

**Haines Borough
Borough Assembly Meeting #278
September 23, 2014
MINUTES**

Approved

1. CALL TO ORDER/PLEDGE TO THE FLAG: Mayor **SCOTT** called the meeting to order at 6:30 p.m. in the Assembly Chambers and led the pledge to the flag.

2. ROLL CALL

Present: Mayor Stephanie **SCOTT** and Assembly Members Jerry **LAPP**, Debra **SCHNABEL**, Dave **BERRY**, George **CAMPBELL**, and Diana **LAPHAM**. Absent: Joanne **WATERMAN**.

Staff Present: David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Bill **MUSSER**/Chief of Police, Phil **BENNER**/Harbormaster, Patty **BROWN**/Library Director, Leslie **ROSS**/Tourism Director, and Jila **STUART**/Finance Director.

Visitors Present: Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Rob **GOLDBERG**, Ron **JACKSON**, Charles **DEWITT**, Gary **KELLER**, Jessica and Francisco **ADKINS**, Jim **HOLM**, Sharon **RESNICK**, Kerry and Joyce **TOWN**, Ken and Judy **EWALD**, Bill **MCCORD**, Eric **HOLLE**, and others.

3. APPROVAL OF AGENDA & CONSENT AGENDA

The following Items were on the published consent agenda:

Consent Agenda:

- 4 – Approve Assembly Meeting Minutes
- 8B – Chilkat Center Facility Report
- 8C – Library Staff Report
- 8D – Finance Report
- 9A – Planning Commission Minutes
- 9B – Library Board Minutes
- 9C – Port and Harbor Committee Minutes

Motion: **LAPP** moved to "approve the agenda/consent agenda," and it was amended to remove item 11C1 – Harbor Garbage Disposal from the agenda. The motion as amended carried unanimously.

* **4. APPROVAL OF MINUTES** – 9/9/14 Regular

5. PUBLIC COMMENTS - None

6. MAYOR'S COMMENTS/REPORT

Mayor **SCOTT** said a citizen had wondered why the clerk has authority during the assembly meetings, and asked the clerk to explain her state- and code-mandated role as parliamentarian for the assembly.

7. PUBLIC HEARINGS

A. Appeal of a Cease & Desist Order – Gary Keller

Note: on August 14, 2014, the borough issued a cease and desist order to Gary Keller regarding discharge of firearms on his property in Chilkoot Inlet Subdivision. He filed a timely appeal.

Mayor **SCOTT** presided over the hearing and chose not to require oaths or compel witnesses. The hearing convened 6:49p.m.

Appellant: **KELLER** addressed the assembly and made his arguments for being allowed to continue having the shooting range on his property.

Borough: **SOSA** summarized the borough's cease & desist order, and the reasons it was issued.

Public Testimony: **DEWITT**, **K.EWALD**, **KELM**, and **MCCORD** spoke in support of the shooting range and in opposition to the cease and desist order.

Appellant: **KELLER** offered a rebuttal of statements made by the manager.

Assembly: The assembly asked questions and considered all written documentation and oral statements prior to taking action.

Motion: **CAMPBELL** moved to "rescind the Keller shooting range cease and desist order," and the motion carried unanimously in a roll call vote.

Primary Amendment: **SCHNABEL** moved to "add a condition that the order would be rescinded upon written assurance by Keller that certain identified shooting range physical changes would be

made for safety reasons (as included in Keller's plan)" and the amendment motion failed 3-2 with **CAMPBELL** and **LAPHAM** opposed. **KELLER** said he will voluntarily write a letter of assurance.

The assembly will adopt the appeal findings by resolution at the next meeting.

B. Ordinance 14-08-390 – First hearing

An Ordinance of the Haines Borough amending Borough Code Section 5.18.080 to allow up to five permits for special ski events each calendar year, to enable a request for temporary additions to the ski map to be submitted prior to a ski season, and to clarify that permitted special ski events are not subject to the Shared Use Policy.

Mayor Scott opened the public hearing at 7:31 p.m.

GOLDBERG and **HOLLE** spoke in opposition.

ROSS clarified the tourism department's intent.

Hearing no further comments, the mayor closed the public hearing at 7:38 p.m.

Motion: **LAPP** moved to "advance Ordinance 14-08-390 to a second public hearing on 10/14/14," and the motion carried unanimously.

Primary Amendment #1: **SCHNABEL** moved to "amend the ordinance by replacing the definition of "special ski competition event" in HBC 5.04.020 to read as follows: 'means a scheduled, marketed athletic ski event sponsored by an entity that creates a venue for skiers to compete for awards of recognized value'," and the motion carried 4-1 with **CAMPBELL** opposed.

Primary Amendment #2: **SCHNABEL** moved to "amend HBC 5.18.080(A)(2) to replace "no more than five permits" with "no more than two permits," and the motion carried 4-1 with **LAPP** opposed.

The Main Motion as amended carried unanimously.

C. Ordinance 14-05-383 – Third hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 18, Chapter 18.90 to provide clarification of purpose, sign standards by district, off premise signage, portable and sandwich signage.

Mayor Scott opened and closed the public hearing at 8:05 p.m.; there were no public comments.

Motion: **BERRY** moved to "advance Ordinance 14-05-383 to a fourth public hearing on 10/14/14," and the motion carried unanimously.

8. STAFF/FACILITY REPORTS

A. Borough Manager – 9/23/14 Report

SOSA summarized his written report. He also thanked the assembly for the opportunity to attend the ICMA conference. He has been invited to attend a course in Juneau on *Systematic Development of Informed Consent*, and that will be September 30 through October 2.

BROWN announced the new enhancement grant the library received in its partnership with the Chilkoot Indian Association. The Haines Library is the only library in the nation to receive this grant award for 8 years in a row and, this year the only library in Alaska.

CAMPBELL asked about the t-ball field being taken over by parking and asked if there is an exit strategy. **SOSA** said the parking lots are operational, so people should be parking in them.

SCHNABEL said it disturbs her that the third parking lot below the library is not being used. She suggested a sign in the other lots that says "if full, use the lower parking lot."

* **B. Chilkat Center** – Facility Report of August 2014

* **C. Library** – Staff Report of July 2014

* **D. Finance Director** – Haines Permanent Fund as of 6/30/14

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

* **A. Planning Commission** – Minutes of 8/14/14

* **B. Library Board of Trustees** – Minutes of 7/30/14

* **C. Port and Harbor Advisory Committee** – Minutes of 8/21/14

D. Assembly Standing Committee Reports

SCHNABEL reported the committee met informally 9/22 to discuss the tax incentive program. The conversation moved to creating/enhancing community development. They discussed having a

property tax waiver program versus actually having the borough purchase old, unused property to sell for favorable terms in exchange for a commitment to providing a needed community service. The committee also met on 9/16 to discuss solid waste management. She said there was full support for Haines Friends of Recycling to be a solid part of a waste management plan as one way to hold the cost down. The committee will continue to work on this topic.

10. UNFINISHED BUSINESS

A. Ice Bucket Challenge

As directed by the assembly on September 9, the mayor designed a lovely occasion to answer the Skagway Assembly's challenge to the Haines Borough to participate in the ALS Ice Bucket Challenge. This included ALS education with various people reading aloud statements about ALS, colorful ice buckets filled with ice donated by Mountain Market, Haines Brewing Company root beer, glasses to put the ice and root beer in, and generous donations. About \$300 was raised.

11. NEW BUSINESS

A. Resolutions

1. Resolution 14-09-589

A Resolution of the Haines Borough Assembly directing the Borough Manager to prepare a plan for a motorized recreation area in the Townsite that would be included in the FY16 budget.

Motion: CAMPBELL moved to "direct the Parks and Recreation Advisory Committee to research and designate an area and develop an implementation plan for a motorized use area near downtown and deliver this to the administration by November 10; and also to direct the manager to provide staff support to the PRAC in accomplishing this," and it carried 4-1 with SCHNABEL opposed.

2. Resolution 14-09-590

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Romtec in the amount of \$27,500 for the purchase of a Model 1008 pre-fabricated restroom building module as part of the Picture Point Wayside Improvements project.

There were no public comments.

Motion: LAPP moved to "postpone Resolution 14-09-590 to the 10/14/14 meeting," and it carried unanimously.

B. Ordinances for Introduction - None

C. Other New Business

1. Harbor Garbage Disposal – removed during approval of the agenda

2. SATP Comment

Note: ADOT&PF solicited comments on the Southeast Alaska Transportation Plan update with a 9/30 comment deadline, and the mayor prepared a draft borough comment for assembly review.

Motion: BERRY moved to "authorize the mayor to send the SATP comment, as drafted, to the Alaska Department of Transportation," and the motion carried unanimously.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

A. Commerce Committee – Monday, 9/30, 5:30pm, Topic: Skiing Ordinance AND Tax Incentive Program.

B. Commerce Committee – Thursday, 10/9, 5:00pm, Topic: Solid Waste Management Plan and Signage Ordinance.

14. PUBLIC COMMENTS

JACKSON expressed concern about the November 10 deadline imposed on the Parks and Recreation Advisory Committee to come up with a motorized recreation area. It seems too aggressive.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

SCHNABEL, whose term is ending soon, said she served the borough for a total of 18 years. She considers that she is taking a sabbatical because of feeling pulled down from negativity. She has both hopes and concerns. There are a lot of people who aren't aware of what's going on in the government, and they depend upon those who are involved. She has always believed the media is the eyes and ears of the community; they are the finger on the pulse. She encouraged the assembly to try to be more accepting of what is written about the borough and analyzed by the media. She has concerns about the community and the government. When all you're dealing with are the complainers, there's a danger in becoming insular, so she encouraged the assembly to remain open. She is thankful for the opportunity to serve even though it is sometimes difficult to be in public service. One of the many things she has learned is that once you put something on the table, you don't own it anymore.

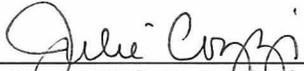
SCOTT said the Comprehensive Plan speaks to less formality when it is appropriate. She has an idea about the assembly possibly meeting informally with the public once a month for 30 or so minutes prior to the formal assembly meeting. Those people who might feel intimidated by formal speaking may be willing to "hang out" with the assembly.

CAMPBELL would like the assembly to do a better job of supporting the various committees. A lot of effective work can be done in those groups.

16. ADJOURNMENT – 9:21 p.m.

Motion: **LAPP** moved to "adjourn the meeting," and the motion carried unanimously.

ATTEST:


Julie Cozzi, MMC, Borough Clerk




Stephanie Scott, Mayor