



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, March 23, 2010

6:00 PM

Assembly Chambers

WORKSESSION 2nd QUARTER FY 2009/2010 BUDGET REVIEW 5:00 - 6:00 PM

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

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

Absent: 1 - Hackett

IV. CORRESPONDENCE/AGENDA CHANGES

A 10-051 Assembly calendar, reminders and correspondence.

This matter was RECEIVED.

Government-to-Government Update with Sitka Tribe of Alaska

Government-to-Government Councilman Dale Williams praised the Assembly for how the Town Meeting was handled. He handed out the "new and improved" Council's Voice that listed articles and upcoming events. He pointed out the newsletter included their legislative, state and federal priorities and noted STA will be advocating for increased Tribal Court funding. They are working towards trying to restart the Government-to-Government relationship with the State.

Mayor McAdams mentioned a Tribal Council is placing a Tribal College in downtown Juneau. He reminded the Tribe of the possibility of collaborating efforts here in Sitka, especially in light of the vacated Sheldon Jackson College.

V. CEREMONIAL MATTERS

- B 10-045 2010 Census Partner Proclamation

Mayor McAdams read the 2010 Census Partner Proclamation.

VI. **SPECIAL MUNICIPAL/COMMITTEE/COMMISSION REPORTS:**

- C 10-050 Report on the US Census - Assemblywoman Westover

Sponsors: Westover

US Census Chair Ms. Westover thanked co-chair Nancy Cavanaugh and other committee members. "You count in Sitka 2010" is their slogan. Each person counted equates to \$1,500 a year x 10 years -- the life of the census, or \$15K for the community. If by April 11 residents have not received an application they are asked to call Ms. Westover. Westover mentioned each residence is coded so it is important to fill out the specific form delivered there. The next Complete Count Committee meeting is March 31 at the Chamber Office. They hope to have the highest turn out for a community in the Nation and encouraged everyone to fill out their forms. It is not necessary to be a citizen of the U.S. to fill out these forms. Westover asked applicants to be patient and to please fill out their form.

VII. **PERSONS TO BE HEARD**

None.

VIII. **REPORTS**

a. Mayor

Mayor McAdams thanked the community for the 200+ people that attended or spoke at the recent Town Meeting on SB 881. There was a robust dialogue that may serve as a point of greater understanding. He attended the Government-to-Government semi-annual dinner meeting and had a good conversation on shared interests. He was happy to report Dubuque University met recently and directed their administration to continue to explore Sheldon Jackson College.

b. Administrator

Administrator Dinley reported on the Commercial Passenger excise tax and thanked the public for their participation in recent meetings. They are at 65-70% of the design stage. The Building Department had an inspection and did well, it was noted they have a strong Fire Code Inspection Program. The State Assessor recently audited the local office and was impressed. The Harrigan Centennial Hall restrooms remodel should be done by the end of April.

c. Attorney

Reported she was in Anchorage last week for Alaska Supreme Court hearing on the Sawmill Cove Industrial Park (SMCIP) initiative, which created an automatic referendum requiring a public vote anytime any SMCIP property of a certain value was leased or sold, as well as made numerous administrative procedural changes to SMCIP operations. The two initiative sponsors had appealed the Superior Court

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their input.

MOTION by Ozment to refer Ordinance 2010-01A to the Police and Fire Commission for review and comment.

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

Absent: 1 - Hackett

XI. NEW BUSINESS:

New Business FIRST Reading

- G** **ORD-10-02** Adjusting the FY 2010 Budget for changes identified during the Second Quarter FY 2010 Formal Budget Execution Review
- Sponsors:** Administrator's Office
- For the listening audience, Stein noted Finance Director Dave Wolff reviewed much of these materials in detail at an earlier worksession.*
- MOTION by McConnell to approve Ordinance 2010-02 on first reading.**
- Yes:** 6 - McAdams, Ozment, Stein, Westover, Crews, and McConnell
- Absent:** 1 - Hackett
- H** **ORD 10-03** Amending SGC at Section 10.44.070 entitled "Offers of Sale and Presence on Licensed Premises (Standard Closing Hours)" to amend the Title and the Sunday hours
- Sponsors:** Hackett and McAdams
- Chief Schmitt stated the Police and Fire Commission should be able to review and comment on this ordinance. By doing so, it also gives an additional opportunity for public input.*
- MOTION by Stein to refer Ordinance 2010-03 to the Police and Fire Commission for review and comment.**
- Yes:** 6 - McAdams, Ozment, Stein, Westover, Crews, and McConnell
- Absent:** 1 - Hackett
- I** **ORD 10-04** 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, make additional enforcement requirements, and make clarifying amendments.
- Sponsors:** McAdams and Stein
- More than a dozen people spoke in support of the ordinance citing health concerns. Only three people spoke in opposition, citing people's rights and the economic impact.*
- Westover, an ex-smoker who dislikes second hand smoke, is most troubled by the process. She spoke to a bar owner only yesterday and they weren't aware of this ordinance. She noted the affected businesses should have been notified beforehand.*

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Absent: 1 - Hackett

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Westover, an ex-smoker who dislikes second hand smoke, is most troubled by the process. She spoke to a bar owner only yesterday and they weren't aware of this ordinance. She noted the affected businesses should have been notified beforehand.

MOTION by Stein to award a contract to Admiralty Construction Inc. for completion of the Cove Sewer Lift Station, in the amount of \$228,300.00.

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

Absent: 1 - Hackett

K **10-048**

Award a contract for Sawmill Cove Industrial Park Intermodal Facility Paving to Admiralty Construction, Inc.

Administrator Dinley offered history on the bid and Public Works Director, Michael Harmon was present to answer questions. Westover wanted some assurance this would not have to be dug up after being paved. Harmon said most of the infrastructure is new. Dan Jones is project manager and has a long history with the site. Mayor McAdams reaffirmed that the infrastructure will have the capacity for growth of the park. Stein wondered about the RFP for marine services out there, if it would intersect with the paving. Harmon was not aware of conflict to date. The paving window is small. They would be able to get in and out through most of the project.

MOTION by McConnell to award a contract to Admiralty Construction Inc. for construction of the Sawmill Cove Industrial Park Intermodal Facility Paving Project in the amount of \$1,526,875.00.

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

Absent: 1 - Hackett

XII. PERSONS TO BE HEARD:

Dirk White thanked the Assembly for approving the lift station. He read an excerpt from a USA Today article entitled "Alaskan's Fear for their way of Life." The article cited a quote from the Mayor. White commented it was good to see Sitka in the news.

Andrea Thomas expressed the importance of smoke free laws and to base things on fact and not fear. She reiterated her earlier testimony on the importance of the US Government and their related studies on the subject.

XIII. ADJOURNMENT

MOTION by Westover to adjourn the meeting. The meeting ADJOURNED at 8:45 PM by unanimous consent.

ATTEST:


Colleen Ingman, MMC, Municipal Clerk