
Haines Borough
Borough Assembly Meeting #279
October 14, 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**, George **CAMPBELL** (via telephone), Joanne **WATERMAN**, and Diana **LAPHAM**. Absent: Dave **BERRY**.

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, Ron **JACKSON**, Kristin **HATHHORN**, Mark **BATTAION**, Laurie **DADOURIAN**, Thom **ELY**, Scott **SUNDBERG**, Lucy **HARRELL**, James **STUDLEY**, Mike **CASE**, Vince **HANSEN**, Bill **KURZ**, Dana **HALLETT**, Jan **HILL**, David **KAMMERER**, Mike **DENKER**, 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 – Financial Report
- 8C – Chilkat Center Report
- 8D – Library Report
- 8E – Fire Department Report
- 9A – Library Board Minutes
- 11A1 – Resolution 14-10-591
- 11A2 – Resolution 14-10-592
- 11A3 – Resolution 14-10-593
- 11B2 – Ordinance 14-10-392

Motion: **LAPP** moved to “approve the agenda/consent agenda,” and it was amended to remove 11A3, Resolution 14-10-593 from the consent agenda. The motion as amended carried unanimously.

* **4. APPROVAL OF MINUTES** – 9/23/14 Regular

5. PUBLIC COMMENTS

HANSEN urged the assembly to introduce Ordinance 14-10-391. He looks forward to discussing the merits at the public hearings.

HARRELL asked the assembly to introduce Ordinance 14-10-391 to allow the community to debate the matter. The local population consists of 30% veterans, and they are owed a huge debt of gratitude.

CASE said Sockeye Cycle has been named one of the top ten bicycle shops in the country, and **ELY** thanked him for the recognition.

ELY believes the planning commission improperly (and possibly illegally) granted a conditional use permit (CUP) for heliports at 10-mile. He wasn't able to appeal it in a timely manner, but there could still be a legal challenge to it. He asked the assembly and manager to work with the planning commission on a revision to the CUP process.

STUDLEY encouraged the introduction of Ordinance 14-10-391. The Haines Assisted Living Inc. Board trusts the assembly will make the right decisions concerning the request for property tax exemption. He provided a printed email to the clerk for distribution to the assembly that was recently received from the state assessor.

6. MAYOR'S COMMENTS/REPORT

A. Proclamation –November 1, 2014 - "Extra Mile Day" for Volunteerism

Mayor **SCOTT** read aloud the proclamation, and she thanked everyone for volunteering.

7. PUBLIC HEARINGS

A. Ordinance 14-08-390 – Second hearing

An Ordinance of the Haines Borough amending Borough Code Section 5.18.080 to allow up to two 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 7:22 p.m.

HATTHORN cannot understand how it could be okay to approve a special event taking place outside the boundaries. (Mayor **SCOTT** explained this is not new---that capability already exists in borough code.)

DADOURIAN thanked the assembly for the hours put into managing heliskiing. She asked them to drop the ordinance. She believes this is a ploy to circumvent the map boundaries and expand user days. The assembly should allow special events to operate within the existing boundaries.

SUNDBERG explained SEABA asked for this originally because of an entity (Freeride World Tour) that is interested in holding a special competitive event in Haines. It is directed primarily to a European market. SEABA is not looking at this as an opportunity to open up a map loophole, and the competition event will not be an economic boon for their company. The entity is looking for a 3-day event, at the most. To not approve this ordinance would send yet another negative message to the world community.

ELY is in favor of a ski competition event in Haines, but he does not support an out-of-bounds event. There is enough space in-bounds. However, if the assembly does decide to allow a competition to take place out-of-bounds, he asked that it please be limited to short periods of time.

Mayor **SCOTT** reiterated this ordinance does nothing to diminish the assembly possibly having to debate a request for out of bounds operation. That's part of the process outlined in code.

Hearing no further comments, the mayor closed the public hearing at 7:34 p.m.

Motion: LAPP moved to "adopt Ordinance 14-08-390."

Primary Amendment #1: SCHNABEL moved to "amend the ordinance by incorporating the 9/30/14 Commerce Committee-proposed amendments," and the primary amendment #1 motion carried unanimously.

Primary Amendment #2: WATERMAN moved to "amend subsection 5.18.080(G)(1) by replacing "14 days in length" with "7 days in length," and it was amended to replace "in length" with "of competition." The primary amendment #2 motion, as amended, carried unanimously.

Secondary Amendment: SCHNABEL moved to "amend to substitute "in length" with "of competition," and the secondary amendment motion carried unanimously.

The Main Motion, as amended, carried unanimously in a roll call vote.

B. Ordinance 14-05-383 – Fourth 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.

Note: On 9/23, to give the commerce committee (CC) and the planning commission (PC) time for another review of the comprehensive changes, the ordinance was scheduled for a fourth hearing. The PC discussed the draft on 10/9 and recommended against adoption. Rather, they asked that it be returned to them. Also, the CC had not yet met. Therefore, it was suggested this be postponed until such time as the PC, CC, and staff were ready to move a new signage code forward.

Motion: LAPP moved to "postpone Ordinance 14-05-383 to a time when a new draft is ready for assembly consideration," and it was amended to specify it is to be postponed to a time when a "draft is presented by the planning commission through staff to the borough assembly." The motion, as amended, carried unanimously.

8. STAFF/FACILITY REPORTS

A. Borough Manager – 10/14/14 Report

SOSA summarized his written report.

