

CITY OF UNALASKA
UNALASKA, ALASKA
REGULAR MEETING
JANUARY 13, 2009

The regular meeting of the Unalaska City Council was called to order by Mayor Shirley Marquardt at 7:00 p.m., January 13, 2009, in the Unalaska City Hall Council Chambers. Roll call was taken and the following members were present:

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| Mayor | -Shirley Marquardt |
| Members | -Katherine McGlashan -Dick Peck -Dennis Robinson -Earl "Skip" Southworth -David Gregory -Roger Rowland |
| Absent | -None |

PLEDGE OF ALLEGIANCE: Mayor Marquardt led the Pledge of Allegiance.

RECOGNITION OF VISITORS: None

APPROVAL OF AGENDA: 1. Add to New Business: Mayor Travel Request to D.C. 2. Delete Consent Agenda #2-Resolution No. 2009-01; Mayor Marquardt declared agenda as revised.

MINUTES: Hearing no revisions, Mayor Marquardt declared the minutes of December 30, 2008 regular meeting adopted.

FINANCIAL REPORT: None

BOARD/COMMISSION REPORTS: None.

AWARDS/PRESENTATIONS: None

MANAGER'S REPORT: City Manager's report included in packet; discussion regarding LSA boat harbor project; still need \$15 million for floating break waters, which may be in the economic stimulus package; we're on the top of list with Corp of Engineers; should begin design on the inner harbor in the next month or so, and are working on the access road; discussions with the Methodist Church regarding the lease of Tutiakoff Park are ongoing.

Council discussion: Congratulations to everyone who worked on the powerhouse bonds which sold for 5.46% and under 6%; happy to see power house project moving forward; thanked everyone for work on the boat harbor project, which has been a long time coming.

COMMUNITY INPUT/ANNOUNCEMENTS:

1. Thank you to everyone that worked on the fireworks show; very good show.
2. Martin Luther King Jr. Community Celebration Friday, January 23, 2009 at 7:00 p.m. at the community center.
3. The National Association of Community Health has recognized Council Member Peck as the National Community Health Service Advocate for the month of January.
4. TWIC representatives are back in Unalaska January 12 – 16, from 8 a.m. to 9 p.m.
5. Seafood Buffet starts tomorrow at Grand Aleutian Hotel.
6. Next Council meeting will be Friday, January 23, 2009 due to Council travel.

PUBLIC TESTIMONY ON AGENDA ITEMS: None

PUBLIC HEARING:

1. **ORDINANCE NO. 2008-24:** AN ORDINANCE OF THE CITY OF UNALASKA, ALASKA, AMENDING ORDINANCE NO. 2008-21 TO INCREASE THE MAXIMUM TRUE INTEREST COST FROM 6.0 PERCENT TO 8.0 PERCENT ON THE SERIES OF ELECTRIC UTILITY REVENUE BONDS AUTHORIZED BY ORDINANCE NO. 2008-21.

Mayor Marquardt opened the public hearing on Ordinance No. 2008-24.

Mayor Marquardt closed the public hearing on Ordinance No. 2008-24. No public testimony.

2. **AMENDING UNALASKA CITY CODE TITLE 11** – HEALTH AND SAFETY BY ENACTING A NEW CHAPTER REGULATING SMOKING.

Mayor opened public hearing on Amending Unalaska City Code Title 11-Health and Safety By Enacting A New Chapter Regulating Smoking.

Public testimony would like to see more input from businesses; support non-smoking in restaurants; it should be a gradual phase in; phase in process for non-smoking in bars; concerned with the 20 ft entrance rule outside entrances as this is a safety issue; 10ft would be much easier to enforce.

Public testimony concerned with the 20 ft entrance rule; difficult to enforce; 10 ft would be much easier to enforce; smoking rooms should be left alone as they are rented; encourage Council to delete this entirely; hotel rooms are rented and private; would like to see petition for exemption this that would allow owner to petition Council to exempt banned smoking in that particular establishment; should use some discretion with penalties and fines if establishment has done everything in good faith.

