

CITY OF UNALASKA
UNALASKA, ALASKA
REGULAR MEETING
APRIL 28, 2009

The regular meeting of the Unalaska City Council was called to order by Mayor Marquardt at 7:05 p.m., April 28, 2009, in the Unalaska City Hall Council Chambers. Roll call was taken and the following members were present:

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

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

RECOGNITION OF VISITORS: None

APPROVAL OF AGENDA: Add to New Business: Executive Session Geothermal negotiations, Mayor Marquardt declared agenda adopted as revised.

MINUTES: Hearing no revisions, Mayor Marquardt declared the minutes of April 14, 2009 regular meeting adopted.

FINANCIAL REPORT: Financial report for month ending March 2009 was included in the packet. Council discussion regarding COPA rates in the Electric Fund.

BOARD/COMMISSION REPORTS: Parks, Culture, & Recreation Advisory Committee minutes included in packet.

AWARDS/PRESENTATIONS: None

MANAGER'S REPORT:

City Manager's report in packet; color schemes for the exterior of the new power house are available for council to decide what color they prefer; Corp of Engineers informed the City that only three cities received stimulus money for port projects.

Council thanked staff for receiving the grant on waste heat from ADA.

COMMUNITY INPUT/ANNOUNCEMENTS:

1. Sonia Handforth-Kome, IFHS Administrator, spoke about the swine flu.
2. Thank you to all who helped with this year's first cruise ship.
3. Mayor Marquardt expressed appreciation to Alyeska Seafoods for providing meals to the senior lunch program.
4. Thank you to City Council and staff for attending board training; was a great training.
5. Shell Oil will be in Unalaska on May 12, 2009.
6. Operating and Capital budget presentations will be on May 4&5, 2009.
7. Census Bureau was in town preparing for the federal 2010 census.
8. Unalaska Diver's Assoc. will do their annual cleanup dive Saturday morning at 9:00 a.m.
9. Vic Fisher reported the results of the KUCB second hand smoke online poll.

PUBLIC TESTIMONY ON AGENDA ITEMS: None

PUBLIC HEARING:

1. **ORDINANCE NO. 2009-05:** AMENDING THE SCHEDULE OF FEES AND CHARGES – SOLID WASTE RATES.

Mayor Marquardt opened the public hearing on Ordinance No. 2009-05.

DISCUSSION: Public testimony in support of this ordinance; believe this rate increase is needed.

Mayor Marquardt closed the public hearing on Ordinance No. 2009-05.

2. **ORDINANCE NO. 2009-06:** AUTHORIZING AN INCREASE IN THE MOTOR VEHICLE REGISTRATION TAX COLLECTED BY THE STATE UNDER AS 28.10.431 IN ORDER TO DISPOSE OF JUNKED AND ABANDONED MOTOR VEHICLES.

Mayor Marquardt opened the public hearing on Ordinance No. 2009-06.

Mayor Marquardt closed the public hearing on Ordinance No. 2009-06. No public testimony.

WORK SESSION: Gregory move adjourn to work session at 7:25 p.m., Robinson second. Unanimous vote. Meeting reconvened to regular session at 10:30 p.m. Items discussed in work session:

1. ORDINANCE NO. 2009-07: AMENDING UNALASKA CITY CODE TITLE 11 – HEALTH AND SAFETY BY ENACTING A NEW CHAPTER REGULATING SMOKING.
2. RESOLUTION NO. 2009-21: ADOPTING THE CITY OF UNALASKA FY10-FY14 CAPITAL MAJOR & MAINTENANCE PLAN (CMMP).

CONSENT AGENDA:

1. **RESOLUTION NO. 2009-24:** SUPPORTING THE APPLICATION FOR THE RECOVERY ACT GRANT BY THE UNALASKA DEPARTMENT OF PUBLIC SAFETY IN THE CITY OF UNALASKA.

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

UNFINISHED BUSINESS:

1. **ORDINANCE NO. 2009-05: SECOND READING:** AMENDING THE SCHEDULE OF FEES AND CHARGES – SOLID WASTE RATES.

