



## Meeting Minutes Borough Assembly

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Monday, February 5, 2018

12:00 PM

Assembly Chambers

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### 1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at 12:00.

**Present:** 7 - Mayor Mark Jensen, Assembly Member Eric Castro, Assembly Member Brandi Marohl, Assembly Member Jeffrey Meucci, Assembly Member Jeigh Stanton Gregor, Assembly Member Nancy Strand and Assembly Member Kurt Wohlhueter

### 2. Voluntary Pledge

The Pledge was recited.

### 3. Approval of Minutes

#### A. January 2, January 16, and January 19, 2018 Meeting Minutes

**Attachments:** [January 2, 2018 Regular Meeting Minutes.PDF](#)  
[January 16, 2018 Regular Meeting Minutes.PDF](#)  
[January 19, 2018 Special Meeting Minutes.PDF](#)

The meeting minutes of January 2, January 16, and January 19, 2018 were unanimously approved.

### 4. Amendment and Approval of Meeting Agenda

The agenda was amended to add a discussion about the Open Meetings Act requested by Assembly Member Marohl. The agenda was approved, as amended.

### 5. Public Hearings

#### A. Public Hearing for 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

John Havrilek, Jim Roberts and Harvey Gilliland gave testimony regarding the exemption card application fee.

#### B. Ordinance #2018-02: An Ordinance Adopting a New Petersburg Municipal Code Chapter

4.80, to Impose a Marine Passenger 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

No testimony was received.

## 6. Bid Awards

There were no awards.

## 7. Visitors' Views Related to Agenda

Joe Nelson and Suzanne Wood spoke in opposition to the reorganization of the Electric and Public Works Departments.

John Havrilek spoke in favor of the reorganization plan.

## 8. Visitors' Views Unrelated to Agenda

David Whitethorn requested Assembly meetings be changed to all evening meetings.

## 9. Board, Commission and Committee Reports

No reports.

## 10. Consent Agenda

No items.

## 11. Report of Other Officers

### A. FY 2017 Audit Report

BDO Senior Auditor Sam Thompson reviewed the Borough's FY 2017 audit and financials with the Assembly. Mr. Thompson thanked Finance Director Tow and the Finance Department for their help and reported the Borough once again received an unmodified opinion, in other words a "clean audit", which is the highest level of assurance the auditors can provide.

### B. Motor Pool - Vehicle Replacement Program

Attachments: [Vehicle Replacement Slides.PDF](#)

Public Works Director Hagerman gave a power point presentation on the Motor Pool Vehicle Replacement Program.

## 12. Mayor's Report

### A. February 5, 2018 Mayor's Report

**Attachments:** [2.5.2018 Mayor's Report.PDF](#)  
[Central Tongass Landscape Level Analysis Project.PDF](#)  
[NACO Invoice and Correspondence.PDF](#)

Mayor Jensen read his report into the record.

### 13. Manager's Report

#### A. Manager's Report 02-05-2018

**Attachments:** [Manager Report 02052018](#)

Manager Giesbrecht read his report into the record, a copy of which is attached and made a permanent part of these minutes.

### 14. Unfinished Business

Ordinances for Third and Final Reading

- A. Ordinance #2018-03: An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough to Rezone Lot 10, Blk 234, USS 1252A; Lot SW PTN 9, Blk 234, USS 1252A; and Lot NE PTN 9, Blk 234, USS 1242A, All Located in Section 27, T58S, R79E, CRM at 1320 N. Nordic Drive (Parcels #01-002-161, #01-002-162 and #01-002-163) From Open Space-Recreational (O.S.R.) to Single-Family Residential (S-F)

**Attachments:** [Ordinance #2018-03](#)  
[Planning Commission Report](#)

Ordinance #2018-03 was unanimously adopted in its third and final reading.

Ordinances for Second Reading

- B. 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](#)

Ordinance #2018-01 was approved in its second reading by a vote of 5-2, Mayor Jensen and Assembly Member Wohlhueter opposed.

- C. Ordinance #2018-02: An Ordinance Adopting a New Petersburg Municipal Code Chapter 4.80, To Impose a Marine Passenger 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: [Ordinance #2018-02 Final Reading.PDF](#)

Ordinance #2018-02 was amended, subject to approval by Borough Attorney Heideman, to change the fee name from "Marine Passenger Fee" to "Infrastructure Fee" by a vote of 4-3, Mayor Jensen and Assembly Members Meucci and Wohlhueter opposed.

