



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Agenda Borough Assembly

Monday, February 26, 2018

6:00 PM

Assembly Chambers

1. **Call To Order/Roll Call**

2. **Voluntary Pledge**

3. **Awards Presentation**

Captain Hamilton will present awards to select members of the Petersburg Police Department and the public.

4. **Approval of Minutes**

There are no minutes available for approval.

5. **Amendment and Approval of Meeting Agenda**

6. **Public Hearings**

A. **Public Hearing for Ordinance #2018-04: An Ordinance Amending Chapter 3.08 of the Municipal Code, Entitled "Assembly and Mayor", to Add Agenda Formation Language and to Amend the Deadline for Submission of Items to be Included on an Agenda**

Any public testimony regarding Ordinance #2018-04 should be given during this public hearing. A copy of Ordinance #2018-04 may be found under Agenda Item 15C.

B. **Public Hearing for Ordinance #2018-05: An Ordinance Amending Chapter 14.16 of the Municipal Code, Entitled "Electricity", to Amend the Title to "Electric Utility", to Provide for a Utility Director as Head of the Electric Utility Department, and to Establish Fines for Violations of Provisions of Chapter 14.16**

Any public testimony regarding Ordinance #2018-05 should be given during this public hearing. A copy of Ordinance #2018-05 may be found under Agenda Item 15D.

C. **Public Hearing for Ordinance #2018-06: An Ordinance Amending Chapter 14.04 of the Municipal Code, Entitled "Water", to Amend the Title to "Water Utility", to Provide for a Utility Director as Head of the Water Utility Department, and to Establish Fines for Violations of Provisions of Chapter 14.04**

Any public testimony regarding Ordinance #2018-06 should be given during this public hearing. A copy of Ordinance #2018-06 may be found under Agenda Item 15E.

D. Public Hearing for Ordinance #2018-07: An Ordinance Amending Chapter 14.08 of the Municipal Code, Entitled "Sewer", to Amend the Title to "Sewer Utility", to Provide for a Utility Director as Head of the Sewer Utility Department, and to Establish Fines for Violations of Provisions of Chapter 14 .08

Any public testimony regarding Ordinance #2018-07 should be given during this public hearing. A copy of Ordinance #2018-07 may be found under Agenda Item 15F.

E. Public Hearing for Ordinance #2018-08: An Ordinance Providing for Chapter 3.76 of the Municipal Code, Entitled "Administrative Officers and Appeals Process", Updating Current Language to Reflect Borough Incorporation

Any public testimony regarding Ordinance #2018-08 should be given during this public hearing. A copy of Ordinance #2018-08 may be found under Agenda Item 15G.

F. Public Hearing for Ordinance #2018-09: An Ordinance Amending Chapter 3.38 of the Municipal Code, Entitled "Public Works Department", to Remove Operation Responsibilities for the Water Utility and Sewer Utility from the Public Works Director Duties

Any public testimony regarding Ordinance #2018-09 should be given during this public hearing. A copy of Ordinance #2018-09 may be found under Agenda Item 15H.

G. Public Hearing for Ordinance #2018-10: An Ordinance Amending Chapter 3.40 of the Municipal Code, Entitled "Electric Utility", to Amend the Title to "Electric Utility, Water Utility, and Sewer Utility Departments", and to Provide for the Three Utilities to be the Operation Responsibility of the Utility Director

Any public testimony regarding Ordinance #2018-10 should be given during this public hearing. A copy of Ordinance #2018-10 may be found under Agenda Item 15I.

7. Bid Awards

8. Visitors' Views Related to Agenda

Visitors wishing to share their views on any agenda item on today's agenda may do so at this time.

9. Visitors' Views Unrelated to Agenda

Visitors with views on subjects not on today's agenda may share those views at this time.

10. Board, Commission and Committee Reports

A. February, 2018 SEAPA Meeting Report

Attachments: [February, 2018 SEAPA Meeting Report.PDF](#)

Petersburg's SEAPA Board Member, Bob Lynn, will update the Assembly on the February, 2018 SEAPA meeting.

B. Southeast Conference Mid-Session Summit Report

Attachments: [2018 Mid Session Summit flyer.PDF](#)
[Information about SE Conference.PDF](#)

Petersburg's Southeast Conference Board Member, Cindi Lagoudakis, will provide an overview of the Mid-Session Summit held earlier this month.

C. Alaska Marine Highway System Reform Initiative Report

Attachments: [AMHS Reform Initiative.PDF](#)

Dave Kensinger, Petersburg's Member of the Alaska Marine Highway Reform Steering Committee, will provide the Assembly with an update on the project.

11. Consent Agenda**A. 2018/2019 Liquor License Renewal for Beachcomber Inn**

Attachments: [Beachcomber Inn Liquor License Renewal Application.PDF](#)

The Beachcomber Inn has applied to continue its State of Alaska liquor license and is seeking Assembly approval.

12. Report of Other Officers**13. Mayor's Report****A. February 26, 2018 Mayor's Report**

Attachments: [February 26, 2018 Mayor's Report.PDF](#)

14. Manager's Report**A. February 26, 2018 Manager's Report**

Attachments: [Manager Report 02262018](#)

15. Unfinished Business

Ordinances for Third and Final Reading

A. Ordinance #2018-01: An Ordinance Amending Petersburg Municipal Code Section 4.28.130, Senior Citizen Exemption, to Authorize Collection of an Application Fee in Order to Cover the Administrative Cost of Processing, Issuing, and Monitoring of Senior Citizen Sales Tax Exemption Cards

Attachments: [Ordinance #2018-01 for Third Reading.PDF](#)

In its first reading, Ordinance #2018-01 was amended to increase the Senior Citizen Sales Tax Exemption card application fee from \$60 to \$100. The ordinance, as amended, was approved in its second reading by a vote of 5-2, Mayor Jensen and Assembly Member Wohlhueter opposed.

- B. Ordinance #2018-02: An Ordinance Adopting a New Petersburg Municipal Code Chapter 4.80, To Impose a Marine Passenger Infrastructure Fee, In Order to Address the Costs Incurred by the Borough for Services and Infrastructure Rendered to Cruise Ships and Cruise Ship Passengers Visiting the Borough**

Attachments: [Ord #2018-02](#)

[Attorney Heideman Opinion MP vs Infrastructure.PDF](#)

Ordinance #2018-02 was amended in its second reading to change the name of the fee from "marine passenger" to "infrastructure", subject to Borough Attorney approval.

Ordinances for Second Reading

- C. Ordinance #2018-04: An Ordinance Amending Chapter 3.08 of the Municipal Code, Entitled "Assembly and Mayor", to Add Agenda Formation Language and to Amend the Deadline for Submission of Items to be Included on an Agenda**

Attachments: [Ord #2018-04](#)

[Agenda Items Poll.PDF](#)

Ordinance #2018-04 was amended in its first reading to allow the mayor, any assembly member, or the manager to place items on a meeting agenda.

- D. Ordinance #2018-05: An Ordinance Amending Chapter 14.16 of the Municipal Code, Entitled "Electricity", to Amend the Title to "Electric Utility", to Provide for a Utility Director as Head of the Electric Utility Department, and to Establish Fines for Violations of Provisions of Chapter 14.16**

Attachments: [Ordinance #2018-05.PDF](#)

Ordinance #2018-05 was approved in its first reading by a vote of 4-3, Mayor Jensen and Assembly Members Marohl and Wohlhueter opposed.

- E. Ordinance #2018-06: An Ordinance Amending Chapter 14.04 of the Municipal Code, Entitled "Water", to Amend the Title to "Water Utility", to Provide for a Utility Director as Head of the Water Utility Department, and to Establish Fines for Violations of Provisions of Chapter 14.04**

Attachments: [Ordinance #2018-06.PDF](#)

Ordinance #2018-06 was approved in its first reading by a vote of 4-3, Mayor Jensen and Assembly Members Marohl and Wohlhueter opposed.

- F. Ordinance #2018-07: An Ordinance Amending Chapter 14.08 of the Municipal Code, Entitled "Sewer", to Amend the Title to "Sewer Utility", to Provide for a Utility Director as Head of the Sewer Utility Department, and to Establish Fines for Violations of Provisions of Chapter 14.08**

Attachments: [Ordinance #2018-07.PDF](#)

Ordinance #2018-07 was approved in its first reading by a vote of 4-3, Mayor Jensen and Assembly Members Marohl and Wohlhueter opposed.