Peck move to adopt Ordinance No. 2009-05, McGlashan second.

DISCUSSION: Chris Hladick, City Manager, explained this ordinance incorporates Council's recommendation to increase the solid waste rates by 11% a year for three years, and increase the vehicle registration tax.

AMENDMENT: Peck move to amend Ordinance 2009-05 to maintain residential maintenance fee of \$12.50 per month for the next three years and to increase general refuse tipping for business and industry by approximately 70% by over the same time period, Southworth second.

Council discussion that this amendment is a major change to the schedule of fees and charges; this ordinance is up for approval tonight; should consider postponing tonight and allowing administration to run the numbers, redo the study and come back to council; this would allow time to notify industrial customers.

Council discussion regarding the history and the rate study that was done in 2005; have spent \$2 million on Cell 4; looking at \$4-5 million in the next few years to put in Cell 5 & 6 and move the road; issue is that 95% of the revenue is collected from the tipping fee; majority of the monies we will be getting will be from the residential customers; not willing to pass over the real issue which is we are not raising the revenue that needs to be raised the most, which is the tipping fee; if management is willing to bring this back to us again, will be willing to withdraw motion.

Council discussion in support of having the cost causer be the cost payer; this amendment does not address the batteries, scrap metal, nets, etc; it only addresses the general refuse tipping fees; believe another amendment should be done under another schedule first.

Chris Hladick, City Manager, explained we hired a consultant to do a cost causer/cost payer study; this ordinance is the result of the study; now there is an amendment to increase the amount well beyond the consultant's recommendation and take it off of residential and put it onto industry.

Council discussion regarding specifics that were included in the rate study done in 2005; the proposed increase to residential rates over three years is \$5.00; at the end of three years, the fee would be \$17.34 per month.

Council discussion will not support this amendment; presentation was done in 2008; Council directed staff to come back with the vehicle registration tax and an increase of 11% each year for the next three years; ordinance is in second reading tonight; do not agree with last minute changes; like the ordinance as it stands.

Council discussion do not support this proposed amendment; enterprise funds are suppose to break even; landfill does not; Council has chosen to subsidize the landfill with other industry taxes.

Council discussion in support of ordinance as presented; do not support the proposed amendment; 11% increase is sufficient until 2011; will be a modest increase for residential customer.

Council discussion was not a council member at time of presentation; clearly heard that industry was not paying the same as residential customer; still the same with this increase, industry is not paying its way; we should look ahead for future generations; not fair to burden our community with our neglect; need to make the cost causer be the cost payer.

PUBLIC TESTIMONY: Public testimony shocked with this proposed amendment; notice should be given to industry for their comments prior to adoption; industry is paying taxes way beyond a normal residential customer; industry is recycling at a high volume; cleanup is a yearly event that industry participates in; if tipping fees go through, will put video cameras on our dumpsters to show that residents are using industries dumpsters; they would be subject to violations; hope to see this proposed amendment dropped.

1. **ORDINANCE NO. 2009-05 – cont:**

Council discussion seconded the motion to encourage discussion; believe that our community needs to recycle; withdraw second.

Council discussion made the proposed amendment for discussion; residential customers would pay approximately \$500 a ton over a 3 year period; industry would pay approximately \$160 a ton; withdraw motion.

Council discussion commending Unisea, Westward Seafoods, and Alyeska Seafoods for the tremendous work in recycling; do not see offshore doing their share; hope we can visit this at a later date.

VOTE ON MAIN MOTION: SOUTHWORTH-AYE, ROWLAND- AYE, ROBINSON-AYE MCGLASHAN-AYE, PECK- AYE, GREGORY-AYE. Motion passes 6-0.

2. **ORDINANCE NO. 2009-06; SECOND READING:** AUTHORIZING AN INCREASE IN THE MOTOR VEHICLE REGISTRATION TAX COLLECTED BY THE STATE UNDER AS 28.10.431 IN ORDER TO DISPOSE OF JUNKED AND ABANDONED MOTOR VEHICLES.

Roger move to adopt Ordinance No. 2009-06, McGlashan second.

