



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, May 25, 2010

6:00 PM

Assembly Chambers

WORKSESSION - Sitka Climate Action Task Force -Final Report 5:00 PM

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - McAdams, Ozment, Stein, Westover, Hackett, and McConnell

Absent: 1 - Crews

IV. CORRESPONDENCE/AGENDA CHANGES

Government-to-Government Update with Sitka Tribe of Alaska

Dale Williams announced Sitka Tribe of Alaska's 1st Annual Salmon Derby to be held May 29-31st. Williams informed STA's event would not compete with the Sportsman's Association Salmon Derby but rather be supplemental. With STA's Derby, participants will be able to donate their fish to Alaska Social Services for low income families or keep their fish. Williams gave an overview of the rules, weigh in barge location, and prizes.

With regard to Ordinance 2010-09, Williams asked on behalf of Sitka Tribe of Alaska what the definition of a bingo facility would be and if facilities owned by STA would have their own jurisdiction or would fall under CBS jurisdiction. Mayor McAdams responded the matter would be researched.

V. PERSONS TO BE HEARD

None.

VI. REPORTS**a. Mayor**

Mayor McAdams deferred.

b. Administrator

Administrator Dinley deferred.

c. Attorney

Attorney Hillhouse deferred.

d. Liaison Representatives

Stein attended STA Council Meeting May 19th. McConnell, Ozment, and Stein attended the Long Range Planning and Economic Development Commission meeting on May 20th. The group is working on developing language for the Assembly regarding Affordable Housing.

e. Clerk

Clerk deferred.

f. Other

Mayor McAdams recognized Jack and Judy Ozment's recent 60th wedding anniversary.

VII. CONSENT AGENDA

- A 10-098** Approve the minutes of the May 6 and 11 Assembly meetings.

A motion was made that these Minutes be APPROVED ON THE CONSENT AGENDA.

- B 10-099** Appoint Ken Creamer to a term on the Ports and Harbors Commission.

A motion was made that this Appointment be APPROVED ON THE CONSENT AGENDA.

- C ORD 10-13S** Amending the SGC to adjust the rates for water service.

Mark Buggins, Environmental Superintendent, explained reasons for the rate adjustment such as future infrastructure needs. Stein noted there would be a \$2.55 increase per month for residential customers. Attorney Hillhouse reported the Sawmill Cove Industrial Park met and would be forwarding a recommendation to the Assembly for June 8 to add a "raw water for bottling water" category. Mayor McAdams mentioned the CBS Water Department has operated at a loss for a

number of years. The Mayor also read a list of water rates for various cities throughout the State, Sitka was one of the lowest.

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

Yes: 6 - McAdams, Ozment, Stein, Westover, Hackett, and McConnell

Absent: 1 - Crews

D ORD 10-15 Amending SGC to adjust the rates for sewer service.

Stein stated the need to rebuild reserves in order to serve the community. The increase would be \$4.00 per month. Mayor McAdams added this fund, too, has operated at a substantial loss for a number of years.

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

Yes: 6 - McAdams, Ozment, Stein, Westover, Hackett, and McConnell

Absent: 1 - Crews

VIII. UNFINISHED BUSINESS:

E ORD 10-11 Authorizing the sale of Lot 1B of the Little Critter Subdivision to Burgess Bauder and Victoria Vosburg for the purpose of constructing and operating a Veterinary Clinic.

Veterinarian Dr. Hunt voiced concerns of the sale of Lot 1B of the Little Critter Subdivision to Burgess Bauder and Victoria Vosburg. He requested the Assembly postpone their vote.

Jim McGowan, representing Burgess Bauder and Victoria Vosburg, gave a historical overview of Dr. Bauder's veterinary clinic, current agreement, and proposed agreement with CBS.

Lisa Hunt urged the Assembly to table this vote until both hospitals are treated equally.

Westover expressed concern of setting a precedent. While in support of the land sale she stressed the City should not be in the banking business. Stein agreed.

Attorney Hillhouse told of the original lease agreement with an option to purchase. If at any point Dr. Bauder were to cease operation as a vet clinic at his existing location he would need to move to the proposed location within six months and have the option to purchase the property at the appraised value. He does not, however, need to move until new water/sewer is available for the property. Public Works has worked with Bauder and offered if they were to upgrade the water/sewer themselves the cost would be deducted off the purchase price.

Hackett noted the going loan rate for raw land is higher than the five percent CBS would charge Bauder/Vosburg. She, too, did not like the idea of the City acting as a bank or lease holder.

