

Haines Borough
Borough Assembly Meeting #255

AGENDA

October 8, 2013 - 6:30 p.m.

Location: Assembly Chambers, Public Safety Bldg.

Stephanie Scott,
Mayor

Dave Berry Jr.,
Seat A
Assembly Member

Steve Vick,
Seat B
Assembly Member

Debra Schnabel,
Seat C
Assembly Member

Joanne Waterman,
Seat D
Assembly Member

Norman Smith,
Seat E
Assembly Member

Jerry Lapp,
Seat F
Assembly Member

Mark Earnest,
Borough Manager

Julie Cozzi,
Borough Clerk

Michelle Webb,
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 Minutes
- 8B – Police Dept Report
- 8C – CFO Report
- 8D – Chilkat Center Report
- 8E – Public Facilities Report
- 11A2 – Adoption of Resolution 13-10-501
- 11A3 – Adoption of Resolution 13-10-502
- 11A4 – Adoption of Resolution 13-10-503
- 11A5 – Adoption of Resolution 13-10-504
- 11A6 – Adoption of Resolution 13-10-505
- 11A7 – Adoption of Resolution 13-10-506
- 11A8 – Adoption of Resolution 13-10-507
- 11A9 – Adoption of Resolution 13-10-508
- 11A10 – Adoption of Resolution 13-10-509
- 11B1 – Introduction of Ordinance 13-10-351
- 11C1 – Advisory Board Appointment

* 4. APPROVAL OF MINUTES – September 24 Regular

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

6. MAYOR'S COMMENTS/REPORT

7. PUBLIC HEARINGS

A. Ordinance 13-09-349 – First Hearing

An Ordinance of the Haines Borough amending Borough Code Section 18.20.020 to define "vacation rental" and change the definition of "lodge"; and amending Borough Code Sections 18.70.040 and 18.70.030(b & c) to add vacation rental to the Townsite zoning chart, the Mud Bay Planning/Zoning District, and the Lutak Inlet Planning/Zoning District.

*This ordinance is recommended by the planning commission to correct what they believe to be a code deficiency and was introduced on 9/24/13. **Motion:** Advance Ordinance 13-09-349 to a second public hearing on 10/22/13.*

B. Ordinance 13-09-350 – First Hearing

An Ordinance of the Haines Borough pursuant to Haines Borough Code Title 14 Section 14.16.160, approving a record of survey and authorizing the execution of an easement grant to Ocean Beauty Seafoods LLC for existing utilities within Alaska State Land Survey 95-35 at Excursion Inlet.

*This ordinance is recommended by the borough manager and was introduced on 9/24/13. The planning commission considered the matter on 9/12 and also recommends it. **Motion:** Advance Ordinance 13-09-350 to a second public hearing on 10/22/13.*

8. STAFF/FACILITY REPORTS

- A. **Borough Manager** - *Report on STIP Amendment 8 (other reports attached to various agenda bills)*
- * B. **Police Department** – *Monthly Staff Report*
- * C. **Chief Financial Officer** – *FY13 General Fund Financial Report*
- * D. **Chilkat Center** – *Facility Report of September 2013*
- * E. **Public Facilities Director** – *Project Update*

9. COMMITTEE/COMMISSION/BOARD REPORTS & MINUTES

- A. **Assembly Standing Committee Reports**

10. UNFINISHED BUSINESS

A. Ordinance 12-10-308

An Ordinance of the Haines Borough amending Haines Borough Code Title 3 to establish a Vehicle Retirement Program Fund, to levy a motor vehicle registration tax, and to exempt from property taxes all vehicles subject to the registration tax.

This was introduced on 10/23 and the first hearing was 11/6. Following the second hearing on 11/27, the assembly postponed it to the 12/11 meeting when it was amended. Following discussion, the assembly postponed the matter until after a towing RFP has been issued and the proposals reviewed. Staff is ready to present the information. The manager recommends ordinance adoption.

Main Motion already on the Table: "Adopt Ordinance 12-10-308."

11. NEW BUSINESS

A. Resolutions

1. Resolution 13-10-500

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to enter into a professional services agreement with Alaska Assessment Assistance to provide tax assessing and staff training services for Fiscal Year 2014.

*This resolution is recommended by the borough manager. The plan, as previously reported, is to transition to a full-time, staff Land Assessor by July 1, 2014. **Motion:** Adopt Resolution 13-10-500.*

* 2. Resolution 13-10-501

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Caselle, Inc. in the amount of \$23,000 for the purchase and installation of Caselle's Property Tax Collection module.

*This resolution is recommended by the borough manager and finance director. **Motion:** Adopt Resolution 13-10-501.*

* 3. Resolution 13-10-502

A Resolution of the Haines Borough Assembly authorizing the Manager to enter into a Memorandum of Agreement with the Alaska Department of Transportation and Public Facilities to conduct the Haines Rail Assess Pre-Feasibility Study, accepting grant funds in the amount of up to \$100,000 from the ADOT&PF for expenses incurred in the conduct of the Study, and authorizing the Manager to enter into a sole-source contract with ALCAN RaiLink/PROLOG Canada to perform the Study.

*On 9/10/13, the assembly passed a motion directing the manager to negotiate: (1) a grant agreement with the Alaska Department of Transportation and Public Facilities for the purpose of conducting a Preliminary Assessment for Rail Access to the Port of Haines; and (2) a sole source contract with ALCAN RaiLink/PROLOG Canada to perform said work. **Motion:** Adopt Resolution 13-10-502.*

* 4. Resolution 13-10-503

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to dispose of surplus material from the demolition of the Port Chilkoot Dock by any of the methods specified in Haines Borough Code 14.24.010 (Disposal of personal property).

*This resolution is recommended by the borough manager and the director of public facilities. **Motion:** Adopt Resolution 13-10-503.*

11. NEW BUSINESS

A. Resolutions ---continued---

* 5. **Resolution 13-10-504**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with PND Engineers, Inc. for an amount not to exceed \$183,319 for a test pile investigation and additional site plan concept for the South Portage Cove Harbor Expansion project.

This resolution is recommended by the borough manager and the director of public facilities.
Motion: Adopt Resolution 13-10-504.

* 6. **Resolution 13-10-505**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with PND Engineers, Inc. in the amount of \$89,506 for a loss of fill investigation at Lutak Dock.

This resolution is recommended by the borough manager and the director of public facilities.
Motion: Adopt Resolution 13-10-505.

* 7. **Resolution 13-10-506**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to contract with Murray and Associates, P.C. in the amount of \$11,900 for Haines Library Building Controls Replacement Engineering.

This resolution is recommended by the borough manager and the director of public facilities.
Motion: Adopt Resolution 13-10-506.

* 8. **Resolution 13-10-507**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to execute a contract change order with Pacific Pile & Marine, LP for the Port Chilkoot Dock and Letnikof Cove Harbor Renovations project for an amount not to exceed \$53,998.

This resolution is recommended by the borough manager and the director of public facilities.
Motion: Adopt Resolution 13-10-507.

* 9. **Resolution 13-10-508**

A Resolution of the Haines Borough Assembly authorizing the Borough Manager to dispose of two Haines Borough Police Department hybrid Ford Escape SUVs in accordance with Haines Borough Code 14.24.010 (Disposal of personal property).

This resolution is recommended by the borough manager and the director of public facilities.
Motion: Adopt Resolution 13-10-508.

* 10. **Resolution 13-10-509**

A Resolution of the Haines Borough Assembly supporting "BackRoads Alaska" marketing to cruise lines.

This resolution is recommended by the borough manager and tourism director. **Motion:** Adopt Resolution 13-10-509.

B. Ordinances for Introduction

* 1. **Ordinance 13-10-351**

An Ordinance of the Haines Borough providing for the addition or amendment of specific line items to the FY14 budget.

This ordinance is recommended by the borough manager and chief financial officer. **Motion:** Introduce Ordinance 13-10-351 and set a first public hearing for 10/22/13.

C. Other New Business

* 1. **Board Appointments**

An appointment application has been received for a seat on the Parks and Recreation Advisory Committee. The mayor plans to make the appointment and seeks assembly confirmation. **Motion:** Confirm the mayor's appointment of Susan Luescher to the Parks and Recreation Advisory Committee for a term ending 11/30/16.

11. NEW BUSINESS

C. Other New Business ---continued---

2. **Herbicides: Mayor Request for Assembly endorsement of resolution re. herbicides drafted for the Southeast Conference of Mayors**

*The Southeast Conference of Mayor's is meeting via teleconference on October 22, and the mayor requests assembly authorization for her to vote in favor of adoption. **Motion:** Endorse the herbicides resolution drafted for the Southeast Conference of Mayors and authorize the mayor to vote in favor of adoption.*

3. **Ordinance 13-08-343**

An Ordinance of the Haines Borough amending Borough Code Section 18.80.030(B) to add setback regulations to the General Use Zone.

The following motion failed 2-3 during the 9/24/13 assembly meeting: "adopt Ordinance 13-08-343." Smith and Waterman voted yes and Vick, Schnabel, and Lapp voted no (Berry was absent).

A member of the prevailing side, assembly member Vick, intends to ask for reconsideration. HBC 2.10.170 says, "[A] motion to reconsider requires a majority of affirmative votes and, if it prevails, the subject shall be open to debate and amendment in the same manner as the original question. Debates on motions to reconsider shall be limited to 25 minutes and no member shall speak for more than five minutes."

4. **Process for Sorting through Initial Manager Applicants: Matrix or Informal?**

The assembly will discuss the process for reviewing and short-listing the applicants for the borough manager position. 20 applications were received by the 5pm, October 3 deadline. The assembly is scheduled to meet as a committee of the whole on Wednesday, October 9, 6 p.m. to screen and review the applications.

5. **Cashing in of Leave Benefits - Manager**

*This is allowed by the manager's contract with assembly approval. **Motion:** Authorize the cashing in of leave benefits, as allowed by the manager's contract and as requested by the manager.*

6. **Executive Session – Borough Officer Evaluations**

*The manager plans to review the borough officer evaluations with the assembly. This review will take place in executive session as allowed by AS 44.62.310(c)(2) and Haines Borough Charter Section 18.03. **Motion:** Move into executive session as allowed by AS 44.62.310(c)(2) and Haines Borough Charter Section 18.03 to review the manager's evaluation of the borough clerk and the chief financial officer; this matter qualifies for executive session because this is a personnel matter and a public discussion may tend to prejudice the character and reputations of those involved; Mark Earnest, Julie Cozzi, and Jila Stuart are requested to attend.*

12. CORRESPONDENCE/REQUESTS

13. SET MEETING DATES

14. PUBLIC COMMENTS

15. ANNOUNCEMENTS/ASSEMBLY COMMENTS

16. ADJOURNMENT