



# 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

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Tuesday, December 22, 2009

5:00 PM

Assembly Chambers

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### 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

*The Mayor asked for Item J to be addressed prior to Item I.*

### Government-to-Government Update with Sitka Tribe of Alaska

*None.*

### Student Update

*Claire West informed the Assembly of recent activities at Sitka High School.*

VI. SPECIAL MUNICIPAL/COMMITTEE/COMMISSION REPORTS:

09-050

Wood Supply and the Future - Carol Goularte

**Sponsors:** McAdams

*Sitka District Ranger, Carol Goularte, and Andrew Thom of the Sitka Conservation Society gave a report to the Assembly on wood supply and future activities in Sitka.*

09-058

Progress Report on Commercial Passenger Excise Tax - Scott Brylinsky

*Scott Brylinsky gave a brief update to the Assembly.***VII. PERSONS TO BE HEARD***None.***VIII. CONSENT AGENDA**

A 09-055

Approve the minutes of the December 8, 2009 meeting.

**This matter was Approved on the Consent Agenda**

B 09-049

Reappoint Peter Gorman to a three year term on the Historic Preservation Commission.

**This matter was Approved on the Consent Agenda**

C 09-045

Approve Liquor License Renewals: 1) American Legion, 2) House of Liquor, 3) 19th Hole and 4) Agave Mexican Restaurant

**This matter was Approved on the Consent Agenda**

D 09-056

Award a contract to TM Construction, Inc. for completion of the Brady Street Sewer Rehabilitation, in the amount of \$267,311.20.

**This matter was Approved on the Consent Agenda**

E ORD. 09-79

Amending SGC 2.04.010A entitled "Agenda" concerning the appearance of "Municipal Reports - from mayor, administrator, attorney, liaisons, clerk and other" section towards the beginning of the meeting following the first appearance of Persons to be Heard

**Sponsors:** Hackett and McConnell**This matter was PASSED ON FIRST READING****Yes:** 4 - McAdams, Stein, Crews, and McConnell**No:** 2 - Ozment, and Westover**Absent:** 1 - Hackett

F 09-053

Accept The Boat Company Ltd. building at Sawmill Cove Industrial Park which is being quit claimed to McIntosh Foundation, and then quit claimed to the City and Borough of Sitka, and concurrently authorize early termination of The Boat Company Ltd. existing lease of the property located at Sawmill Cove Industrial Park.

*Joel Hanson an employee of the Boat Company stated the timing is right for this transfer to take place. Garry White, SCIP Director, noted the Board approved the transfer and that it is a win-win situation for both parties.***A motion was made by Stein that this Item be APPROVED. The motion PASSED by the following vote:**

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

**Absent:** 1 - Hackett

**G 09-051**

Approve the Commercial Passenger Excise Tax, Project Master Plan - Tier 1 implementation projects.

**This matter was Approved on the Consent Agenda**

**IX. UNFINISHED BUSINESS:**

**X. NEW BUSINESS:**

**New Business First Reading**

**H RES-09-52**

Discussion/Approval of Resolution 2009-52 submitting the CBS 2011 Legislative Priorities to the State of Alaska and 2010 Legislature.

*Government Relations Coordinator, Marlene Campbell, stated the City doesn't expect to get all these projects funded but if the request isn't out there then it is not known to our legislators what we're looking for. Most requests are multi-year requests and won't get funded all at once. Westover asked about the prioritizing of projects to which Campbell replied the Assembly is submitting these projects in priority order.*

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

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

**Absent:** 1 - Hackett

**I ORD. 09-78**

Amending SGC Title 22 Zoning to add the use of "Recycling Facility" as a conditional use in the Public Lands District.

**Sponsors:** Administrator's Office and Planning and Zoning Committee

**A motion was made by Ozment that this Ordinance be POSTPONED until January 12, 2010. The motion PASSED by the following vote:**

**Yes:** 4 - McAdams, Ozment, Stein, and McConnell

**No:** 2 - Westover, and Crews

**Absent:** 1 - Hackett

**J ORD.09-77**

Amending the official zoning map to rezone Lot 10 of SJC Subdivision from R-2 Multi Family Residential District to P Public Lands District

**A motion was made by Ozment that this Ordinance be POSTPONED until January 12, 2010. The motion PASSED by the following vote:**

**Yes:** 4 - McAdams, Ozment, Stein, and McConnell

**No:** 2 - Westover, and Crews

**Absent:** 1 - Hackett

**Additional New Business Items**

K 09-047

Appeal of the Planning and Zoning Commission decision with regard to a set back on 219 Smith Street - Davis Inc.

**Sponsors:** Planning and Zoning Committee

*Cam Davis representing Davis Inc. explained his reasoning for appealing the decision of the Planning Commission. He noted that a business on Smith Street had previously received a variance. With the variance the business would be 10 feet off of the right of way and not interfere with traffic. He did not feel the addition could be redesigned and noted the hardship to the property is the property is sloped.*

*Planning Director, Wells Williams, said it was his role to represent the Planning Commission's action. Three of the four findings could not be met. The Planning Commission didn't feel there were hardships to the property.*

*A discussion ensued amongst the Assembly. Stein noted he was sympathetic to applicant but could not support, Westover agreed. Crews stated his issue was the amount of parking available. McConnell sympathetic to Davis but would vote as the Planning Commisison did.*

**A MOTION was made by Ozment to accept findings of the Planning and Zoning Commission and therefore deny the appeal. The motion PASSED by the following vote:**

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

**Absent:** 1 - Hackett

L 09-052

Approve assignment of airport tenant lease held by Deb Miller dba Lotta Latte to Ground Control LLC.

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

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

**Absent:** 1 - Hackett

M 09-057

Award a construction contract to Swalling Construction, Inc. for completion of the base bid scope of the Gavan Water Tank Recoating and Cathodic Protection project, in the amount of \$442,595, and, 2) approve the transfer of \$131,000 from Capital Improvement Project 90528, HPR Water Main Design and Rehabilitation, to this project, if the existing Alaska Department of Environmental Conservation Alaska Drinking Water Fund loan for this project is not increased by that amount.

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

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

**Absent:** 1 - Hackett

**XV. ADJOURNMENT**

The meeting was ADJOURNED at 7:05 p.m.

ATTEST:



Sara Peterson  
Acting Municipal Clerk