



CITY AND BOROUGH OF SITKA

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

Minutes - Draft

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*

Tuesday, May 14, 2013

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

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

IV. CORRESPONDENCE/AGENDA CHANGES

Mayor announced Item L had been pulled from the agenda.

V. CEREMONIAL MATTERS

Mayor read and presented an Arbor Day Proclamation "Trees are Forever" to Parks and Recreation Manager Lynne Brandon.

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

ORCA - Assistant Fire Chief, Al Stevens, gave a brief report on the recent ORCA Exercise. There were 289 participants; two of which were Assembly members - Hunter and Christianson. As a result of the Exercise, Steven stated Sitka became a Statewide Regional Response Team and added the hope was to make this an annual event. Stevens presented a plaque to the City and Borough of Sitka from the 103rd Civil Support Team in appreciation for their support and outstanding contribution. Assembly member Matt Hunter presented certificates of appreciation to Assistant Fire Chief Al Stevens and Incident Commander Don Kluting.

Police and Fire Commission - Commission Member Don Jones hoped the new administrator would be more supportive of public safety. He noted many Police Department positions had been frozen over the past few years and urged the Assembly to fully staff the Police Department.

VII. PERSONS TO BE HEARD

Cynthia Gibson announced a new local advisory committee, the Greater Sitka Legacy Fund.

VIII. REPORTS

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

Mayor- The Mayor reported on recent events she had participated in: invasive species Didemnum Vexillum meeting; AK Mental Health Board; UAS Graduation; 100 Volunteers Day, presentation of the "State of the City" to the Greater Sitka Chamber of Commerce, welcoming of Finland visitors and the first cruise ship of the season. She reminded the public May was National Bike to Work Week and also noted the upcoming Julie Hughes Triathlon May 18th.

Interim Administrator - Sweeney noted the outstanding reports in correspondence. He attended a multi-agency meeting to examine self insurance or co-op possibilities, the Bike Rodeo and Mt. Edgecumbe Graduation. He extended an invitation to citizens to stop by and talk.

Liaisons - Assembly members Christianson, Hackett, Putz, and Hunter shared information from the recent Board/Commission/Committee meetings they attended.

Clerk - Mentioned three worksessions had been requested: 1) May 28 Public Safety update; 2) June 3 Centennial Hall Renovation; and 3) June 11 SEDA and Avalon Development. It was decided to combine the May 28 request with the June 3 request and start at 6:00 PM. It was noted the June 11 worksession would be at 5:00 PM prior to a regular meeting.

Other - Reif acknowledged the Mayor and noted the time commitment that was required to serve as Mayor. He urged citizens to thank her. Hackett mentioned the Blue Lake report being available online and at the library. Mayor noted the Foraker Board Training available May 16 and May 17.

IX. CONSENT AGENDA

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- A 13-084** Approve the minutes of the April 23, and May 6, 2013 Assembly and Board of Equalization meetings.
- A motion was made by Christianson that Item A of the Consent Agenda be APPROVED. The motion PASSED on a unanimous vote.**
- 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
- 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.
- A motion was made by Hackett 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
- 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
- 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.
- A motion was made by Christianson 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
- 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
- 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.
- A motion was made by Reif 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

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.

A motion was made by Christianson 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

- 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.

Christianson explained this was a result of John Walsh's request and wished him luck.

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

- 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.

A motion was made by Putz to amend by striking the word "illiteracy" on line 39. The motion on the amendment FAILED on the following vote.

Yes: 3 - Reif, Putz, and Hackett

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

Christianson argued he would like to see the word left in. Municipal Attorney Koutchak informed there was case law on both sides of the issue - it was for the Assembly to decide. Esquiro commented it wouldn't hurt to leave it in. Hackett stated people have to find accommodations for their illiteracy. Hunter pointed out that it says "may". The Attorney reiterated it was discretionary.

A motion was made by Reif 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

- H ORD 13-27** Adopting Budgets for the Fiscal Year July 1, 2013 through June 30,

2014.

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.

A motion was made by Christianson to APPROVE this ordinance on first reading. The ordinance was approved and amended. The motion PASSED on the following vote.

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

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.

A motion was made by Christianson that this Ordinance be AMENDED by appropriating \$50,000 to Sitkans Against Family Violence as a line item in the budget under Other Expenditures as a gesture of the real support they provide in conjunction with the Police Department.

The motion on the amendment PASSED by the following vote.

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

No: 1 - Esquiro

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.

A motion was made by Reif to make a secondary amendment that the \$50,000 for SAFV will be taken out of our available non-profit funds. The motion to amend the amendment FAILED on the following vote.

Yes: 3 - Esquiro, Reif, and Hunter

No: 4 - Christianson, Putz, McConnell, and Hackett

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

A motion was made by Reif to amend Capital Improvement Program – General Fund on page 55 by increasing the amount budgeted from \$223,000 to \$723,000 for the Edgecumbe Drive Project. The motion to amend PASSED by the following vote.

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

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.

Utility Director Chris Brewton explained the ordinance and charges. Assembly members requested a clearer graph of utility usage on customers bills.

A motion was made by Putz 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

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.
- Christianson suggested adding language that said unless we sell it. Reif felt the item should be postponed and reviewed by staff.
- Public Works Director, Michael Harmon, stated on behalf of Sitka Sound Seafoods and Seafood Producers Cooperative, they were very supportive of moving forward with their five-year lease extension. If the City were able to and interested in selling the building in 2015 he hoped that direction would involve the lessees.
- Hunter stated the City owed it to these long term tenants needed to give them time to plan as well. Esquiro mentioned they were two of the mainstays down on the waterfront and the City needed to be supportive.
- A motion was made by Christianson that this Item be APPROVED. The motion PASSED by the following vote.**
- Yes:** 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett
- K 13-087** Approve temporary wayfinding/directional signage for downtown.
- A motion was made by Reif that this Item be APPROVED. The motion PASSED by the following vote.**
- Yes:** 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett
- L 13-090** Approve a lease for Block 1, Lot 2, of Sawmill Cove Industrial Park for minimum of two years to S&S General Contractors (tentative placement). **PULLED**
- This item was PULLED prior to the meeting.**
- 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.
- A motion was made by Hackett that this Item be APPROVED. The motion PASSED as AMENDED by the following vote.**
- Yes:** 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett
- A motion was made by Christianson that this Item be AMENDED to insert Jim Dinley's salary. The AMENDMENT PASSED by the following vote.**
- Yes:** 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett

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.

This item was HEARD.

XII. PERSONS TO BE HEARD:

Public Works Director, Michael Harmon, announced that the Centennial Hall Expansion Project public meeting was scheduled for May 15.

XIII. EXECUTIVE SESSION

None.

XIV. ADJOURNMENT

A motion was made by Esquiro that the meeting be ADJOURNED. The motion PASSED by a unanimous vote and the meeting adjourned at 9:55 PM.

ATTEST: _____
Colleen Ingman, MMC
Municipal Clerk