

**Haines Borough
Borough Assembly Meeting #315
May 24, 2016
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**, Margaret **FRIEDENAUER**, Ron **JACKSON**, Tresham **GREGG**, Mike **CASE**, and George **CAMPBELL** (via telephone).

Staff Present: Brad **RYAN**/Interim Borough Manager, Julie **COZZI**/Borough Clerk, Josh **DRYDEN**/Interim Police Chief, Jila **STUART**/Finance Director, Patty **BROWN**/Library Director, and Helen **ALTEN**/Museum Director.

Visitors Present: Karen **GARCIA**/CVN, Jillian **ROGERS**/KHNS, Deborah **VOGT**, Mike **DENKER**, Don **TURNER** Jr., Evelynna **VIGNOLA**, Debra **SCHNABEL**, Carol **TUYNMAN**, Darsie **CULBECK**, Paul **NELSON**, and others.

3. **APPROVAL OF AGENDA & CONSENT AGENDA**

The following Items were on the published consent agenda indicated by an asterisk (*):

- 4 - Approve Assembly Meeting Minutes
- 8B - Accept Museum Report
- 8C - Accept Fire Department Report
- 9A - Accept PHAC Meeting Summary
- 9B - Accept PC Meeting Summary
- 9C - Accept Museum Board Meeting Minutes
- 11A1 - Adopt Resolution 16-05-677
- 11B2 - Introduce Ordinance 16-05-436 and Schedule Public Hearings

Motion: **LAPHAM** moved to "approve the agenda/consent agenda," and it was amended to renumber item 11C2 as 11C3, add a new 11C2 Executive Session to discuss contract negotiations for the manager and police chief, and add a discussion item as 11C4 Lobbyist Discussion; and remove item 11B2 from the consent agenda," and the motion as amended carried unanimously.

*4. **APPROVAL OF MINUTES** - 5/10/16 Regular, 5/14/16 Special

The motion adopted by approval of the consent agenda: "approve minutes of the 5/10/16 borough assembly regular meeting and the 5/14/16 special meeting."

5. **PUBLIC COMMENTS**

SCHNABEL - Said she was surprised to see the mayor at this meeting because she understood the diplomas to be handed out by the mayor. She is disappointed the assembly meeting was not rescheduled because of this evening's high school graduation. Mayor **HILL** explained the school board president hands out the diplomas. It was unfortunately too late to fix the conflicting schedules but assured her it has already been addressed for next year.

NELSON and **VOGT** - Said they support introduction of the code review commission ordinance.

VIGNOLA - Said she is disappointed in what she believes to be a lack of leadership by the assembly.

TUYNMAN - Said she is disappointed with the way the harbor is going, and she wondered if there has been a test for sewage-contaminated soil in that area. [Clerk's note: the manager addressed this under agenda item 8A.]

6. **MAYOR'S COMMENTS/REPORT**

Mayor **HILL** expressed appreciation to everyone for spending the weekend recently to interview manager and police chief candidates. She thanked Patty Brown, Library Director, for all of her extra work and effort. She also acknowledged Diana Lapham, Margaret & John Friedenauer, Mike & Kathy Binkie, and Jeremy Stephens for extra work on food and clean-up. Finally, she expressed appreciation to River Adventures for loaning a nice airporter vehicle for the candidate tour of the area.

7. **PUBLIC HEARINGS**

A. **Ordinance 16-04-434** - Second Hearing

An Ordinance of the Haines Borough, Alaska, providing for the establishment and adoption of the operating budget, capital budget, and capital improvement plan of the Haines Borough for the period July 1, 2016 through June 30, 2017.

Mayor **HILL** opened the public hearing at 6:46 pm.

SCHNABEL – Said she is concerned about the allocation of tax revenue, such as raw fish tax not being used for the harbor and bed tax not being used for tourism-related issues. Also, concerning the organization chart, she does not believe the planning commission is truly an advisory board to the assembly.

Hearing no further comments, the mayor closed the public hearing at 6:51 pm.

Motion: **LAPHAM** moved to "adopt Ordinance 16-04-434."

Motion to Amend: **JACKSON** moved to "amend the motion to hold a third public hearing on Ordinance 16-04-434 at the 6/14/16 meeting and ask the personnel committee to review the organization chart prior to the third hearing," and the motion carried unanimously.

B. Ordinance 15-06-413 – First Hearing

An Ordinance of the Haines Borough amending various provisions of the Haines Borough Code to designate certain violations of Borough law as minor offenses and to establish a fine schedule for certain offenses and to provide for other penalties for violations.

Mayor **HILL** opened the public hearing at 6:59 pm.

VOGT – Said she served as part of the Minor Offenses Committee. They addressed the penalties for violations that are already in the code. The committee did recommend the creation of a code review commission to consider the violations themselves and whether they should remain as is.

Hearing no further comments, the mayor closed the public hearing at 7:02 pm.

Note: Since the assembly already scheduled the second hearing for 6/14/16, no motion was needed now unless the second hearing date needed to change or some other action was desired.

8. STAFF/FACILITY REPORTS

A. Interim Manager – 5/24/16 Report

The manager summarized his written report and responded to a few questions from the assembly.

RYAN assured (as a result of **TUYNMAN**'s public comment) that the harbor soil was thoroughly tested and indicated no contamination. The 408 Permit has been issued, and the borough is just waiting for the 404 Permit. Bid documents could be ready August 2016 with contract award October 2016 and project completion 2018. **FRIEDENAUER** asked when the harbor parking, trail, and park decisions will be made. **RYAN** responded that would be after a sport ramp cooperative agreement with ADF&G is in place. He has talked with the harbormaster and public meetings are planned for the parking, trail, and park.

