

CITY AND BOROUGH OF SITKA

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



Meeting Agenda

Tuesday, May 14, 2013

6:00 PM

Assembly Chambers

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*

REGULAR MEETING**I. CALL TO ORDER****II. FLAG SALUTE****III. ROLL CALL****IV. CORRESPONDENCE/AGENDA CHANGES**

[13-110](#) Correspondence Attachments

V. CEREMONIAL MATTERS**VI. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Municipal Departments, School District, Students and Guests (time limits apply)****VII. PERSONS TO BE HEARD****VIII. REPORTS**

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

IX. CONSENT AGENDA

- A** [13-084](#) Approve the minutes of the April 23, and May 6, 2013 Assembly and Board of Equalization meetings.

Attachments: [Minutes April 23 & May 6](#)

X. UNFINISHED BUSINESS:

- B** [ORD 13-21](#) Amending Sitka General Code Title 13 entitled "Port and Harbors" to allow provisions for removal of persons violating City and Borough of Sitka Harbor Facilities Regulations

Attachments: [Ord 2013-21](#)
[ORD 13-21 Passed](#)

A few Eliason Harbor residents spoke in support. Tamara Scallion said it would be nice to have some security. Christianson has been on a number of EMS calls there and he is a little nervous because of a lack of an appeals process. Municipal Attorney Kouchak patterned this ordinance after Petersburg and state law. We wanted to include conduct that was falling through the cracks. We purposely left out the due process and administrative rights. She added that moorage is a privilege not a right.

Putz worried it might increase homelessness and queried whether to add time elements to the ordinance such as: 24 hours on first violation, 48 hours on 2nd violation and revoke their moorage on third violation. Mayor pointed out it says "may" so it is already discretionary. Christianson brought up that there is nothing that precludes the harbormaster from saying you are going to have to leave the harbor for 24 hours or until you sober up for an example.

Putz expressed concern with implementation. Christianson noted it may need to be changed in the future. Hackett had received several public comments thanking the Assembly for doing this in an effort to make the harbors more safe. Reif complimented Harbor Master Eliason and Police Chief Schmitt.

- C** [ORD 13-22](#) Amending Sitka General Code Title 18 Property Acquisition and Disposal to revise SGC 18.16.210 Class III - Annual Lease Payments and Terms for New Leases and Lease Renewals

Attachments: [Ord 2013-22 packet materials](#)
[ORD 2013-22 edited](#)
[ORD 13-22 Passed](#)

Planning Director Williams explained that we are facing "sticker shock" because many leases have been in place for so many years they have doubled or tripled from 50 years ago. Planner I Bosak pointed out that it follows National Code "the term of the existing lease is thirty years" this was left out but it is in the existing code and just got missed. Assessor Hughes offered we have 50 tidelands leases all written differently some with five, seven and even a 25 year clause. The majority of the leases are tied to the current rate. The ones that are expiring will be written to a different term. The ordinance is not tied to a market. Planning Director, Wells Williams, estimated there were between 30-60 leases. Interim Administrator Sweeney reported the leases brought in \$162,000 a year in revenue. Esquiro asked if the University owned all the tidelands on the Japonski side. Williams responded they were primarily owned by the State and Federal governments. Hackett reiterated this was about lowering the lease rate to a more realistic rate.

- D** [ORD 13-23](#) Amending Sitka General Code Title 2 entitled "Administration" to establish a Health Needs and Human Services Commission and establish organizational guidelines for such commission

Attachments: [Memo Ord 2013-23](#)
[Ord 2013-23](#)

Christianson applauded Hackett for all her work on this. Hackett apprized that the needs was brought to her by the social services community. There is no vehicle to identify these needs. Christianson supports the fact the commission will have direction and it is clearly laid out what they are doing year-to-year. Reif questioned the number of members. Hackett explained it

was easier to get a quorum with a seven member board and more minds to address matters. Christianson added there were many entities that would like to be involved. Esquiro shared some of Reif's concerns on the number of members.

