

Haines Borough
Borough Assembly Meeting #307
January 26, 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**, Deputy Mayor Diana **LAPHAM**, and Assembly Members George **CAMPBELL**, Mike **CASE**, Margaret **FRIEDENAUER**, Tresham **GREGG**, and Ron **JACKSON**.
Staff Present: Brad **RYAN**/Interim Borough Manager, Julie **COZZI**/Borough Clerk, Jila **STUART**/Finance Director, Eddie **BRYANT**/Facilities Maintenance Superintendent, Kathy **FRIEDLE**/Administrative Assistant, Leslie **ROSS**/Tourism Director, Shawn **BELL**/Harbormaster, Gabe **THOMAS**/Assistant Harbormaster, Josh **DRYDEN**/Interim Police Chief, and Patty **BROWN**/Library Director.
Visitors Present: Karen **GARCIA**/CVN, Jillian **ROGERS**/KHNS, Bill **MCCORD**, Don **TURNER Jr.**, Debra **SCHNABEL**, Carlos and Sierra **JIMENEZ**, Susan **TANDY**, Meg **ELLIOTT**, Kathryn **CHENEY**, Ann **MYREN**, Mike **DENKER**, Gershon **COHEN**, Rich and Sara **CHAPPELL**, Nancy **NASH**, Chip and Heather **LENDE**, Greg **PODSIKI**, Dave **WERNER**, Tim **ACKERMAN**, Roger **SCHNABEL**, Brenda **JOSEPHSON**, Renee **HOFFMAN**, Julie **FOLTA**, Jeanne **KITAYAMA**, Brent and Jess **CROWE**, Ryan **SALMON**, Jolanta **RYAN**, Tracey **THOMAS**, Paul **NELSON**, Jessica **EDWARDS**, Harriett **BROUILLETTE**, Susan **MCCARTNEY**, and others.

3. **APPROVAL OF AGENDA & CONSENT AGENDA**
The following Items were on the published consent agenda:
 - 4 – Approve Assembly Meeting Minutes
 - 8B – Finance Director Report
 - 8C – Fire Department Report
 - 8D – Accept Museum Report
 - 9A – Accept Port & Harbor Advisory Committee Minutes and Meeting Summary
 - 9B – Accept Public Safety Commission Minutes
 - 9C – Accept Museum Board Minutes
 - 9D – Accept Planning Commission Meeting Summary
 - 11C2 – No statement regarding pending liquor license renewals**Motion:** **CASE** moved to “approve the agenda/consent agenda.”
Primary Amendment: **CASE** moved to “remove Item 11A1 (Resolution 16-01-653) and table it indefinitely,” and the motion carried unanimously.
The Main Motion, as amended, carried unanimously.

4. **APPROVAL OF MINUTES** – 1/12/16 Regular
The motion adopted by approval of the consent agenda: “approve minutes of the 1/12/16 borough assembly regular meeting.”

5. **PUBLIC COMMENTS**
NELSON – Thanked the assembly for removing of the resolution to raise the clerk’s salary.
FRIEDLE – Spoke in support of the borough clerk and is sad Assembly Member Campbell has made the comments about her that he has.
WERNER – Said ferry service is vital. (He distributed a written commentary.)
DENKER – Concerned about the suggested motion for Item 11B2 (Ordinance 16-01-430).
BRYANT – Supports repealing the motor vehicle registration tax. It should not be referred to a committee, but rather just repealed.
ACKERMAN – Supports repealing the motor vehicle tax. It is not fair for him to have to pay for someone else’s irresponsible vehicle ownership.
MCCARTNEY – Admires the assembly’s public service. She understands governance is an accountability to the bottom-line, but please don’t lose sight of the rich tapestry of individuals.

6. **MAYOR’S COMMENTS/REPORT**
Mayor **HILL** reminded the borough assembly members to use their borough email addresses when conducting borough business.

The Alaska Municipal League position statements, priorities, and resolutions for the current legislative session are in her office, and people can stop by to review them.

The Community Nonprofit Funding Committee met and discussed ideas for the \$14,500 still in the FY16 Community Chest. The committee recommends not giving out these funds. Several years ago, Bob Ward, former Skagway manager who served twice as interim manager for Haines, advised the borough should not tax its citizens and then give it to nonprofits. Individual citizens should make decisions about what organizations to give to. The committee is of that mind.

Motion: **FRIEDENAUER** moved to "have the Community Nonprofit Funding Committee's recommendation on the next agenda for assembly consideration." There was no objection.

