

CONSENT AGENDA

POSSIBLE MOTION

**I MOVE TO APPROVE THE CONSENT AGENDA
CONSISTING OF ITEMS A & B**

I wish to remove Item(s) _____

**REMINDER – Read aloud a portion of each item being
voted on that is included in the consent vote.**

Should this item be pulled from the Consent Agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO approve the minutes of the August 9th special and regular Assembly meetings.



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
1332 Seward Ave.
Room 229
Sitka, AK
(907)747-1811

Minutes - Draft

City and Borough Assembly

*Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Bob Potrzuski*

*Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson*

Tuesday, August 9, 2016

5:00 PM

Assembly Chambers

SPECIAL MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

IV. PERSONS TO BE HEARD

None.

V. NEW BUSINESS:

A 16-146

Discussion/Direction to 1) select a Municipal Attorney applicant(s) for in-person and/or videoconferencing interviews with the Assembly, and, 2) schedule interview date(s), time(s) & location(s)

Mark Danielson, Human Resources Director, provided an overview of the process. Assembly members named those individuals who they were interested in interviewing and agreed to interview the top five vote getters on August 20th via Skype. Individuals to be interviewed:

Cary Gagnon
Brian Hanson
Eugene Hickey
Rachel Jones (Williams Kastner & Gibbs PLLC)
Kevin Carlisle

Assembly Discussion

Assembly members expressed reservation in contracting with a law firm (William

Kastner & Gibbs PLLC). Members preferred to have Jones apply separately and be interviewed. In addition, members conveyed they would like to find out more information from candidate Brian Hanson with respect to his part-time proposal.

VI. PERSONS TO BE HEARD:

None.

VII. EXECUTIVE SESSION

None.

VIII. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 5:38 pm.

ATTEST:

**Sara Peterson, CMC
Municipal Clerk**



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Tristan Guevin, and Bob Potrzuski

Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson

Tuesday, August 9, 2016

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

IV. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

16-145 Reminders, Calendars and General Correspondence

V. CEREMONIAL MATTERS

16-142 Service Awards - Chris Gale and Ptarmica McConnell

Hunter read the service award for Chris Gale in recognition of his service as a Tree and Landscape Committee member and Ptarmica McConnell for her service on the Gary Paxton Industrial Park Board of Directors.

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

Utility Director, Bryan Bertacchi, informed the Assembly the Department had disassembled the three Blue Lake turbines prior to the end of the warranty period and found unexpected levels of cavitation, erosion and corrosion. Bertacchi reported the Department was working with the manufacturer to resolve the problem.

VII. PERSONS TO BE HEARD

Dave Longtin, Senior Engineer, announced Jeff Davis Street would be closed to through traffic starting August 10th for infrastructure and road replacement work. Longtin noted the project was expected to be complete by the end of September. The Sheldon Jackson Child Care Center and Hames Center would still be accessible during this time.

VIII. REPORTS

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

Administrator - Gorman announced the City had received a grant for the Sea Walk extension, reminded the public of the August 18 landslide commemoration events, and stated the grand opening of Harrigan Centennial Hall (HCH) was tentatively planned for October 11 at 5pm. Gorman added a new fee schedule would be implemented for HCH.

Liaisons - Potrzuski met with the Sitka School District (SSD) Superintendent and informed the SSD had received a couple of grants for art education, Miyasato announced there were two openings on the Library Commission and stated the Commission was unhappy with the Sunday Library closure.

Clerk - Peterson reviewed the list of candidates for Mayor, Assembly and School Board as well as the precinct locations for the October 4 Municipal Election.

IX. CONSENT AGENDA

A motion was made by Swanson that the Consent Agenda consisting of items A & B be APPROVED. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

A 16-141 Approve the minutes of the July 26 and August 2 Assembly meetings

This item was APPROVED ON THE CONSENT AGENDA.

B 16-147 Approve a Restaurant Designation Permit application for Trinity Business Services, LLC dba Halibut Point Crab & Brew at 4513 Halibut Point Road

This item was APPROVED ON THE CONSENT AGENDA.

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

None.

XI. UNFINISHED BUSINESS:

- C ORD 16-25** Amending Title 15 of the Sitka General Code to increase rates at Chapter 15.04 "Sewer System" Sections 15.04.100 entitled "Service Connection Charge", 15.04.320 entitled "Rates and Fees", Chapter 15.05 "Water System" Sections 15.05.240A entitled "Service Connection Charge", 15.05.620 entitled "Rates and Fees"

Marjorie Parmelee, member of the Concerned Citizens Group, voiced opposition to increased rates.

