


Haines Borough
Borough Assembly Meeting #296
July 28, 2015
MINUTES

Approved

1. **CALL TO ORDER/PLEDGE TO THE FLAG:** Mayor **HILL** 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 Jan **HILL**, and Assembly Members Diana **LAPHAM**, Mike **CASE**, George **CAMPBELL** (via telephone), Dave **BERRY, Jr.**, and Ron **JACKSON**. **Absent:** Joanne **WATERMAN**.

Staff Present: Julie **COZZI**/Borough Clerk, Shawn **BELL**/Harbormaster, Helen **ALTEN**/Museum Director, and Jila **STUART**/Chief Fiscal Officer.

Visitors Present: Karen **GARCIA**/CVN, Greta **MART**/KHNS, Don **TURNER Jr.**, Mike **DENKER**, Brenda **JOSEPHSON**, Shane and Janis **HORTON**, Jack **WENNER**, Tresham **GREGG**, Debra **SCHNABEL**, 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 – Finance Director Memo
- 8C – Chilkat Center Report
- 9A – Planning Commission Minutes
- 9B – Port & Harbor Advisory Committee Minutes
- 9C – Parks & Recreation Advisory Committee Minutes
- 9D – Tourism Advisory Board Minutes
- 11A1 – Resolution 15-07-636

Motion: **BERRY** moved to “approve the agenda/consent agenda,” and it was amended to remove Items 8B and 9B from the consent agenda. The motion to approve the agenda/consent agenda carried unanimously, as amended.

Note: **CAMPBELL** joined the meeting following the vote to approve the agenda.

* 4. **APPROVAL OF MINUTES** – 7/14/15 Regular

The motion adopted by approval of the consent agenda: “approve minutes of the 7/14/15 borough assembly regular meeting.”

5. **PUBLIC COMMENTS**

GREGG – Happy that the boat harbor aesthetics are being discussed but has concerns about the breakwater design.

WENNER – Has been working on some harbor design ideas and offered to show his work to the mayor and assembly.

6. **MAYOR’S COMMENTS/REPORT**

Mayor **HILL** reported on 1) making comments during a recent Alaska Marine Highway System teleconference concerning ferry scheduling, 2) remaining committee/board vacancies, and 3) the borough booth at the fair (she encouraged assembly members to sign up to work in it).

7. **PUBLIC HEARINGS**

A. **Ordinance 15-06-415** – Second Hearing

An Ordinance of the Haines Borough adopting a revised fee schedule for harbor facility usage.

Mayor **HILL** opened the public hearing at 6:39 p.m.

SCHNABEL asked if there was a cost-benefit analysis done to show that the rate increases will cover the costs to dispose of hazardous materials. She asked the assembly to hold this over for another hearing to make sure those costs are covered.

Hearing no further comments, the mayor closed the hearing at 6:44 p.m.

Motion: CASE moved to “adopt Ordinance 15-06-415.”

Motion to Postpone: JACKSON moved to “postpone this item to the 8/11/15 assembly meeting to provide time to assure the moorage rate increases will be enough to cover the disposal of hazardous waste,” and the motion carried 4-1 with LAPHAM opposed.

B. Ordinance 15-07-416 – First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 16 Section 16.08.010 to change the composition of the Port and Harbor Advisory Committee.

Mayor HILL opened and closed the public hearing at 6:49 p.m.; there were no public comments.

Note: The assembly already scheduled the second hearing for 8/11/15. No motion was needed now unless the second hearing date needed to change or some other action was desired.

Motion: LAPHAM moved to “amend the ordinance to reflect the Port & Harbor Advisory Committee recommendation rather than the Government Affairs & Services Committee recommendation,” and the motion failed 1-4 with CASE, BERRY, JACKSON, and CAMPBELL opposed.

C. Ordinance 15-07-417 – First Hearing

An Ordinance of the Haines Borough amending Borough Code Chapter 2.76; Subsection 2.82.050(b); Chapters 2.84, 2.86, and 2.88; and Section 2.92.010 to change to a combined leave system and clarify various other requirements and descriptions.

Mayor HILL opened and closed the public hearing at 6:59 p.m.; there were no public comments.

Note: The assembly already scheduled the second hearing for 8/11/15. No motion was needed now unless the second hearing date needed to change or some other action was desired.

8. STAFF/FACILITY REPORTS

A. Borough Clerk / Acting Manager – 7/28/15 Report

No questions from the assembly.

B. Finance Director – Memo re. Property Tax Billing (removed from consent agenda)

JACKSON wondered if there can be more synchronization concerning setting the annual mill rates and knowing the property tax revenue.

