



CITY AND BOROUGH OF SITKA

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

Minutes - Final City Assembly

MAYOR *Scott McAdams*

Jack Ozment, Deputy Mayor - Reber Stein, Vice Deputy Mayor

Cheryl Westover - Mim McConnell

Phyllis Hackett - Larry Crews

MUNICIPAL ADMINISTRATOR: *Jim Dinley*

MUNICIPAL ATTORNEY: *Theresa Hillhouse*

MUNICIPAL CLERK: *Colleen Ingman, MMC*

Tuesday, August 10, 2010

6:00 PM

Assembly Chambers

WORKSESSION - Sheldon Jackson Campus Update 5:00 PM

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 5 - McAdams, Ozment, Stein, Westover, and Hackett

Telephonic: 2 - Crews, and McConnell

IV. CORRESPONDENCE/AGENDA CHANGES

The Mayor asked for a moment of silence for the loss of former Senator Ted Stevens who died in a plane crash. A citation will be forthcoming in his honor.

Item K was PULLED prior to agenda publication.

A motion was made by Stein that Item J be PULLED at the request of Sitka Community Hospital CEO Hugh Hallgren. The motion PASSED by the following vote:

Yes: 7 - McAdams, Ozment, Stein, Westover, Crews, Hackett, and McConnell

V. CEREMONIAL - Citation US Coast Guard Sitka

A citation in recognition of the U.S. Coast Guard Day and to honor the crew of Coast Guard Jayhawk 6017 and all the personnel of the U.S. Coast Guard who serve at Coast Guard Air Station Sitka, Coast Guard Cutter maple, Aides to Navigation Team Sitka, Marine Safety Detachment Sitka, and Electronic Support Detachment detail Sitka was read. Formal presentations will be made at the annual Coast Guard dinner later this month.

VI. PERSONS TO BE HEARD**VII. REPORTS****a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other**

Mayor - Mayor McAdams expressed appreciation and congratulated all involved in the Sitka Seafood Festival. Extended thanks to Nancy Yaw Davis for her part in the Paths Across the Pacific Conference. Also extended gratitude to the Home Skillet Fest team for putting the Festival together and to Lon Garrison for the series of folk concerts.

Administrator - Administrator Dinley reported on Public Works projects. Randy Hughes will begin August 16th as our new Assessor.

Attorney - Hillhouse is out of the office next week for AML, Wednesday through Friday.

Liaisons - Hackett announced a change in the meeting for the Historic Preservation Commission. The Commission will meet Tuesday August 17th at 6pm.

Clerk - Ingman announced absentee voting for the state primary election of August 24 has begun. You can cast your vote at City Hall between the hours of 9 AM and 5 PM M-F.

VIII. CONSENT AGENDA

- A 10-133** Approve the minutes of the regular Assembly meeting of July 27, 2010.

This matter was APPROVED ON THE CONSENT AGENDA

- B 10-132** Approve and authorize a Purchase Order to Aero-Metric Inc. in the amount of \$73,617.00 for LiDAR Services.

Utility Director, Christopher Brewton, explained laser via an airplane is used to identify additional routes for the Takatz Lake to Baranof River Valley. Alternatives routes are being explored as the current route is inadequate.

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

Yes: 7 - McAdams, Ozment, Stein, Westover, Crews, Hackett, and McConnell

- C ORD 10-23** Amending Sitka General Code Chapter 20.04 by amending the title from "Floodplain Regulations" to "Floodplain Management," making amendments consistent with federal law requirements, and adopting regulations.

Building Official, Preston O'Connell, explained this is a FEMA boiler plate and codifies what has been happening.

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

Yes: 7 - McAdams, Ozment, Stein, Westover, Crews, Hackett, and McConnell

- D 10-135 Approve transfer of the Crime Scene Van back to the Alaska Division of Homeland Security and Emergency Management for reallocation.

Administrator Dinley explained since acquisition CBS has had minimal use and agreed with the recommendation to return it to the State.

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

Yes: 7 - McAdams, Ozment, Stein, Westover, Crews, Hackett, and McConnell

IX. UNFINISHED BUSINESS:

- E 10-130 Discussion on the Bear Attraction Nuisance Ordinance 2008-09.

Police Chief Schmitt explained there was a task force that addressed this issue a few years ago and the product that resulted was Ordinance 2008-09. Progress is being made at becoming more bear friendly, however, this Ordinance is largely unenforceable. Chief Schmitt recommended the task force get together again. Public Works Director Michael Harmon has tasked engineers to come up with an education piece. They did pamphlets, letters to the editor, and provided basic education. Harmon believes an educational piece is needed in the school system as well. Schmitt pointed out that Fish and Game have been the leader and would like to see Assembly participation on the force. Harmon said it would be good to have a Public Works employee on the committee.

X. NEW BUSINESS:

New Business First Reading - If passed 2nd Reading on Ordinances will be 8/17

- F RES 10-20 ADVISORY BALLOT QUESTION: A Resolution of the Assembly of the CBS providing for submission of an advisory question to the Sitka Voters at the Regular Municipal Election on October 5, 2010, as to whether the CBS should issue approximately \$50,000,000 in Electric Revenue Bonds to pay a portion of the cost of expanding the Blue Lake Hydroelectric Project and to retire certain outstanding Municipal Utility Revenue Bonds.

Finance Director, David Wolff, explained he talked to the director of revenue bonds; technically there does not have to be a vote of the people. This is another piece Wolff would like to add to the application process. At this time there will be no increase in utility rates; however when the project is finished, additional grants and revenue sources will need to be found. Wolff explained that it is advisable for Sitka to issue approximately \$20,000,000 in electric revenue bonds to pay a portion for the cost of the Project and approximately \$30,000,000 in electric revenue bonds to refund and decrease Sitka's outstanding 1992 and 1997 municipal utilities revenue bonds. Wolff will set up meetings and educate the public.

Recess - A recess was taken from 7:05 until 7:15 PM.

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

Yes: 7 - McAdams, Ozment, Stein, Westover, Crews, Hackett, and McConnell

- G ORD 10-06S** BALLOT PROPOSITION FOR OCTOBER 5, 2010 ELECTION AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED SIX MILLION DOLLARS (\$6,000,000) TO FINANCE THE PURCHASE OF AND CAPITAL IMPROVEMENTS TO THE HAMES CENTER, AND PROVIDING FOR THE SUBMISSION OF A PROPOSITION APPROVING THIS ORDINANCE AND RATIFYING THE AUTHORIZATION OF THE BONDS TO THE QUALIFIED VOTERS OF THE CITY AND BOROUGH OF SITKA AT THE REGULAR ELECTION TO BE HELD ON OCTOBER 5, 2010.

Mayor McAdams recused himself for the next three items due to a perceived conflict of interest.

Tim Riley representing the Parks and Recreation Committee thanked the Assembly and spoke in support of this. Westover said she could not support because she does not believe it could be repaired appropriately for mentioned dollar amount.

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

Yes: 5 - Ozment, Stein, Crews, Hackett, and McConnell

No: 1 - Westover

Recused: 1 - McAdams

- H ORD 10-07S** BALLOT PROPOSITION FOR OCTOBER 5, 2010 REGULAR ELECTION AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA PLACING A BALLOT QUESTION ON THE REGULAR ELECTION ON OCTOBER 5, 2010 TO AMEND THE HOME RULE CHARTER OF THE CITY AND BOROUGH OF SITKA AT ARTICLE 13.03 ENTITLED "PROPERTY TAX LIMIT" TO INCREASE THE MILLAGE RATE LIMIT BY ONE-HALF TENTHS OF ONE PERCENT (.5), WHICH WOULD BE SIX AND ONE-HALF TENTHS (.0065), OR SIX AND ONE HALF (6.5) MILLS.

Hackett wondered whether the Parks and Recreation Committee recommendation for the proposition to be more broad could be addressed. Hillhouse informed that it would be too late because of election deadlines.

