



# CITY AND BOROUGH OF SITKA

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

## Minutes - Final City and Borough Assembly

*Mayor Cheryl Westover*  
*Deputy Mayor Pete Esquiro, Vice-Deputy Mayor Thor*  
*Christianson,*  
*Terry Blake, Phyllis Hackett, Mim McConnell, and Mike Reif*

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

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Tuesday, April 24, 2012

6:00 PM

Assembly Chambers

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### REGULAR MEETING

#### I. CALL TO ORDER

#### II. FLAG SALUTE

#### III. ROLL CALL

**Present:** 6 - Westover, McConnell, Blake, Christianson, Reif, and Hackett

**Excused:** 1 - Esquiro

#### IV. CEREMONIAL MATTERS

*Mayor Westover asked for a moment of silence to recognize the passing of Isabella Brady, Christine Loraine Lee, Norise Hanlon and others.*

*Mayor Westover read and presented a Proclamation to Dave Swearingen who was retiring May 1. Members of the Fire Department were present to recognize Swearingen's service.*

#### V. CORRESPONDENCE/AGENDA CHANGES

*None.*

#### VI. PERSONS TO BE HEARD

*Jeff Favour and Mike Litman representing Sitkan's for Responsible Government mentioned the latest decision concerning their lawsuit with the City and Borough of Sitka in which the Supreme Court ruled their petition to be valid. Mike Litman believed the ball was now in the Assembly's court. They requested the Assembly put the initiative on the ballot for the next regular election.*

*Ron Krueger testified he refused to pay \$300 a year for a garbage can he didn't use. He said he had nothing to contribute to the waste stream and recycled everything.*

*Tim Riley thought it was a major disservice to do away with a major portion of the Parks and Recreation budget.*

*Ryan Kauffman shared his thoughts on Sitka's future and investing in students.*

## VII. REPORTS

*Library Director, Sarah Bell, gave a presentation, including statistical data, on the services provided by the library.*

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

*Mayor - Mentioned the US Coast Guard Change of Command Ceremony scheduled for May 16. Met with the Corps of Engineers recently.*

*Administrator – Deferred to Blake regarding the mass casualty exercise disaster drill. Blake commented the communication was incredible and applauded all the participants.*

*Liaisons - McConnell attended the Library Board meeting. Hackett attended Parks and Recreation Committee meeting.*

*Clerk- Mentioned the possibility of Sitka's four voting precincts being condensed into two; both would be located at Centennial Hall. The final decision would not be known for a couple of months. If changed, the Clerk would make regular announcements. She added, the M/V Fairweather would be reinstating service between Angoon and Sitka beginning May 3.*

*Other – McConnell announced the Economic Summit would be held in Sitka on Friday May 4. She recently took part in the Sitka Sustainable Outdoor Recreation Plan, Pacific High Visioning Session, the Fish in School Meal, and the SEDA presentation, which addressed mineral prospective for potential mining in the Sitka area. Reif shared positive comments on what great shape Sitka keeps their buildings and harbors in. He extended kudos to Chris Wilbur and his crew and the harbor personnel. Hackett mentioned there are plans on April 28 to perform maintenance on the Mosquito Cove Trail.*

## VIII. CONSENT AGENDA

- A**     [12-58](#)           Approve the meetings of the April 10 and 17 Assembly meetings.  
  
          This item was **APPROVED ON THE CONSENT AGENDA.**
- B**     [12-59](#)           Appointments: Reappoint 1) Hans von Rekowski to a term on Parks and Recreation, and 2) Roberta Littlefield to a term on the Sitka Historic Preservation Commission.  
  
          This item was **APPROVED ON THE CONSENT AGENDA.**
- C**     [12-66](#)           Approve a Memorandum of Agreement with the DOT&PF for Cross Trail Construction Project #23436  
  
          *In response to a question by Reif, Public Works Director, Michael Harmon, stated part of the trail was being abandoned because it was not ideal land; a lot of water and*

*muskeg.*

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

**Yes:** 6 - Westover, McConnell, Blake, Christianson, Reif, and Hackett

**IX. UNFINISHED BUSINESS:**

- D**     [12-45](#)     Anderson APPEAL of Planning Commission's decision to grant variances submitted by Boyd Didrickson - 428 Kaagwaantann Street
- This item was PULLED prior to the meeting with plans for it to be heard at the May 8 Assembly meeting.**

