

**CITY OF KOTZEBUE  
REGULAR CITY COUNCIL MEETING  
CITY HALL CHAMBERS  
November 1, 2012  
AGENDA**

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. INVOCATION**  
Randy Wren, Assembly of God  
Pledge of Allegiance
- IV. ADOPTION OF THE AGENDA**
- V. ADOPTION OF MINUTES**  
October 18, 2012 regular meeting minutes
- VI. CORRESPONDENCE**
- VII. CITIZENS COMMENTS**
- VIII. UNFINISHED BUSINESS**
  - a. **Second Public Hearing on Ordinance 13-03: an ordinance adding Chapter 4.06, "Prohibition of Public Intoxication," of the Kotzebue Municipal Code**
  - b. **Second Public Hearing on Ordinance 13-04: an ordinance repealing the current Chapter 9.46, "Protective Custody Charges" and enacting a new Chapter 9.46 'Protective Custody Charges' of the Kotzebue Municipal Code**
- IX. NEW BUSINESS**
  - a. **Introduction and First Public Hearing on Ordinance 13-05: an ordinance amending portions of the Kotzebue Municipal Code 3.25.050, Authorized Investments,' to increase maturity dates available for investments**
  - b. **Introduction and First Public Hearing on Ordinance 13-06: a non-code ordinance authorizing the City Manager to establish a line of credit for the City of Kotzebue with First National Bank Alaska in the amount of \$750,000.00**
- X. CITY MANAGER'S REPORT**

**XI. COUNCIL MEMBERS COMMENTS**

**Seat A: Leo Greene**

**Seat B: Jason Avery**

**Seat C: Clement Richards, Sr.**

**Seat D: Gayle Ralston**

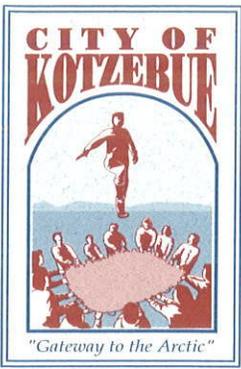
**Seat E: Claude Wilson, Jr.**

**Seat F: Pete Schaeffer**

**Seat G: Nathan Kotch**

**XII. EXECUTIVE SESSION**

**XIII. ADJOURNMENT**



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City Hall  
(907) 442-3401

Police Dept.  
(907) 442-3351

Fire Dept.  
(907) 442-3404

Public Works  
(907) 442-3401

**CITY OF KOTZEBUE  
REGULAR CITY COUNCIL MEETING  
MINUTES  
CITY COUNCIL CHAMBERS  
October 18, 2012**

**I. CALL TO ORDER**

Mayor Pro tempore Pete Schaeffer called the meeting to order at 5:02 p.m.

**II. ROLL CALL**

Present were: Mayor Nathan Kotch, and Councilor Jason Avery telephonic from Anchorage; Mayor Pro tempore Schaeffer, Councilors: Leo Greene, Claude Wilson, and Gayle Ralston.

Not present was: Vice-Mayor Clement Richards.

A quorum was established.

**III. INVOCATION/PLEDGE OF ALLEGIANCE**

Matthew Hoke, Pastor at the First Baptist Church provided the invocation.

The pledge of allegiance was recited.

**IV. ADOPTION OF THE AGENDA**

The agenda was reviewed. There were no changes.

**A motion was made by Councilor Greene, seconded by Councilor Ralston to adopt the agenda as presented.**

**The motion passed unanimously by voice vote.**

**V. APPROVAL OF MINUTES**

The regular meeting minutes of October 4, 2012 and the special meeting minutes of October 8, 2012 were reviewed by the council.

Mayor Schaeffer stated that the minutes of October 8, 2012 had an error. He further stated that he did not nominate Clement Richards for Vice-Mayor. Mayor Schaeffer stated that Councilor Greene made the nomination.

**A motion was made by Councilor Greene, seconded by Councilor Ralston to adopt the minutes of October 4, 2012 as read and to adopt the minutes of October 8, 2012 as amended.**

**The motion carried unanimously by voice vote.**

## **VI. CORRESPONDENCE**

There was no correspondence.

## **VII. CITIZEN'S COMMENTS**

Mayor Schaeffer asked if anyone present had comments. Kotzebue School Student Advisory Jack Richards introduced Solomon Shindler and Qua Henry to the council, informing it that the students were present to observe the meeting. Solomon Shindler informed the council that several students wrote letters in support of building a teen center within the city. Randy Walker welcomed Claude Wilson and Gayle Ralston to the council.

## **VIII. UNFINISHED BUSINESS**

There was no unfinished business before the council.