Westover suggested this item be postponed until the June 8 Assembly meeting so more information could be provided.

A motion was made by Westover that this Ordinance be POSTPONED until

June 8. The motion PASSED by the following vote:

Yes: 6 - McAdams, Ozment, Stein, Westover, Hackett, and McConnell

Absent: 1 - Crews

F ORD 10-09

Amending SGC at Chapter 9.20 entitled "Smoking in Public Places and Places of Employment" to prohibit smoking in bars and in private clubs licensed to sell food or alcoholic beverages, set a minimum reasonable distance for non-smoking outside public places, provide for additional violation consequences, and make clarifying amendments, and containing a ballot measure for the October 5, 2010 Municipal Regular Election.

Andrea Thomas, Ryan Kauffman, and Steve Warren encouraged the Assembly to move forward with this issue and allow the public to vote on this issue. This ordinance is a step in the right direction to improving the lives of Sitkans.

George Paul spoke against the ordinance and encouraged the Assembly to vote against the ordinance.

Westover believed the ordinance needed further clarification for voters. Ozment thought the ordinance was clear and needed to be given back to the citizens to decide. Mayor McAdams spoke in favor of the ordinance.

A motion was made by McConnell that this Ordinance be APPROVED FOR THIRD READING. The motion PASSED by the following vote:

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

No: 1 - Westover

Absent: 1 - Crews

IX. NEW BUSINESS:

New Business First Reading

A recess was taken from 7:26pm to 7:33pm

G ORD 10-10

Amending SGC Chapter 6.12 by amending the title from "Mobile Homes and Mobile Home Parks" to "Mobile and Manufactured Homes and Mobile and Manufactured Home Parks," and making other amendments.

Westover clarified this ordinance would address future parks. The minimum space requirement would increase from 1800 square feet to 3000 square feet. Building Official Preston O'Connell said this would decrease mobile home park density and address fire safety concerns. Another change would be a requirement of two parking spaces for each unit.

Hackett congratulated staff for the excellent work on this ordinance.

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

Yes: 6 - McAdams, Ozment, Stein, Westover, Hackett, and McConnell

Absent: 1 - Crews

- H ORD 10-12** Amending SGC Title 22 Zoning to 1) Revise the definitions of manufactured home and mobile home, and 2) Replace the use mobile homes on individual lots with manufactured homes on individual lots in SGC Table 22.16.015 - 1 Residential Land Uses, 3) Make the use "Single Manufactured Home on an Individual Lot" a permitted use in the WD Waterfront District, and, 4) Make related changes in the names and intent language of the affected residential zoning districts.

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

Yes: 6 - McAdams, Ozment, Stein, Westover, Hackett, and McConnell

Absent: 1 - Crews

- I ORD 10-14** Adopting Budgets for Fiscal Year July 1, 2010 through June 30, 2011.

Mayor McAdams recused himself. McAdams, Director of Community Schools, thanked the Assembly for their support of the school budget.

A motion was made by Stein to approve line items on page 55 (main budget book) for school support and community schools be PASSED ON FIRST READING. The motion PASSED by the following vote:

Yes: 4 - Ozment, Stein, Hackett, and McConnell

No: 1 - Westover

Absent: 1 - Crews

Recused: 1 - McAdams

Mim McConnell recused herself.

Doris Bailey, Dusty Kidd, John Stein, Rosemary Carlton, Jerry Dzugan, Harvey Brandt, and Ashley Kircher spoke in support of the Historical Society's budget.

Westover reviewed changes in the current budget from previous year.

Hackett spoke in support of the Historical Society and non profit organizations. She was adamantly opposed to decreasing the non profit grant amount.

Stein supported adding \$30K to the Historical Society however it wouldn't be his choice to take the money from grants.

Mayor McAdams stated this is a problem that absolutely needs to be solved however there are issues of equity and public process.

A motion was made by Ozment to amend the budget to reduce the amount in grants (page 101 of budget book) by \$50K and add \$50K to the Historical Society. The motion FAILED by the following vote:

Yes: 2 - Ozment, and Westover

No: 3 - McAdams, Stein, and Hackett

Absent: 1 - Crews

Recused: 1 - McConnell

Stein challenged organizations under the municipal umbrella to bear a responsibility to make sure fellow organizations survive.

Bob Medinger came forward to address the current budget allocation for the Historical Society.

