



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*

*Municipal Administrator: Jim Dinley
Municipal Attorney: Theresa Hillhouse
Municipal Clerk: Colleen Ingman, MMC*

Tuesday, October 23, 2012

6:00 PM

Assembly Chambers

WORKSESSION

Worksession on the Sewer Master Plan was held from 5:00 - 5:40 PM preceding the meeting.

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

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

Telephonic: 1 - Christianson

IV. CORRESPONDENCE/AGENDA CHANGES

None.

Schools Update - Tim Fulton

Sitka School Board Member, Tim Fulton, provided an update. He noted two Sitka students had traveled to China as part of an exchange program, recently.

Government-to-Government Update with Sitka Tribe of Alaska

V. PERSONS TO BE HEARD

Greater Sitka Chamber of Commerce Director, Jennifer Robinson, announced upcoming events in the downtown area. Doug Osborne spoke to the recent Health Summit. Connor Nelson attended a recent Planning Commission meeting. In regard to the Menendez Day Care, he asserted they were not in compliance with their Conditional Use Permit regarding four unobstructed parking spaces.

VI. REPORTS

Mayor - Spoke at the Museum Historical Society Conference, attended LEPC, Health Summit meetings and School Board swearing in. Accepted a plaque and USCG Medallion at the Alaska Day Ball. She participated in the new Moller Ball Field dedication and heard the Victimization Survey Results. Attended the Sitka Historical Society presentation on the Blue Lake Hydro Electric Dam. Planned to speak at the Harbor Master Association Conference in Sitka.

Administrator - Reviewed the status of several Public Works projects.

Clerk - Advised advanced voting for the November 6 state/federal election was now being conducted at City Hall - 3rd Floor, M-F, from 8:00 am - 5:00 pm.

Other - Hackett mentioned the Public Works projects report had grown from two to nine pages in length.

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

VII. CONSENT AGENDA

- A** [12-144](#) Approve the minutes of the September 25 and October 9, 2012 Assembly meetings.

This item was APPROVED ON THE CONSENT AGENDA.

- B** [12-148](#) Appointments: Appoint 1) "TJ" David Tjomsland to Ports and Harbors, 2) Aaron Swanson to Police & Fire (unexpired term); 3) Cheryl Westover to Planning Commission; Reappoint 4) Barbara Bingham to Kettleton Memorial Library Commission and 5) Richard Doland to the Building Department Appeals Board.

Harbor Commission member Ken Creamer spoke in support of appointing David Tjomsland. Hackett said she appreciated folks stepping up and submitting thorough applications.

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

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

Absent: 1 - Reif

- C** [RES 12-26](#) Supporting State funding for the Hames Center Roof Project
- Assembly member Hackett recused herself as she currently serves as the Director of Hames. Members of the Hames Center Advisory Team reported things were great at the Hames Center. The Team reported membership and community support were strong, although there would be some tremendous capital improvement challenges.
- A motion was made by Putz that this Resolution be APPROVED. The motion PASSED by the following vote.**

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

Absent: 1 - Reif

- D** [12-145](#) Approve award of a Professional Services Contract to GDM, Inc. Architects for the Sitka Community Hospital Roof Replacement Project not to exceed \$75,630.10

This item was APPROVED ON THE CONSENT AGENDA.

VIII. UNFINISHED BUSINESS:

- E** [12-147](#) Nominate/Appoint Deputy Mayor, Vice Deputy Mayor and Liaisons
- Nominations for Deputy and Vice Deputy Mayor were made. Pete Esquiro was appointed Deputy Mayor and Thor Christianson was appointed Vice Deputy Mayor.

- F** [ORD 12-28](#) Amending the Official Sitka Zoning Map to Rezone Lot 11, 12, 23, 24 Sitka Indian Village USS 2542 A&B from R-1 Single-Family and Duplex Residential District to WD Waterfront District
- Sitka Tribe of Alaska's (STA) legal counsel, Allan Bell, was present to answer questions. Planning Director, Wells Williams, pointed out the Tribe testified they had been in their location for several decades and had plans to continue to be there for several decades to come.