7. PUBLIC HEARINGS

A. Ordinance 15-12-426 - Second Hearing

An Ordinance of the Haines Borough authorizing amendments to the lease of the Human Resources Building by Chilkat Valley Preschool for the purpose of providing preschool educational services, including extending the lease term to June 30, 2017; waiving the monthly rent from January 1 through June 30, 2016; and stipulating no rent will be required July 1, 2016 through June 30, 2017.

Mayor **HILL** opened the public hearing at 6:52 p.m.

S.JIMENEZ – Explained she is the spokesperson for the group. There is broad community support. She asked those present to stand if they support this, and most of the people in a packed room stood. She asked the assembly to join them in supporting the plan and adopting this ordinance.

R.CHAPELL – Supports the preschool solution.

NASH – Asked the assembly to adopt this ordinance. The preschool is very organized and will see this through.

H.LENDE – Spoke in support of the preschool. The future of Haines and health of the community make it imperative to support early childhood education.

Hearing no further comments, the mayor closed the hearing at 6:58 p.m.

Motion: **LAPHAM** moved to "adopt Ordinance 15-12-426," and the motion carried unanimously in a roll call vote.

Motion: **LAPHAM** moved to "direct staff to work with the Chilkat Valley Preschool on a design and a management agreement," and the motion carried 5-1 in a roll call vote with **CAMPBELL** opposed.

Primary Amendment Motion: **CAMPBELL** moved that "staff bring to the assembly a design budget to the next meeting," and the motion failed 1-5 with **FRIEDENAUER, CAMPBELL, JACKSON, GREGG,** and **LAPHAM** opposed.

B. Ordinance 15-12-425 - First Hearing

An Ordinance of the Haines Borough amending Haines Borough Code Section 3.60.160 to increase the local bidder preference from three percent to five percent and require the local bidder preference to be noted in all Requests for Bids or Quotes issued by the borough.

Mayor **HILL** opened the public hearing at 7:25 p.m.

D.SCHNABEL – Recapped the Chamber of Commerce's written comments in the packet. The Chamber recommends the original ordinance as opposed to the substitute ordinance. Local preference grows business.

R.SCHNABEL – The requesting contractors are befuddled by the substitute ordinance. He would like an opportunity to discuss in a public forum the reasons for the changes from what was petitioned.

C.LENDE – Agreed with the others who commented. Jobs staying with local contractors have many economic benefits.

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

Motion: **LAPHAM** moved to "substitute Ordinance 15-12-425 in its entirety with the draft recommended by the Finance Committee."

(Note: The assembly already scheduled the second hearing for 2/9/16.)

Primary Amendment: **CAMPBELL** moved to "amend by removing the one-million dollar cap."

Secondary Amendment: **LAPHAM** moved to "amend to incorporate staff recommendation #2 rather than removing the one-million dollar cap, as follows:

\$500,000 or less - 7% local preference
\$5,000,000 or less - 5% local preference, and
Over \$5,000,000 - 2% local preference."

The secondary amendment motion carried unanimously.

The primary amendment, as amended, carried unanimously.

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

- C. Ordinance 16-01-427** - First Hearing
An Ordinance of the Haines Borough amending the Port of Haines Terminal Tariff No. 3 to adjust dockage, wharfage rates, and per-gallon fuel flow-through rates at dock facilities.

Mayor **HILL** opened and closed the public hearing at 8:05 pm; there were no comments.

The assembly already scheduled the second hearing for 2/9/16. No motion was needed now unless the second hearing date needed to change or some other action was desired. No motion was made.

- D. Ordinance 16-01-428** - First Hearing
An Ordinance of the Haines Borough, providing for the addition or amendment of specific line items to the FY16 budget.

Mayor **HILL** opened the public hearing at 8:06 p.m.

ROSS – Explained the tourism portions of the proposed budget amendments.

Hearing no further comments, the mayor closed the hearing at 8:08 p.m.

The assembly already scheduled the second hearing for 2/9/16. No motion was needed now unless the second hearing date needed to change or some other action was desired.

There was some discussion about the proposed tourism-related amendments, but no action was taken.

8. STAFF/FACILITY REPORTS

A. Interim Manager – 1/26/16 Report

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

Motion: **FRIEDENAUER** moved "the manager secures a contract with Dynamic Consulting for a one-day strategic planning session with the assembly to take place before March 31. Costs should not exceed \$4,000, not including travel and lodging," and the motion carried 4-2 in a roll call vote with **CAMPBELL** and **GREGG** opposed.