**X. New Business First Reading**

- E**     [RES 12-08](#)     Committing to a level of support for School District funding for FY 2013
- School Board President, Lon Garrison, informed the legislature had taken action for additional funding and it looked promising the \$300,000 would come through with SB182. Garrison reviewed the funding package included in SB182 and what it meant for Sitka. Reif clarified through the Millage Rate Erosion legislation the city would get their bridge funding back plus some additional funding. School Board member, Tim Fulton, wanted the Assembly to be aware that cuts were being made.*
- Tim Pike, a teacher and parent, supported the School District's use of reserves.*
- A motion was made by McConnell that this Resolution be APPROVED. The motion PASSED by the following vote.**
- Yes:** 6 - Westover, McConnell, Blake, Christianson, Reif, and Hackett

**XI. NEW BUSINESS:**

- F**     [12-67](#)     Presentation and approval of 65% Design Development of the Pacific High School Remodel Project
- Garrett Burtner, of McCool Carlson Green Architects, presented the 65% Design Development for the project. The students were on board with the most recent plans and had been involved throughout the process. He foresaw construction to begin in July or August with occupancy the following year. The students would utilize the Career Center in the interim.*
- A motion was made by Hackett that this Item be APPROVED. The motion PASSED by the following vote.**
- Yes:** 6 - Westover, McConnell, Blake, Christianson, Reif, and Hackett
- G**     [12-69](#)     Approve a conditional use permit for a Short-Term Rental 1507 Davidoff Street filed by Clyde and Valerie Bright
- A motion was made by Hackett to convene as the Board of Adjustment. The motion PASSED by a unanimous vote.**
- Planning Director, Wells Williams, believed this was a clean request. Reif and*

*Hackett expressed interest in finding a way to track short-term rentals.*

*Clyde Bright informed his rental would primarily be used for traveling nurses.*

**A motion was made by McConnell to APPROVE a short-term rental conditional use permit filed by Clyde and Valerie Bright at 1507 Davidoff Street. The property is also known as Lot 4 Block 10 Northwest Addition US Survey 3303B with the condition that a life safety inspection by the Building department be obtained by the owner and in accordance with the following supporting findings:**

- 1. The Planning Commission finds that the site topography is adequate, and there are no geophysical hazards;**
- 2. Utilities and service requirements are present along with the other services;**
- 3. There are no issues with regards to lot characteristics;**
- 4. Characteristics as recommended by the Board including hours of operation, number of persons, traffic volumes, off-street parking and noise will not adversely affect adjacent uses and districts;**
- 5. Community appearance is not adversely affected with the additional fence being put into place;**
- 6. The Planning Commission finds that the proposal will not be detrimental to the public health, safety, and general welfare;**
- 7. Will not adversely affect the established character of the neighborhood with this being a long-term rental previously and the large lot size;**
- 8. The short-term rental will not be injurious to the uses, property, or improvements adjacent to the site;**
- 9. The granting of the conditional use permit is consistent with the Comprehensive Plan 2.5.2I Encourage the development of facilities to accommodate visitors without significant impacts on residential properties;**
- 10. The Planning Commission further finds that there are conditions necessary that can be monitored and enforced and that a mandatory annual review not necessary;**
- 11. The proposed use will not introduce hazardous conditions at the site that cannot be mitigated to protect adjacent properties;**
- 12. The conditional use is supported by adequate public facilities and services since Davidoff has full utilities;**
- 13. The applicant has met the burden of proof as required by 22.30.160**
- 14. The Planning Commission finds that the amount of vehicular traffic to be generated by the short-term rental will not create more traffic;**
- 15. The amount of noise generated is not an impact to surrounding land uses;**
- 16. Odors are not anticipated to be generated; a.) Hours of operation for the short term rental are historically not inconsistent with residential land uses;**
- 17. The conditional use permit for the short-term rental is located along a major or collector street;**
- 18. There will not be additional client loads in the residential areas over and above traditional residential client loads;**
- 19. Will not adversely impact vehicular and pedestrian safety;**
- 20. This conditional use permit does have the ability of the police, fire and EMS personnel to respond to emergency calls on the site;**
- 21. The short-term rental is logical as indicated by site plans**
- 22. Signage is not anticipated for this use;**
- 23. There is a presence of existing or proposed buffers on the site as mentioned before on the left hand side a fence going to be built;**
- 24. There has not been any public comment and the Planning Commission has determined that there are not any other criteria that need to be reviewed.**

The motion PASSED by the following vote.