A motion was made by Hackett that this Ordinance be PASSED ON SECOND READING. The motion PASSED by the following vote.

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

Absent: 1 - Reif

- G** [ORD 12-31A](#) Amending SGC Title 21 Subdivision Code and Title 22 Zoning to clarify the zero lot line regulations and eliminate inconsistencies.
- Connor Nelson spoke to inconsistencies in the Table. He noted a big change from what had been done the last 40 years and was not following the logic.
- Planning Director, Wells Williams, mentioned this was an Assembly driven ordinance. "Home occupation" was a new enactment proposed by Reif. The ordinance substantially tightened zero lot lines for day cares.

Assembly members offered their opinions.

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

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

Absent: 1 - Reif

A motion was made by Hackett that this Ordinance be AMENDED by returning Lines 90 and 91 to the original language. The motion to AMEND PASSED by the following vote.

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

No: 2 - Christianson, and Putz

Absent: 1 - Reif

H [ORD 12-32](#) Amending Section 4.09.100 of the Sitka General Code to identify possible sales tax holidays for certain sales in 2012. (November 23 and 24)

Sitka Greater Chamber of Commerce Director, Jennifer Robinson, recommended the two days after Thanksgiving for a sales tax holiday.

A motion was made by Hunter that this Ordinance be PASSED ON SECOND READING. The motion PASSED by the following vote.

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

Absent: 1 - Reif

I [ORD 12-33](#) Amending Section 4.09.100 of the Sitka General Code to identify possible sales tax holidays for certain sales in 2012. (October 27 and November 23)

A motion was made by Hackett that this Ordinance be PASSED ON SECOND READING. The motion FAILED by the following vote.

No: 6 - Christianson, Esquiro, Hunter, Putz, McConnell, and Hackett

Absent: 1 - Reif

J [ORD 12-34](#) Adjusting the FY12 and FY13 budgets for changes identified during the fourth quarter FY12 normal budget execution review.

Assembly member Reif joined the meeting at 7:30 PM.

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

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

- K** [ORD 12-35](#) Consenting to the assignment of the agreement for material sale & lease of municipal property to ASRC Construction Holding Company, LLC.

A motion was made by Esquiro that this Ordinance be PASSED ON SECOND READING. The motion PASSED by the following vote.

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

IX. NEW BUSINESS:

New Business First Reading

- L** [ORD 12-36](#) An ordinance of the City and Borough of Sitka, Alaska supporting ratification of the 2012 State of Alaska ballot Proposition A, which includes \$7,500,000 for the Sawmill Cove Industrial Park Bulkhead Dock in the 2012 State Transportation Project Fund, and approving the expenditure of municipal funds not to exceed the amount of \$1,000 for the purpose of advocating for public support of Proposition A

Garry White, Sawmill Cove Board Director, explained the SCIP Board was asking for Assembly support since they were not able to do so at their level. White explained SEDA was also supportive of the Katlian Bay road portion - another Sitka project funded within Proposition A. White stated, overall, both projects would be a benefit to Sitka.

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

Yes: 3 - Christianson, Esquiro, and McConnell

No: 4 - Reif, Hunter, Putz, and Hackett

- M** [ORD 12-37](#) Amending SGC at Chapter 15.04 entitled "Sewer System" at Subsection 15.04.320 entitled "Rates and Fees" and at Chapter 15.05 entitled "Water System" at Section 15.05.625 entitled "Wastewater Service-Sawmill Cove Industrial Park" to adjust the rates for water service

Putz noted the public should be aware by the year 2020 rates would double. Hackett pointed out the City for years didn't have long-term master plans; this was the price we were now paying.

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

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

- N** [ORD 12-38](#) Amending SGC at Section 23.30.020 Entitled "Conditions for Use of

Parks and Recreation Facilities: to Prohibit Non-Service Dogs from being on Certain Designated Ball Fields and subjecting the dog owner to a fine

Ken Carson spoke against the Ordinance.

Esquiro was opposed to the fine level of \$300; stating it was steep and something else needed to be considered. Hunter pointed out there was a dedicated dog park at the Turnaround and had seen many people utilize the Japonski ball field. He was not supportive of dogs on Moller Field and wondered if the City could make Kimsham seasonal.