*** B. Chief Fiscal Officer – Financial Report**

- * C. Chilkat Center – Financial Report of September 2014
- * D. Library Director – Report of August 2014
- * E. Fire Department – Report of September 2014
- F. Director of Public Facilities – Snow Removal Plan

JIMENEZ outlined the borough's snow removal plan.

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- * A. Library Board – Minutes of 8/20/14
- B. Assembly Standing Committee Reports

SCHNABEL reported on her attendance at Opportunities North, a conference in Whitehorse sponsored by the Yukon Chamber of Commerce. She attended in her capacity as chair of the Commerce Committee.

10. UNFINISHED BUSINESS

A. 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.

Note: On 9/23, the assembly postponed this resolution at the manager's request to provide time to get additional information that has been acquired.

Motion: WATERMAN moved to "adopt Resolution 14-09-590," and it carried 4-1 in a roll call vote with CAMPBELL opposed.

11. NEW BUSINESS

A. Resolutions

*1. Resolution 14-10-591

A Resolution of the Haines Borough Assembly adopting written findings of the September 23, 2014 appeal hearing of the Keller Shooting Range cease and desist order.

The motion adopted by approval of the consent agenda: "adopt Resolution 14-10-591."

*2. Resolution 14-10-592

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with MRV Architects for an amount not-to-exceed \$51,318 for Haines Library Addition Design and an alternate cost estimation fee proposal.

The motion adopted by approval of the consent agenda: "adopt Resolution 14-10-592."

3. Resolution 14-10-593

A Resolution of the Haines Borough Assembly authorizing disposition of public records in accordance with HBC 2.64.030(B) and the Haines Borough Records Retention Schedule.

Motion: LAPP moved to "adopt Resolution 14-10-593," and it carried unanimously in a roll call vote.

B. Ordinances for Introduction

1. Ordinance 14-10-391

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to add the upper level of the Soboleff-McRae Veterans Village & Wellness Center owned by Haines Senior Assisted Living Inc. to the list of community purpose exemptions in HBC 3.70.040.

Note: state law mandates certain required exemptions, and the state assessor determined that all but the second floor of the new Veteran's Building (owned by Haines Assisted Living) qualifies for mandatory status. On 6/10/14, the assembly adopted Ordinance 14-02-370 removing HAL from the list of optional exemptions in code. The exempt HAL property includes the land and main floor of the new Veteran's Center. Subsequently HAL applied for an optional "community purpose exemption" status for the second floor of the Veteran's Building.

Motion: SCHNABEL moved to "introduce Ordinance 14-10-391 and set a first public hearing for 10/28/14," and the motion was seconded.

Motion to Postpone: LAPP moved to "postpone this until the borough staff develops and the assembly approves a borough policy on community purpose exemption," and it carried 4-1 with **CAMPBELL** opposed.

* 2. **Ordinance 14-10-392**

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 Section 3.60.190 to modify the manager authorization limit for change orders.

The motion adopted by approval of the consent agenda: "introduce Ordinance 14-10-392 and set a first public hearing for 10/28/14."

C. Other New Business

1. Board Appointments

Note: Appointment applications were received for seats on the Library Board and the Public Safety Commission, and the boards recommended them. The mayor sought assembly confirmation.

Motion: LAPP moved to "confirm the mayor's appointment of Tracy Wirak to the Library Board of Trustees for a term ending 11/30/16 and Judy Ewald to the Public Safety Commission for a term ending 11/30/17," and the motion carried unanimously.

12. CORRESPONDENCE/REQUESTS

A. Alaska DOT&PF Regional Boundaries Changes

13. SET MEETING DATES

A. Assembly Training – Wednesday, 10/29, 5:00pm, Topic: Training in Assembly Procedures (there will be food).

B. Committee of the Whole – Tuesday, 10/28, 5:30pm, Topic: PND Presentation re. Lutak Dock.

C. Strategic Planning Session #3 – Tuesday, 10/21, 6:30pm.

D. Personnel Committee – 10/23, 4:00pm, Topic: Borough Clerk and Chief Fiscal Officer employment contracts, Location: Borough Administration Conference Room

E. Commerce Committee – 10/23, 5:30pm, Topic: Tax Incentive Program

14. PUBLIC COMMENTS

ELY thanked LAPP, SCHNABEL, and SCOTT for their service to the community.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

SCOTT thanked everyone for allowing her the opportunity to serve. She has hopes and dreams including alternative fuel sources and developing hydro power on this side of the Canal. She also wants to see implementation of the grant to install pellet boilers in borough buildings and continued work with the school district through the regular major maintenance meetings.

LAPP said he has been pleased to serve the past many years as an assembly member, mayor, and school board member. He's learned a lot and has watched the community grow. He has had no personal agenda beyond seeing it be a healthy, working community. Even now, every meeting is a learning experience for him.

WATERMAN thanked SCOTT, SCHNABEL, and LAPP for their service and said it has been a pleasure working with them. She has never doubted each one's desire for the community's best.

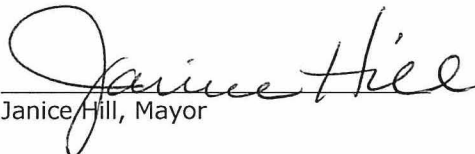
16. ADJOURNMENT – 9:34 p.m.

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

ATTEST:


Julie Cozzi, MMC, Borough Clerk




Janice Hill, Mayor