



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 Matt Hunter
Vice-Deputy Mayor Phyllis Hackett, Pete Esquiro, Mike Reif,
Benjamin Miyasato and Aaron Swanson

Municipal Administrator: Mark Gorman
Municipal Attorney: Robin L. Koutchak
Municipal Clerk: Colleen Ingman, MMC

Tuesday, August 12, 2014

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

Present: 5 - Hunter, Hackett, Esquiro, Swanson, and Miyasato

Absent: 2 - McConnell, and Reif

II. FLAG SALUTE

III. ROLL CALL

IV. CORRESPONDENCE/AGENDA CHANGES

[14-167](#) Reminders and Correspondence

V. CEREMONIAL MATTERS

None.

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

Sitka Tribe of Alaska General Manager Lawrence SpottedBird announced the Tribe continues to work on honoring veterans. SpottedBird stated Major General Katkus with the Department of Military and Veterans Affairs would be in Sitka on August 14.

VII. PERSONS TO BE HEARD

Ginny Olney spoke regarding fluoride. She views fluoride as poison and spoke in opposition to putting fluoride in any water system.

VIII. REPORTS

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

Deputy Administrator Sweeney - Announced that Administrator Gorman was out until Friday evening. Recruitment for two senior department heads, IT and Library Directors, was wrapping up. He introduced the city's new Tax Accountant, Hardik Patel.

Utility Director Chris Brewton and Acting Public Works Director Mark Buggins announced the water switch from Blue Lake to Indian River was ahead of schedule with a target date of August 17 for the official switchover.

Attorney - Informed she was doing research on taxes and different ways the city could increase revenue. One method may be taxing the sale and distribution of marijuana, if the initiative were to pass.

Liaisons - Hackett indicated Sitka Community Hospital was thriving and currently in the negotiations of hiring a new CEO.

Other - Hackett was curious how long we have put flouride in our water. Buggins recalled sometime in the 1940's, he does not know the reason but suspects that the American Dental Society and Center for Disease Control were supporters.

Hunter thanked the water department for their tour of the UV Facility and all the extra work they were putting forth.

IX. CONSENT AGENDA

- A** [14-162](#) Approve the minutes of the July 22 and July 31 Assembly meetings
- B** [14-166](#) Reappoint Mary Ann Hall to a three-year term on the Local Emergency Planning Committee

X. UNFINISHED BUSINESS:

- C** [ORD 14-26](#) Authorizing sublease of spaces by United Parcel Service at the Sitka Rocky Gutierrez Airport Terminal Building
- Esquiro wondered if there was a provision in this to re-evaluate. Deputy Mayor Hunter stated in Section III there was an inflation proofing mechanism. Sweeney offered if there was a substantial change in the airport there would be an opportunity to renegotiate.
- A motion was made that this Ordinance be PASSED ON SECOND READING. The motion PASSED by the following vote.**
- Yes:** 5 - Hunter, Hackett, Esquiro, Swanson, and Miyasato
- Absent:** 2 - McConnell, and Reif
- D** [ORD 14-28](#) Adjusting the FY14 and FY15 Budgets
- A motion was made by Hackett that this Ordinance be PASSED ON SECOND READING. The motion PASSED by the following vote.**

Yes: 5 - Hunter, Hackett, Esquiro, Swanson, and Miyasato

Absent: 2 - McConnell, and Reif

XI. NEW BUSINESS:

New Business First Reading

- E** [ORD 14-29](#) ~~Authorizing the extension of the lease of the land at 323 Seward Street to November 1, 2016 to White Elephant Shop, Inc.~~ PULLED

This item was PULLED prior to the meeting as the supporters were out of town.

Additional New Business Items

- F** [14-165](#) Approve a conditional use permit request filed by Chris Balovich for operation of a short-term rental at 713 Lake Street
- Planning Director, Wells Williams, explained the rental would be limited use, not very visible and had received no objections.

Esquiro asked if short term rentals pay sales tax. Sweeney responded "Yes."

