


Haines Borough
Borough Assembly Meeting #292
May 26, 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**, Dave **BERRY**, Jr., and George **CAMPBELL**. **Absent:** Joanne **WATERMAN** and Ron **JACKSON**.

Staff Present: David **SOSA**/Borough Manager, Julie **COZZI**/Borough Clerk, Robert **GRIFFITHS**/Interim Chief of Police, Brian **LEMCKE**/Interim Director of Public Facilities, Jila **STUART**/Chief Fiscal Officer, Helen **ALTEN**/Museum Director, and Bill **MANDEVILLE**/Community & Economic Development Director.

Visitors Present: Karen **GARCIA**/CVN, Margaret **FRIEDENAUER**/KHNS, Mike **DENKER**, Lea **HARRIS**, Kay **CLEMENTS**, Tresham **GREGG**, Debra **SCHNABEL**, Tracy **MIKOWSKI**, Meredith **POCHARDT**, Bill **HERMAN**, Courtney **CULBECK**, Rob **GOLDBERG**, Jessica **EDWARDS**, Rhys **WILLIAMS**, Carol **TUYNMAN**, Dr. Elizabeth **LYONS**, and others.

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

The following Items were on the published consent 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

Motion: **BERRY** moved to “approve the agenda/consent agenda,” and it was amended to remove 8D from the consent agenda and 11C2 from the agenda. The motion as amended carried unanimously.

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

The motion adopted by approval of the consent agenda: “approve minutes of the 5/12/15 borough assembly regular meeting and the 5/11/15 Board of Equalization.”

5. **PUBLIC COMMENTS**

DENKER – Appreciated that the meeting notice on the website for the most recent Port & Harbor Advisory Committee included an agenda. It was helpful for the public to have the information.

MIKOWSKI – Appreciates the manager and assembly for finding additional money for HARK.

GREGG – Still wants a reconsideration of the harbor project and a public meeting for the borough to explain the project.

TUYNMAN – 1) Thanked the Community & Economic Development Director for advising that business plans are necessary, 2) the museum is planning major renovations so harbor aesthetics will be very important, 3) heard there is a plan to raise funds for an iMax theatre, yet there is a historic theatre on Main Street that is an eyesore, and 4) good ideas need a public process.

WILLIAMS – Wants to know why the historic theatre building on Main Street is allowed to stand as an eyesore, and wondered if they have been asked to fix it up to make it look better.

6. **MAYOR’S COMMENTS/REPORT**

Mayor **HILL** made comments on the following: 1) Cruise ships; there were many comments about the town being clean and people being friendly and 2) the Beer Fest was successful

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

Mayor **HILL** introduced **GRIFFITHS** and administered the oath of office.

7. PUBLIC HEARINGS

- 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.

Mayor **HILL** opened the public hearing at 6:42 p.m.

EDWARDS – Thanked staff and assembly for all of the efforts, and said the proposed substitute ordinance is a good option.

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

Motion: **CAMPBELL** moved to “adopt Ordinance 15-02-401,” and it was amended by replacing the ordinance in its entirety with the substitute ordinance recommended by the Finance Committee,” and the main motion as amended carried unanimously in a roll call vote.

- 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.

Mayor **HILL** opened the public hearing at 6:48 p.m.

POCHARDT– regarding Title III funds, please make sure the Takshanuk Watershed Council afterschool program is kept in mind in spite of the needed bridge in Excursion Inlet.

CULBECK – Read a statement from Scott Doddridge supporting the afterschool program. She agrees and asked the assembly to continue to fund the program.

SCHNABEL – The Community Youth Development budget narrative suggested the program could be enhanced by using Amazon.com for purchasing items for use by the program. There is the talent and potential in the community to do the same thing by utilizing local businesses.

Hearing no further comments, the mayor closed the public hearing at 6:53 p.m.

Motion: **LAPHAM** moved to “adopt Ordinance 15-04-407.”

Primary Amendment #1: **CASE** moved to “amend the HARK budget for FY16 to bring it up to \$45K using fund balance to make up the difference from the \$16K in the manager’s budget,” and the motion failed 1-3 in a roll call vote with all but **LAPHAM** voting against. Note: **CASE** had asked for voting to take place by roll call.