- G. Ordinance #2018-08: An Ordinance Providing for Chapter 3.76 of the Municipal Code, Entitled "Administrative Officers and Appeals Process", Updating Current Language to Reflect Borough Incorporation**
Attachments: [Ordinance #2018-08.PDF](#)
- Ordinance #2018-08 was approved in its first reading by a vote of 4-3, Mayor Jensen and Assembly Members Marohl and Wohlhueter opposed.*
- H. Ordinance #2018-09: An Ordinance Amending Chapter 3.38 of the Municipal Code, Entitled "Public Works Department", to Remove Operation Responsibilities for the Water Utility and Sewer Utility from the Public Works Director Duties**
Attachments: [Ordinance #2018-09.PDF](#)
- Ordinance #2018-09 was approved in its first reading by a vote of 4-3, Mayor Jensen and Assembly Members Marohl and Wohlhueter opposed.*
- I. Ordinance #2018-10: An Ordinance Amending Chapter 3.40 of the Municipal Code, Entitled "Electric Utility", to Amend the Title to "Electric Utility, Water Utility, and Sewer Utility Departments", and to Provide for the Three Utilities to be the Operation Responsibility of the Utility Director**
Attachments: [Ordinance #2018-10.PDF](#)
- Ordinance #2018-10 was approved in its first reading by a vote of 4-3, Mayor Jensen and Assembly Members Marohl and Wohlhueter opposed.*
- J. Proposed Petro 49, Inc. / Borough Land Trade**
Attachments: [Harbor Board Meeting Minutes](#)
[Harbormaster Memo](#)
[Finance Spreadsheet](#)
- Harbormaster Wollen will provide an update on the progress of the proposed land trade with Petro 49, Inc. This has been set as an action item to provide the opportunity for the Assembly to give direction on the proposal, if desired.*

16. New Business

- A. Board of Equalization Schedule**
Attachments: [Finance Director Tow Memo.PDF](#)
- Finance Director Tow has scheduled the State Assistant Assessor to provide training to the Assembly on the responsibilities of the Board of Equalization (BOE) for Thursday, March 22, 2018 and requests the Assembly choose a time to begin the training (preferably 4:00 p.m. or later). The BOE meeting will be held on Monday, April 9, 2018. Finance Director Tow and Clerk Thompson request: 1) the Assembly choose a meeting time and, 2) a head count be taken of Assembly Members that will be available to attend the BOE meeting.*

B. Open Meetings Act Opinion

Attachments: [Attorney Heideman Opinion Open Meetings Act.PDF](#)

Mayor Jensen suggests seeking a third party opinion regarding Borough Attorney Heideman's opinion of the Open Meetings Act and recent email communications between Assembly Members.

C. Alaska Department of Natural Resources, Division of Forestry 2018-2022 Preliminary Five-Year Schedule of Timber Sales

Attachments: [DNR Five Year Schedule of Timber Sales.PDF](#)

[Draft Letter to DNR re Timber Sales.PDF](#)

The Alaska Department of Natural Resources has proposed land for timber sale that Petersburg's Land Selection Committee recently chose as part of the Borough's municipal land entitlement. A draft letter of concern is attached for Assembly consideration and/or approval.

D. Resolution #2018-06: A Resolution Setting Regular Borough Assembly Meeting Start Times to 6:00 P.M.

Attachments: [Resolution #2018-06.PDF](#)

Per Borough Code, Section 3.08.100, regular Assembly meetings are to be scheduled for the "first and third Monday of each month at such hour as shall be established, from time to time, by resolution and publicly noticed accordingly." Currently, the first meeting each month is held at 12:00 noon (this was set with Borough Incorporation to allow for residents who live off Mitkof Island to attend day meetings rather than night meetings for travel safety purposes) and the second meeting each month is held at 6:00 p.m. Mayor Jensen proposes to change both regular meetings to start at 6:00 p.m. and drafted the attached resolution.

17. Communications**18. Assembly Discussion Items****A. Recognitions****B. Invitation(s) to 2018 Mayfest Celebration**

Assembly Member Meucci requests Assembly approval to formally invite the US Coast Guard Commandant and/or their successor to our 2018 Mayfest Celebration.

C. Planning for the Future Ideas from the Community

Attachments: [Planning Meetings Summary](#)

Assembly Member Meucci would like to discuss the ideas gathered during the recent Planning for the Future meetings.

D. Sea Otters and the Marine Mammal Protection Act

Assembly Member Meucci requests a work session to discuss the Assembly's position on Sea Otters and the Marine Mammal Protection Act.

19. Adjourn