A motion was made by Swanson to Convene as the Board of Adjustment. The motion PASSED by unanimous consent.

A motion was made by Swanson to approve a Conditional Use Permit request filed by Chris Balovich for operation of a short-term rental at 713 Lake Street as recommended by the Planning Commission and in accordance with the following conditions and findings and request that these conditions and findings be a part of the official record:

Conditions:

- 1. Contingent upon a completed satisfactory life safety inspection.**
- 2. The facility shall be operated consistent with the application and plans that were submitted with the request.**
- 3. The facility shall be operated in accordance with the narrative that was submitted with the application.**
- 4. The applicant shall submit an annual report every year, covering the information on the form prepared by the Municipality, that summarizes the number of nights the facility has been rented over the twelve month period starting with the date the facility has begun operation. The report is due within thirty days following the end of the reporting period.**
- 5. The Planning Commission, at its discretion, may schedule a public hearing at any time following the first nine months of operations for the purpose of resolving issues with the request and mitigating adverse impacts on nearby properties.**
- 6. Failure to comply with any of the conditions may result in revocation of the**

conditional use permit.

Findings:

1. The Planning Commission finds that the recommended conditional use permit
 - a. Will not be detrimental to public health, safety or welfare;
 - b. Will not adversely affect the surrounding character;
 - c. Will not be injurious to uses or property in the immediate vicinity;
2. Is consistent with Comprehensive Plan policy 2.5.2 I Encourage the development of facilities to accommodate visitors without significant impacts on residential properties;
3. That all conditions necessary to lessen impacts can be monitored and enforced;
4. Will not introduce hazardous conditions on the site;
5. Is adequately supported by public facilities and services;
6. The applicant has met the burden of proof; and
9. The Planning Commission finds that the general approval criteria have been met and the Planning Commission has evaluated the criteria set forth in 22.24.010 which is the criteria for conditional uses that deal with hours of operation and location along collector streets.

The motion **PASSED** by the following vote.

A motion was made by Swanson to Reconvene as the Assembly in Regular Session. The motion PASSED by unanimous consent.

Yes: 5 - Hunter, Hackett, Esquiro, Swanson, and Miyasato

Absent: 2 - McConnell, and Reif

G [14-163](#)

Award a contract in the amount of \$5,496,207.00 to Dawson Construction Inc. for completion of the UV Disinfection project

Hackett noted the amount was higher than the engineer's estimate. Municipal Engineer, Dan Tadic, explained that in this example it was an outside firm and that with most of the projections the estimates were close. In this case it was mid-range and within 10%. Hackett mentioned that it might be helpful to include the range in the memo.

Environmental Superintendent, Mark Buggins, stated it was a federal drinking water requirement to have a second barrier and this was the lowest cost option.

Deputy Mayor Hunter pointed out CBS did not have a choice and would most likely be fined daily for every day we were out of compliance.

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

Yes: 5 - Hunter, Hackett, Esquiro, Swanson, and Miyasato

Absent: 2 - McConnell, and Reif

H [14-164](#)

Award a design-build contract in the amount of \$841,000 to CBC Construction for the Lake Street and Monastery Street Lift Station Replacement Project

Environmental Superintendent, Mark Buggins, explained a lift station pushed the sewer along when there was not enough slope or gravity. Municipal Engineer, Dan Tadic, explained the Lake Street lift station was being relocated from a private lot to a municipal lot.

Buggins shared there were approximately 30 large lift stations in town with smaller ones located throughout town. The Lake Street lift station was an original one.

Sweeney mentioned the city had been working to identify as far out as 40-50 years what it would take to maintain and replace all municipal infrastructure.

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

Yes: 5 - Hunter, Hackett, Esquiro, Swanson, and Miyasato

Absent: 2 - McConnell, and Reif

XII. PERSONS TO BE HEARD:

None.

XIII. ADJOURNMENT

With no further business to come before the Assembly, Deputy Mayor Hunter ADJOURNED the meeting at 6:47 PM.

ATTEST:

**Colleen Ingman, MMC
Municipal Clerk**