaska and the Federal Government. All records from the State Recorder's Office detailing where the property came from, how it came into the City's possession, etc. is in the packet given to all Council Members by Perry. Council has made it clear that it is not in the City's best interest to have the boat return to Coffman. Steve Beilgard commented that NEFA is unable to pay rent on the boat in Wrangell and the City of Wrangell wants the boat gone. Wrangell will put a mechanic's lien on the boat if it is not gone soon. Joel commented that if they are unable to pay the bills in Wrangell, they would not be able to pay in Coffman if Council granted them access to the dock. According to Steve Beilgard, there is currently about \$3000 in the NEFA account and the boat is listed with a boat broker as of now. If Council allows NEFA to come back to Coffman Cove's Harbor, Steve said the plan is to tie the boat at the Ferry Terminal dock since NEFA does not have enough money to pay Coffman Cove for facility usage. The boat would sit at the dock and NEFA would not pay the City of Coffman Cove. Dick Stewart would like to see a ferry here in Coffman and he feels we should work with NEFA. Dick's idea is that we should be treating NEFA like anyone else who is paying for a spot at the Harbor. Mike Underwood's concern was that we should be more responsible with assisting NEFA in their efforts. For clarification, Perry commented that Council has implemented many things in order to help NEFA succeed. This includes changing ordinances, entering into agreements without receiving payments, and lending them about \$52,000 in direct loans. The City received one payment off the van; the rest is still outstanding, including interest. We entered into three agreements with them – one for the landing, moorage and the ferry terminal. The City did not receive payment for most of

this money. Perry has verified with the State of Alaska that the only role the City has with NEFA is appointing Board Members. The City does not terminate them, tell them what to do, how to run their business, etc. NEFA is a completely separate, legal entity under the State of Alaska from the City. NEFA notifies Council when they have a board opening; the City posts it and receives letters of interest. Afterwards, Council looks them over and votes. Joel's concern is in regards to electricity – if we were not able to separate electrical consumption to support the boat, the meter is in the City's name. If the batteries die, the bilge quits working and the boat sinks while tied to the dock, Joel would like to know who will pay for it. Joel wants to see the boat succeed like Dick does, but he cannot see this situation resolved any time soon. Bridget commented that if the boat is tied to our dock, the City is liable. If the City allows this, then we are going against everything we are trying to enforce with the Harbor – if you have a bill with the City, you cannot have City services. Aside from the \$53,000 in loans, NEFA currently owes the City \$14,000 in back bills, including garbage, boat launch, terminal lease and moorage fees. Steve said that the boat does not have insurance on it; it would cost \$46,000/year and there are no plans to insure the boat. Dick Stewart commented that the Council should consider talking to Wrangell regarding what we could do to moor the boat for a period of about 3 months; and when the boat sells, the City should be paid. Dick would rather not have the boat come here to Coffman; he suggests we set this back a few months to try and help Wrangell, and hopefully the boat will sell. Perry asked Steve if the boat is high and dry on land; Steve believes it is. Dave's Welding is now repairing the hole in it, enough to get it to Coffman because the Wrangell Harbormaster wants the boat gone. It is not being repaired up to Coast Guard standards - this would cost upwards of about \$45,000-\$48,000, Steve says. Randy Wright, Jr. commented that it would be a huge liability to the City to have the boat in our possession, considering its condition and the outstanding debts currently owed to the City. Perry asked Council if they want the boat brought back to Coffman and if the moorage in Wrangell should come out of City funds. Dick Stewart: He does not want the boat back in Coffman but he would give it 3 months in Wrangell with the City of Coffman Cove paying, having NEFA fully aware of what the City is willing to do. Randy Wright, Jr.: He does not want the boat in our Harbor and does not want the City to pay for it. Bridget Wright: She wants the boat to stay in Wrangell and does not want to pay Wrangell to keep it; we are already in the hole \$70,000 with the boat. Mike Underwood: He would like to keep the boat in Wrangell and pay for a couple of months. Joel Buchanan: The boat needs to stay in Wrangell; with the current financial situation, he is not inclined to spend more money on the boat, even though he wants to see it succeed. Perry will call Wrangell and talk to the Harbormaster and let Council know what he says. Regarding **keys**, Mike Burgess made a motion for NEFA to ask the City for a key to their ferry terminal. Discussion consisted of asking/demanding access to the ferry terminal. In NEFA's minutes, Mike Burgess said if they cannot get a key, NEFA will consult their attorney for legal action; this motion was carried. Perry wants to know who Council thinks owns the Ferry Terminal. Joel Buchanan: the City owns the terminal; he is of the opinion that we should do nothing at this point. Mike Underwood agreed with Joel. Bridget Wright: the City owns the ferry terminal. Randy Wright, Jr.: the City owns the ferry terminal. Dick Stewart: he would like to see actual documentation from the State that we own it. Dick will agree with whatever the documentation states. Perry will email our attorney and have him look into the ownership issue. The City will take no action until they hear back from the attorney. The last thing Perry was concerned about regarded payment. Don Nicholson made a motion to withhold payment to the City of Coffman Cove until NEFA receives answers as to why they do not have access to their building and why they are paying rent for their own property; this motion carried. As of now, the City will no longer receive payment from NEFA. Dick Stewart commented that until we know actual ownership of the Ferry Terminal, we should not give anyone the key or access. Bridget would like to treat this like any other City bill; if it is not being paid, then it continues to earn penalties and moves along the process of what happens when you do not pay City bills. Perry also wanted to address the terms of the board members. Currently, there is a two-term limit for board members. Perry believes that one, possibly two board members are over their allotted terms. If this is the case, then the City needs to be sent a letter stating that and asking for advertisement of these seats. Perry made a request to Steve Beilgard for verification as to how long board members have been on their terms, and if they are expired, Perry needs a letter from NEFA as soon as possible. **Perry Olson made a motion to accept these reports.** Dick Stewart seconded. All were in favor, none opposed. Motion Passes. Bridget

