

Haines Borough
Borough Assembly Meeting #97
June 27, 2006
MINUTES

Approved

1. CALL TO ORDER/PLEDGE TO THE FLAG Mayor **SHIELDS** called the meeting to order at 6:30 p.m. in the Assembly Chambers of the Public Safety Building and led the pledge to the flag.
2. ROLL CALL **Present:** Mayor Fred **SHIELDS** and Assembly Members Norm **SMITH**, Stephanie **SCOTT**, Jerry **LAPP**, Scott **ROSSMAN**, Deborah **VOGT**, and Assembly Member Luck **DUNBAR**.

Staff Present: Robert **VENABLES**/Borough Manager, Julie **COZZI**/Borough Clerk, and Lori **STEPANSKY**/Tourism Director.

Visitors Present: Bonnie **HEDRICK**/CVN, Christijan **DRAPER**/KHNS, Lee **HEINMILLER**, Cynthia **JONES**, Jim **PUCKETT**, Donny **TURNER III**, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

SHIELDS requested the addition of New Business Item 11C4 - *Appointment to Museum Board of Trustees*. **VOGT** asked for an Item 10A in Old Business to discuss the special conditions ordinance that was remanded back to the planning commission. She also requested New Business Item 11C5 - *Letter to Senator Lisa Murkowski regarding the fort*. Additionally, **SMITH** asked for a small administrative correction to the June 13 minutes: in the Item 11C1 discussion, the City of Haines spent 1.2 million on a water tank as opposed to 2 million. The clerk will amend it.

Motion by **SCOTT**: Approve the Agenda/Consent Agenda. It was seconded by **VOGT**. The motion carried unanimously.

4. APPROVAL OF MINUTES* June 13, 2006 Regular

5. PUBLIC COMMENTS

PUCKETT spoke concerning the Crystal Cathedral's request for a water rate increase. He asked the assembly to review the original application to the regulatory commission and make an official statement of opposition to the rate request. He believes there are deficiencies and discrepancies in the original application to the Regulatory Commission.

JONES spoke in support of **VOGT's** letter to Senator Murkowski regarding Fort Seward.

6. MAYOR'S COMMENTS/REPORT

The mayor said he met with Assembly Member **SCOTT** and three

other SEARHC representatives and discussed inhalant abatement efforts in the schools.

He met briefly with representatives from the Rasmusson Foundation that were in Haines looking at various projects, especially the Senior Assisted Living Facility.

Regarding the school project, **SHIELDS** expressed dissatisfaction with the architects and their subcontractors. They are missing deadlines, and the first component bid came in far out of line with the architect's estimates. This has the borough's full attention. He said he does not believe Haines has gotten the expected service from the architects. "Bettisworth drew the plans and the estimator estimated and the bid wasn't even close. The estimator is hired by the architect. If it is indicative of the rest of the project, we are in trouble." He added that he has taken steps to apply financial pressure to the architects.

Representatives from the Army Corps of Engineers and the Alaska Dept. of Transportation were recently in Haines to conduct a harbor expansion project workshop. They announced that the project is estimated to cost \$15 million more because the drilling at the breakwater site did not find a solid bottom. **SHIELDS** said the project needs to be earmarked in Washington D.C., and the borough is hoping for the words "full federal funding" to be included in the WRDA bill.

7. **PUBLIC HEARINGS** - None

8. **STAFF REPORTS**

A. Borough Manager

VENABLES summarized his written report including the following topics:

- **Harbor Expansion Workshop**
- **School Project Update**
- **Ice House**
- **Alternate Energy Grant**
- **Miscellaneous**

