

CITY AND BOROUGH OF SITKA

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



Meeting Agenda

Tuesday, April 9, 2013

6:00 PM

Assembly Chambers

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*

WORKSESSION - Quarterly Budget Review 5:00-5:50 PM**REGULAR MEETING****I. CALL TO ORDER****II. FLAG SALUTE****III. ROLL CALL****IV. CORRESPONDENCE/AGENDA CHANGES**

[13-107](#) Correspondence Attachments

Attachments: [COR040913](#)

V. CEREMONIAL MATTERS: PROCLAMATIONS, PRESENTATIONS, AWARDS

1 [13-064](#) Proclamations - Walk Friendly Community and AmeriCorps Day

Attachments: [Proclamations](#)

SPECIAL REPORTS: government-to-government, municipal boards/commissions, committees, municipal departments, school district, students and guests; time limits apply

2 [13-066](#) Sitka Urban Forest Management Plan and Tree Inventory - Jim Flott - 10 minutes

Attachments: [Urban Forest Memo](#)
[Sitka Urban Forestry Management Plan](#)

VI. PERSONS TO BE HEARD**VII. REPORTS**

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

VIII. CONSENT AGENDA

A [13-062](#) Approve the minutes of the March 26, 2013 Assembly meeting.

Attachments: [Minutes](#)

B [13-060](#) Appointment: 1) Tad Kisaka to a term on the Sitka Convention and Visitors Bureau.

Attachments: [Appointment](#)

C [ORD 13-20](#) Adjusting the FY13 Third Quarter Budget

Attachments: [ORD 2013-20](#)
[ORD 13-20 Passed](#)

- D [13-061](#) Approve a sole source purchase: Eaton Station Service Switchgear for the Blue Lake Expansion project - \$208,546.00

Attachments: [Station Service Switchgear](#)

IX. **UNFINISHED BUSINESS:**

- E [13-056](#) Approve or protest renewal of a liquor license #3762 registered to Victoria's Pour House owner J&B North Inc. - request to rescind action taken on March 12, 2013.

Sponsors: Administrator's Office

Attachments: [Liquor License Renewal](#)

Finance Director, Jay Sweeney, spoke about the substantial amount of back taxes (\$89,900) owed by this establishment to the City and Borough of Sitka. Christianson clarified the amount owed was sales and bed taxes collected but not passed on to the City. Hunter pointed out that there was a payment plan, however, Snyder had failed to meet it.

Liquor license owner, Shane Snyder, noted the hotel portion was closed but would reopen soon. He also stated this was a debt he didn't have a lot of money to put towards.

Municipal Attorney, Robin Koutchak, explained failure to pay taxes was one of the main reasons an assembly could protest the renewal of a liquor license. Koutchak stated a protest would also generate fines Snyder would have to pay.

Assembly Members were troubled by the fact Snyder collected taxes but did not pass the money on to the City.

- F [ORD 13-14A](#) Amending SGC Title 22 Zoning to allow for and regulate Accessory Dwelling Units (ADUs)

Attachments: [Ord 2013-14A Accessory Dwelling Units](#)

[Ord 2013-14A Packet Materials](#)

[ORD 13-14A Passed](#)

Hunter questioned the rationale of limiting size. Planning Director, Wells Williams, offered an explanation and noted each request would be evaluated just like a building permit.

Garry White stated SEDA supported a higher density.

Eve Grutter who resides at 711 Etolin Street said her neighbors had a unit that would fall into this category and there was no extra parking. She urged the need for appropriate parking.

The Assembly discussed the ordinance should clearly read on lines 33 and 68 Accessory Dwelling Units must be detached. There were also problems on line 75 with the words "internal" and "attached."

Planning Director, Wells Williams, clarified zoning, defined setbacks and types of property.

Hunter expressed confusion with lines 104 and 105 noting it appeared the size of an ADU was being limited. Williams informed that this language came from the Planning Commission.

G [ORD 13-16](#) Amending SGC Chapter 2.04 "City and Borough Assembly" at Section 2.4.110 "Parliamentarian"

Sponsors: Hackett and Christianson

Attachments: [ORD 13-16](#)

[ORD 13-16 Passed](#)

Hackett said one of the reasons she brought this forward was because the Clerk was required to attend meetings where the Attorney was not. Although CBS was not subject to Title 29, the title did support this change. Christianson mentioned the Assembly frequently sought the advice of the Clerk on parliamentary issues.

H [ORD 13-17](#) Amending SGC Title 22 Zoning to amend SGC Table 22.16.015-6 to allow Eating and Drinking places in the Sawmill Cove Special District as a permitted use on a temporary basis.

Attachments: [ORD 13-17 Temporary](#)

[2013-17 docs](#)

[ORD 13-17 Passed](#)

Southeast Economic Development Association (SEDA) supported this but Sawmill Cove Industrial Park (SCIP) had not reviewed yet. Joe Younack explained plans to offer canteen services closer to the dam construction site.

