



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
330 Harbor Drive
Sitka, AK
(907)747-1811

Minutes - Final City and Borough Assembly

*Mayor Mim McConnell
Deputy Mayor Pete Esquiro,
Vice Deputy Mayor Thor Christianson,
Phyllis Hackett, Matthew Hunter, Mike Reif and Michelle Putz*

*Interim Municipal Administrator: John P. Sweeney III
Municipal Attorney: Robin L. Koutchak
Municipal Clerk: Colleen Ingman, MMC*

Tuesday, July 23, 2013

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - Christianson, Esquiro, Reif, Hunter, Putz, and Hackett

Telephonic: 1 - McConnell

IV. CORRESPONDENCE/AGENDA CHANGES

[13-137](#)

Correspondence

No comments, no agenda changes.

V. **SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Municipal Departments, School District, Students and Guests (time limits apply)**

None.

VI. PERSONS TO BE HEARD

None.

VII. REPORTS

a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other

Interim Administrator - Sweeney reported on recent vandalism to the Alexander Baranof statue and trees planted in front of Harrigan Hall. Sweeney asked Public

Works Director, Michael Harmon, and Police Chief, Sheldon Schmitt, to come forward and provide a report on the parking situation at Crescent Harbor parking lot. With the limited parking, citizens were asked to adhere to the 72 hour parking limitation.

Liaison Representatives - Assembly Member Matt Hunter reported on the Police and Fire Commission and their willingness to serve as a hearing officer.

Clerk - Reminded folks the candidate filing deadline was August 2 at 5pm.

Other - Reif thanked the Public Works Department for a smooth transition at the recycling center.

VIII. CONSENT AGENDA

- A** [13-143](#) Approve the minutes of the June 25 and July 9 Assembly meetings

This item was APPROVED ON THE CONSENT AGENDA.

- B** [13-146](#) Approve rollover of funds from FY13 to FY14 budget

Interim Administrator, Jay Sweeney, explained the memo included in the packet. Sweeney stated his interpretation of the Charter was the appropriations lapsed at the end of the fiscal year and thus the reason for the request.

A motion was made by Hackett that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 4 - Christianson, Hunter, McConnell, and Hackett

No: 3 - Esquiro, Reif, and Putz

- C** [RES 13-12](#) Approving submittal and execution of a Municipal Harbor Facility Grant Application to the State of Alaska, Department of Transportation and Public Facilities (ADOT&PF) in the amount of \$320,000 for the project entitled Eliason Harbor Floatation Upgrades

Senior Engineer, Dan Tadic, came forward to explain. He stated this was a Tier II grant for Eliason Harbor floatation upgrades. The Harbor Department had been working on floatation upgrades for the past three years and Tadic stated this was of critical importance. Tadic noted without this grant the Harbor Department would be forced to continue to bandaid the floats. The deterioration of the floats at Eliason Harbor would accelerate therefore moving up the date at which Eliason would need to be replaced.

A motion was made by Hackett that this Resolution be APPROVED. The motion PASSED by the following vote.

Yes: 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett

- D** [RES 13-13](#) Requesting the Alaska Marine Highway System maintain core service levels, including one Prince Rupert vessel year-round and two vessels May through September

This item was APPROVED ON THE CONSENT AGENDA.

IX. UNFINISHED BUSINESS:

- E** [ORD 13-29](#) Amending SGC Chapter 4.12 entitled "Property Tax" by adding Subsection K to SGC 4.12.025 entitled "Exemptions" regarding optional exemption; amending SGC 4.12.030 entitled "Assessor's Duties" by removing Subsection D.4; amending SGC 4.12.050 entitled "Property Owner's Returns" by amending Subsection C and removing criminal penalties defined under Subsection D for failing to file assessment returns and/or refusal to give information; adding SGC 4.12.055 entitled "Failure to File Return - Fee - Penalty" to assess penalties for failing to file a property return or knowingly make a false affidavit to property returns and amending SGC 4.12.110 entitled "Tax Levy Fixed by Assembly" to properly reflect mailing of tax statements by the Finance Director

Putz asked Interim Administrator, Jay Sweeney, to clarify the Assessor's memo referencing amnesty. Sweeney explained it encouraged greater compliance, however, was not fair to those that had complied with the law all along. A decision was made to not ask for amnesty.

A motion was made by Putz that this Ordinance be APPROVED. The motion PASSED by the following vote.

Yes: 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett

- F** [ORD 13-30](#) Amending Title 15 of the SGC to increase sewer, water and wastewater rates at Sections 15.04.320 entitled "Rates and Fees" and 15.05.625 entitled "Wastewater Service - Sawmill Cove Industrial Park" and add RV spaces with utility hookups in the rate structures

Putz recognized passage of this ordinance would raise the cost of living in Sitka but stated if citizens wanted the existing facilities the City would need to be able to support them.

Reif thanked the former Administrator and current Public Works Director for having the Master Plans completed.

A motion was made by Reif that this Ordinance be APPROVED. The motion PASSED by the following vote.

Yes: 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett

A recess was taken from 6:53pm to 6:59pm.

X. NEW BUSINESS:

New Business First Reading

- G** [ORD 13-31A](#) Amending chapter 11.40 of the SGC entitled "Stopping Standing and Parking" to provide for civil administration process for parking offenses under this chapter

Police Chief, Sheldon Schmitt, came forward to answer questions. Schmitt said the Police and Fire Commission was excited about taking on the task of hearing officer. Schmitt reported there were approximately 10 or less tickets contested each year.

A motion was made by Hackett that this Ordinance be APPROVED ON FIRST READING AS AMENDED. The motion PASSED by the following vote.

Yes: 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett

H [ORD 13-32](#)

Amending the Sitka General Code at Chapter 15.05 entitled "Water System" at subsection 15.05.620 entitled "Rates and Fees" to adjust the rates for water service

Public Works Director, Michael Harmon, came forward. Reif asked about the need for a secondary water plan. Harmon noted this was the oldest master plan and due to be updated in the next year or so.

Jay Sweeney, speaking as Finance Director, emphasized the need for the series of rate increases.

A motion was made by Reif that this Ordinance be APPROVED ON FIRST READING. The motion PASSED by the following vote.

Yes: 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett

Additional New Business Items

I [13-144](#)

Direct the engagement of Robert Droll and Associates to oversee and manage the South Benchlands development project and direct the Interim Administrator to form a working group for the South Benchlands development project

Members of the Benchlands Ad Hoc Committee, John Holst and Steve Reifensuhl, spoke in support of the project.

Jeremy Twaddle and Todd Fleming with Sound Development came forward. They explained they had met recently with the Benchlands Ad Hoc Committee to review ideas and thought processes for development. Twaddle and Fleming felt it was good to have Landscape Architect, Robert Droll, involved; however, they expressed concern with timeliness. They requested if the Assembly was not comfortable with the outright sale of all four parcels, that the two smaller parcels (A&B) be sold. This would allow them to move forward this construction season and give Robert Droll time to work on the larger parcels containing wetlands and drainage issues.

Assembly members offered their opinions on the project and the idea of selling Tracts A&B to Sound Development now. While some members agreed it would be beneficial to move the project forward now, there was concern expressed to not rush the project and put some thoughtful planning forth.

Esquiro recused himself due to a recent business relationship with Mr. Twaddle.

A motion was made by Putz that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 6 - Christianson, Reif, Hunter, Putz, McConnell, and Hackett

Recused: 1 - Esquiro

A recess was taken from 8:11pm to 8:19pm.

Mayor McConnell signed off from Skype.

J [13-145](#) Authorize the Interim Administrator to hire a Senior Engineer to fill the Public Works Department vacant engineering position

Reif stated there was a backlog of projects to be done. He reminded 80% of the salary would be paid out of the projects, not the General Fund.

Esquiro wondered if once the backlog of projects was complete if there would be a need for five engineers. Interim Administrator, Jay Sweeney, stated if and when the amount of work dropped, then the need would most likely be reassessed and it could be possible a vacancy was not filled in the future.

A motion was made by Putz that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 6 - Christianson, Esquiro, Reif, Hunter, Putz, and Hackett

Absent: 1 - McConnell

XI. PERSONS TO BE HEARD:

None.

XII. EXECUTIVE SESSION

None.

XIII. ADJOURNMENT

A motion was made by Reif to ADJOURN. The meeting ADJOURNED at 8:26pm by unanimous voice vote.

ATTEST: _____
Sara Peterson, CMC
Acting Municipal Clerk