A motion was made by Miyasato that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- D ORD 16-26** Amending the Home Rule Charter of the City and Borough of Sitka for purposes of increasing the property tax limit to eight-tenths (0.008) of one percent; and submitting the question of such an amendment to the qualified voters at a regular election on October 4, 2016 (ballot proposition)

Larry Crews spoke in opposition to the ballot proposition and noted the intended use for the revenue generated from 2 mills should be stated in the ballot proposition.

Assembly members stated there was a lack of understanding in the community regarding the ballot proposition. Guevin encouraged the public to visit the Citizens' Taskforce webpage for helpful resources pertaining to the budget and city services. Eisenbeisz stated it was important for the Assembly to identify the intended use of revenue generated from 2 mills. Administrator Gorman reminded two ordinances were planned to come forward at the August 23 Assembly meeting for the Assembly to choose from based on previous discussions: one to remove sales tax on groceries and the other to subsidize the Electric Fund.

A motion was made by Miyasato that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

XII. NEW BUSINESS:

- E 16-139** Approve the 2016-2019 International Brotherhood of Electrical Workers (IBEW), Local 1547 Collective Bargaining Agreement

Hunter thanked the employees for their service.

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

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- F 16-140** Approve a final plat for a major subdivision filed by Global Positioning Services, Inc. for Alaska State Land Survey No. 2015-06. The property, owned by the State of Alaska Department of Natural Resources, is located on Lisianski Peninsula and Nakwasina Sound.

Hunter described the location of the subdivision and spoke to the opportunities created for private use.

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

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- G ORD 16-29** Amending the official Sitka Zoning Map to assign OS (Open Space) Zoning to ASLS 2015-06, a previously unzoned parcel (*first reading*)

Senior Planner, Michael Scarcelli, explained Open Space (OS) zoning would allow property owners to build recreational housing, while still preserving rural character. Scarcelli stated the OS zoning district served as a holding zone for large island or tracts for which specific plans had not been established and provided a level of protection as compared to the Recreation District which had more commercial and higher density uses.

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

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- H ORD 16-28** Amending Sitka General Code Title 22 "Zoning" by amending Section 22.30.150 "Administrative Approvals Without Notice" (*first reading*)

Maegan Bosak, Planning and Community Development Director, explained an administrative variance granted up to two feet and was currently permitted in residential zones. The Planning Commission requested the Assembly consider allowing administrative variances in the commercial, waterfront and industrial zones. Bosak noted an administrative variance went through the same staff review process as a regular variance request that would typically go before the Planning Commission. She indicated much of the time administrative variances were granted for roof overhangs, and those variances granted, were reported at Planning Commission meetings. Eisenbeisz expressed concern that public notices were not mailed for administrative variances. Bosak also stated there was an appeal process outlined in Sitka General Code 22.30.170(A)(1).

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

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

- I ORD 16-27** Adjusting the FY17 Budget (Float Plane Dock Funding - *first reading*)

Eisenbeisz understood the reasoning behind the transfer however expressed concern with taking money from the Economic Development Fund over time and depleting the Fund. Hunter concurred, yet stated the use of funds was appropriate.

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

Yes: 4 - Hunter, Miyasato, Guevin, and Potrzuski

No: 2 - Swanson, and Eisenbeisz

Absent: 1 - McConnell

XIII. PERSONS TO BE HEARD:

None.

XIV. EXECUTIVE SESSION

J 16-144 Legal/Financial matters - Baranof Island Brewing Company loans

A motion was made by Potrzuski to go into Executive Session with Chief Finance and Administrative Officer Jay Sweeney to discuss matters, the immediate knowledge of which would adversely affect the finances of the municipality and speak with the Acting Municipal Attorney regarding a legal matter having legal consequences for the municipality. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

The Assembly was in executive session from 7:00pm to 7:50pm.

A motion was made by Swanson to RECONVENE as the Assembly in regular session. The motion PASSED by a unanimous voice vote.

A motion was made by Guevin that the City and Borough of Sitka forbear the scheduled principal and past due interest payments on Southeast Alaska Economic Development Fund loans to the Baranof Island Brewing Company (BIBCO) until April 1, 2018, and that monthly payment of interest on the loans' outstanding principle commence September 1, 2016 for the month ending August 31, 2016. Furthermore, I move that the Administrator be directed to enter into an agreement with BIBCO to formalize this forbearance. The motion PASSED by the following vote.

Yes: 6 - Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

Absent: 1 - McConnell

XV. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:52pm.

ATTEST:

Sara Peterson, CMC
Municipal Clerk