Primary Amendment #2: **CAMPBELL** moved to “amend the budget by bringing funding for HARK up to the level of \$45,250 with 50-percent from the Townsite Service Area fund balance and 50-percent from the borough assembly Community Chest,” and the motion carried unanimously.

Primary Amendment #3: **BERRY** moved “that \$120,000 of Secure Rural School funding be added as revenue to the FY16 Budget and that \$40,000 of that revenue be appropriated to the Haines Borough School District,” and the motion carried unanimously.

The main motion as amended carried unanimously in a roll call vote.

- 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.

Mayor **HILL** opened and closed the public hearing at 7:11 p.m.; there were no public comments.

Motion: **BERRY** moved to “adopt Ordinance 15-04-408,” and it carried unanimously in a roll call vote.

- 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.

Mayor **HILL** opened and closed the public hearing at 7:12 p.m.; there were no public comments.

Motion: **BERRY** moved to “adopt Ordinance 15-04-409,” and it carried unanimously in a roll call vote.

E. **Ordinance 15-05-410** – First Hearing
An Ordinance of the Haines Borough establishing a surcharge for enhanced 911 (E-911) service.

Mayor HILL opened and closed the public hearing at 7:15 p.m.; there were no public comments.

Note: The assembly had already scheduled the second hearing for 6/9/15, so 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 Manager** – 5/26/15 Report

The manager summarized his written report. He thanked the assembly for adopting the budget. He said there is possible good news concerning the community jails funding---it may come in higher than last reported.

* 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

SOSA said the borough is on track for the fiscal year. Staff has been working very hard to stay within budget. Each quarter he sits down with the department heads to make sure the budgets are tracking. It's a requirement by code that the assembly receive these updates.

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

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

B. **Assembly Standing Committee Reports**

CAMPBELL said the Commerce Committee met concerning the proposed cruise ship waiver program. On June 4, the committee will meet jointly with the Tourism Advisory Board to continue consideration of that program. He hopes the public will attend to give their opinions.

10. UNFINISHED BUSINESS

A. **Ordinance – Off-Premises Signs**

Note: 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 simply renumbered that ordinance to reflect 2015. Staff 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 recommended adoption could take place at this meeting.

Motion: BERRY moved to "adopt Ordinance 11-06-270 renumbered as 15-05-412," and it was amended by changing Section 18.90.050 Letter "D" to read: Off premises signs are allowable by approval of the borough manager, except as allowed by HBC 18.90.090(A)(8)." The main motion as amended carried unanimously in a roll call vote.

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.

The motion adopted by approval of the consent agenda: "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.

The motion adopted by approval of the consent agenda: "introduce Ordinance 15-05-411 and schedule a first public hearing for 6/9/15 and a second public hearing for 6/23/15."

C. Other New Business

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

Note: 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. The motion adopted by approval of the consent agenda: "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

This item removed during approval of the agenda.

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

- A. Government Affairs & Services Committee – 5:30 p.m., Monday, June 1, Assembly Chambers, Topic: Assembly Agenda Item Placement - Does policy conflict with code? (This item was requested by Mike Denker)**
- B. Commerce Committee/TAB Joint Meeting – 6:30 p.m., Thursday, June 4, Assembly Chambers, Topic: Cruise Ship Waiver Program. (Subsequently, two other topics were added: sign code and setting a regular committee meeting schedule.)**

14. PUBLIC COMMENTS

SCHNABEL – Does not believe the advisory boards have a responsibility to represent the public to the assembly. It is good to have accessible meeting times if possible, but the boards do not conduct public hearings like the planning commission and assembly.

DENKER – Disagreed saying the ability of the public to attend meetings is important. Committees are underutilized. The assembly should compel boards to meet at times most convenient for public attendance.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

LAPHAM – 1) Invited everyone to attend the manager's town hall on Thursday, 5/28, and 2) the assembly and staff work very hard to do the best job possible for the community.

CAMPBELL – Received nothing but great comments about the Beer Fest. It seems the thought process and pre-coordination meetings really brought the event up to a higher level of excellence.

16. ADJOURNMENT – 7:55 p.m.

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

ATTEST:

Janice Hill, Mayor

Julie Cozzi, MMC, Borough Clerk