



# 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*

*Municipal Administrator: Jim Dinley  
Municipal Attorney: Robin L. Koutchak  
Municipal Clerk: Colleen Ingman, MMC*

---

Tuesday, February 26, 2013

6:00 PM

Assembly Chambers

---

### REGULAR MEETING

- I. CALL TO ORDER
- II. FLAG SALUTE
- III. ROLL CALL

**Present:** 5 - Christianson, Esquiro, Reif, Hunter, and Hackett

**Telephonic:** 2 - Putz, and McConnell

### IV. CORRESPONDENCE/AGENDA CHANGES

Assembly Member Hunter relayed the Port and Harbors Commission's concerns on the invasive species infestation in Sitka's Whiting Harbor. Hunter asked if there would be any objection to the Mayor signing a letter to Alaska Department of Fish and Game in support of their efforts.

### V. SPECIAL REPORTS

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

Sitka Tribe of Alaska Ben Didrickson reported they were not pleased HB80 passed. They are working with the Board of Fish trying to designate herring as a forage fish.

- 1      12-176      Municipal Report on conditional use permits for Bed and Breakfasts and Short-term Rentals.

Planning Director, Wells Williams, offered an update on Conditional Use

Permits for Bed and Breakfasts and Short-term Rentals: 1) Strengthen the standard conditions for approval; 2) Require annual reports for all new bed and breakfast and short term rental conditional use approvals; 3) Continue the process of reconciling bed and breakfast and short term rental conditional use records; and 4) Create a process making official determinations that conditional use permits, where there has not been confirmed bed tax activity in the preceding 18 months, are considered abandoned by the municipality.

## **VI. PERSONS TO BE HEARD**

None.

## **VII. REPORTS**

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

Mayor - Thanked Alaska Native Sisterhood for a recent recognition, attended Harrigan Centennial Hall design meeting and "Discovery Week" at Blatchley Middle School. The Mayor was honored to attend the banquet for Herb Didrickson celebrating his induction into the Alaska Sports Hall of Fame.

Deputy Mayor - Esquiro presented an Anti-Bullying Proclamation in conjunction with Elizabeth Peratrovich Day.

Acting Administrator - Michael Harmon acknowledged the Public Works Department was very busy. He noted the Public Works bi-monthly report was available online for those interested

Attorney - Announced that this was her last meeting and wanted to thank everyone and express her gratitude.

Liaisons - Assembly members Hunter, Hackett, and Putz shared information from the recent meetings they attended.

Clerk - Announced there would be a farewell gathering for outgoing Municipal Attorney Theresa Hillhouse March 1 at City Hall.

Other - Reif mentioned how divided the U.S. Congress was right now, and was pleased that was not the case in Sitka.

## **VIII. CONSENT AGENDA**

- |          |               |  |
|----------|---------------|--|
| <b>A</b> | <b>13-034</b> | Approve the minutes of the Assembly meetings of February 6, 8 & 10, 2013 |
|----------|---------------|--|

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

- B      13-035**      Approve CBS Mayor signing a block letter to Governor Parnell regarding Alaska Marine Highway System on Southeast Alaska's only connected "road"

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

- C      RES 13-04**      Supporting an application for funding through the State of Alaska Capital Grant program by the Sitka Summer Music Festival for the purchase of Stevenson Hall

Dan Jones stated the Sitka Summer Music Festival had been in existence for forty years performing annually in Sitka and in Anchorage. Jones noted Stevens Hall on the Sheldon Jackson College Campus was their "Mothership" with year round usage for things such as artist residency.

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

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

- D      13-037**      Award contract to Malos Janitorial Services for City/State building for three years at \$4,426.68 per month. Note the award amount is shared with State of Alaska on a percentage basis.

