

CITY OF UNALASKA  
UNALASKA, ALASKA  
REGULAR MEETING  
September 14, 2010

The regular meeting of the Unalaska City Council was called to order by Mayor Shirley Marquardt at 7:00 p.m., September 14, 2010, in the Unalaska City Hall Council Chambers. Roll call was taken:

**PRESENT**

Mayor	-Shirley Marquardt
Members	-Dennis Robinson -Katherine McGlashan -Dick Peck -Zac Schasteen -David Gregory -Roger Rowland

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

**RECOGNITION OF VISITORS:** Mike Hubbard of the Financial Engineering Company was introduced.

**APPROVAL OF AGENDA:** Mayor Marquardt moved the Department of Justice Timeline to Executive Session and, hearing no objections, declared the agenda approved as revised.

**MINUTES:** Identification of Archie Stepp's business was added and various spelling and numerical errors were identified in the minutes. Mayor Marquardt declared the minutes of the August 31, 2010 regular meeting approved as revised.

**FINANCIAL REPORT:** NONE

**BOARD/COMMISSION REPORTS:** NONE

**AWARDS/PRESENTATIONS:** NONE

**MANAGER'S REPORT:**

1. SKW Eskimos has informed the City in a meeting held in Anchorage on September 7<sup>th</sup> that they are unable to meet the original commissioning of late September and start-up date in early October. They are working on a revised schedule which they will submit to the City later this month.
2. The Corps of Engineers will very likely award the outer breakwaters contract by the end of the month. The Corps is waiting on the remainder of the City's required match for the project that will be available upon adoption of the budget amendment that is on the agenda tonight.
3. City staff participated in a test of the Emergency Towing System. The Ports Department and all of the volunteers who participated were thanked for their efforts.
4. Mike Hubbard of the Financial Engineering Company is in town working on information needed for the City's most recent bonding that will be issued. He will also be meeting briefly with the City's auditors tomorrow.

**COMMUNITY INPUT/ANNOUNCEMENTS:**

1. The final two cruise ships of the season will be in town during the coming week. The cruise ship *Regent Seven Seas Navigator* will be here on Saturday from 7:00 a.m. to noon with approximately 400 passengers. Shuttle service will be provided from 7:30 a.m. to 11:30 a.m. The cruise ship *Silversea's Silver Shadow* will be in town on Monday from 7:00 a.m. to 1:00 p.m. with approximately 250 passengers. Shuttle service will be provided from 9:00 a.m. to 12:30 p.m.
2. The Public Health Nurse is here to help provide vaccinations to prepare children for school. If a child's vaccinations are not current by next week, the child will be excluded from school.
3. Tom Grant will be in concert at the United Methodist Church on Friday evening at 7:00 p.m.
4. Mayor Marquardt thanked everyone, especially Shell Oil, for participating in the Emergency Towing System exercise. It was very successful.

**PUBLIC TESTIMONY ON AGENDA ITEMS: NONE**

**PUBLIC HEARING**

The mayor opened the Public Hearing.

1. **ORDINANCE NO. 2010-11:** AMENDING SECTIONS 6.04.010 AND 6.40.030 OF THE UNALASKA CODE OF ORDINANCES TO DELETE AN EXEMPTION FOR OUT OF TOWN SALES AND MODIFY DEFINITIONS FOR SALE FOR RESALE AND RETAIL SALES MADE WITHIN THE CITY OF UNALASKA.

Hearing no comments, the mayor closed the Public Hearing.

**WORK SESSION**

Rowland moved to adjourn into a Work Session at 7:20 p.m.; McGlashan seconded.

1. DISCUSSION: Amendments to Rules, Regulations & Conditions of Utility Service.

The meeting reconvened at 7:39 p.m.

**CONSENT AGENDA**

1. **RESOLUTION 2010-55:** APPOINTING JUDGES AND CLERKS FOR THE REGULAR MUNICIPAL ELECTION ON OCTOBER 5, 2010 AND JUDGES TO SERVE ON THE CANVASS COMMITTEE.
2. **RESOLUTION 2010-57:** IDENTIFYING THE CITY OF UNALASKA'S FEDERAL LEGISLATIVE FUNDING PRIORITIES FOR FISCAL YEAR 2011 AS THE CARL E. MOSES BOAT HARBOR, RE-APPROPRIATION OF POSITION 3 FUNDING TO BALLYHOO ROAD PAVING, NEW WATER TREATMENT FACILITY, AND NEW WASTEWATER TREATMENT PLANT.

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

**UNFINISHED BUSINESS**

1. **ORDINANCE NO. 2010-11 SECOND READING:** AMENDING SECTIONS 6.04.010 AND 6.40.030 OF THE UNALASKA CODE OF ORDINANCES TO DELETE AN EXEMPTION FOR OUT OF TOWN SALES AND MODIFY DEFINITIONS FOR SALE FOR RESALE AND RETAIL SALE MADE WITHIN THE CITY OF UNALASKA.

McGlashan moved to adopt Ordinance 2010-11; Schasteen seconded.

Peck moved to amend Ordinance 2010-11 as follows:

**Section 4. Applicability of Amendments to Sales Made before September 1, 2010.** Section 1 of this ordinance shall not apply to sales made pursuant to written contracts signed by both buyer and seller prior to September 1, 2010 provided:

- 1) the original contract provisions do not allow the seller to charge sales tax to the buyer;
- 2) the contract has not been amended after the effective date of this ordinance; and
- 3) the seller submits a copy of the written contract in a form satisfactory to the city clerk with the seller's sales tax return. The contract price may be redacted from any contract submitted as required by this section.