requests that the Water/Sewer department give Council more information on a monthly basis. Specifically, she would like to know each month the name and location of the hydrants that are being opened and flushed, where they are testing the City water and what the results are of that testing, how much chlorine they are using every month, etc. There have been ongoing issues within the community concerning algae and build-up in the water. Joel commented about billing the harbor for water usage. It was discussed at recent meetings that the Harbor should be paying its way for water usage. It is being charged in the budget but Jean does not know how to charge it to ourselves.

1. Mayor Report	6. Projects-Grants Report	11. Water & Sewer Report
2. Minutes	7. Financial Report	12. Fire Dept. Report
3. Watershed Report	8. Post Office Report	13. EMS Report
4. CQE Report	9. Parks/Rec/Maintenance	14. Library Report
5. Special Events Report	10. IFA Report	15. NEFA Report

Correspondence & Information: None.

Resolutions & Ordinances:

1. Ordinance 18 03: Second Reading. An Ordinance amending the wording of **Title X Harbor**, section 10.01.020 Definitions, paragraph one, length of vessel. **Perry Olson made a motion to accept the second reading of Ordinance 18 03.** Dick Stewart seconded. Roll Call: Joel Buchanan: yes. Randy Wright, Jr.: yes. Dick Stewart: yes. Perry Olson: yes. Bridget Wright: yes. Mike Underwood: yes. Motion Passes.
2. Ordinance 08 04: Second Reading. Amending the wording of **Title XVI Port Authority**. The dissolution of the North End Ferry to conform to Alaska state law. **Perry Olson made a motion to accept the second reading of Ordinance 18 04.** Dick Stewart seconded. Roll Call: Randy Wright, Jr.: yes. Dick Stewart: yes. Perry Olson: yes. Bridget Wright: yes. Mike Underwood: yes. Joel Buchanan: yes. Motion Passes.
3. Ordinance 18 05: Second Reading. Amending the wording of **Title V Elections**. Section 5.01.060 Election Notices. **Perry Olson made a motion to accept the second reading of Ordinance 18 05.** Bridget Wright seconded. Roll Call: Dick Stewart: yes. Perry Olson: yes. Bridget Wright: yes. Mike Underwood: yes. Joel Buchanan: yes. Randy Wright, Jr.: yes. Motion Passes.
4. Non Code Ordinance 18 02 **FY18 Budget amendment**. There is a total of \$9,070 of Gaming account net proceeds that need to be allocated. Perry's preference is to have the money split between EMS and the Fire Department; both Bridget and Joel are in favor of this idea. Joel would also like to see money donated to the 4th of July picnic. Currently, we only have what is donated from the year before. We are completely out of decorations and new items will have to be ordered. Joel suggests the amount of \$1500 be allocated to 4th of July, with the rest being split evenly between the Fire Department and EMS. Bridget is in agreement with this. This would result in \$3,785 allocated for both the Fire Department and EMS. **Perry Olson made a motion to accept Non-Code Ordinance 18 02 as amended.** Dick Stewart seconded. Roll Call: Perry Olson: yes. Bridget Wright: yes. Mike Underwood: yes. Joel Buchanan: yes. Randy Wright, Jr.: yes. Dick Stewart: yes. Motion Passes.
5. Ordinance 18 06 First Reading. **Harbor Title X Harbor**. The only major change that Perry did not make to this ordinance is not striking out the one skiff ramp space per household or business if there's a waiting list. If there is a waiting list, there will be one per customer. **Perry Olson made a motion to accept the first reading of Ordinance 18 06, amending the wording of Title X, Harbor.** Joel Buchanan seconded. Roll Call: Bridget Wright: yes. Mike Underwood: yes. Joel Buchanan: yes. Randy Wright, Jr.: yes. Dick Stewart: yes. Perry Olson: yes. Motion Passes.
6. Resolution 18 03 **Ferry Terminal Ownership**. (Item has been struck from the agenda).

Unfinished Business:

1. Arts Festival Use of Ferry Terminal. (Item moved to next month's agenda).
2. Letters of Interest-**Platting Board** Seat A. Dick Stewart expressed interest in filling the vacant Platting seat. Perry requested a written letter of interest from Dick; Dick will turn one in soon. **Perry Olson made a motion to appoint Dick Stewart to Platting Board Seat A, contingent upon him providing us with a written letter of interest.** Joel Buchanan seconded. Roll Call: Mike

Underwood: yes. Joel Buchanan: yes. Randy Wright, Jr.: yes. Dick Stewart: yes. Perry Olson: yes. Bridget Wright: yes. Motion Passes.

3. **RIMCO Scrap metal cleanup**-prep vehicles for recycling modification. RIMCO has cleaned and consolidated the scrap metal yard, creating more room. The remaining problem is we cannot get rid of the vehicles unless we know they have been drained of all fluids; there are currently about 12 vehicles. The City received a letter from RIMCO in regards to scrap metal clean up. Randy Wright does not want to take on hazardous materials; his preference is to have someone from the City oversee and supervise this. Perry had a teleconference call with SEASWA; he has problems with the MSA which needs to be discussed among Council members. Perry asked SEASWA if they would work with Waste Management to pick up other vehicles around town. If this does not happen, Perry would like to figure out how to get these vehicles and other scrap metal around town to the scrap metal yard, for community clean up and consolidation. Dick Stewart would be okay with a city employee assisting and supervising. RIMCO is requesting \$150 for excavator use and \$40 for labor, totaling \$190 for 10 hours. At 25 hours, the Council maxes out their ability to approve work without going out to bid. Joel Buchanan suggested having the vehicles staged then have City staff go out with a generator, torch, etc. to drain the fluids, alleviating any liability to RIMCO and saving the City money. Mike Underwood volunteered his time to supervise and help out. The time the machine is running and/or operating is when the City would be charged. Dick suggests cribbing the cars before RIMCO starts work to make things easier, quicker and cheaper. **Perry Olson made a motion that the Council authorizes up to \$5,000 in expenditures to go towards prepping the vehicles at the scrap metal yard for removal by Waste Management.** Dick Stewart seconded. Discussion: For clarification, this is just to stage and move equipment; City employees would be responsible for draining. Roll Call: Joel Buchanan: yes. Randy Wright, Jr.: conflict of interest. Dick Stewart: yes. Perry Olson: yes. Bridget Wright: conflict of interest. Mike Underwood: yes. Motion Passes. Perry assigned our maintenance supervisor to oversee the project and he can work with Mike Underwood for labor.
4. NEFA BOD letters of interest. The City has not received any letters.
5. Alaska Island Community Services Memorandum of Agreement with Coffman Cove Clinic. Perry wrote a letter to AICS expressing Council's interest in extending the agreement past the July 1, 2018 termination date. Joel commented that a verbal go-ahead from a specific contact would be required. The City will have to talk to someone to let them know Joel has missionaries wanting to donate their time. Joel asked if they would be able to have access to the building, making sure no violations were made to the agreement. SEARCH bought out AICS and has been using the facilities. Perry's intention of the letter is to see what comes back to the City. Our agreement says that if the City wants to start negotiations, it has to go to specific person at a specific address first.
6. Coffman Cove Ferry Terminal ownership-official council statement of ownership status. This item has been struck from the agenda.
7. Business Training Center-lease renewal. The lease has been expired for a while now; Perry has not had a chance to talk to Brenda Clauson yet. Right now, Brenda is using the building for storage and wants to continue the lease at \$100/month + utilities. Bridget commented that a storage unit may not be the best usage of the building for the City. Dick Stewart commented that we should do an inspection of the building before we continue to let Brenda run a laundromat business from there. Council consensus is that we should inspect the building first before extending the lease. Dick offered to inspect the building and give a report back to Council.

