



CITY AND BOROUGH OF SITKA

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

Minutes - Final

City Assembly

Mayor Cheryl Westover
Deputy Mayor Larry Crews
Vice Deputy Mayor Mim McConnell
Assembly Member Phyllis Hackett
Assembly Member Terry Blake
Assembly Member Thor Christianson
Assembly Member Pete Esquiro

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

Tuesday, July 26, 2011

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 5 - Westover, Crews, Hackett, Blake, and Christianson

Telephonic: 2 - McConnell, and Esquiro

IV. CORRESPONDENCE/AGENDA CHANGES

It was announced Item N would be a discussion item only this evening due to a zoning issue.

Government-to-Government Update with Sitka Tribe of Alaska

STA Chairman Woody Widmark highlighted the "Sitka Tribe News" and other happening at the Tribe.

V. CEREMONIAL MATTERS

11-147

Citation - In recognition of US Coast Guard Day, "Sitka - A Coast Guard City" and in honor of all Sitka-based personnel of the U.S. Coast Guard.

Mayor Westover read the Citation and noted it would be presented to the U.S. Coast Guard in August.

VI. PERSONS TO BE HEARD

Phil Mooney of the Department of Fish and Game gave an update on the current

bear situation and calls.

VII. SPECIAL REPORTS

[11-145](#)

The Foraker Group- Dennis McMillian.

Dennis McMillian, President and CEO of The Foraker Group, explained how his organization builds sustainability and organizational capacity in Alaska for non-profits. The top 10 non-profits in the State of Alaska are health care related.

VIII. REPORTS

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

Mayor – Reported on the S/V Pallada visit and surrounding events.

Administrator – Provided a report on Public Works projects. He added one of the big issues continues to be the funding of roads and identifying a funding source.

Clerk – Reminded the public of the open seats for Assembly and School Board. The filing deadline is August 5, 2011 at 5pm.

IX. CONSENT AGENDA

A

[11-144](#)

Approve the minutes of the July 12, 2011 Assembly meeting.

This item was APPROVED ON THE CONSENT AGENDA.

B

11-148

Approve reclassification of a NECA temporary lineman apprentice to a full time employee, establish leave bank and accruals and transfer funds.

This item was APPROVED ON THE CONSENT AGENDA.

C

11-153

Award 1-year contract to furnish diesel fuel to Petro Marine Services - \$112,168.75.

This item was APPROVED ON THE CONSENT AGENDA.

D

[11-157](#)

Award a contract to Bathymetric Survey to TerraSond Limited for \$151,365 - total expenditure not to exceed \$185,000 (includes weather delay contingency) - Takatz Lake.

This item was APPROVED ON THE CONSENT AGENDA.

E

[RES 11-16](#)

Authorizing a matching grant application to the ADEC Cathodic Protection of Six (6) Wastewater Lift Stations - \$252,000.

This item was APPROVED ON THE CONSENT AGENDA.

F

[RES 11-18](#)

Authorizing a matching grant application to the ADEC for Drinking Water and Clean Water Improvements to Baranof Street - \$479,500 for water and \$518,000 for sewer.

Mayor Westover recused herself. Finance Director, Jay Sweeney, indicated user fees would be the repayment source for the matching funds.

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

Yes: 6 - Crews, McConnell, Hackett, Blake, Christianson, and Esquiro

Recused: 1 - Westover

- G** [RES 11-17](#) Authorizing a matching grant application to the ADEC for the UV Disinfection Facility - \$5,530,000.

Environmental Superintendent, Mark Buggins, reported he had researched filtration systems and looked into what costs would be.

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

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

X. UNFINISHED BUSINESS:

- H** [ORD 11-28S](#) Amending SGC Chapter 2.66, entitled "Tourism Commission" at Section 2.66.010, entitled "Establishing-Membership-Terms," and Section 2.66.040, entitled "Organization".

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

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

- I** [ORD 11-31](#) Amending SGC Subsection 22.16.015 C.13 entitled "Permitted, Conditional and Prohibited Uses" to delete the reference to a moratorium on short-term rentals, which is no longer in effect.

A motion was made by Crews that this Ordinance be APPROVED. The motion PASSED by the following vote.

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

XI. NEW BUSINESS:

New Business First Reading

- J** [ORD 11-32A](#) Proposing to amend the Home Rule Charter of the CBS, subject to reratification by the voters in ten years, to create a dedicated fund for Sitka Community Hospital Roof, Equipment and Infrastructure; raise the Property Tax Limit from 6 Mills to 6.25 Mills; place in that dedicated fund any revenues gained from a property tax levy between 6 mills and 6.25 mills; and submitting these Charter amendments to the voters for ratification.

Shirley Robards spoke in opposition to the ordinance.

Assembly members offered their views on the matter.

Finance Director, Jay Sweeney, reported an extra 1% would generate \$850,000. He reported there was not a surplus in the bond debt at this time.

MOTION by Christianson to add a requirement that this be reauthorized in ten

years by a public vote.

Yes: 5 - Crews, McConnell, Hackett, Christianson, and Esquiro

No: 2 - Westover, and Blake

Administrator Dinley relayed the City did not have a good plan for infrastructure.

This item was PASSED ON FIRST READING as amended by the following vote.