Administrator Dinley mentioned the difficulty with enforcement with regards to the soccer field and Kimsham. Dinley assured the Police Chief would be able to hire the half-time person he had budgeted to help with enforcement.

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

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

No: 1 - Esquiro

Additional New Business Items

- O** [12-152](#) Authorize the Municipal Administrator to issue and execute a Notice to Proceed with Barnard Construction, prior to November 1, 2012, for Contract No. 9, General Construction and obligate project funds in the amount of \$88,387,300 from the Blue Lake Third Turbine and Dam Upgrade Capital Project No. 90594

Utility Director, Christopher Brewton, explained Barnard Construction was doing the construction, Hatch's role was design and McMillen, LLC would serve as Project Manager. Putz had some questions on cost savings. Christianson inquired on housing costs. Paul Carson, consultant for the City on the project replied they were providing per diem support versus a camp. Red Path tunneling out of Juneau may bring in a housing barge to be docked at Sawmill Cove. Hunter inquired if the City had heard from the bond bank. Administrator Dinley responded there were plans to meet with them October 29 and 30.

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

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

- P** [12-151](#) Discussion/Direction/Decision on the Request for Proposal language drafted by the Adhoc Benchlands Committee

Hugh Bevan explained the City purchased the Benchlands for \$3.1 Million. Bevan noted the three proposals before the Assembly, the committee recommendations, and draft Request for Proposal (RFP). He urged the Assembly to let the private sector decide the market value of the property. Garry White explained the main goal was to get the property moving and bring some dollars into the CBS.

Hunter noted this was only ¼ of the Benchlands property and urged moving forward

with the folks that have done the work on this. Hackett hoped developers would look at community needs and wondered if it would be valuable to have assembly members on the review committee. Reif disagreed stating the Assembly shouldn't be involved as there was a tendency to get personal voices rather than one voice of the Assembly.

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

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

A motion was made by Putz that the point system be AMENDED to reflect a 40-20-40 ratio. The motion on the amendment FAILED by the following vote.

Yes: 3 - Putz, McConnell, and Hackett

No: 4 - Christianson, Esquiro, Reif, and Hunter

Q [12-150](#)

Approve a transfer of \$72,000 from 90652 UV Disinfection Feasibility Study to Project 90673 HPR Water Improvements and Utility Reimbursable Services Agreement Change order #2 between DOT&PF and CBS for \$783,296

Esquiro clarified the city no longer needed the \$72,000 for UV Disinfection. Public Works Director, Michael Harmon, stated those dollars had been replaced with grant funding.

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

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

R [12-146](#)

Approve the purchase and implementation of New World Systems Net Enterprise Resource Planning System. Utilizing \$200,000 in MIS fund balance and borrowing from the Southeast Economic Development fund \$238,000 to be paid back in five years through CBS departments debt service

Deputy Finance Director, Mike Middleton, provided an overview of the current system and how it did not interface well with current software, forcing staff to run through other programs creating duplication.

Christianson questioned why it was suggested to take money from the Southeast Economic Development fund opposed to reserves. It was explained, the money was dedicated to public entities and would not take from the private sector funds. MIS Director, Gary McCarty, added that as part of being a partner with New World it included updates and that would have an ongoing cost. The new maintenance fee would decrease slightly.

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

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

S [12-149](#) Schedule a Ports and Harbors User Group meeting to provide an additional opportunity to discuss harbor rates - November 7 suggested

Sponsors: Reif

Harbor Master, Stan Eliason, reported he would have at least three members who planned to attend the November 7th, 6:00 PM, worksession at Harrigan Centennial Hall.

T [12-153](#) Schedule a visioning session.

Mayor announced Doug Osborne had agreed to serve as the facilitator. The date chosen was Dec. 8, from 10:00 AM - 4:00 PM, location to be determined.

X. PERSONS TO BE HEARD:

None.

XI. ADJOURNMENT

Motion by Hunter to ADJOURN. The meeting adjourned at 9:32 PM.

ATTEST

Colleen Ingman, MMC
Municipal Clerk