New Business:

1. Waste Management Scrap Metal Recycling MOA. A few of Perry's questions have not been answered or addressed by Waste Management or by SEASWA; there are a few things he is uncomfortable with. This would be a 5 year agreement, which ties the City into alerting Waste Management any time we want to bid on any kind of waste service – solid, hazardous, house, metal recycling, etc. If we sign the agreement and we bid out for a service in this area, we are obligated to let Waste Management bid. There are three parts to the agreement – the master service agreement, exhibit A and exhibit R.

Exhibit A is supposed to be the scope of work tailored to each community, telling us what we are committing to allowing them to do. We've never had an exhibit A and Waste Management has never provided one to a community. The MSA has to be signed first (which includes exhibit A) to see what exhibit A entails. If we are not happy with the MSA after reading exhibit A, we can bow out of the agreement. After reading the whole MSA, Perry could not find language that would allow us to bow out of the agreement but instead, language that would prevent the City from bowing out of the agreement. If we give a 30 day written notice to Waste Management for any reason whatsoever, we can terminate the agreement, except for what is in exhibit A. Joel does not want to deal with Waste Management as far as scrap metal is concerned. Joel recommends Chuck Poole, who runs a scrap metal yard in Ketchikan. We are not expecting to receive anything for this scrap metal but we do not expect to pay either. Perry suggested he modify the MSA presented to Council and put in a bulletproof escape clause if we do not like exhibit A, then Waste Management can decide whether or not they will accept it. Dick commented that further negotiations might be the route to go. **Joel Buchanan made a motion to defer item #1 under New Business until we have a clearer understanding of what exhibit A is from Waste Management.** Bridget Wright seconded.

Discussion: Perry commented that if we sign the MSA as is and things go bad, the City will be in a compromised situation. We've been promised that if it is not a break-even deal, we will not be charged. However, in exhibit R, it states that the City would be charged back if Waste Management did not break even. Perry has not received any answers or clarification with this issue either. Perry would be okay signing the MSA if we had an escape clause concerning exhibit A. Bridget would be in favor as long as the modified MSA was for every community, not just Coffman Cove. In regards to this, Perry said that most cities have signed it already. Thorne Bay and Petersburg both had their attorneys look over the agreement and found no fault in it. Klawock has not signed it because they are not comfortable with it. The MSA also includes the standard complete agreement clause, which means all conversations, emails, written letters, etc. that the City shares with Waste Management would not matter if we were brought to Court, being that this agreement is absolute.

2. Ordinance wording-power line easement clarification and specifications. Joel requested that the utility easement be clarified through the platting board. AP&T was working on a property in Coffman and wanted to know who pays for power when a property is subdivided since our ordinance currently does not specify who is responsible. The developer would be responsible for water/sewer, extensions, power, etc. Perry commented that the City provides for water/sewer but we do not provide power, and it should not be mandated that power be put in when subdividing. Joel commented that there should be some language concerning easements. **Perry Olson made a motion to request the platting board to provide Council with their ordinance clarification wording for power line easements.** Bridget Wright seconded. Roll Call: Dick Stewart: yes. Perry Olson: yes. Bridget Wright: yes. Mike Underwood: yes. Joel Buchanan: yes. Randy Wright, Jr.: yes. Motion Passes.
3. Analytical water testing Contract with the City of Coffman Cove. **Perry Olson made a motion to approve the Analytical LLC invoice for the coming year for water testing, \$7,074.** Dick Stewart seconded. Discussion: Bridget Wright wanted to know how many times per month our water is tested and the results of this testing. She would like this information provided to Council in the monthly water/sewer report. A few residents in town have had issues with the quality of their water, reporting brown matter and residue present. Joel Buchanan requested the invoice be addressed to "City Mayor" instead of one particular individual. Roll Call: Perry Olson: yes. Bridget Wright: yes. Mike Underwood: yes. Joel Buchanan: yes. Randy Wright, Jr.: yes. Dick Stewart: yes. Motion Passes.
4. EMS Request to use the Ferry Terminal for CPR Training. **Perry Olson made a motion that Council approves the use of the ferry terminal for the EMS CPR class coming up.** Bridget Wright seconded. Roll Call: Bridget Wright: yes. Mike Underwood: yes. Joel Buchanan: yes. Randy Wright, Jr.: yes. Dick Stewart: yes. Perry Olson: yes. Motion Passes.