DISCUSSION: Chris Hladick, City Manager, requested clarification from council regarding \$50 tax every two years; was the intent \$100 every two years; is it the intent to exempt motorcycles from this tax; if intent is \$100 every two years then we need to amend ordinance.

Council discussion that \$50 a year was based on 10 year life expectancy of vehicle; and that the City would recoup cost of disposal of vehicle; did not realize that State collects tax once every 2 years.

Council discussion believing this was not an oversight; support the ordinance; motorcycles should not be included.

Debra Mack, City Clerk, read the portion of the memo that attorney Brooks Chandler wrote stating this was a biannual fee.

AMENDMENT: Rowland move to amend Ordinance 2009-06, to increase fee from \$50 to \$100 every 2 years, Peck second.

Council discussion in support of exempting larger vehicles and motorcycles.

PUBLIC TESTIMONY: Would like to commend Mayor and Council for bringing this ordinance forward; disposal of junk vehicles was one of the items in the 10 year plan; concerned with the disposal of heavy equipment; Catalina Island, California charges a one time fee when vehicle comes in the city; if person leaves island they in turn receive a refund; this is not a revenue producer; should be a break even fund.

Robinson move to postpone Ordinance 2009-06 until more information is received, Rowland second.

DISCUSSION: None

VOTE: UNANIMOUS

NEW BUSINESS:

1. **ORDINANCE NO. 2009-07; FIRST READING:** AMENDING UNALASKA CITY CODE TITLE 11 – HEALTH AND SAFETY BY ENACTING A NEW CHAPTER REGULATING SMOKING.

McGlashan move to schedule Ordinance No. 2009-07 for public hearing and second reading on May 12, 2009, Southworth second.

AMENDMENT: Southworth move to amend Ordinance No. 2009-07 per Proposed Amendment No.1, McGlashan second.

DISCUSSION: None

VOTE ON AMENDMENT: PECK-AYE, MCGLASHAN-AYE, ROWLAND-AYE, SOUTHWORTH-AYE, GREGORY-AYE, ROBINSON-NAY. Motion passes 5-1.

AMENDMENT: Rowland move to amend Ordinance No. 2009-07 per Proposed Amendment No. 2, Peck second.

DISCUSSION: None

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

AMENDMENT: McGlashan move to amend Ordinance No. 2009-07 per Proposed Amendment No. 3, Southworth second.

DISCUSSION: None

VOTE: UNANIMOUS

1. ORDINANCE NO. 2009-07 – CONT.

AMENDMENT: Rowland move to amend Ordinance No. 2009-07 per Proposed Amendment No. 4, Peck second.

DISCUSSION: None

VOTE: UNANIMOUS

VOTE ON MAIN MOTION AS AMENDED: UNANIMOUS.

2. RESOLUTION NO. 2009-22: ESTABLISHING THE SUM TO BE MADE AVAILABLE FROM THE CITY OF UNALASKA TO THE UNALASKA CITY SCHOOL DISTRICT FOR THE FISCAL YEAR 2010.

McGlashan move to adopt Resolution No. 2009-22, Southworth second.

DISCUSSION: Council discussion that no amount of money is enough for education; thank you to School Board members for all hard work.

VOTE: UNANIMOUS

3. RESOLUTION NO. 2009-21: ADOPTING THE CITY OF UNALASKA FY10-FY14 CAPITAL MAJOR & MAINTENANCE PLAN (CMMP).

Rowland move to adopt Resolution No. 2009-21, McGlashan second.

DISCUSSION: None

VOTE: UNANIMOUS

COMMUNITY INPUT/ANNOUNCEMENTS:

1. Thank you to Mayor and Council for providing board training to non-profits.

EXECUTIVE SESSION: Negotiation Strategies- Geothermal

Rowland move to adjourn into executive session at 10:20 p.m. to discuss negotiation strategies for geothermal, McGlashan second.

VOTE: Unanimous. Meeting reconvened to regular session at 10:38 p.m. No action taken in executive session.

Mayor Marquardt adjourned the meeting at 10:38 p.m.


Jessica Earnshaw
Deputy City Clerk

approved
5/12/09