Deputy Mayor Esquiro requested this item be pulled from the consent agenda to receive an explanation on why the City chose not to accept the lowest bid. Chris Wilbur, Facilities Manager, and Gary Baugher, Maintenance and Operations Superintendent, explained the "Best Value" evaluation process was used. It was based 50% on qualifications and 50% on price. Other factors such as experience, record keeping, training and managing of employees, and bidder qualifications are also taken into account.

**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

**IX.      UNFINISHED BUSINESS:**

- E      ORD 13-08**      Authorizing Amendment No. 2 to the Agreement for Material Sale from Municipally Owned Property ("Agreement") with S&S General Contractors and Equipment Rental, Inc. ("S&S") at Site 5 of the Granite Creek Industrial Area, and approving the Agreement to have S&S provide contract services as an alternative for certain payment

owed under the Agreement

Municipal Attorney, Theresa Hillhouse, stated there had been an objection to this ordinance; it was felt there hadn't been a competitive bid process. Hillhouse explained this ordinance dealt with a lease amendment to a quarry S&S General Contractors had taken over and cited exceptions to the competitive bid process outlined in Sitka Home Rule Charter 11.14 Disposal of Municipal Property and Sitka General Code 3.16.060 Exceptions to Competitive Bidding Requirements.

Acting Utility Director, Dean Orbison, explained the rock removal was critical to the turbine project. On average, the unit cost for similar projects would be \$80 per cubic yard. S&S has agreed to provide the rock removal for \$4.97 per cubic yard.

Vaughn Hazel spoke in opposition to the ordinance.

Assembly Member Reif questioned what type of delays would be generated if this were to go out to bid. Public Works Director, Michael Harmon, responded this was a unique opportunity. Going out to bid would cause at least a month delay. Project Manager, Jack West, indicated the project was on a tight budget and although going out to bid would not stop the project, it would increase costs upward of \$500,000.

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

**Yes:** 5 - Christianson, Hunter, Putz, McConnell, and Hackett

**No:** 2 - Esquiro, and Reif

**X. NEW BUSINESS:**

**New Business First Reading**

**F ORD 13-10 Amending the Official Sitka Zoning Map to Rezone Lot 4A Turney-Burkhart Replat from R-2 MHP Multifamily and Mobile Home District to C-2 General Commercial Mobile Home District**

Assembly member Christianson announced his executive director lived in this court and wondered if that presented any conflict. Hackett disclosed she had two very close friends in the court and expressed they weren't aware of this ordinance. It was determined neither member had any conflict of interest and could fully participate.

Planning Director, Wells Williams, stated this was a straightforward request that cleared the Planning Commission by 4-0. Williams noted the project was currently zoned R-2 MHP Multifamily and Mobile Home District and the new owners would like to rezone the parcel to C-2 General Commercial Mobile Home District with plans for storage, single family dwellings or mobile home parks.

Assembly member Reif asked owner, Jeremy Twaddle, what the advantages were to the rezoning. Twaddle explained he was considering expanding and including more manufactured homes. Twaddle further explained rezoning to C-2 would provide more flexibility in permitted uses such as heated storage or a daycare. He added the property abuts commercial property on two sides. His desire is to improve the property.

**A motion was made by Christianson 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 13-11**      Amending SGC Section 15.01.060 Entitled "Rental Structures" and adding SGC Sections 15.04.340, 15.05.640, 15.96.070 all Entitled "Rental Structures" to clarify "Owner Accounts" will be charged continuously (even when not rented), because Water, Sewer, and Solid Waste services remain available.

Deputy Finance Director, Mike Middleton, brought this forward after completing his managerial internal audit.

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

**Yes:** 6 - Esquiro, Reif, Hunter, Putz, McConnell, and Hackett

**No:** 1 - Christianson

- H      ORD 13-07**      Authorizing payment of the remaining General Obligation Bonds approved by the voters in 1996 to fund Baranof Elementary and Sitka High School Improvements using the current additional 1% Seasonal Sales Tax instead of using the General Fund and put the question on the October 1, 2013 Ballot for the Regular Municipal Election

Assembly member Christianson explained the ordinance. Essentially this would move all school projects into the 1% sales tax column.

**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

- I      ORD 13-09**      Adjusting the FY 2013 Budget for the transition of the Municipal Attorney

**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

**Additional New Business Items**

- J        13-032**        Award Completion of the Bathymetric Survey Contract to David Evans and Associates, Inc for the base bid amount of \$150,890 and approve a contingency for weather delays - Contested
- Acting Utility Director, Dean Orbison, provided a summary of the project and answered questions.
- 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
- K        13-033**        Approve a contract award with Solar Turbines Incorporated to provide one 15MW Titan 130 Turbine Generator Set in an amount not to exceed \$12,000,000 which includes base bid, shipping, commissioning and contingency funding
- Dean Orbison, Acting Utility Director, stated Solar could provide the equipment in a package deal. CBS would only be responsible for the auxiliary equipment. He noted there were problems with the existing diesel plant, for example, due to its age not being able to purchase parts.
- 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
- L        13-036**        Award contract to Coastal Excavation for completion of the Spruce Street Drainage Repairs project in the amount of \$61,135.00 and authorized associated fund transfers to Capital Project No. 80293 Spruce Street Drainage Repairs
- Acting Administrator, Michael Harmon, reported this project was unforeseen and efforts would be made to pull the funds out of reserves.
- 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
- XI.       PERSONS TO BE HEARD:**
- Hackett, spoke as a citizen and harbor user, requested recycle bins at Crescent Harbor.
- Christianson, on behalf of the Assembly, presented Municipal Attorney Hillhouse with a bouquet of flowers and expressed gratitude for her service.
- XII.       EXECUTIVE SESSION**

**XIII. ADJOURNMENT**

A motion was made by Hunter to ADJOURN. The motion PASSED unanimously and the meeting ADJOURNED at 9:03 PM.

ATTEST: \_\_\_\_\_

Colleen Ingman, MMC  
Municipal Clerk



# 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*

*Municipal Administrator: Jim Dinley  
Municipal Attorney: Robin L. Koutchak  
Municipal Clerk: Colleen Ingman, MMC*

---

Saturday, March 9, 2013

4:00 PM

Harrigan Centennial Hall

---

### SPECIAL MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Mr. Christianson arrived at 4:25pm.

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

IV. CORRESPONDENCE/AGENDA CHANGES

V. NEW BUSINESS:

A 13-046 Representative Jonathan Kreiss-Tomkins update

Representative Jonathan Kreiss-Tomkins updated the Assembly on issues in the Legislature affecting Sitka: cruise ship wastewater discharge, an increased sea otter population, and continued efforts to control the invasive species contaminating Whiting Harbor.

VI. UNFINISHED BUSINESS:



- B        13-048**        Receive a report prepared in response to a personnel complaint and to discuss options on how to proceed. An executive session is anticipated.

A motion was made by Putz to go into Executive Session to discuss with outside counsel, a report generated on behalf of a personnel complaint made by an employee and to seek outside counsels' direction on options on how to proceed. All of which concerns matters, which the immediate knowledge may adversely affect the finances of the City and Borough of Sitka and which involve communications with legal advisors concerning legal matters affecting the City and Borough of Sitka.

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

Assembly member Putz left the meeting at 5:48 pm.

**A motion was made by Hackett to reconvene as the Assembly in regular session.**

**Yes:** 6 - Christianson, Esquiro, Reif, Hunter, McConnell, and Hackett

**Absent:** 1 - Putz

**VII.        PERSONS TO BE HEARD:**

**VIII.       ADJOURNMENT**

A motion was made by Hackett to ADJOURN. The meeting ADJOURNED at 6:03 pm by unanimous consent.

**ATTEST:** \_\_\_\_\_  
Sara Peterson, CMC  
Deputy Clerk