***C. Chilkat Center – Facility Report of June 2015**

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

***A. Planning Commission – Minutes of 5/14/15 and 6/11/15**

B. Port & Harbor Advisory Committee – Minutes of 6/25/15

JACKSON said the PHAC minutes mentioned the committee looking at a PND-generated Lookout Park diagram. He would like to see it. TURNER said the manager had asked PND for a cost estimate, and they gave that to the PHAC along with a drawing. The mayor offered to check into it.

***C. Parks & Recreation Advisory Committee – Minutes of 5/27/15**

***D. Tourism Advisory Board – Minutes of 5/15/15**

E. Assembly Board Liaison Reports

CASE – Planning Commission: ongoing agenda items and nothing to report.

LAPHAM – Tourism Advisory Board: Picture Point, 2016 YTIA Convention in Haines, cruise shuttle schedule working well, and AMHS long-range plan.

F. Assembly Standing Committee Reports

1. Government Affairs & Services – Minor Offenses Ordinance

BERRY said the Committee met on 7/20, discussed the ordinance, and set 8/4 as the next committee meeting. CASE said he understood the GAS Committee wants to take the time to go

line by line through the ordinance. **HILL** said she will get with **BERRY** to clarify the committee's role in this matter.

Motion: **CASE** moved to move ahead with the public hearings as already scheduled for Ordinance 15-06-413, and it was seconded by **LAPHAM**. The motion failed 3-2 with **BERRY** and **CAMPBELL** opposed.

[Clerk's Note: The failure of this motion did not affect the public hearings already scheduled for 8/25/15 and 9/8/15. To affect those, the assembly would have had to make a motion to cancel or reschedule them.]

10. UNFINISHED BUSINESS

A. Appeal of Nuisance Abatement Order – Eagle's Nest Trailer Park

On May 6, 2015, the borough issued a nuisance abatement order to Eagle's Nest Trailer Park regarding unlawful accumulation of trash around two of the trailers. As is her right under HBC 8.12.130, owner Janis Horton submitted a timely written appeal. The hearing took place on 7/14/15. During deliberations, a motion to uphold the manager's abatement order was made. At one point, the assembly recessed and visited the subject property. After returning and after further discussion, two assembly members offered to assist with the clean-up. A motion to postpone to this meeting was made and passed to provide two more weeks for clean-up. At this meeting, the assembly resumed deliberation (the hearing was already done) and then took action to decide whether or not to affirm the manager's determination that a nuisance existed and his order to abate. Written findings that formalize the reasons for the assembly's decision are to be drafted for assembly approval by resolution at the next meeting.

Main Motion already on the Table: Uphold the manager's nuisance abatement order.

Primary Amendment: **BERRY** moved to "add to the main motion that there will be no fine levied," and the motion carried unanimously.

Secondary Amendment: **JACKSON** moved to "add to the primary amendment motion that there will be no fine levied provided there are no further violations for the next six months. The motion died for lack of a second.

The primary amendment motion carried unanimously.

The main motion as amended carried 4-1 with **CAMPBELL** opposed.

11. NEW BUSINESS

A. Resolutions

*1. Resolution 15-07-636

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to dispose of a mobile office trailer, tilt bed trailer, riding lawn mower, and 11 dump truck tires by public sealed bid auction to the highest bidder as specified in Haines Borough Code 14.24.010 (Disposal of personal property).

The motion adopted by approval of the consent agenda: "adopt Resolution 15-07-636."

B. Ordinances for Introduction - None

C. Other New Business

1. Board Appointments

An appointment application was received for a seat on the Parks & Rec Committee. The mayor sought assembly confirmation.

Motion: **JACKSON** moved to "confirm the mayor's appointment of George Figdor to the Parks & Recreation Advisory Committee for a term ending 11/30/16," and the motion carried 4-1 with **CAMPBELL** opposed.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

A. Government Affairs & Services Committee – Monday, 8/4, meeting POSTPONED.

BERRY said the GAS Committee scheduled its next meeting for 8/4 to look at the harbor fine portion of the minor offenses ordinance. **JACKSON** said he thought the committee was going to go through code separate from the minor offenses table. Mayor **HILL** said she will get with **BERRY**, the committee chair, to clarify the committee's work concerning this matter. **BERRY** said the committee meeting is now postponed until he meets with the mayor; a new date will be determined.

B. Waterfront Aesthetics Committee - Monday, 8/10, 6:30pm, Location: Lookout Park

14. PUBLIC COMMENTS

SCHNABEL – 1) Some of the additional \$58K property tax revenue, reported by the CFO under Item 8B, could be given to the Community Chest and 2) concerns with at least two minor offenses pertaining to sales tax.

GARCIA – The harbormaster did provide to the PHAC a design from PND regarding Lookout Park.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

CASE – Agreed with the idea of adding back to the community chest as suggested by **SCHNABEL** under Item 14, Public Comments.

JACKSON – Mandatory garbage pickup might resolve some of the trash nuisance problems.

16. ADJOURNMENT – 8:13 p.m.

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

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk