



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: Theresa Hillhouse
Municipal Clerk: Colleen Ingman, MMC*

Tuesday, November 6, 2012

6:00 PM

Assembly Chambers

WORKSESSION

A worksession was held with the Tourism Commission and the Destination Sitka Marketing Group prior to the regular meeting

REGULAR MEETING

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

Present: 6 - Esquiro, Reif, Hunter, Putz, McConnell, and Hackett

Absent: 1 - Christianson

IV. CORRESPONDENCE/AGENDA CHANGES

Administrator Dinley reported six Sitka firefighters flew over to Juneau to assist in the downtown Gastineau Apartment fire.

Tim Hoyt commended the Police Department, Fire Department, Sitka Community Hospital, Guardian Flight, and Harbor View Hospital for the recent care he received. Hoyt stated he owed his life to these people and Rob Janik who performed a tracheotomy. These entities displayed a huge amount of team work and performed exemplary.

Item J was pulled from the agenda. Municipal Attorney Hillhouse, stated this items would have to go to a public vote. In the mean time, NSRAA would lease month-to-month.

V. PERSONS TO BE HEARD

Fire Chief Miller reported this was the first time Sitka had been asked to go to a large community to assist. The USCG flew the firefighters to Juneau.

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

Mayor - Met with Chief of Staff Ed Hild from Senator Murkowski's office, participated in the Cascade Creek Bridge Ceremony and attended the Southeast Cluster with Brian Holst of Juneau Economic Development Council. She noted she is now a member of the Harrigan Centennial Hall Building Design Committee. She also attended the Downtown Revitalization Meeting.

Administrator - Reported on recent trip to the bond bank in Anchorage. The financial officials were supportive. They also increased the ANB Harbor Bond request amount to \$4.6 million, which passed unanimously at that meeting.

Attorney - Attending Alaska Municipal Attorneys and Alaska Municipal League November 12-16.

Liaison - Hackett attended Sitka Community Hospital Board meeting. Putz went to the Parks and Recreation meeting where there was a robust discussion on the issue of dog feces and fines. She will be proposing a new ordinance. Hackett informed when people rent the field they pay for the lights, which are very inexpensive to run.

Clerk - Announced the second meeting in December falls on 12/25 and proposed that the meeting be rescheduled to Wednesday, December 26.

Other - Reif asked Brewton to report on the Energy Star Rebate Program. Hackett reminded the public of the Harbor Users worksession November 7th.

VII. CONSENT AGENDA

- A 12-154** Approve the minutes of the October 23, 2012 Assembly meeting.

This item was APPROVED ON THE CONSENT AGENDA.

- B 12-160** Reappoint Dan Youngberg to a term on the Local Emergency Planning Commission

This item was APPROVED ON THE CONSENT AGENDA.

- C 12-159** Approve the renewal of Salty Sals Liquor Cabinet - 326 Lincoln Street - License 3268

This item was APPROVED ON THE CONSENT AGENDA.

- D RES 12-28** Adopting an alternative allocation method for the FY13 Shared Fisheries Business Tax Program and certifying that this allocation method fairly represents the distribution of significant effects of fisheries business activity in FMA 18: Central Southeast

Finance Director, Jay Sweeney, explained the Fisheries Business Tax Program.

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

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

Absent: 1 - Christianson

VIII. UNFINISHED BUSINESS:

- E ORD 12-37** Amending SGC at Chapter 15.04 entitled "Sewer System" at Subsection 15.04.320 entitled "Rates and Fees" and at Chapter 15.05 entitled "Water System" at Section 15.05.625 entitled "Wastewater Service-Sawmill Cove Industrial Park" to adjust the rates for water service

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

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

Absent: 1 - Christianson

- F ORD 12-38** Amending SGC at Section 23.30.020 Entitled "Conditions for Use of Parks and Recreation Facilities: to Prohibit Non-Service Dogs from being on Certain Designated Ball Fields and subjecting the dog owner to a fine

Michelle Kennedy, spoke against the ordinance and would like to see a rewrite. Kenley Jackson, spoke to the petition she had signed and the alternatives the group had suggested. Putz read a motion by the Parks and Recreation Commission that supported an alternative to the ordinance which she planned to sponsor. Hunter suggested considering amending this ordinance to only address the newly constructed Moller Field Ball Field.

A motion was made by Putz that this Ordinance be POSTPONED until November 27, 2012. The motion PASSED by the following vote.

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

Absent: 1 - Christianson

- G ORD 12-31A** Amending SGC Title 21 Subdivision Code and Title 22 Zoning to clarify the zero lot line regulations and eliminate inconsistencies.
- Peter Menendez, owner and operator of a day care, shared his concerns. A certain section of the community could be isolated from future business opportunities by passage of this ordinance.

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

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

Absent: 1 - Christianson

IX. NEW BUSINESS:

Blue Lake Dam

- H 12-161** Authorize the Notice of Award and enter into an agreement for Contract No. 5, the Supply of 69kV Transformers with WEG Electric Corp, and obligate project funds in the amount of \$619,484 from the Blue Lake Third Turbine and Dam Upgrade Capital Project No. 90594.0015

Utility Director, Chris Brewton, stated Sitka had reached maximum capacity. He expressed the need for growth with reasonably priced hydro.

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

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

Absent: 1 - Christianson

- I 12-157** Approve lease agreements between the CBS and Barnard Construction, Inc. at Sawmill Cove Industrial Park
- Putz inquired on the insurance amount of \$1M to which Municipal Attorney Hillhouse responded was the standard amount.

A motion was made by Putz that these leases be APPROVED. The motion PASSED by the following vote.

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

Absent: 1 - Christianson

New Business First Reading

- J ORD 12-39** Authorizing the lease of approximately 9.58 acres of tidelands in Alaska Tidelands Survey 1236 to Northern Southeast Regional

Aquaculture Association Inc.

This Ordinance was pulled prior to the meeting.

- K ORD 12-40** Amending SGC at Title 23, Chapter 20 entitled "Commercial Recreational Use of Municipal Lands and Facilities" to clarify Baranof Warm Springs and its Boardwalk and other municipal property beyond Sitka Road System is subject to Commercial Recreational Use Permit requirements

Reif inquired how much the recreational fees were and what the city could expect to receive in revenue. Parks and Rec Manager, Lynne Brandon, responded \$2.00 per client, per day and a \$250 application fee. Municipal Attorney, Theresa Hillhouse, stated this ordinance was for clarification purposes.

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

Yes: 5 - Esquiro, Reif, Hunter, Putz, and McConnell

No: 1 - Hackett

Absent: 1 - Christianson

Additional New Business Items

- L 12-156** Approve a Conditional Use Permit for a short term rental located at 2416 HPR filed by John and Joan Skannes

A motion was made by Reif to convene as the Board of Adjustment. The motion PASSED by a unanimous vote.

Planning Director, Wells Williams, provided an overview.

The applicant stated they would like to begin the short term rental July 1.

Putz wondered if short term rentals were a part of Sitka's housing problem. Williams responded that the concern changes over time. The Planning Commission would like to standardize short-term rentals. Hackett wondered about instituting a sunset clause to which Williams responded perhaps a 5 year clause would work. Another tracking idea was a written update to the Planning office every 12 months.

Coke and Gary Oines, Skannes immediate neighbors, spoke. They have a good faith agreement - if the Skannes were to sell outside their family, they would relinquish the conditional use permit for a short term rental.

A motion was made by Hunter to approve a conditional use permit for a short-term rental at 2416 Halibut Point Road filed by John and Joan Skannes contingent upon a completed satisfactory life safety inspection as recommended by the Planning Commission and in accordance with the following findings:

- 1) Will not be detrimental to the public health, safety and general welfare;
- 2) Will not adversely affect the established character of the surrounding vicinity, since the rental is an existing apartment;
- 3) Will not be injurious to uses of the properties in the immediate area;
- 4) Will be consistent and compatible with the goals and objectives of the Comprehensive Plan, specifically 2.5.2.I. Encourage the development of facilities to accommodate visitors without significant impacts on residential properties;
- 5) That all conditions necessary to lessen impacts can be monitored and enforced;
- 6) Will not include hazardous conditions on the site;
- 7) Is adequately supported by public facilities specifically the full range of utilities at the Halibut Point Road location adjacent to a state highway;
- 8) Applicant has met the burden of proof;
- 9) Planning Commission has considered the general approval criteria and has considered the criteria for determining impacts of conditional uses under 22.24.010, which is the criteria for conditional uses that deal with hours of operations and location along collector streets.

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

Absent: 1 - Christianson

Motion was made by Hackett to reconvene as the Assembly in regular session. The motion PASSED on a unanimous vote.

M 12-155

Discussion/Decision on registering for The Sustainable Leadership and Decision Making webinar one admission cost \$636

The Administrator was directed to register Public Works Director, Michael Harmon for the webinar.

X. PERSONS TO BE HEARD:

Nancy Yaw Davis spoke to the weaknesses in the subdivision code and submitted her ideas in writing. She would also like to see more people on the Planning Commission.

XI. ADJOURNMENT

Motion by Esquiro to ADJOURN. The meeting ADJOURNED at 8:37 PM by unanimous consent.

ATTEST:

**Colleen Ingman, MMC
Municipal Clerk**