Rowland seconded the motion.

VOTE on Motion to Amend Ordinance 2010-11: Unanimous

VOTE on Ordinance 2010-11 as Amended: Unanimous

**NEW BUSINESS:**

- 1. ORDINANCE 2010-13 FIRST READING:** CREATING BUDGET AMENDMENT #1 TO THE FY11 BUDGET TO INCREASE REVENUE FOR GRANT MONIES RECEIVED FOR PUBLIC SAFETY AND TO CLEAN UP CAPITAL PROJECTS IN THE ELECTRIC FUND AND TO REALLOCATE MONEY FOR THE PURCHASE OF EQUIPMENT FOR SOLID WASTE AND TO REALLOCATE FUNDING IN THE INNER HARBOR PROJECT TO ALL OF THE RELATED CEM BOAT HARBOR PROJECTS AND TO REALLOCATE FACILITIES MAINTENANCE SALARIES MONIES TO THE CORRECT FUNDS AND TO INCREASE FUNDING TO GRANT MONIES AWARDED FOR LED STREET LIGHTS.

Rowland moved to approve Ordinance 2010-13 and move it to Public Hearing and Second Reading on September 28<sup>th</sup>; McGlashan seconded.

DISCUSSION: It was pointed out that the streetlights fall under the auspices of Roads in DPW, not the Electric Utility in DPU. The LED lights are being purchased through the Energy Efficiency and Conservation Block Grant, and in order to avoid violation of the terms of the grant, the details will have to be researched. Staff will bring back changes to the ordinance if required.

VOTE: Unanimous

- 2. ORDINANCE 2010-14 FIRST READING:** ZONING ATS 1673 TIDELANDS FOR CEM INNER HARBOR.

Gregory moved to approve Ordinance No. 2010-14 and to move it Public Hearing and Second Reading on September 28<sup>th</sup>; Schasteen seconded.

DISCUSSION: John Fulton explained the need for zoning the tidelands.

VOTE: Unanimous

- 3. RESOLUTION 2010-56:** AUTHORIZING AN EXPENDITURE IN AN AMOUNT NOT TO EXCEED \$\_\_\_\_\_ FROM COUNCIL CONTINGENCY FOR PURCHASE OF COPIES OF *ALASKA: NORTH TO THE FUTURE, VOLUME IV*.

McGlashan moved to approve Resolution 2010-56; Rowland seconded.

DISCUSSION: It was suggested that the money might be better used to improve the City's website or to provide additional funds to the CVB.

Copies of the book are sent to legislators, big business owners, and other influential groups around the state and in Washington, DC. It was suggested that copies be given to the public library, the school library, and the CVB.

Robinson moved to amend Resolution 2010-56 to include an amount not to exceed \$1700; Rowland seconded.

VOTE on Amendment: Unanimous

VOTE on Resolution 2010-56 as Amended: Unanimous

- 4. ORDINANCE 2010-12 FIRST READING:** AMENDING CHAPTER 10.04 OF THE UNALASKA CODE OF ORDINANCES IN ORDER TO REDUCE THE TIME AFTER WHICH AN UNPAID UTILITY INVOICE WILL BE CONSIDERED DELINQUENT AND ADDRESSING PROPERTY OWNER RESPONSIBILITY FOR UTILITY SERVICE PROVIDED TO RENTAL PROPERTIES AND AMENDING CONDITIONS OF RESTORATION OF UTILITY SERVICE

Robinson moved to schedule Ordinance 2010-12 for a second reading and public hearing on September 28, 2010; Rowland seconded.

DISCUSSION: Wendy Hawthorne, CEO of the Ounalashka Corporation, spoke in favor of tightening up the timeframe for collection of utility bills. However, she has concerns about the property owner's responsibilities. The property owner is not the consumer of the utility.

A list of questions and concerns was compiled for staff to research prior to the September 28<sup>th</sup> Council meeting.

VOTE: McGlashan, No; Peck, No; Schasteen, No; Robinson, Yes; Gregory, Yes; Rowland, Yes; Marquardt, Yes. MOTION PASSED: 3 – 4.

**5. EXECUTIVE SESSION: CITY MANAGER'S CONTRACT NEGOTIATIONS**

Rowland moved to go into Executive Session for City Manager's contract negotiations and for an update on the Department of Justice timeline; Gregory seconded.

VOTE: Unanimous

Council came out of Executive Session at 9:13 p.m.

Rowland made a motion to have the Mayor take the contract negotiations to the City Manager; Robinson seconded.

VOTE: Unanimous

**COMMUNITY INPUT/ANNOUNCEMENTS:**

1. Dan Masoni, City Librarian, announced that Unalaska Public Library has been named as a STAR library for the third year in a row. Each year since 2008, the American Library Association Institute for Museum and Library Services, and RR Browker, publisher of the *Library Journal*, have evaluated service delivery and professional performance of more than 122,000 American libraries in an effort to highlight exemplary public and professional service delivery. The result has been the STAR library program which names the top 256 libraries of more than 122,000 in the United States, based on both public and professional service delivery.

**COUNCIL DIRECTIVES: NONE**

**ADJOURNMENT:** Mayor Marquardt adjourned the meeting at 9:15 p.m.

  
Elizabeth Masoni  
City Clerk