5. Move into Executive Session for discussion of legal issues. **Perry Olson made a motion to move to Executive Session for discussion of legal issues.** Joel Buchanan seconded. All were in favor, none opposed. Motion Passes. **Joel Buchanan made a motion to come out of Executive Session.** Perry Olson seconded. All were in favor, none opposed. Motion Passes.

Public/Council Comment: None.

Adjourn: **Perry Olson made a motion to adjourn.** Dick Stewart seconded. All were in favor, none opposed. Motion Passes.

Passed and approved this 21st day of December 2017.

Perry Olson, Mayor

Gina Cavaretta, Clerk

CITY OF COFFMAN COVE
SPECIAL MEETING
THURSDAY, NOVEMBER 30TH, 2017
7 PM
AT CITY HALL

Call to Order: Mayor Perry Olson called the meeting to order at 7 pm.

Roll Call: Mike Underwood: present. Joel Buchanan: present. Randy Wright, Jr.: present. Dick Stewart: present. Brian Wilson: present. Perry Olson: present. Bridget Wright: present.

Pledge of Allegiance: Yes.

Public Comment: None.

Approval of agenda: Perry Olson made a motion to approve the agenda. Dick Stewart seconded. All were in favor, none opposed. Motion Passes.

Persons to be heard: None.

Resolutions & Ordinances: None.

Unfinished Business: None.

New Business: None.

Move into Executive Session for discussion of legal issues. Perry Olson made a motion to move into executive session for discussion of legal issues. Joel Buchanan seconded. All were in favor, none opposed. Motion Passes.

Joel Buchanan made a motion to come out of Executive Session. Perry Olson seconded. All were in favor, none opposed. Motion Passes.

Public/Council Comment: None.

Adjourn: Perry Olson made a motion to adjourn. Mike Underwood seconded. All were in favor, none opposed. Motion Passes.

Passed and approved this 21st day of December 2017.

Perry Olson, Mayor

Gina Cavaretta, Clerk

CITY OF COFFMAN COVE
SPECIAL MEETING
MONDAY, DECEMBER 11TH 2017
6:30 PM
AT CITY HALL

Call to Order: Perry Olson called the meeting to order at 6:30 pm.

Roll Call: Mike Underwood: present. Joel Present: absent. Randy Wright, Jr.: present. Dick Stewart: present. Brian Wilson: present. Perry Olson: present. Bridget Wright: present.

Pledge of Allegiance: Yes.

Public Comment: None.

Approval of agenda: **Perry Olson made a motion to approve the agenda.** Brian Wilson seconded. All were in favor, none opposed. Motion Passes.

Persons to be heard: None.

Resolutions & Ordinances: None.

Unfinished Business: None.

New Business: None.

Move into Executive Session for discussion of legal matters relating to the KINGCO lawsuit and NEFA property lien and terminal ownership claim. **Perry Olson made a motion to move into Executive Session.** Bridget Wright seconded. All were in favor, none opposed. Motion Passes. **Perry Olson made a motion to leave Executive Session.** Brian Wilson seconded. All were in favor, none opposed. Motion Passes.

Public / Council Comment: None.

Adjourn: **Perry Olson made a motion to adjourn.** Brian Wilson seconded. All were in favor, none opposed. Motion Passes.

Passed and approved this 21st day of December 2017.

Perry Olson, Mayor

Gina Cavaretta, Clerk