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

K [ORD 11-33A](#)

Proposing to amend Title 4, Revenue and Finance, of the Sitka General Code by amending Section 4.09.010, levy of sales tax, to raise the sales tax rate in the October through March period from five percent to six percent, and reduce the October through March period sales tax rate back to five percent rather than reduce the April through September period sales tax rate when the tax payments are sufficient to pay off the 2003 and later years school bonds and grant payment; delete the seasonal sales tax exemption in Sitka General Code Section 4.09.120; proposing to amend the Home Rule Charter of the City and Borough of Sitka to create a dedicated fund for reconstruction and maintenance of municipal roads and place in that dedicated fund any revenues gained from that seasonal increase in the sales tax; and submitting the voters these amendments for ratification.

MOTION by Christianson to add language when the 2004 bonds are paid off the extra percentage gets applied to the summer months at 6% and winter tax rate goes back to 5%. The amendment passed by the following vote.

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

Shirley Robards spoke in opposition of the ordinance.

A discussion occurred among Assembly members.

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

Yes: 4 - Westover, Crews, McConnell, and Blake

No: 3 - Hackett, Christianson, and Esquiro

Additional New Business Items

L [11-150](#)

Board of Adjustment: Approve a conditional use permit request filed by the City and Borough of Sitka for natural resource extraction at 501, 509, and 517 Granite Creek Road.

MOTION by Christianson to convene as the Board of Adjustment. Motion PASSED by a unanimous vote.

MOTION by Crews to approve a Conditional Use Permit for natural resource extraction at 501, 509, and 517 Granite Creek Road submitted by the City and Borough of Sitka with the following conditions recommended by the Planning Commission:

1. The project shall be completed in general conformance with the plans submitted in the conditional use permit to the Planning Commission.
 - a. The Assembly recognizes that the location of settling ponds and other features provided in the application are conceptual in nature and may change

through the process;

b. The Assembly recognizes that a lease will be in place to implement requirements for the exact locations of the storm water pollution prevention plan and other plans;

2. Prior to the activation of the conditional use permit, the operator shall certify to the municipality, in writing, that all necessary permits have been received;

3. The applicant recognizes that the permit must be activated within two years of any Assembly approval or the permit becomes void;

4. In addition, prior to the activation of the conditional use permit, the Planning Director shall indicate, in writing, that all permits have been received that the municipality considers necessary;

5. The applicant recognizes that other permits, not specifically mentioned by the municipality may be required;

6. The applicant shall provide a narrative on the status of the operations nine months after the activation of the conditional use permit;

7. The Planning Commission has an annual review of the first nine to twelve months of operation of the facility within one year of the activation of the conditional use permit. The purpose of the annual review is to determine what, if any impacts of the operation need to be mitigated. The Planning Commission, by its own motion, may undertake a second annual review if the Board considers it to be necessary;

8. The Assembly, at its discretion, may complete an annual review if any issues are not resolved at the Planning Commission level.

The motion PASSED by the following vote.

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

Esquiro excused himself as his cell phone battery went dead and was no longer able to participate.

Christianson moved to adopt the identical findings approved by the Planning Commission at their July 5, 2011 meeting found on pages 3 and 4 of their official meeting minutes. The motion PASSED on the following vote.

Yes: 6 - Westover, Crews, McConnell, Hackett, Blake, and Christianson

Absent: 1 - Esquiro

M [11-151](#)

Approve the Centennial Hall and Crescent Harbor Parking Upgrades Needs List and recommended Work Items.

Public Works Director, Michael Harmon, and Municipal Engineer, Stephen Weatherman, provided an overview.

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

Yes: 6 - Westover, Crews, McConnell, Hackett, Blake, and Christianson

Absent: 1 - Esquiro

N [11-155](#)

Authorize Sitka Community Development Corporation free use of city property to Conduct a Building Materials Recycling and Sales Operation at 1414 Halibut Point Road.

It was determined this property was not properly zoned for this activity and would require a zoning change and conditional use permit.

- O [11-154](#) Discussion/Direction on Tourism Commission reviewing and recommending interpret signage in Sitka.

Assembly asked the Commission to include Historic Preservation and Sitka Tribe of Alaska.

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

Yes: 6 - Westover, Crews, McConnell, Hackett, Blake, and Christianson

Absent: 1 - Esquiro

- P [11-152](#) Approve registering with Alaska Public Offices Commission to advocate for passage of the proposed ballot measures contained in Ordinances 2011-32 and 2011-33 and authorize expenditures for same up to \$10,000.

Administrator Dinley explained the last time this was done the expenditure was between \$3,000-\$4,000.

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

Yes: 4 - Westover, Crews, McConnell, and Blake

No: 2 - Hackett, and Christianson

Absent: 1 - Esquiro

- Q [11-158](#) Approve the hire of Deputy Finance Director.

Finance Director, Jay Sweeney, stated Middleton is well qualified and eager to move to Sitka. Sweeney noted when he was the previous finance director there was a dual management team which consisted of the finance director and controller. The same was true when Paula Bush was the finance director. It wasn't until David Wolff became finance director that the controller position was never filled.

Middleton would be available to begin work August 29.

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

Yes: 6 - Westover, Crews, McConnell, Hackett, Blake, and Christianson

Absent: 1 - Esquiro

XII. PERSONS TO BE HEARD:

A special meeting was set by the Assembly for Tuesday, August 16th for final reading of potential ballot measures. A worksession was set for Monday, August 1st at 5pm in City Hall to discuss options to fund the municipalities various infrastructures, and to craft related ballot measures for consideration and public vote.

XIII. ADJOURNMENT

Motion by Crews to ADJOURN. With no further business the meeting ADJOURNED by unanimous consent at 9:40 PM.

ATTEST: _____
Colleen Ingman, MMC
Municipal Clerk