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

Yes: 5 - Ozment, Stein, Crews, Hackett, and McConnell

No: 1 - Westover

Recused: 1 - McAdams

- I ORD 10-08S** BALLOT PROPOSITION FOR OCTOBER 5, 2010 REGULAR ELECTION AN ORDINANCE OF THE CITY AND BOROUGH OF SITKA PLACING A BALLOT QUESTION ON THE OCTOBER 5, 2010 REGULAR ELECTION BALLOT TO ALLOW, BUT NOT REQUIRE, THE SITKA ASSEMBLY TO PASS A RESOLUTION ANNUALLY FOR THE NEXT 20 YEARS IN ACCORDANCE WITH SITKA GENERAL CODE 4.12.110A TO SET THE MILLAGE RATE AT SIX AND ONE HALF (6.5) MILLS TO PAY FOR GENERAL OBLIGATION BONDS NOT TO EXCEED \$6,000,000 TO BE ISSUED FOR PURCHASE OF AND CAPITAL IMPROVEMENTS TO THE HAMES CENTER, AND TO PAY FOR THE HAMES CENTER UNFUNDED OPERATING COSTS.

Westover questioned the "unfunded operating costs". Hillhouse explained these are not covered by user fees, grants and other contributions. Stein pointed out that all

three questions need to pass for this to be successful and that they are not three separate increases. Hillhouse explained the first is for the bonds, second for the charter change, and the third is telling future assemblies to take that percentage of property tax and apply it appropriately in future years.

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

Yes: 5 - Ozment, Stein, Crews, Hackett, and McConnell

No: 1 - Westover

Recused: 1 - McAdams

Additional New Business Items

L 10-137

Convene as the Board of Adjustment: Approve Baranof Island Housing Authority Conditional Use Permit for a Rock Quarry with conditions.

A motion was made by Stein to Convene as the Board of Adjustment. The motion PASSED by the following vote:

Yes: 7 - McAdams, Ozment, Stein, Westover, Crews, Hackett, and McConnell

Planner I, Melissa Henshaw, informed all conditions were existent in 1995 and are attached to this approval on a one-year extension basis. The hours of operation of truck traffic would be limited to 5 days a week with restricted hours. BIHA owns the majority of surrounding land, the other owner is Mental Health Trust. Hillhouse clarified that it is a ten year conditional use permit with a one-year extension.

Hackett brought up a statement in the Planning Commission minutes where Planning Director, Wells Williams had talked about a tire cleaning pad. Municipal Engineer Stephen Weatherman informed what they are looking for would be a minimum of 50' with fairly large rock that would wear the mud etc. off the truck tires. This would help in not tracking as much debris onto the paved road of the subdivision and/ or onto the main roadways. The tire cleaning pad would be inspected periodically as part of the pollution storm plan. When it no longer appeared to be working, the large rock would need to be changed out.

When BIHA put in the residential subdivision off of Indian River Road, they were aware there was a quarry that would be used, and in fact used it for their subdivisions. Bart Meyer, executive director of Baranof Island Housing Authority, said once they realized the existing conditional use permit of Sheldon Jackson's had expired they decided to apply. In their opinion Sitka needs rock and it is in the City's and BIHA's best interest. Meyer relayed that BIHA would pay close attention to the operation of the quarry because this is primarily a BIHA subdivision housing their clients.

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

Yes: 7 - McAdams, Ozment, Stein, Westover, Crews, Hackett, and McConnell

A motion was made by Stein to reconvene as the Assembly in regular session. The motion PASSED unanimously.

M 10-134

Appoint one to the Sitka Community Hospital Board: 1) Kathryn Snelling or 2) Ann Wilkinson.

The Assembly nominated both candidates Kahryn Snelling and Ann Wilkinson to serve on a term of the Sitka Community Hospital Board. Snelling received the majority of votes and was appointed.

XIII. ADJOURNMENT

A motion was made by Westover that this meeting be ADJOURNED. The motion PASSED unanimously and the meeting adjourned at 8:00 PM.

ATTEST:



**Colleen Ingman, MMC
Municipal Clerk**