B. Borough Clerk

C. Chief Fiscal Officer

D. Chief of Police

E. Museum

F. Library

G. Chilkat Center

9. COMMITTEE/COMMISSION/BOARD REPORTS**A. Commerce Committee****B. Finance & Budget**

LAPP said the committee met just prior to the meeting. They will be looking into reasons for the significant drop in lodging tax revenue. The committee also looked at the two finance-related ordinances on this meeting's agenda, and recommends introduction. Additionally, they discussed the Jones easement request and recommend adoption of the resolution. The committee also recommends award of the PC Dock Maintenance Project contract to American Marine Corp. Also discussed were the primary school lot and building, and they recommended selling them. The property is zoned commercial. **SCOTT** said the property could be subdivided into smaller lots. **SMITH** agreed with **SCOTT** and said the object is to get rid of the building since it has far outlived its original lifespan. He doesn't believe the borough would want the buyer to retain the building, so there should be a plan for the building. **SHIELDS** said the building contains materials of value. The new owner would buy the property as is. **SCOTT** said the borough could sell the building to a salvager and then subdivide it. **VOGT** asked if it should be referred to the planning commission for its recommendation. There was no objection to that referral. The property includes approximately six lots. **ROSSMAN** said the borough should just sell the land and building. "No one is going to be interested in the building as salvage." **HEINMILLER** added that if the building was going to be sold apart from the land, there would need to be a guarantee that a mess would not be left. **PUCKETT** noted that liability could be an issue with someone tearing down a borough building. **SCOTT** said she believes the primary building is in the way of subdividing the property. **SHIELDS** said the finance committee agreed that no offer had to be accepted. **SCOTT** said this is an opportunity to expand the downtown core and there should be some vision of how that property should look. She said the Chamber of Commerce may want to get involved with imagining the use of that space. **HEINMILLER** said the borough would have to add covenants to the deeds to force them into particular uses, otherwise the buyers could use the lots for anything allowed under the borough's commercial zone regulations. He also advised the fewer 50-foot wide commercial lots in the downtown area the better.

C. Personnel**D. Government Affairs & Services****E. Planning Commission**

- F. School Board
- G. Chilkat Center Advisory Board
- H. Parks & Recreation Advisory Board
- I. Tourism Advisory Board
- J. Boat Harbor Advisory Committee
- K. Public Safety Commission

10. OLD BUSINESS

VOGT said the special conditions ordinance that was remanded back to the planning commission in April was originally a concern to her, because she did not understand what the planning commission was trying to do. However, she is now convinced it would be a good amendment. She distributed some rewording of the original ordinance text. HEINMILLER explained the effect of the code amendment. Staff will draft the ordinance and add it to the July 11 meeting agenda.

11. NEW BUSINESS

A. Resolutions

1. Resolution 06-06-089

A resolution of the Haines Borough Assembly, Haines, Alaska, authorizing an easement within borough-owned land to Stan Jones for certain specified development.

Motion by LAPP: Adopt Resolution 06-06-089. It was seconded by DUNBAR.

Motion to amend by VOGT: In the first WHEREAS, insert the word *access* in front of *easement*. It was seconded by SCOTT. The amendment motion carried unanimously.

ROSSMAN said he is not convinced that the borough should not have Jones purchase the property because he would have to build the road anyway. VENABLES said the right of way being developed is actually the borough's property. TURNER said the Piedad property was deeded as a land-locked property. HEINMILLER said it was represented to Jones at the time he purchased the property that the municipality would eventually provide access. ROSSMAN said he is satisfied.

The motion carried unanimously in a roll call vote.

B. Ordinances for Introduction

1. Ordinance 06-06-145

An ordinance of the Haines Borough amending Haines Borough code Title 18 Section 18.30.040 to require solicitation for Planning Commission applicants to occur annually.

Motion by LAPP: Introduce Ordinance 06-06-145 and set a first

public hearing for July 11, 2006. It was seconded by **ROSSMAN**. The motion carried unanimously.

2. Ordinance 06-06-146

An ordinance of the Haines Borough amending Haines Borough code Title 18 Section 18.30.010 to equalize the penalties for failure to comply with building permit and construction declaration requirements.

Motion by **ROSSMAN**: Introduce Ordinance 06-06-146 and set a first public hearing for July 11, 2006. It was seconded by **LAPP**. The motion carried unanimously.

3. Ordinance 06-06-147

An ordinance of the Haines Borough amending Haines Borough code Title 3 Section 3.70.050 to clarify the tax assessment method for vessels.

Motion by **LAPP**: Introduce Ordinance 06-06-147 and set a first public hearing for July 11, 2006. It was seconded by **VOGT**.

There was a brief discussion, and **LAPP** recommended that the ordinance be sent back to the Finance Committee. The committee will meet prior to the next meeting and have a recommendation for the assembly on July 11th.

The motion carried 5-1 with **SCOTT** opposed.

C. Other Business

1. Sales Tax Exemption Request - American Red Cross of Alaska

Motion by **LAPP**: Grant sales tax exemption status to the American Red Cross of Alaska. It was seconded by **ROSSMAN**.

The motion carried 5-1 in a roll call vote with **VOGT** opposed.

2. Award Contract - PC Dock Maintenance Project

Motion by **ROSSMAN**: Award the Port Chilkoot Dock Maintenance Project contract to American Marine Corporation per their submittal bid of \$388,497. It was seconded by **LAPP**.

SMITH asked if the borough is aware of any projects that American Marine Corporation has completed. The manager offered to check into it and said if there is even a hint of concern he will immediately notify the mayor. Future low bidders will be checked out prior to submission to the assembly.