- * **B. Finance Director** – Summer Season Sales Tax Comparison Report
- * **C. Fire Department** – 2015 Annual Report
- * **D. Museum** – December 2015 Report

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- * **A. Port & Harbor Advisory** – Minutes of 11/19/15 & 12/17/15 & Summary of 1/8/16
- * **B. Public Safety Commission** – Minutes of 12/7/15
- * **C. Museum Board of Trustees** – Minutes of 12/16/15
- * **D. Planning Commission** – Meeting Summary of 1/14/16
- E. Assembly Board Liaison Reports**

FRIEDENAUER – Public Safety Commission, Port and Harbor Advisory Committee

CASE – Library Advisory Board

LAPHAM – Planning Commission, Tourism Advisory Board,
Chamber of Commerce Marijuana Task Force

GREGG – Chilkat Center Advisory Board

F. Assembly Standing Committee Reports

CAMPBELL - Commerce Committee

JACKSON – Government Affairs & Services

10. UNFINISHED BUSINESS

11. NEW BUSINESS

A. Resolutions

1. **Resolution 16-01-653** – *withdrawn during approval of the agenda and tabled indefinitely*
A Resolution of the Haines Borough Assembly increasing Borough Clerk Julie Cozzi's annual salary to \$85,000, effective February 1, 2016.

B. Ordinances for Introduction

1. Ordinance 16-01-429

An Ordinance of the Haines Borough amending Haines Borough Code Section 18.30.040 to adjust code to match the actual planning commission meeting start time, to revise the review process for capital improvements and borough projects, and to delete references to the state-eliminated coastal zone management plan.

Motion: **CASE** moved to "introduce Ordinance 16-01-429 and set a first public hearing for 2/9/16 and a second public hearing for 2/23/16," and the motion carried unanimously.

2. Ordinance 16-01-430

An Ordinance of the Haines Borough repealing Haines Borough, Alaska Ordinance 12-10-308 (Motor Vehicle Registration Tax).

Motion: **CAMPBELL** moved to "introduce Ordinance 16-01-430 and schedule the first public hearing on 2/9/16 and the second hearing on 2/23/16."

Primary Amendment: **CASE** moved to "amend the motion to refer this to committees to be assigned by the mayor, have recommendations due by 2/20/16, and after the committees submit their recommendations, schedule the public hearings."

Secondary Amendment: **JACKSON** moved to "strike the 2/20/16 deadline and replace it with 'when the committees are done'," and this motion carried 5-1 with **CAMPBELL** opposed.

The Primary Amendment, as amended, carried 5-1 with **CAMPBELL** opposed.

The Main Motion, as amended, carried unanimously.

(At 9:18pm) **Motion:** **FRIEDENAUER** moved to "complete the agenda," and the motion carried 4-2 with **JACKSON** and **CASE** opposed.

Mayor **HILL** referred this to the Finance Committee, Government Affairs & Services Committee, and Public Safety Commission.

C. Other New Business

1. Board Appointments

(Re)appointment applications were received for seats on the Museum Board of Trustees and the Tourism Advisory Board. The mayor sought assembly confirmation.

Motion: **CAMPBELL** moved to "confirm the mayor's appointment of Tim Ackerman to the Museum Board of Trustees for a term ending 11/30/18; and Alison Jacobson to the Tourism Advisory Board for a term ending 11/30/18," and the motion carried unanimously.

***2. Liquor License Renewals**

The Alaska Alcohol Beverage Control Board notified the borough of pending liquor license renewals for Alaskan Liquor Store, 33 Mile Roadhouse, Fireweed Restaurant, Harbor Liquor Store, and The Klondike. The Board, prior to its final approval, gave the local government an opportunity to make a statement, if so desired. Since these were pre-existing liquor licenses, assembly action was optional.

3. Agenda Request Form

NOTE: In response to a citizen request, the assembly tasked the clerk and manager with making sure HBC 2.10.030 and the policy on the Agenda Request form are aligned. The manager and clerk submitted a proposed ordinance to clarify the code procedure for assembly meeting agenda preparation, and the clerk revised the Agenda Request form and submitted that edited version with the ordinance. On 12/1/15, both the ordinance and the form were referred to the Government Affairs & Services Committee (GASC). That committee discussed the form and recommended revisions. The ordinance (15-12-424) itself is to be discussed at another GASC meeting to be scheduled. In the mean time, the GASC chair requested the revised form come to the assembly for consideration and approval.

Motion: **JACKSON** moved to "approve the revisions to the Agenda Request form as recommended by the Government Affairs & Services Committee and the Clerk's Office," and the motion carried unanimously.