XI. NEW BUSINESS:

New Business First Reading

- E** [ORD 13-24](#) Authorizing a three month lease of municipal property above the Kimsham Ball Field eastern parking lot with New Cingular Wireless PCS, LLC.
Attachments: [AT&T Cell on Wheels Temporary Lease ORD & docs](#)
- F** [ORD 13-25](#) Amending SGC Section 6.16.010 Entitled "Sales - Permit, Fees and Regulations" to expand permitted activities to include food sales on public property and add Section 6.16.015 Entitled "Retail Sales of Food from Mobile, Non-Motorized Vehicles" to establish permits, fees and regulations for such sales.
Attachments: [ORD 2013-25](#)
- G** [ORD 13-26](#) Amending SGC Chapter 4.12.025 Entitled "Exemptions" Subsection G. to define "Good Cause" for approval of late filed applications for real property tax exemptions.
Attachments: [ORD 13-26](#)
- H** [ORD 13-27](#) Adopting Budgets for the Fiscal Year July 1, 2013 through June 30, 2014.
Attachments: [ORD 2013-27](#)
- Sitkans Against Family Violence (SAFV) Executive Director, Vicki D'Amico, hoped non-profit funding would be increased. She reported SAFV had had a 112 percent increase in clients and no increase in staffing. D'Amico stated women were staying longer because of the long term affects of trauma and no affordable housing. SAFV Board member, Sheldon Schmitt, stated SAFV provided a lot more than advocacy and shelter - there was a lot of work towards prevention and they needed money more than ever.
- Jennifer Robinson, Executive Director of the Greater Sitka Chamber of Commerce, stated the Chamber passed two resolutions recently in support of Sitka Historical Society and Museum and in support of increasing funding of Sitka Convention and Visitor's Bureau (SCVB). She would like to see a minimum of \$350,000 for them in the FY 2014 budget.
- Reif confirmed what was left in the projected surplus. Interim Administrator, Jay Sweeney, estimated \$1.3 M but reminded those funds were not in the bank today, only anticipated. He noted it could change if some unanticipated event(s) happened or tax

revenues did not materialize. Sweeney stressed final numbers would not be known until June 30th. Christianson pointed out that in his view this entire budget was anticipation. Reif clarified that the budget did not include wage increases. Sweeney responded the ASEA agreement, if ratified, would cost roughly \$68,000. He could not speak to the PSEA agreement as negotiations were still ongoing and would have to be reflected in an upcoming budget adjustment. Sweeney added he did not budget fully for revenue sharing nor stumpage. He anticipated a large increase in sales tax generated by raising the cap to \$1,500 and by taxing seniors for alcohol and cigarettes.

Christianson commented unless the rules for non-profit funding were changed SAFV would only be eligible for \$20,000; he didn't see that as adequate when SAFV was doing the City a direct service. Sheldon Schmitt mentioned it cost the Police Department \$45,000 to respond to domestic violence reports and he supported the amendment.

Esquiro supported \$50,000 to SAFV but was against deficit spending. Hunter noted the City had been deficit budgeting for years. Hunter supported the \$50,000 for SAFV, but not increasing the non-profit budget amount.

Christianson argued against the secondary amendment because for better or worse the non-profit fund had been established and the City would probably get the same amount back in tax revenues. Putz did not support the amendment either.

When queried, Public Works Director Michael Harmon recommended the Assembly consider allocating funds to Edgumbe Drive.

Reif was comfortable with his amendment anticipating there would be sufficient surplus funds to cover it and other needs such as wages. Christianson mentioned "the middle of the road" had not been talked about - something in between gravel and paved streets and perhaps no sidewalks.

- I [ORD 13-28](#) Amending SGC Section 15.01.020 entitled "Electric Rates" by adjusting rates for all customer classes to fund voter approved improvement for the Blue Lake Hydroelectric Expansion Project and Implementing Rate Structures for General Service - Small, General Service - Large, and General Service - Public Authority Class Customers.

Attachments: [Item G Ord 13-28](#)

Utility Director Chris Brewton explained the ordinance and charges. Assembly members requested a clearer graph of

utility usage on customers bills.

Additional New Business Items

- J** [13-086](#) Approve a five-year lease extension for Seafood Producers Cooperative and North Pacific Seafoods for the Marine Services Center.

Attachments: [MSC Leases Seafood Companies](#)

- K** [13-087](#) Approve temporary wayfinding/directional signage for downtown.

Attachments: [Temporary Signage](#)

- L** [13-090](#) Approve a lease for Block 2, Lot 1, of Sawmill Cove Industrial Park for a minimum of two years to S&S General Contractors

Attachments: [Item J S&S Lease](#)

- M** [13-088](#) Approve a temporary salary adjustment equal to the rate of pay authorized for the Municipal Administrator's position for any individual while serving in that capacity.

- N** [13-072](#) Discussion regarding the scheduling of strategic planning times

Putz requested routine strategic planning meetings once a month outside of an Assembly meeting. Assembly members noted what schedule would work best for them.

It was decided to meet on the second Monday of each month and begin at 6:00 PM with the locations to be determined. It was requested a staff member be present to take notes.

XII. PERSONS TO BE HEARD:

XIII. EXECUTIVE SESSION

XIV. ADJOURNMENT