2. **AMENDING UNALASKA CITY CODE TITLE 11:** CONT

Public testimony in support non-smoking in all public facilities.

Public testimony in support non-smoking in restaurants establishments; feel this is a good start; bars should be smoking.

Public testimony in appreciation of everyone talking; in support of a non-smoking phasing-in idea; do not support ordinance regarding the fines to be given to the managers, should be just the violators.

Public testimony that respect should be shown for people who have come from another country where smoking is ok; wording should be reasonable distance and not a specific 20'.

Public testimony that 70% of Americans do not smoke; do not think the 20 ft entrance rule is realistic; should be a more reasonable distance; this wouldn't be an issue if smoking wasn't harmful to health.

Public testimony concerned with patrons smoking outside for safety reasons; currently have control over the situation, but would not if patrons are outside.

Mayor Marquardt closed the public hearing.

WORK SESSION: Southworth move to adjourn to work session at 7:40pm, Gregory second. Unanimous vote. Meeting reconvened to regular session at 9:30 p.m. Items discussed in the work session:

1. **DEPT OF PUBLIC WORKS:** QUARTERLY UPDATE.
2. **COUNCIL STRATEGIC PLANNING/TRAINING:** MCDOWELL PROPOSAL.
3. **CITY OF UNALASKA FY10 BUDGET GOALS.**
4. **ENERGY STAR REBATE PROGRAM**

CONSENT AGENDA

1. **RESOLUTION NO. 2009-03:** ACCEPTING A 70% MATCHING GRANT IN THE AMOUNT OF \$2,000,000 FROM THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) FOR THE WASTEWATER TREATMENT PLANT UPGRADES AND LEACHATE TREATMENT, PHASE II.

Hearing no objections, Mayor Marquardt declared the Consent Agenda adopted.

UNFINISHED BUSINESS:

1. **ORDINANCE NO. 2008-24: SECOND READING:** AN ORDINANCE OF THE CITY OF UNALASKA, ALASKA, AMENDING ORDINANCE NO. 2008-21 TO INCREASE THE MAXIMUM TRUE INTEREST COST FROM 6.0 PERCENT TO 8.0 PERCENT ON THE SERIES OF ELECTRIC UTILITY REVENUE BONDS AUTHORIZED BY ORDINANCE NO. 2008-21.

McGlashan move to adopt Ordinance No. 2008-24, Peck second.

DISCUSSION: Bonds sold for less than 6% interest, so will vote this ordinance down as it is no longer necessary.

VOTE: AYES – 0, NAYS – 6. Motion fails 6-0.

2. **ORDINANCE NO. 2008-23: SECOND READING :** AMENDING CHAPTERS 8.06, 8.12, 11.20 AND TITLE 17 OF THE UNALASKA CODE OF ORDINANCES TO REGULATE THE LOCATION, CONSTRUCTION AND OPERATION OF WIND GENERATORS.

McGlashan move to adopt Ordinance No. 2008-23, Rowland second.

DISCUSSION: Public testimony appreciate all the work that's been done; did a google search on maximum residential noise, and found only one that was higher than 70; the blanks on page two A should be 70 decibels and B should be 50 decibels; encourage passage with these amendments.

Management presented sound readings from various areas around the community; proposed amendment was to just get it started; discussion regarding nuisance levels which are judgmental calls; Title 11 only sets levels for windmills; have concerns with decibel levels; seem some friction between residential and commercial; residential needs to sleep at night.

AMENDMENT: McGlashan move to amend Ordinance No. 2008-23 to insert 70 in A the first blank, and insert 50 in B the second blank, Gregory second.

DISCUSSION: Council discussion that we need to get an ordinance on the books that speaks specifically to wind generation; 70 and 90 are just fine and can always be adjusted; shouldn't cause an argument between industries and residential; 90 is OSHA level acceptable.

Council discussion that we need to move on with proposed amendment; 90 decibels is acceptable with OSHA; we already have the nuisance ordinance; support 70 and 50; a good place to start.

Discussion regarding the OSHA 8 hr day; we've established what the standard is; have a problem with 90 db; will support the lower numbers; should err on comfort and increase numbers up at a later date; will support 70 and 50.

VOTE ON AMENDMENT: UNANIMOUS.

2. **ORDINANCE NO. 2008-23 – CONT:**

DISCUSSION: Council discussion that we need to educate the public; glad to see this ordinance moving forward; should also look at increasing the kw limits for residential at a later date; would like to know if complaints.

VOTE ON MAIN MOTION AS AMENDED: UNANIMOUS.

NEW BUSINESS:

1. **ORDINANCE NO. 2009-01: FIRST READING:** CREATING BUDGET AMENDMENT NO. 6 TO THE FY09 BUDGET FOR GRANT REVENUES FOR ENGINEERING AND DESIGN SERVICES FOR THE WASTEWATER TREATMENT PLANT AND LEACHATE TREATMENT, RETROACTIVE PAY FOR PSEA MEMBERS, ENERGY EFFICIENT LIGHTING FOR PUBLIC BUILDINGS, AND INCREASED EXPENSES FOR PORTS OFFICERS TO ATTAIN TWIC CARDS.

Peck move to schedule Ordinance No. 2009-01 for public hearing and second reading on January 23, 2009, Southworth second.

DISCUSSION: Council discussion glad that PSEA contract is done; 15% is for benefits; \$47k additional costs for contract; expressed appreciation to Bill Dunkleburger and maintenance department for work done to conserve energy for the City; TWIC program is moving slow; reviewed the grant process; harbor officers need TWIC cards; money that the City has saved the community is hundreds of thousands of dollars by having TWIC come to Unalaska.

VOTE: UNANIMOUS

2. **MAYOR/COUNCIL TRAVEL:**

NORTH PACIFIC FISHERIES MANAGEMENT COUNCIL – FEBRUARY 2009 – SEATTLE, WA

DISCUSSION: Frank Kelly, Resource Analyst, reviewed agenda for upcoming meeting. Council discussion that there is a budget for 2-3 members to attend; would like to see Unalaska's presence at meetings; displeased with NPMC 6 year rotation for Unalaska.

No members interested in attending.

SOUTHWEST ALASKA MUNICIPAL CONFERENCE (SWAMC) – January 29-, 2009 – Anchorage.

Southworth move to authorize Dick Peck to attend the SWAMC conference, Gregory second.

DISCUSSION: Council discussion that Council Member Peck is a member of the SWAMC energy committee.

VOTE: UNANIMOUS

MAYOR TRAVEL TO WASHINGTON DC

Rowland move to approve Mayor Marquardt to travel to Washington D.C. to assist Penair with the exemption for the new Saab, Southworth second.

DISCUSSION: Council discussion that Penair may be purchasing 2 Saab 2000 aircraft for Unalaska; aircraft holds 60 passengers, all luggage and 2 hours to Anchorage; requesting council assistance for exemption to be able to fly in United States by summer; resolution from City Council should be done, as well as letters of support from processors.

VOTE: UNANIMOUS

COUNCIL DIRECTIVES:

STRATEGIC PLANNING

McGlashan move to direct the City Manager to prepare council for basic council training that follows Mr. Hladick's strategic planning to give council and the community a vision and a mission, Rowland second.

DISCUSSION: NONE

STRATEGIC PLAN – CONT:

VOTE: UNANIMOUS

ENERGY CONSERVATION

McGlashan move to direct the City Manager to provide energy tips and conservation tips to our community via city website and flyers to post for our community, Peck second.

DISCUSSION: Council discussion that the City's web site is out of date; could distribute brochures with energy saving tips, and provide links to energy savings information; provide information with Frequently Asked Questions section on the website.

VOTE: UNANIMOUS

ENERGY STAR PROGRAM

Robinson move to direct the City Manager to bring back an Energy Conservation program to apply for rebate for light bulbs only, designed for lower income groups. Motion dies due to lack of second.

COMMUNITY INPUT/ANNOUNCEMENTS: None

Mayor Marquardt adjourned the meeting at 10:25 pm.



Debra K. Mack
City Clerk

Approved
1/23/09