



Haines Borough
Borough Assembly Meeting #292
AGENDA

May 26, 2015 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Jan Hill,
Mayor

Dave Berry Jr.,
Assembly Member

Diana Lapham,
Assembly Member

Mike Case
Assembly Member

Joanne Waterman,
Assembly Member

George Campbell,
Assembly Member

Ron Jackson,
Assembly Member

David Sosa, MPA
Borough Manager

Julie Cozzi, MMC
Borough Clerk

Krista Kielsmeier
Deputy Clerk

1. CALL TO ORDER/PLEDGE TO THE FLAG

2. ROLL CALL

3. APPROVAL OF AGENDA & CONSENT AGENDA

[The following Consent Agenda items are indicated by an asterisk (*) and will be enacted by the motion to approve the agenda. There will be no separate discussion of these items unless an assembly member or other person so requests, in which event the asterisk will be removed and that item will be considered by the assembly on the regular agenda.]

Consent Agenda:

- 4 – Approve Assembly Meeting and BOE Minutes
- 8B – Chilkat Center Report
- 8C – Fire Department Report
- 8D – Finance Director Report
- 9A – Planning Commission Minutes
- 11A1 – Adopt Resolution 15-05-629
- 11B1 – Introduce Ordinance 15-05-411
- 11C1 – Brewery Liquor License Location Transfer

* 4. APPROVAL OF MINUTES – 5/12/15 Regular and 5/11/15 Board of Equalization

5. PUBLIC COMMENTS [Any topics not scheduled for public hearing]

6. MAYOR'S COMMENTS/REPORT

A. Introduction/Oath of Office – Interim Chief of Police

7. PUBLIC HEARINGS

Important Reminder! - Sign-up prior to or at the beginning of the assembly meeting is required in order to make comments during a public hearing. It's as easy as contacting the Clerk's Office ahead of time to have your name added to the list or you can sign up yourself at the start of the assembly meeting. Written comments are also welcome.

A. Ordinance 15-02-401 – Third Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 3, Chapter 70, Section 40 to establish a procedure for community purpose exemptions.

*This ordinance is recommended by the manager. It was introduced on 2/10. Following the first hearing on 2/24, it was referred to the finance committee and set for a second hearing. The committee met regularly with nonprofit representatives and members of staff and developed a substitute ordinance for assembly consideration. The committee recommends adoption. **Motion:** Adopt Ordinance 15-02-401.*

B. Ordinance 15-04-407 – 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, 2015 through June 30, 2016.

*This is recommended by the manager and was introduced on 4/28 with a 1st hearing on 5/12. The budget must be adopted by 6/15. **Motion:** Adopt Ordinance 15-04-407.*

C. Ordinance 15-04-408 – Second Hearing

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY15 budget.

*This ordinance is recommended by the manager and was introduced on 4/28. The first hearing was on 5/12. **Motion:** Adopt Ordinance 15-04-408.*

7. PUBLIC HEARINGS ---continued---

D. Ordinance 15-04-409 – Second Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Title 18 Section 18.100.025 to allow with planning commission approval lot line adjustments and lot consolidations resulting in lot(s) non-conforming in size.

*This ordinance is recommended by the manager and was introduced on 4/28. The first hearing was on 5/12. **Motion:** Adopt Ordinance 15-04-409.*

E. Ordinance 15-05-410 - First Hearing

An Ordinance of the Haines Borough establishing a surcharge for enhanced 911 (E-911) service.

This ordinance is recommended by the borough manager and was introduced on 5/12/15. The assembly already scheduled the second hearing for 6/9/15. No motion is needed now unless the second hearing date needs to change or some other action is desired.

8. STAFF/FACILITY REPORTS

A. Borough Manager – 5/26/15 Report

* B. Chilkat Center – Facility Report of April 2015

* C. Fire Department – Staff Report of April 2015

* D. Chief Finance Officer – FY15 Third Quarter Financial Report

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

* A. Planning Commission – Minutes of 4/16/15

B. Assembly Standing Committee Reports

10. UNFINISHED BUSINESS

A. Ordinance – Off-Premises Signs

There have been two signage ordinances since 2011. Following a fourth public hearing on 10/14/14, the assembly unanimously voted to “postpone Ordinance 14-05-383 to a time when a draft is presented by the planning commission through staff to the borough assembly.” On 5/14/15, the planning commission voted to send the original 2011 draft (Ordinance 11-06-207) back to the assembly for adoption. That draft allows off-premises signs with a conditional use permit. The clerk has simply renumbered that ordinance to reflect 2015.

Staff has reviewed that original ordinance and concurs with the intent of allowing off premises signs but recommends handling sign approval through the manager rather than requiring a conditional use permit. The manager memo contains rationale for making that recommendation. Also, since Ordinance 11-06-207 and Ordinance 14-05-383 each had four public hearings, the issue of off-premises signs has had a total of 8 hearings in addition to committee and commission meetings. Therefore, staff strongly recommends adoption may take place at this meeting.

Motion: Adopt Ordinance 11-06-270 renumbered as 15-05-412.

11. NEW BUSINESS

A. Resolutions

* 1. Resolution 15-05-629

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a construction contract with Silver Bow Construction for the Haines School Roof Maintenance project for an amount not to exceed \$50,900.

*This resolution is recommended by the manager. **Motion:** Adopt Resolution 15-05-629.*

B. Ordinances for Introduction

* 1. Ordinance 15-05-411

An Ordinance of the Haines Borough authorizing the Borough Manager to enter into a loan agreement in the amount of up to \$1,715,000 with the Alaska Department of Environmental Conservation for the Sewer Treatment Plant Health and Safety Upgrades project.

*This ordinance is recommended by the manager. **Motion:** Introduce Ordinance 15-05-411 and set a first public hearing for 6/9/15 and a second public hearing for 6/23/15.*

11. NEW BUSINESS

C. Other New Business

* 1. **Liquor License Location Transfer – Haines Brewing Company**

*The Alaska Alcohol Beverage Control (ABC) Board has notified the borough of a pending transfer of location of Brewery Liquor License #3882 (same owner and dba). The ABC Board's decision is pending local government review. **Motion:** The Assembly does not object to the transfer of location for the brewery liquor license belonging to the Haines Brewing Company.*

2. **Executive Session – UPDATE ON NELSON LAWSUIT**

Motion: Move into executive session as allowed by AS 44.62.310(c)(1) and Haines Borough Charter Section 18.03 to receive a update from the borough attorney on the Nelson administrative appeal; this matter qualifies for executive session because a public discussion may adversely affect the finances of the borough and/or the borough's legal position; the borough manager and borough attorney are requested to attend.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT