



# CITY AND BOROUGH OF SITKA

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

## Minutes - Final City and Borough Assembly

*Mayor Cheryl Westover  
Deputy Mayor Pete Esquiro, Vice-Deputy Mayor Thor  
Christianson,  
Terry Blake, Phyllis Hackett, Mim McConnell, and Mike Reif*

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

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Tuesday, January 10, 2012

6:00 PM

Assembly Chambers

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### REGULAR MEETING

#### I. CALL TO ORDER

#### II. FLAG SALUTE

#### III. ROLL CALL

**Present:** 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

#### IV. CORRESPONDENCE/AGENDA CHANGES

*Item J pulled – the Municipal Attorney stated this would need to come back as an ordinance.*

#### Government-to-Government Update with Sitka Tribe of Alaska

*No report. Mayor Westover extended condolences to the Widmark family.*

#### V. CEREMONIAL MATTERS

12-04

Proclamation - Bicycle Friendly Community

*Assembly Member McConnell read the proclamation recognizing Sitka as a Bicycle Friendly Community. Charles Bingham and Doug Osborne were present to accept.*

#### VI. PERSONS TO BE HEARD

*Bruce Botelho, Mayor of Juneau, explained the importance of having the Coastal Management Program. He stated he was in Sitka to support volunteers collecting signatures to place the Coastal Management initiative on the August primary ballot.*

#### VII. SPECIAL REPORTS

12-06 Electric Department - Fuel Surcharge Implementation

*Utility Director, Chris Brewton, reminded the fuel surcharge was in effect and urged conservation. He encouraged the public to attend a Hydro 101 course, January 12, at UAS to learn how the engineers at the Electric Department determined when diesel generation was needed and how much diesel was needed to meet demand.*

**VIII. REPORTS**

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

*Mayor: She and other community representatives met recently with Sealaska's Attorney to discuss the MOA for Redoubt.*

*Liaison Representatives: McConnell attended the Library Commission meeting. Hackett attended the Parks and Recreation Committee meeting.*

*Other: Mayor Westover mentioned the Pre-Budget Worksession that was held January 9. McConnell invited Assembly members and the public to an open house for the Sitka Community Development Corporation January 18 at Harrigan Hall. Hackett informed the State of Alaska, Department of Transportation, was holding a public meeting January 18 at Harrigan Hall on the Halibut Point Road project.*

**IX. CONSENT AGENDA**

- A** 12-01 Approve the minutes of the December 27, 2011 Assembly meeting.

**This item was APPROVED ON THE CONSENT AGENDA.**

- B** 12-03 Approve liquor license renewals: 1) American Legion Post #13, 2) Columbia Bar, 3) Loyal Order of Moose #1350, 4) Ludvig's Bistro.

**This item was APPROVED ON THE CONSENT AGENDA.**

- C** 12-08 Reappoint Russell Cameron to a three year term on the Local Emergency Planning Committee.

**This item was APPROVED ON THE CONSENT AGENDA.**

**X. UNFINISHED BUSINESS:**

- D** ORD 11-52 Amending Sitka General Code Chapter 2.66, entitled "Tourism Commission," at Sections 2.66.010 entitled "Establishing-Membership-Terms" and 2.66.050 entitled "Duties".

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

**Yes:** 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett

**XI. NEW BUSINESS:**

**New Business First Reading**

- E**      **ORD 12-02**      Amending Sitka General Code Chapter 15.01. entitled "Electric Utility Policies" by adding an additional definition in Section 15.01.005 regarding "Energy Star Rated Electrical Appliances" and a new section 15.01.090 entitled "Rebate Program for Electrical Energy Efficient Appliances and Electric Heat Pump Heating Systems".
- Chris Brewton, Utility Director, explained the purpose of the ordinance was to help the system load by replacing antiquated appliances with energy efficient appliances and also demonstrate the importance of conservation. Brewton explained the proposed rebate forms and amounts. The Assembly further discussed. Brewton was asked to provide, for the January 24th meeting, the number of kilowatts saved relative to the rebate amounts.*
- A motion was made by Blake that this Ordinance be PASSED ON FIRST READING. The motion PASSED by the following vote.**
- Yes:** 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett
- F**      **ORD 12-01**      Amending the official Sitka Zoning Map to rezone a portion of Lot 21 Block 1 Sitka Indian Village from R-1 Single Family and Duplex Residential District to CBD Central Business District.
- Planning Director, Wells Williams, explained the ordinance. The property owner wanted to rezone the seaward side of her parcel from R-1 to CBD to start a business venture. The upland portion facing Kaagwaantann Street would remain R-1.*
- A motion was made by McConnell that this Ordinance be PASSED ON FIRST READING. The motion PASSED by the following vote.**
- Yes:** 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett
- G**      **ORD 12-03S**      Amending the official Sitka Zoning Map to rezone Lot 25 Block 1 of Sitka Indian Village USS 2542 A&B from R-1 Single Family and Duplex District to CBD Central Business District.
- Colette Nelson, owner of Ludvig's Bistro, came forward. She explained her intent was to build internal stairs so patrons could go up to the second floor and wait under the covered deck until their table was ready. She reassured the entrance and exit to Ludvig's would remain on Katlian Street.*
- Brian McNitt, owner of the property, came forward. He explained the first floor was commercial use and the top two floors were residential use. McNitt noted the property was zoned R-1 but for the last 30 years there had been various businesses in the building. He added the properties on each side were zoned CBD.*
- The Assembly and applicant/owner agreed to find a way to protect the residential character on the Kaagwaantaan side. The fear was if the property were zoned CBD, in the future, there could be commercial use of the building on the Kaagwaantaan Street side. The Municipal Attorney suggested a restricted deed.*
- A motion was made by Reif that this Ordinance be PASSED ON FIRST READING. The motion PASSED by the following vote.**
- Yes:** 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett
- A recess was taken from 7:54pm to 8:00pm.*

**Additional New Business Items**

- H**      **12-07**      Approve the 35% Schematic Design to go forward through the 65% Design Development phase with the proposed low slope roof and roof deck for Pacific High School.
- The Assembly and Sitka School Board held a worksession prior to the regular meeting to discuss the 35% Schematic Design for Pacific High School.*
- The following individuals testified in support of the proposed schematic design: Lon Garrison, Tim Fulton, Tonia Rioux, Tom Connelly, Nancy Douglas, Mandy Summer, Phil Burdick, Garrett Burtner, and Steve Bradshaw.*
- Assembly members shared their opinions and some expressed concern with the proposed low slope roof.*
- A motion was made by Reif that this Item be APPROVED. The motion FAILED by the following vote.**
- Yes:** 3 - McConnell, Christianson, and Hackett
- No:** 4 - Westover, Blake, Esquiro, and Reif
- Assembly members discussed a new motion. School Board President, Lon Garrison, and School Superintendent, Steve Bradshaw, thanked the Assembly for bringing forth a new motion and asked for their support.*
- Karen Christner thanked the Assembly for not supporting a low slope roof.*
- Garrison and architect, Garrett Burtner, noted even with the proposed project changes they were prepared to go forward and would remain on approximately the same timeline.*
- A motion was made by Christianson to approve the 35% Schematic Design to go forward through the 65% Design Development Phase with the proposed steep slope roof, option 2, for Pacific High School. The motion PASSED by the following vote.**
- Yes:** 6 - McConnell, Blake, Christianson, Esquiro, Reif, and Hackett
- No:** 1 - Westover
- I**      **12-05**      Approve the four recommended budget execution guidelines as proposed by the Finance Director.
- Jay Sweeney, Finance Director, explained the reason behind the memo was to reduce the size and complexity of the Quarterly Review budget adjustment ordinances.*
- A motion was made by McConnell that this Item be APPROVED. The motion PASSED by the following vote.**
- Yes:** 7 - Westover, McConnell, Blake, Christianson, Esquiro, Reif, and Hackett
- J**      **12-09**      Authorize the Municipal Administrator to execute a Material Sale Agreement with McGraw Construction from January 13, 2012 to January 1, 2022 with a royalty rate of \$1.55 per cubic yard in place of material removed from the site and a disposal royalty rate of \$0.50 per cubic yard placed with a 3% annual increase.

*This item was PULLED at the beginning of the meeting. The Municipal Attorney stated it would need to come back as an ordinance.*

**XII. PERSONS TO BE HEARD:**

*John Bartlett gave a demonstration to the Assembly on the inefficiency of using electric heat and provided examples of more energy efficient systems.*

**XIII. ADJOURNMENT**

**A motion was made by Esquiro to ADJOURN. Hearing no objections the meeting ADJOURNED at 9:56pm.**

**ATTEST:**

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**Sara Peterson, CMC**  
**Deputy Clerk**