



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 Pete Esquiro,
Vice Deputy Mayor Thor Christianson,
Phyllis Hackett, Matthew Hunter, Mike Reif and Michelle Putz*

*Interim Municipal Administrator: John P. Sweeney III
Municipal Attorney: Robin L. Koutchak
Municipal Clerk: Colleen Ingman, MMC*

Tuesday, July 9, 2013

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

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

IV. CORRESPONDENCE/AGENDA CHANGES

[13-141](#)

Correspondence

No comments.

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

None.

VI. **PERSONS TO BE HEARD**

Jennifer Robinson, Executive Director of the Chamber of Commerce, announced the Chamber was looking into the possibility of hosting a forum for the administrator candidates to learn more about their views on local business and how they would interact with the business community.

Fire Chief, Dave Miller, reported on the July 24 ammonia leak at Sitka Sound Seafoods dock, recent discovery and disposal of dynamite at a local residence, and a recent grant received by the Department to purchase two iPads for the use of preplanning purposes in Sitka.

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

Interim Administrator - Sweeney commended Police and Fire Departments for an outstanding job in handling the dynamite situation. Participated in a planning teleconference for the Southeast Conference Fall Meeting to to be held in Sitka September 17-19.

Liaison Representatives - Assembly Member Hackett reported on the Hospital Board. Assembly Member Putz provided an update on the recent activities of the Historic Preservation Commission and the Parks and Recreation Committee.

Clerk - Reminded the public candidate filing was to begin July 15 and close August 2 at 5pm. Two Assembly seats and one School Board seat are to be filled.

Other - Mayor spoke to the request by the Chamber to offer a forum for Administrator candidates. Utility Director, Chris Brewton, gave an update on the Blue Lake Dam Expansion Project.

VIII. CONSENT AGENDA

- A** [13-138](#) Appointment: Reappoint Chris Fondell to a term on the Sawmill Cove Industrial Park Board

This item was APPROVED ON THE CONSENT AGENDA.

- B** [13-134](#) Award Aggregate Construction Inc. a contract to mill and overlay Erler and Spruce Streets and authorize project fund transfers to complete - \$148,152

At the request of Assembly Member Reif, Public Works Director, Michael Harmon, provided clarification on the scope of project and funding.

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:

None.

X. NEW BUSINESS:**New Business First Reading**

- C** [RES 13-11](#) Approving submittal and execution of a Municipal Harbor Facility Grant application to the State of Alaska, Department of Transportation and Public Facilities (ADOT&PF) in the amount of \$2,700,000 for the project entitled Sitka Transient Float

Public Works Director, Michael Harmon, and Senior Engineer, Dan Tadic, came

forward to explain the grant application process, the need for repair to the Sitka Transient Float, and funding sources.

Assembly Members asked that harbor users be involved early on in the planning process.

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

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

D [ORD 13-29](#)

Amending SGC Chapter 4.12 entitled "Property Tax" by adding Subsection K to SGC 4.12.025 entitled "Exemptions" regarding optional exemption; amending SGC 4.12.030 entitled "Assessor's Duties" by removing Subsection D.4; amending SGC 4.12.050 entitled "Property Owner's Returns" by amending Subsection C and removing criminal penalties defined under Subsection D for failing to file assessment returns and/or refusal to give information; adding SGC 4.12.055 entitled "Failure to File Return - Fee - Penalty" to assess penalties for failing to file a property return or knowingly make a false affidavit to property returns and amending SGC 4.12.110 entitled "Tax Levy Fixed by Assembly" to properly reflect mailing of tax statements by the Finance Director

Assessor, Randy Hughes, came forward to explain the ordinance and answer questions. The ordinance would change the assessment and taxation of business personal property by making the first \$25,000 of property value exempt.

A motion was made by Putz 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

A recess was taken from 7:04pm to 7:10pm.

E [ORD 13-30](#)

Amending Title 15 of the SGC to increase sewer, water and wastewater rates at Sections 15.04.320 entitled "Rates and Fees" and 15.05.625 entitled "Wastewater Service - Sawmill Cove Industrial Park" and add RV spaces with utility hookups in the rate structures

Reif commended Acting Finance Director, Mike Middleton, on a well prepared analysis. Hackett and Christianson agreed.

Middleton came forward to explain the RV portion of the ordinance.

Hunter noted the raise in rates would make funds capable of replacing infrastructure in the future.

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

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

F [ORD 13-31A](#)

Amending chapter 11.40 of the SGC entitled "Stopping Standing and Parking" to provide for civil administration process for parking offenses under this chapter

Christianson suggested the "hearing officer" be the Police and Fire Commission rather than the Municipal Administrator. The Municipal Attorney explained the "hearing officer" could be the Municipal Administrator or such person as the Municipal Administrator may designate. There was a consensus for more research to be done prior to the ordinance coming back to the Assembly.

A motion was made by Hunter that this Ordinance be POSTPONED. The motion PASSED by the following vote.

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

No: 1 - Hackett

A recess was taken from 7:24pm to 7:28pm.

Additional New Business Items

- G** [13-136](#) Approve Sitka Counseling and Prevention Services Expansion of a Quasi Institutional Use Conditional Use Permit - 701 Indian River Road

A motion was made by Hackett to convene as the Board of Adjustment. The motion PASSED by the following vote.

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

Planner I, Maegan Bosak, came forward to explain the request. Sitka Counseling and Prevention Services (SCPS) had requested an increase of clients from 8 to 16 to expand services to the first floor of the building. The Planning Office stated a new conditional use permit was needed due to the change in the use of the building.

Amy Zanuzoski, SCPS Executive Director, and Nancy LeClerc-Davidson, Controller, came forward to explain their request. LeClerc-Davidson stated with the recent closing of the Bill Brady Center there was even more of a need to provide long-term services for women. LeClerc-Davidson added there would be no traffic impact or parking issues and the building would have 24/7 coverage on both floors.

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

A motion was made by Reif to reconvene as the Assembly in regular session. The motion PASSED by a unanimous voice vote.

- H** [13-140](#) Approve request by Lydia McGraw to forgive remaining balance due on property tax bill

Lydia McGraw provided an explanation to the Assembly. She paid her 2012 payment late and part of the payment was applied to penalty and interest first leaving a balance of \$96.18. She added the City had the funds to cover this.

Hunter stated there wouldn't be any funds if a precedence was made of forgiving

fees, interest, and property tax debt as everyone would request their fees be forgiven. He spoke in support of following the Code.

Interim Administrator and Finance Director, Jay Sweeney, stated in his tenure the Assembly had not forgiven fees.

Municipal Attorney, Robin Koutchak, stated there was nothing in the Charter or Code that gave the Assembly the authority to waive these fees.

A motion was made by Christianson that this Item be APPROVED. The motion FAILED by the following vote.

No: 7 - Christianson, Esquiro, Reif, Hunter, Putz, McConnell, and Hackett

I [13-135](#)

Authorize the Sitka Police Department to reinstate a Patrol Officer, Dispatch and Records Clerk, temporary Traffic Officer, and to partially fund the facility planning study using the Jail Contract increase and unfilled MSO position as the primary funding sources

Police Chief, Sheldon Schmitt, explained the City had received an increase from the State of Alaska for jail services provided. In the past the jail had been underfunded. This year, the contract was adjusted to match expenses therefore freeing up funds in the Department for the three positions.

Interim Administrator, Jay Sweeney, stated there were fundamental staffing issues at the Department and the positions were needed.

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

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

No: 1 - Esquiro

J [13-139](#)

Discussion/Direction/Decision of temporary Deputy Administrator to assist in new Administrator transition

Interim Administrator, Jay Sweeney, provided a summary of his proposal. Assembly Members provided their opinions about having a Deputy Administrator position.

A motion was made by Christianson to approve the proposal for a temporary Deputy Administrator to assist in the new Administration transition for 90 days as laid forth in the memo provided by Interim Administrator, Jay Sweeney, dated July 2, 2013.

After further discussion by the Assembly, Christianson withdrew the motion.

The Assembly did not wish to formally create a Deputy Administrator position but agreed to Sweeney's offer to provide assistance to the new Administrator.

XI. PERSONS TO BE HEARD:

Fire Chief, Dave Miller, thanked the Police, Electric, and Fire Departments for their

help with the recent ammonia leak and dynamite disposal. He also spoke in support of the Assembly's decision to fund three additional positions at the Police Department.

Sheryl Lantz spoke to the need of a new float plane facility in the community. Interim Administrator, Jay Sweeney, stated in the Harbor Master Plan there were plans for construction of a float plane dock within the next two years which would be 95% grant funded.

XII. EXECUTIVE SESSION

None.

XIII. ADJOURNMENT

A motion was made by Christianson that this meeting be ADJOURNED. The motion PASSED by a unanimous voice vote. The meeting ADJOURNED at 8:48pm.

**ATTEST: _____
Sara Peterson, CMC
Acting Municipal Clerk**