## **IX. NEW BUSINESS**

- a. Introduction and First Public Hearing on Ordinance 13-03: an ordinance adding Chapter 4.06, "Prohibition of Public Intoxication," of the Kotzebue Municipal Code.**

**A motion was made by Councilor Ralston, seconded by Councilor Wilson to introduce 13-03.**

The roll call vote was

|                |     |               |     |
|----------------|-----|---------------|-----|
| Jason Avery    | yes | Leo Greene    | yes |
| Nathan Kotch   | yes | Claude Wilson | yes |
| Pete Schaeffer | yes | Gayle Ralston | yes |

**The motion passed unanimously.**

**Mayor Schaeffer opened the first public hearing.**

City Attorney Joe Evans informed the council that there is no specific ordinance in the code for public intoxication. He stated that an individual found to be intoxicated could receive a ticket for infraction or citation. Mr. Evans cited the Alaska State Statute code involving alcohol. He informed the council that an individual's permit to purchase alcohol could be suspended if the Local Beverage Control Board decided to go that route. Councilor Greene stated that Maniilaq Association does not offer alcohol education classes. Mayor Kotch stated that under the penalty section it states that a warning could be issued in lieu of a citation. He wondered what kind of program the city would require a person to complete for a second offense. Mayor Kotch stated that the ordinance should be referred to the Local Beverage Control Board before a second public hearing is held to get input from it.

**Mayor Pro tempore Schaeffer closed the first public hearing.**

**A motion was made by Councilor Ralston, seconded by Councilor Wilson to refer Ordinance 13-03 to the Local Beverage Control Board for its input and recommendation and to set the second public hearing for November 1, 2012.**

The roll call vote was

|                |     |               |     |
|----------------|-----|---------------|-----|
| Jason Avery    | yes | Leo Greene    | yes |
| Claude Wilson  | yes | Gayle Ralston | yes |
| Pete Schaeffer | yes | Nathan Kotch  | yes |

**The motion carried unanimously.**

- b. Introduction and First Public Hearing on Ordinance 13-04: an ordinance repealing the current Chapter 9.46, "Protective Custody Charges" and enacting a new Chapter 9.46, 'Protective Custody Charges' of the Kotzebue Municipal Code**

**A motion was made by Councilor Ralston, seconded by Councilor Greene to Introduce Ordinance 13-04.**

The roll call vote was

|                |     |               |     |
|----------------|-----|---------------|-----|
| Jason Avery    | yes | Leo Greene    | yes |
| Claude Wilson  | yes | Gayle Ralston | yes |
| Pete Schaeffer | yes | Nathan Kotch  | yes |

**The motion passed unanimously.**

**Mayor Pro tempore Schaeffer opened the first public hearing on Ordinance 13-04.**

City Attorney Joe Evans informed the council that the current protective custody charges need to be updated. He referred the council to Exhibit B which cites the Alaska State Statute for a title 47 pick-up. Mr. Evans stated that with the newer ordinance a peace officer would take a person into protective custody and take the individual to a health care or treatment facility. He informed the council that the revision includes a fee for first offenders, a second and subsequent fee each additional offense. Mayor Kotch asked that the council refer this ordinance to the Local Beverage Control Board for input and set the next public hearing for November 1, 2012. City Manager Martin informed the council that the board meets quarterly now so a special meeting will be called to discuss the two ordinances.

**Mayor Pro tempore Schaeffer closed the first public hearing.**

**A motion was made by Councilor Ralston, seconded by Councilor Greene to refer Ordinance 13-04 to the Local Beverage Control Board for its input and recommendations and set the second public hearing for November 1, 2012.**

The roll call vote was

|                |     |               |     |
|----------------|-----|---------------|-----|
| Jason Avery    | yes | Leo Greene    | yes |
| Claude Wilson  | yes | Gayle Ralston | yes |
| Pete Schaeffer | yes | Nathan Kotch  | yes |

**The motion carried unanimously.**

- c. **Resolution 13-15: a resolution of the City Council of the City of Kotzebue authorizing the executive of new bank cards for bank accounts with Wells Fargo of Alaska**

**A motion was made by Councilor Ralston, seconded by Councilor Wilson to adopt Resolution 13-15.**

The roll call vote was

|                |     |               |     |
|----------------|-----|---------------|-----|
| Jason Avery    | yes | Leo Greene    | yes |
| Claude Wilson  | yes | Gayle Ralston | yes |
| Pete Schaeffer | yes | Nathan Kotch  | yes |

**The motion carried unanimously.**

- d. **Resolution 13-16: a resolution of the City Council of the City of Kotzebue entitled ‘a resolution authorizing the signatory authority for Investment Accounts, and Federal, State and Local Accounts’**

**A motion was made by Councilor Greene, seconded by Councilor Wilson to adopt Resolution 13-15.**

**The roll call vote was**

|                       |            |                      |            |
|-----------------------|------------|----------------------|------------|
| <b>Jason Avery</b>    | <b>yes</b> | <b>Leo Greene</b>    | <b>yes</b> |
| <b>Claude Wilson</b>  | <b>yes</b> | <b>Gayle Ralston</b> | <b>yes</b> |
| <b>Pete Schaeffer</b> | <b>yes</b> | <b>Nathan Kotch</b>  | <b>yes</b> |

**The motion passed unanimously.**

**X. CITY MANAGER’S REPORT**

City Manager Derek Martin referred the council to his written report. He welcomed council members re-elected and elected recently to the city council. Mr. Martin reported that the travel authorization forms for the Alaska Municipal League (AML) conference will be completed on Friday. He stated that everyone is registered for attendance at the conference and at the hotels. Mr. Martin informed the council that the public service announcement (PSA) regarding Shore Avenue parking has been read on the radio and posted around the city. He stated that it is hoped operators of vehicles will understand the parking requirements now and double parking will be eliminated. Mr. Martin reported that 500 brochures regarding the new residential garbage carts are printed and will be sent out to residents. He noted that the brochure explains that the new garbage truck is equipment to pick up the carts. Mr. Martin reminded the council that the financial statement and reports from the fire and public works department are attached to his report. Councilor Avery asked if the administration intended to put up more signage on Shore Avenue. Mr. Martin informed the council that he is seeking assistance from the Department of Transportation (DOT) regarding costs of the issues there. Councilor Avery stated that he noticed some of the snow fence is down and asked when it would be upright. Mr. Martin stated that some of the fencing is in a swampy area and as soon as it freezes more, that fence will be setup again. Councilor Wilson asked if the city had a specific area for target practice. Mr. Martin reported that although an agreement has not been reached with Kikiktagruk Inupiat Corporation (KIC) residents have setup an area. Councilor Wilson stated that he noticed the area near the Vortac site. Councilor Ralston suggested that the city remind the radio station, when it provides funding, that notices to be read so that residents are aware of issues within the city such as election results. Mr. Martin noted that the loaders and other equipment that were supposed to arrive in Kotzebue on the Alaska Logistics barge will not be delivered this fall. He stated that the administration is looking for alternatives to

get the dump trucks and loaders here another way. The equipment may be housed in Nome until next spring. Mr. Martin reported that a preconstruction meeting regarding the Swan Lake Small Boat Harbor was held on October 17, 2012 to discuss wintertime dredging and other matters. It is expected that a year closure of the boat harbor will occur to meet construction requirements.

## **XI. COUNCIL MEMBERS COMMENTS:**

**Seat A: Leo Greene:** Councilor Greene stated that he noticed the speed signs near the school zone and asked when the signs would be in operation. Mr. Martin informed the council that Public Works is installing power to connect the signs. Councilor Greene stated that operators of vehicles have been seen speeding in-between the zone as they are leaving school property. Councilor Greene thanked Public Works for street maintenance. He asked if the large item pickup project continues. Mr. Martin stated that most of the large items have been removed from yards. He further stated that Public Works continues to move vehicles.

**Seat F: Pete Schaeffer:** Councilor Schaeffer stated that speed limit of 10 miles per hour on Shore Avenue is too slow. He further stated that 20 miles an hour is more adequate and asked the administration to discuss the matter with the Planning Commission. Councilor Schaeffer thanked public works for its work before freeze up.

**Seat G: Nathan Kotch:** Mayor Kotch stated that he appreciated the Investment Strategy proposal from the finance director. Finance Director Greene informed the council that portions of the plan can be implemented right away; however, one section requires a code amendment. Mr. Greene reported that City Attorney Joe Evans is preparing amendments to the code that the council will be reviewing at its next meeting. Mayor Kotch stated that there is debris on Shore Avenue and in the lagoon area that needs to be removed while weather permits. He suggested that temporary employees be hired to pick up the garbage within the city.

**Seat E: Claude Wilson:** Councilor Wilson thanked the departments for their reports and stated that he was pleased to see staff present at the meeting. He thanked Public Works for its road maintenance efforts.

**Seat B: Jason Avery:** Councilor Avery did not have comments.

**Seat C: Clement Richards:** Vice-Mayor Richards was not present.

**Seat D: Gayle Ralston:** Councilor Ralston stated that he agreed with Councilor Greene's comments regarding speed limits. He further stated that the code needs to be amended and limits varied on streets that are heavily used by operators. Councilor Ralston thanked the voters. He also thanked staff for their department reports.

## **XII. EXECUTIVE SESSION:**

**A motion was made by Councilor Greene, seconded by Councilor Wilson to go into executive session in order to discuss matters, the immediate knowledge of which would have an adverse effort upon the finances of the city.**

**The motion passed unanimously by voice vote.**

**The council went into executive session at 5:55 p.m.**

**The meeting convened in open session at 6 p.m.**

**NO FURTHER BUSINESS.**

**XIII. ADJOURNMENT**

**A motion was made by Councilor Greene, seconded by Councilor Wilson to adjourn the meeting.**

**The motion carried unanimously by voice vote.**

The meeting adjourned at 6:01 p.m.

Respectfully submitted,

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Linda B. Greene  
City Clerk

Accepted by:

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Nathan Kotch, Jr., Mayor