The motion carried unanimously in a roll call vote.

3. Discussion Item - Assembly Management of Borough Officers

SHIELDS recommended sending the issue to the Personnel

Committee. **LAPP** asked if it is a time-critical issue and suggested delaying it to the fall or winter. **ROSSMAN** agreed with **LAPP**. **VOGT** said she believes it is important to address soon. She added that she does not want to upset the apple cart and is not on a witch hunt. **SCOTT** said annual performance evaluations are important, and there should be a mechanism put in place for review and feedback. She said she would like the officers to research what other municipalities do regarding officer evaluations and then recommend an evaluation tool that would be useful to them and to the assembly. **ROSSMAN** said it seems that things are going smoothly and that should be the true test of whether or not the officers are doing their jobs. **VOGT** asked if **ROSSMAN** believes the borough attorney should be evaluated. **SHIELDS** said the leadership is already looking into that. **LAPP** added that the assembly has already expressed concerns about the attorney and is looking for a solution. **SHIELDS** said each assembly member was making valid points. **SCOTT** asked the clerk if she had been evaluated in the three years she has been clerk. She said she has not but is looking forward to her first one by the manager this year.

The mayor called a brief recess at 8:01, and the meeting reconvened at 8:07pm.

4. Appointment to Museum Board of Trustees

SHIELDS said the Museum Board of Trustees has recommended the appointment of Mary Jane Valentine to the board.

Motion by **VOGT**: Appoint Mary Jane Valentine to the Museum Board of Trustees. It was seconded by **LAPP**. The motion carried unanimously.

5. Letter to Senator Lisa Murkowski regarding the Fort.

VOGT said that Fort Seward is a national treasure and Haines needs to get financial help to restore it. One possible way is the *Save America's Treasures* program. **LAPP** said he agrees with the draft letter presented by **VOGT** but does not like the five steps in the attached management outline. He also doesn't like the idea of listing the websites for similar forts. He also suggested including the old fire hall in the letter. **VOGT** explained that step #2 is required, and the planning commission could qualify for that designation. She said the rest of the list is not required. **ROSSMAN**

said a monster might be unleashed if the National Park Service moves into the area. "That's how the whole Skagway thing started out and now the National Park Service owns them." He added that if he lived in the fort he would be really worried. **SMITH**, who lives in that area, said he doesn't think it's going to hurt to ask for help. He suggested sending photos with the letter of the barracks, the crumbling porches and chimneys, etc. "Pictures are worth a thousand words and maybe a hundred thousand dollars." **VOGT** said she spoke with most of the property owners in the fort and found mostly enthusiasm for the effort. She agreed to remove the websites from the attachment, add the old fire hall and to take some photos to include with the letter.

Motion by **SCOTT**: Send Senator Murkowski a letter on borough letterhead regarding participation in the *Save America's Treasures* Program. It was seconded by **VOGT**.

VOGT said the senator sits on the National Parks Committee and has offered to call a special committee meeting regarding it. **SCOTT** said the letter does not include a call to action and should include wording to inform Murkowski of what the Haines Borough wants from her. **VOGT** said the letter will be amended and include photos.

The motion carried unanimously.

12. SET COMMITTEE MEETING DATES

The mayor announced that there will only be one assembly meeting in July, and it will be on the 11th. **SCOTT** said that she will be out of town and may not be able to call in.

The Finance Committee will meet prior to July 11th with the date and time still to be decided.

13. PUBLIC COMMENTS - None

14. ANNOUNCEMENTS/ASSEMBLY COMMENTS

VOGT said she has heard a lot of complaints about the current taxi service in Haines being too expensive. The assembly had a brief discussion about the situation. The mayor said the newspaper is going to be doing a story on it to try to spark a solution.

SMITH spoke of an encounter with a local skateboarder and said he would like to see "no skateboarding" signs posted along Main Street. **DUNBAR** disagreed and said skateboarders shouldn't be singled out; there are people jogging and biking downtown, too.

VOGT agreed with **SMITH** and said she has heard from downtown store owners that have had customers nearly get hit by skateboarders. **SCOTT** said nobody is going to follow a rule unless they believe there is a consequence. She recommended that the manager alert the Police Department to start enforcing it. **VENABLES** said that is currently being done.

15. ADJOURNMENT - 8:35pm

Motion by **LAPP**: Adjourn the meeting. It was seconded by **ROSSMAN**.
The motion carried unanimously.

ATTEST:

Fred Shields, Mayor

Julie Cozzi, Borough Clerk