***B. Haines Sheldon Museum – Report of April 2016**

***C. Fire Department – Report of April 2016**

9. COMMITTEE/COMMISSION/BOARD REPORTS & APPROVED MINUTES

***A. Port & Harbor Advisory Committee – Summary of 5/5/16 Meeting**

***B. Planning Commission – Summary of 5/12/16 Meeting**

***C. Museum Board of Trustees – Minutes of 4/19/16 Meeting**

D. Assembly Board Liaison Reports

JACKSON – Parks & Recreation Advisory Committee

E. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS - None

11. NEW BUSINESS

A. Resolutions

***1. Resolution 16-05-677**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a purchase order with Polar Supply Company of Anchorage to purchase high-density polyethylene (HDPE) and associated material for the Bjornstad Street Culvert Replacement project for an amount not-to-exceed \$41,000.

The motion adopted by approval of the consent agenda: "adopt Resolution 16-05-677."

B. Ordinances for Introduction

1. Ordinance 16-05-435

An Ordinance of the Haines Borough amending Haines Borough Code Title 2 to add a new Chapter 2.51 establishing a Code Review Commission.

Motion: LAPHAM moved to "introduce Ordinance 16-05-435 and set a first public hearing for 6/14/16 and a second public hearing for 6/28/16," and the motion carried unanimously.

2. Ordinance 16-05-436

An Ordinance of the Haines Borough adopting a revised fee schedule for harbor facility usage to revise the boat launch ramp use fees.

Motion: JACKSON moved to "introduce Ordinance 16-05-436 and schedule public hearings for 6/14/16 and 6/28/16," and the motion carried unanimously.

C. Other New Business

1. Sales Tax Exemption Request – Haines Ski & Hike Club

Note: the Haines Ski & Hike Club, a 501(c)3 organization, applied for sales tax exemption status as allowed by HBC 3.80.050(13).

Motion: CAMPBELL moved to "approve the request from the Haines Ski & Hike Club for sales tax exemption status, and authorize the borough clerk to issue an exemption certificate," and the motion carried unanimously in a roll call vote.

2. Executive Session – Contract Negotiations for Manager & Chief (added during approval of the agenda)

Motion: FRIEDENAUER moved to "go into executive session as allowed by AS 44.62.310(c)(1) and Haines Borough Charter Section 18.03 to discuss the contract negotiations for the positions of the Chief of Police and Borough Manager; this qualifies for executive session because it contains matters, the immediate knowledge of which could have an adverse effect upon the finances of the borough; the assembly invites Interim Borough Manager Brad Ryan to attend." The motion carried unanimously.

Present: Mayor Hill; Assembly Members Lapham, Jackson, Campbell, Friedenauer, Case, and Gregg; and Interim Manager Brad Ryan.

Motion: CASE moved to "authorize the manager and mayor to finalize the details of an employment contract for Bill Seward for borough manager," and the motion carried unanimously.

3. Confirm Chief of Police Hire (Changed from item 11C2 to 11C3 during agenda approval)

Motion: LAPHAM moved to "confirm the manager's decision to hire Heath Scott as Chief of Police for the Haines Borough," and the motion carried unanimously in a roll call vote.

4. Lobbyist Discussion (added during approval of the agenda)

JACKSON said there is confusion about the amount of the lobbyist contract and the scope and timing of the work. RYAN explained Mr. Thomas opted for installments over the year as opposed to a lump-sum payment. LAPHAM noted other lobbyists are paid for session-only. FRIEDENAUER said the scope of service was too vague and the problem is everyone has their own interpretation. Mayor HILL said Mr. Thomas' services were valuable this year with one of the biggest results being the borough still has wastewater treatment plant money in the Governor's budget. There were many people wanting the money to be reapportioned and the borough still has it because Mr. Thomas was there watching our interests. GREGG suggested the assembly could ask Thomas to work with the new manager to bring him up to speed on the state legislature, etc. Mayor HILL said she has already discussed that with him and he is prepared to do that. JACKSON said he is concerned about the lobbyist getting \$45K for such a vague scope of work.

Motion: JACKSON moved to "direct the manager to work with the borough attorney to clarify the termination clause in the lobbyist contract and, if possible, terminate that contract effective June 30, 2016," and the motion FAILED 1-5 with LAPHAM, GREGG, FRIEDENAUER, CASE, and CAMPBELL opposed.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

A. Finance Committee – Tuesday, 6/7, 5:00pm – Topic: Sales Tax Exemption Process Review

B. Commerce Committee – Thursday, 6/9, 5:00pm – Topic: Economic Stimulus Idea proposed by T.Gregg on 5/10/16

C. Personnel Committee – Will be scheduled by the Chair – Topic: Review organization chart.

14. PUBLIC COMMENTS

TUYNMAN – Said the application period is open for a National Endowment for the Arts grant. She has suggested applying for a planning grant for up to \$100K for the waterfront. It could help raise other funds for other aspects including the parking lot.

CULBECK – Said the borough received a \$250K biomass grant. The borough is looking to do a public workshop shortly after the new manager arrives.

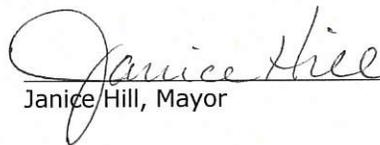
15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

CASE – Encouraged citizens to please contact any one of the assembly members if there is a problem.

FRIEDENAUER – Said she went to the recent Mosquito Lake Facility opening and there were about 50 people in attendance. They are trying to generate some interest in using the facility.

16. ADJOURNMENT – 8:52 p.m.

Motion: LAPHAM moved to “adjourn the meeting,” and the motion carried unanimously.



Janice Hill, Mayor

ATTEST:



Julie Cozzi, MMC, Borough Clerk