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

A motion was made by Westover to RECONVENE as the Assembly in regular session. The motion PASSED by a unanimous vote.

H [12-70](#)

Approve a Memorandum of Agreement with the Alliance for the Support of American Legion Baseball in Alaska authorizing them to complete the Moller Field project and to utilize CBS remaining State Grant funds for Moller Baseball Field improvements

*Brian Hansen urged the Assembly to support this.*

*Public Works Director, Michael Harmon, noted the City spent around \$10,000 a year maintaining the existing field. The proposed field has a long life expectancy. Harmon stressed the need to create an infrastructure maintenance/replacement fund noting Sitka had a false sustainable economy with heavy dependence on State funding.*

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

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

I [12-68](#)

Approval of Contract Assistant for the Blue Lake Expansion Project - Electric Department

This item was PULLED prior to the meeting.

J [12-62](#)

Approve a permanent transfer of CBS Property Lot 18 Sawmill Cove Industrial Park to the Water Enterprise Fund including a transfer of \$65,560.00 from the UV Facility Capital Account to SMCIP Fund

*Sawmill Cove Industrial Park Director, Garry White, explained the City was looking for a piece of property to put their UV Plant on and approached the Sawmill Cove Board. The Water Enterprise would be investing in this property.*

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

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

K [12-65](#)

Approve a Memorandum of Agreement between DOT&PF and CBS for the Sawmill Cove Waterfront Development Plan and Project Scope

*Christianson had to sign off from the meeting at 8:40 PM to address other matters.*

*Garry White, Sawmill Cove Industrial Park Director, explained CBS was awarded federal funds for the development of waterfront of Sawmill Cove. The study would identify six main projects at the Park: 1) the viability for a larger marine haul out; 2) the ability to tender larger commercial vessels; 3) what type of dock the Park would support; 4) a site assessment of the water structure; 5) a bathometric rocking of the bottom; and 6) whether a rock quarry could be operated safely.*

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

Yes: 3 - Westover, Reif, and Hackett

**Non-voting:** 1 - Christianson

- L**      [12-64](#)                    Approve a Memorandum of Agreement between DOT&PF and CBS on the Sawmill Creek Upgrade

*Public Works Director, Michael Harmon, explained the project.*

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

**Yes:** 5 - Westover, McConnell, Blake, Reif, and Hackett

**Non-voting:** 1 - Christianson

- M**      [12-61](#)                    Approve bid award for Swan Lake Park Floating Dock to Island Enterprises in the amount of \$91,900.00

*Jay Stelzenmuller wanted to know where the money was coming from. Public Works Director, Michael Harmon, stated the City had \$100,000 in grant funds from 2009. The plan was to have a high-end dock with a long life. Parks and Rec Director, Lynne Brandon, explained there had been talk to improve Lake access over the years. During the public process the project was highly supported by many different user groups.*

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

**Yes:** 5 - Westover, McConnell, Blake, Reif, and Hackett

**Non-voting:** 1 - Christianson

- N**      [12-63](#)                    Award a design-build Contract to Coastal Excavation for completion of the Turnaround Skate Park Cover and the Sitka Recycle Yard Building Project in amount of \$270,875.00

*Skate Park - Public Works Director, Michael Harmon, explained the Skateboard Park had funds remaining. Parks and Rec Director, Lynne Brandon, interviewed the users and they wanted a cover. The FY2012 budget included \$50,000 to complete the necessary funding.*

*Sitka Recycle - Senior Engineer, Lancy Henry, noted the current roof wasn't made for Sitka's climate or weather conditions.*

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

**Yes:** 5 - Westover, McConnell, Blake, Reif, and Hackett

**Non-voting:** 1 - Christianson

## **XII. PERSONS TO BE HEARD:**

*Jay Stelzenmuller noted he was pleased the majority of assembly members were remembering to turn their microphones on.*

*Reif wanted to express for the record that the draft budget prepared by Administrator Dinley was formed under the direction of the Assembly. The budget now becomes*

*the Assembly's. There will be at least three budget sessions before the first reading of the budget ordinance on May 22nd.*

**XIII. ADJOURNMENT**

**Motion by McConnell to ADJOURN the meeting. The meeting ADJOURNED at 9:16 PM.**

**ATTEST**

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**Colleen Ingman, MMC  
Municipal Clerk**