Ordinance #2018-02, as amended, was approved in its second reading by a vote of 5-2, Mayor Jensen and Assembly Member Wohlhueter opposed.

- D. Reorganization of the Electric Utility and Public Works Department

Manager Giesbrecht was directed to move forward with the plan to reorganize the Electric and Public Works Departments by a vote of 4-3, Mayor Jensen and Assembly Members Marohl and Wohlhueter opposed.

## 15. New Business

- A. 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 to allow the mayor, any assembly member or the manager to place items on a meeting agenda by a vote of 5-2, Mayor Jensen and Assembly Member Meucci opposed.

Ordinance #2018-04, as amended, was approved in its first reading by a vote of 6-1, Mayor Jensen opposed.

- B. 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.

- C. 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.**

- D. 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.**

- E. 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.**

- F. 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.**

- G. 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**

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Marohl and Wohlhueter opposed.

- H. Resolution #2018-03: A Resolution Authorizing and Directing the Municipal Land Selection Agent to Transmit to the Alaska Department of Natural Resources the Borough's Nomination of Municipal Entitlement Lands

**Attachments:**     [Resolution #2018-03.PDF](#)  
                                  [Land Selection Committee Report.PDF](#)

Resolution #2018-03 was approved by unanimous roll call vote.

- I. Resolution #2018-04: A Resolution in Support of Full Funding (\$9,820,141) for the State of Alaska Municipal Harbor Facility Grant Program in the FY 2019 State Capital Budget

**Attachments:**     [Resolution #2018-04.PDF](#)

Resolution #2018-04 was unanimously approved.

- J. Resolution #2018-05: A Resolution Authorizing Loan Applications to the Alaska Clean Water Fund to Assist in Funding Improvements to the Wastewater Collection System

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

By unanimous roll call vote, the Assembly approved Resolution #2018-05.

- K. North Harbor Approach Dock Replacement Project

**Attachments:**     [Harbormaster Wollen's Memo.PDF](#)  
                                  [Harai & Associates, Inc. Proposal.PDF](#)

The Assembly unanimously approved signing a professional services contract with Harai and Associates, Inc. for engineering services, contract administration and inspection of the North Harbor Dock Replacement project for an amount not to exceed \$14,375.

- L. Appointment of Mark W. Tuccillo to the Public Safety Advisory Board

**Attachments:**     [M. Tuccillo Letter of Interest.PDF](#)

Mayor Jensen, with unanimous consent of the Assembly, appointed Mark Tuccillo to the Public Safety Advisory Board.

- M. Dissolution of the Land Selection Ad Hoc Committee

Mayor Jensen thanked the Land Selection Committee for their efforts in selecting Petersburg's Municipal Entitlement Lands. The Assembly unanimously voted to dissolve the committee as their task is complete.

**N. Recruitment Process for Police Chief and Deputy Clerk**

The Assembly unanimously directed Manager Giesbrecht to handle the recruitment of a Police Chief and a Deputy Borough Clerk as outlined in Borough Charter and Code.

**16. Communications**

Assembly Member Castro read a letter he received from Icicle Seafoods regarding safety practices at the Petersburg plant.

**17. Assembly Discussion Items**

**A. Open Meetings Act**

The Assembly discussed what Member Marohl felt was possible violations of the Open Meetings Act.

**B. Borough Personnel Hiring Freeze**

Assembly Member Wohlhueter stated he wants the public to know that each time a Borough position is vacated the Manager determines whether that position can be consolidated into another position (thereby reducing the Borough workforce and payroll costs), or if the position must be refilled.

**C. Reschedule of February 20, 2018 Meeting**

The February 20, 2018 Assembly meeting was rescheduled to February 26, 2018, at 6:00 p.m.

**18. Executive Session**

Assembly Member Marohl recused herself from the Executive Session due to personal financial interest. The rest of the Assembly adjourned to Executive Session to discuss the status and strategy with respect to the ongoing collective bargaining negotiations with the Petersburg Municipal Employees Association.

**19. Adjourn**

The meeting was adjourned at 3:44 p.m.