12. CORRESPONDENCE/REQUESTS

- A. Strategic Planning** (5 min. presentation) – B. Josephson
- B. Juneau Access Project** – E. Ferry/Deputy Director, Southeast Alaska Conservation Council
- C. Chilkoot River Corridor** – S. Gaffney, Tourism Advisory Board; and L. Ross, Tourism Director
- D. Comment on Skagway Area Stocking Program** – Skagway Community Fish Hatchery

13. SET MEETING DATES

- A. Commerce Committee** – Call of the Chair – Topic: Letter of Support for State Parks Assuming Management Responsibility for the Chilkoot River Corridor Right of Way.
Note: The assembly referred this item to the Commerce Committee on 11/10/15.
- B.** Mayor **HILL** asked the assembly to look at the last half of April to see what works for a joint school board/borough assembly meeting.
- C. Government Affairs & Services Committee** – Wednesday, 2/3/16, 5:00pm, Topic: 1) Ordinance 15-12-424 (agenda preparation) and 2) Possible appeal of Ordinance 12-10-308 (motor vehicle registration tax).
- D. Finance Committee** – Wednesday, 2/10/16, 5:00pm, Topic: Possible appeal of Ordinance 12-10-308 (motor vehicle registration tax).
- E.** Mayor **HILL** will contact the chair of the Public Safety Commission about scheduling a meeting to consider the possible appeal of Ordinance 12-10-308 (motor vehicle registration tax).

14. PUBLIC COMMENTS

DENKER – Attended the recent public forum. He has come to realize both presenters and listeners need to be wary of preconceived notions.

COHEN – Offended by how he believes Brenda Josephson was disrespected during this meeting. Strategic planning is a long term process, and he understands she was willing to offer her services to the borough for no charge.

JOSEPHSON – Said she did reach out to Brad Ryan but received no response from him. She is trained in this and was indeed willing to offer her services for free.

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

FRIEDENAUER – Apologized and said she meant no disrespect. It was not clear from the agenda what Josephson was requesting. All she wanted by making her motion to hire a consultant was a jumpstart. She is glad there are people like Josephson who will hopefully be a part of the strategic planning process.

LAPHAM – Said she has always maintained the idea of NOT going local for strategic planning. She thinks it's great we are getting a jumpstart on this. It is great to have someone in the community qualified like Josephson to draw on for ongoing efforts. No disrespect was intended.

CASE – Does not believe anything was said negatively about anyone local. What was said was someone in the community can have pre-conceived notions. That does not necessarily mean in a negative sense. There are several qualified local facilitators including Cecily Stern, Ann Myren, Lenise Fontenet, and Brenda Josephson. No aspersions were meant to be cast.

CAMPBELL – Said Chilkat Snowburners is having a fun run. Regarding the state lobbyist, he is not feeling very good about that contract. He would like to ask for an executive session and have the clerk attend for the sake of discussing personnel issues.

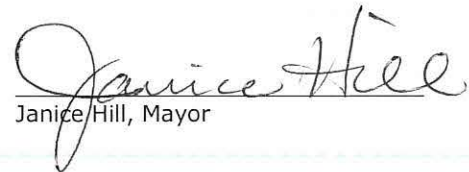
Motion: **CAMPBELL** moved to "go into executive session to discuss personnel matters," and the motion failed 1-5 with **LAPHAM, JACKSON, CASE, GREGG,** and **FRIEDENAUER** opposed.

CAMPBELL said integrity, trust of the public, and honesty is required of the borough officers, and he believes Cozzi has no integrity and is dishonest. The assembly needs to take control of managing staff. The assembly lets staff get by with unacceptable behavior. **CASE** read aloud an email received from David Sosa regarding Cozzi's exemplary performance. These allegations have impacted other employees in the office, as well. Mayor **HILL** said the process that will take place is interim manager Brad Ryan and former borough manager David Sosa will conduct an evaluation of the clerk in late


spring. **CASE** would like Kathy Friedle's comments to be included in the next packet along with David Sosa's email. No objection was stated. **LAPHAM** said she does not even begin to know the interworkings of things. For the years Cozzi has given to the borough and taken the manager helm, she has become a valuable resource. She is left speechless in many regards to Campbell's attacks and issues, and believes they are unjust. **JACKSON** has been dreading this meeting because of this. He agrees there needs to be an appropriate vehicle for a performance review. The borough clerk is an officer, but the manager is her supervisor.

16. ADJOURNMENT – 9:59 p.m.

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


Janice Hill, Mayor

ATTEST:



Julie Cozzi, MMC, Borough Clerk
Deputy Clerk for
J. Cozzi

