



# 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 Matt Hunter*  
*Vice-Deputy Mayor Phyllis Hackett, Pete Esquiro, Mike Reif,*  
*Benjamin Miyasato and Aaron Swanson*

*Municipal Administrator: Mark Gorman*  
*Municipal Attorney: Robin L. Koutchak*  
*Municipal Clerk: Colleen Ingman, MMC*

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Tuesday, July 8, 2014

6:00 PM

Assembly Chambers

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### REGULAR MEETING

**Present:** 4 - Hunter, Hackett, Swanson, and Miyasato

**Excused:** 3 - McConnell, Esquiro, and Reif

#### I. CALL TO ORDER

#### II. FLAG SALUTE

#### III. ROLL CALL

#### IV. CORRESPONDENCE/AGENDA CHANGES

AA [14-155](#) Correspondence for July 8

BB [14-157](#) Public Works and Electrical Department Monthly Reports

#### V. CEREMONIAL MATTERS

Certificates of Appreciation were read and presented to out going Tree and Landscape members Simon Greene and Linda Speerstra.

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

Sitka Tribe of Alaska Executive Director Lawrence Spottedbird expressed his joy in participating in the the Fourth of July parade, marching with fellow veteran Assemblyman Miyasato. They are trying to form a Veteran's Association to honor and participate in veteran's funerals in the future. He appreciates being able to provide input on the ceremonial canoe relocation; preference for location in order are: 1) Crescent Harbor green space with a canopy that will help preserve it; 2) Adjacent to the library close to the original location; or 3) Totem Square Park. STA Picnic will be Saturday, July 19 at Halibut Point Park. Miyasato pointed out we have around 1,100

veterans in Sitka.

Greater Sitka Arts Council Executive Director Jeff Budd and incoming Director Sara Lawrie gave a presentation on the current happenings of the arts council. They are working at developing an artist registry. It provides exposure to both established and emerging artists. Yangland, an intern expressed the potential importance of a paper booklet of local artists. Their website is [www.thinkarthinksitka.com](http://www.thinkarthinksitka.com).

## VII. PERSONS TO BE HEARD

Dr. William Davis offered an update on the Greater Sitka Legacy Fund. They have had a successful year raising funds and received \$50,000 from the Rasmuson Foundation. They had a mini grant program and chose to contribute to all seven non profits that applied. They will be holding a Seminar on Estate Planning, open to the public at no charge.

## VIII. REPORTS

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

Administrator - Gorman mentioned the Secure Rural Schools and PILT funding was approved. Working hard to maintain Sitka Community Hospitals' critical access status. He informed that Municipal Solutions representatives would be arriving this evening and they will be looking at our services over the next few days. Took delivery today of our Fish Waste Disposal boat. It's a 32' x 13' vessel that was completely funded with grant funds. Reported that the move of the Ride Transit has gone smoothly thus far, still have some minor modifications to make.

Liaisons - Hackett met with the Health Needs and Social Services Commission where they are beginning work on the goals that the Assembly approved. Attended a couple of the receptions for the Sitka Community Hospital CEO finalists.

## IX. CONSENT AGENDA

**A**     [14-151](#)             Approve the minutes of the June 24, 2014 Assembly meeting

**A motion was made by Swanson to APPROVE the Consent Agenda consisting of Items A & B. The motion PASSED on the following vote.**

**Yes:** 4 - Hunter, Hackett, Swanson, and Miyasato

**Excused:** 3 - McConnell, Esquiro, and Reif

**B**     [14-152](#)             Appointment: Reappoint TJ Tjomsland to a term on the Port & Harbors Commission

**Approved on the Consent Agenda.**

- C**     [14-153](#)     Authorize the emergency award of a sole source contract with WS Construction for replacement of failing floatation on Floats 5 and 6 Eliason Harbor - \$165,034.00

Hackett recalled a lot of studies on this and every study has come back saying that all of our systems are living longer due to the expert maintenance. This is sole source because it is an emergency repair and that WS Construction is going out of business.

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

**Yes:** 4 - Hunter, Hackett, Swanson, and Miyasato

**Absent:** 3 - McConnell, Esquiro, and Reif

- D**     [14-156](#)     Authorize the Municipal Administrator to execute a Change Order with CBC Construction, Inc. to install an AYC guardrail along the breakwater spur boardwalk and transfer \$40,000 from the Commercial Passenger Vessel Excise Tax Fund to the Sea Walk Project

Hackett pulled because she has received a lot of comments on this item. She explained that it is something we have to do because of our insurance carrier recommendations. Hackett inquired if the guardrail would need to go around the seating area, Gorman responded "No." The material will be Alaska Yellow Cedar for the support poles with one wire running between. Deputy Mayor Hunter applauded staff for coming up with such a nice alternative.

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

**Yes:** 4 - Hunter, Hackett, Swanson, and Miyasato

**Absent:** 3 - McConnell, Esquiro, and Reif

**X. UNFINISHED BUSINESS:**

- E**     [ORD 14-22](#)     Modifying SGC Section 13.04 entitled "Definitions" to include Float Homes to definition of Float Houses and modifying Section 13.15 entitled "Reserved-Float House" to be entitled "Float Homes" and adding regulations for Floating Homes within the jurisdictional limits of the Harbor System as set forth in SGC 13.02.040

**A motion was made by Hackett to APPROVE on third reading. It was later amended. The motion PASSED and the following vote.**

**Yes:** 4 - Hunter, Hackett, Swanson, and Miyasato

**Excused:** 3 - McConnell, Esquiro, and Reif

**A motion was made by Hackett to amend by adding:**

**C. The architecture of the structure must have the intent of enhancing the aesthetics of the harbor environment while being in compliant with the building safety code. In keeping with this intent, architectural deviations from**

section 13.15.030.B may be approved by an ad hoc committee appointed by the Administrator. Such deviations must be in compliance with relevant sections of SGC Chapter 19.

The ad hoc committee will be composed of:

- o One Planning Commission member
- o One Port and Harbors Commission member
- o One Public Works staff member
- o One Planning Department staff member
- o One member at-large

The motion to **AMEND PASSED** on the following vote.

**Yes:** 4 - Hunter, Hackett, Swanson, and Miyasato

**Excused:** 3 - McConnell, Esquiro, and Reif

- F**     [ORD 14-23](#)     Modifying SGC Title 19 entitled Building and Construction by adding language to exempt float homes within the jurisdictional limits of the harbor system under SGC 19.08.025 entitled "Docks and Buildings" and adding Chapter 19.15 entitled "Building Code for Float Homes," Chapter 19.16 entitled "Electrical Code for Float Homes," and Chapter 19.17 entitled "Plumbing Code for Float Homes"

**A motion was made by Swanson to APPROVE Ordinance 14-23 on third and final reading. The motion PASSED on the following vote.**

**Yes:** 4 - Hunter, Hackett, Swanson, and Miyasato

**Absent:** 3 - McConnell, Esquiro, and Reif

- G**     [ORD 14-24](#)     Repealing SGC Chapter 4.06 entitled "Allocation of Revenues from Sale of Water" and Reenacting it with a new Chapter 4.06 of the SGC entitled "Proceeds from Raw Water Sale Contracts"

Hackett inquired about the application of fees. Gorman explained that the intent is to cover all contracts. Gorman added, that if we hit pay dirt on water sales this ordinance will be revisited again. Hackett would rather see clearer intent. Gorman thinks it addresses her concerns, pointing out that the Assembly has the final authority and the GPIIP Board has an advisory role.

Sweeney explained what currently exists on any water sale revenues: 25% goes to Electrical, 25% goes to Water, 25% goes to GPIIP and 25% to the General Fund. He sees the revenues as a general public resource and desires to create a mechanism where all sales would go to one fund, with any legitimate expenditures being paid out of that fund. The Assembly decides what to do providing a protection mechanism.

**A motion was made by Hackett to APPROVE on final reading. The motion PASSED on the following vote.**

**Yes:** 4 - Hunter, Hackett, Swanson, and Miyasato

**Absent:** 3 - McConnell, Esquiro, and Reif

## **XI. NEW BUSINESS:**

- H [14-154](#) Approve a temporary use permit for an asphalt plant filed by S&S General Contractors and Equipment Rentals, Inc. for Secon Southeast Alaska at 4660 Halibut Point Road (S&S rock pit). The request is to house a asphalt plat throughout the duration of the paving of Halibut Point Road (estimated September 15, 2014) at the S&S rock pit.

Williams explained that this is temporary for an existing permit and the plan is for it to continue until the end of the Halibut Point Road project. Approval was to last through June for Granite Creek. The Nelson's initially raised concerns because of the additional noise from truck traffic. Sitka General Code allows for temporary plants to be approved by the Assembly as the Board of Adjustment and are not required to go through the Conditional Use Permit process.

TJ Mason representing SECON testified that Planner Williams covered it and he doesn't have anything to add, unless there are any questions.

**A motion was made by Swanson to convene as the Board of Adjustment.**

**The motion PASSED by unanimous consent.**

**A motion was made by Swanson to approve a temporary use permit for an asphalt plant filed by S&S General Contractors and Equipment Rentals, Inc. for Secon Southeast Alaska at 4660 Halibut Point Road (S&S rock pit). The request is to house an asphalt plant throughout the duration of the paving of Halibut Point Road (estimated September 15, 2014) at the S&S rock pit.**

**The motion PASSED on the following vote.**

**A motion was made by Swanson to reconvene as the Assembly in regular session.**

**The motion PASSED by unanimous consent.**

**Yes:** 4 - Hunter, Hackett, Swanson, and Miyasato

**Absent:** 3 - McConnell, Esquiro, and Reif

## XII. ADJOURNMENT

**A motion was made by Miyasato to AJOURN. Hearing no objection the meeting ADJOURNED at 6:57 PM.**

**ATTEST:** \_\_\_\_\_  
**Colleen Ingman, MMC**  
**Municipal Clerk**