A motion was made by Westover to move \$30K from grants to the Historical Society fund. The motion FAILED by the following vote:

Yes: 2 - Ozment, and Westover

No: 3 - McAdams, Stein, and Hackett

Absent: 1 - Crews

Recused: 1 - McConnell

A motion was made by Hackett to approve the SCVB and Historical Society appropriations as presented by the administrator. The motion FAILED by the following vote:

Yes: 2 - McAdams, and Stein

No: 3 - Ozment, Westover, and Hackett

Absent: 1 - Crews

Recused: 1 - McConnell

A motion was made by Hackett to RECONSIDER the vote of the administrator's budget recommendations for the SCVB and Historical Society that previously failed. The motion PASSED by the following vote:

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

Absent: 1 - Crews

Recused: 1 - McConnell

A motion was made by Stein that the SCVB and Historical Society appropriations as presented by the administrator be APPROVED. The motion PASSED by the following vote:

Yes: 4 - McAdams, Stein, Westover, and Hackett

No: 1 - Ozment

Absent: 1 - Crews

Recused: 1 - McConnell

George Paul spoke in favor of the budget.

Jerry Dzugan spoke in support of the previous speaker and reminded the Assembly they are in charge of the budget.

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

Yes: 6 - McAdams, Ozment, Stein, Westover, Hackett, and McConnell

Absent: 1 - Crews

Additional New Business Items

- J 10-096 Decision on whether the Planning and Zoning Commission's decision on the final plat submitted by Pacific Tower Properties, Inc. was a major rather than a minor subdivision of the former Sheldon Jackson College and therefore the Assembly would be required to review the major subdivision decision.
- Nancy Yaw-Davis respectfully appealed the decision of the Planning Commission. She asked the Assembly to take up the issue and recognize the subdivision as a major subdivision. She stated people were assured the core campus would not be subdivided and now that has happened.*
- Harvey Brandt and George Paul spoke against the subdivision of the campus.*
- Planning Director Williams stated the specific regulations of the subdivision were followed.*
- Hackett said this subdivision went through the public process. There were at least three Historic Preservation Commission meetings followed by two Planning Commission meetings. Ozment opposed the motion. The citizens of Sitka were told several times the main campus would not be subdivided, that has now happened. McConnell felt the definition of a major subdivision was clear - 4 or more lots, the subject property is 3 lots. McConnell suggested a rewrite of the subdivision code may be in order to address these types of situations in the future.*
- Westover, McConnell, and Hackett all recognized the importance of the project to Nancy Yaw-Davis and thanked her for her work.*
- A motion was made by Westover that the P&Z Commission's decision on the final plat submitted by Pacific Tower Properties, Inc. as a minor subdivision of the former SJC be APPROVED. The motion PASSED by the following vote:**
- Yes:** 5 - McAdams, Stein, Westover, Hackett, and McConnell
- No:** 1 - Ozment
- Absent:** 1 - Crews
- K 10-097 Adopting an Application Requirements and Scoring Rubric for use in allocation of grant funds for non-profits.
- Westover clarified that this would only be applicable to the FY2011 budget. Attorney Hillhouse concurred.*
- A motion was made by Ozment to APPROVE the attached Application Requirements and Scoring Rubric to be used in the annual allocation of grant funding available for non-profits using the following scoring ratios: 60% Human Services, 20% Culture and Education, 20% Community Development and to adopt the following permanent and consistent process for determining distribution of CITY AND BOROUGH OF SITKA ANNUAL GRANTS FROM GENERAL FUND :**
- 1. Advertising for City and Borough of Sitka ANNUAL GRANTS FROM GENERAL FUND shall begin 7 days after ratification of the next FY Budget with Applications due to the Clerks office no later than August 1.**

2. All applications received shall be reviewed and scored, using the Applications Requirements, by a five (5) member Review Committee consisting of City Administrator, 2 members of the Long Range Planning and Economic Development Commission, 2 members At Large to be determined by the dedicated seats.

3. Review Committee recommendations shall be presented to the Assembly for approval, the Assembly shall either 1) approve the recommendations in full, as presented, or 2) remand the entire list of recommendations back to the Review Committee with direction for reconsideration. Final approval shall be given no later than the end of August.

4. All scoring rubrics shall be made available to the applying entity upon request.

5. Once per year the applicant is required to report grant progress to the Review Committee, which will then report to the Assembly.

The motion PASSED by the following vote:

Yes: 6 - McAdams, Ozment, Stein, Westover, Hackett, and McConnell

Absent: 1 - Crews

X. PERSONS TO BE HEARD:

Nancy Yaw Davis thanked the Assembly for their support.

XI. ADJOURNMENT

A motion was made by Westover that the meeting be ADJOURNED at 10:04pm. The motion PASSED by a unanimous voice vote.