Putz mentioned comments received from Cheryl Westover. Christianson and Hunter appreciated Westover's comments. Hunter noted he was comfortable with the ordinance being there was a concrete end date. Hackett spoke in opposition as she felt the conditional use permitting process should apply.

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

- I [RES 13-07](#) Requesting that the State and Federal authorities work with impacted Southeast Alaska communities to develop a sound management plan for the sea otter population in Southeast Alaska and further request that they research ways to revive lost fisheries, lost economies, and subsistence lifestyles which has resulted from allowing the relocation and re-colonization of sea otter in Southeast Alaska without a management plan.

Sponsors: Esquiro and Hackett

Attachments: [2013-07 Sea Otter Management](#)
[RES 13-07 Signed](#)

Reif asked to be recused due to his involvement with the dive fishery and financial conflict.

Eric Jordan, a lifetime resident of Southeast Alaska, spoke in support of this resolution. Although a long time conservationist, he believed it was a well worded and an appropriate resolution. He noted sea otters had devastated the commercial and recreational fisheries and urged the Assembly to support the proposed resolution.

Mike Reif, speaking as a citizen and commercial diver, believed this should be of interest to everyone to get sea otters under control. Reif mentioned Senator Stedman's Senate Bill 60. Reif stated the sea otter population was a serious threat due to their rapid growth and the fact they were not managed. He acknowledged that according to Larry Bell there was a 19 year old plan but it was only a guiding document and there was no requirement to have a management plan. With regard to the amendment reducing the number from 25,000 to 23,000 in the resolution he believe it is an estimate so he doesn't support. With regard to the amendment reducing the number from 25,000 to 23,000 in the resolution Christianson and Esquiro believe it is an estimate so they don't support the amendment. Christianson thinks this amendment changes the tone dramatically if we just say current population it is not over population so he is strongly opposed.

Hunter brought up that everyone wants to see a sea otter, so they are an important piece but he does think there needs to be a management plan to define what population we want.

Esquiro mentioned that there are several places where there is an over population of sea otters; unfortunately, the people who

know the facts are not able to talk publically about it. Not saying or doing anything is not a solution. Sea otters need to be managed.

Christianson reflected that he went diving and couldn't find any sea urchins and he looked hard and was shocked. Really having trouble finding abalone and spoke to the devastation in the last 10 years. A management plan is way over due. He wished the resolution was more strongly worded.

Hackett read the "Now Therefore be it Resolved..." section for the listening audience.

- J** [ORD 13-18](#) Amending SGC Section 23.30.020 entitled "Conditions for Use of Park and Recreation Facilities" by adding provisions to prohibit non-service dogs from being on certain designated sport fields and municipal playground and subjecting the dog keeper and or custodian to a fine

Attachments: [ORD 2013-18](#)

[ORD 13-18 Passed](#)

Assembly members expressed appreciation to those who worked on the two ordinances and were happy with the collaborative process.

Reif wondered how many fines had been issued. Police Chief Schmitt stated between 200-225 tickets were written a year. The more common ticket issued was running at large.

- K** [ORD 13-19](#) Amending SGC Chapter 8.04 entitled "Animal Protection and Control" by amending 8.04.010 entitled "Definitions" defining "Competent Voice Control;" amending 8.04.032 to provide additional off-leash areas by adding Field One at Kimsham Complex, Keet Gooshi Heen, Vilandre Ball Fields during hours when sports or school use or events are not occurring and the Cross Trail; inserting "Off-Leash Area" rules of use and adding a provision for fines and penalties for those who fail to remove all fecal matter at those designated off-leash areas

Attachments: [ORD 2013-19](#)

[ORD 13-19 Passed](#)

Hackett expressed concern with the words "voice control". She mentioned just because the owner knows their dog will listen, the approaching person does not and it could be terrifying.

- L** [ORD 13-15](#) Amending SGC Title 13 at Chapter 13.06.010 entitled "Moorage Charges and Fees" at Section(s) G. Tour Ship Lightering Fees, and I. Summer Recreational Vehicle/Boat Trailer Parking Fee

Attachments: [ORD 2013-15](#)

[ORD 13-15 Passed](#)

Hunter mentioned the Port and Harbors Commission supported both of these increases.

Reif inquired about tendering and going alongside the pier rates wondering how the rates compared to other communities. Harbormaster, Stan Eliason, commented Sitka's rates are low.

Additional New Business Items

M [13-063](#) Discussion/Direction on Pedi Cab proposal submbitted by John Welsh

Attachments: [Pedicab](#)

N [13-065](#) Discussion/Authorize for the mayor to sign the International Charter for Walking

Eric Jordan spoke in support of the signing.

Esquiro clarified this was voluntary. Even those items listed under the Action items on page 4. Mayor McConnell informed everything listed in this charter was all voluntary; nothing mandatory.

Hackett mentioned snow situations and dangers of sidewalk conditions during winter months.

O [13-055](#) Discussion and/or adoption of a new vision statement for the City and Borough of Sitka proposed in 2010.

Attachments: [vision statement](#)

XI. PERSONS TO BE HEARD:

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT