



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Agenda Borough Assembly

Monday, December 2, 2013

12:00 PM

Assembly Chambers

1. Call To Order/Roll Call

2. Voluntary Pledge

3. Approval of Minutes

A. Regular Meeting Minutes for November

Attachments: [11-04-2013 Minutes.pdf](#)
[11-25-2013 Minutes.pdf](#)

4. Amendment and Approval of Meeting Agenda

5. Public Hearings and Bid Awards

A. Noncompliance Hearing on Dangerous Building at 1011 Wrangell Avenue

The Borough's Building Official has deemed the building at 1011 Wrangell Ave as dangerous. At this time, the Assembly will take testimony on the matter. Toward the end of this meeting the Assembly will consider the issuance of an order to repair, vacate or demolish the building.

The process to be used for this hearing:

1. Presentation of Report by Building Official
2. Presentation of Facts and Argument by Property Owners Fred Triem and Karen Ellingstad
3. Testimony by any other Interested Parties (discretion of the Mayor will determine interested parties). Written comments received will be read into the record.
4. Any Response from Building Official
5. Any Response, and final Argument by Property Owners

Each of the items in the foregoing hearing format could be followed by questions by assembly members.

- B.** Public Hearing on Proposed Ordinances:
1. Ordinance #2013-18: Littering
 2. Ordinance #2013-19: Harbors & Ports Department and Elected Advisory Board
 3. Ordinance #2013-20: Public Safety Departments and Elected Advisory Board
 4. Ordinance #2013-21: Parks & Recreation Department and Elected Advisory Board

6. Visitors' Views Related to Agenda

7. Visitors' Views Unrelated to Agenda

8. Board, Commission and Committee Reports

9. Consent Agenda

- A.** Local Approval of Gaming Permits for 2014

Gaming permits for 2014 have been filed by the following entities: Swainson's Vending for Sons of Norway, Kito's Cave and Viking Swim Club; Petersburg Little League; Nenana Ice Classic and Alaska State Elks Association. Due to confidential information placed on the permit applications, the applications are no longer made part of the assembly meeting packet. Anyone wishing to view the applications may do so at the Clerk's office.

10. Report of Other Officers

- A.** Review of Fiscal Year 2013 Audit Report

Kristi Thiel, Senior Manager of BDO, the borough's auditing firm, by telephone will provide a summary of the borough's financial status. The financial statements are available for public viewing at the borough's website.

- B.** Presentation of 2013 Power & Light Revenue Requirement Study

Power and Light Superintendent Joe Nelson and Consultant John Heberling of DHittle & Associates, Inc., will explain the study results and will answer assembly member questions.

Attachments: [Rate Study Memo from Power Superintendent.pdf](#)
[RateReport-Final-112213.pdf](#)

11. Mayor's Report

A. Report for December 2, 2013

A. Appointment of Deputy Mayor: The retirement of Sue Flint from the Assembly has created a vacancy in the Deputy Mayor position.

B. Work Session Reminder: Thursday, December 5 at 9:00 a.m. the Assembly and Hospital Board will conduct a Work Session. Items to be discussed are: finances, budgeting and development of Municipal Code provisions for the Board.

C. Land Sale Reminder: The Borough will be auctioning off four real property lots at the December 16, 2013 meeting. The lots are located on the undeveloped portion of Valkyrie Street. The minimum acceptable purchase price is \$6,000 for each lot. Further information on the land sale is available from the Clerk's office.

Attachments: [Land Auction Notice.pdf](#)

12. Manager's Report

No written report.

13. Unfinished Business

Ordinances for Third and Final Reading

- A.** Ordinance # 2013-17: An Ordinance Providing for Chapter 14.12, Entitled Sanitation, of the Municipal Code, Updating Current Language to Reflect Borough Incorporation; and Providing Incentive For Recycling. Final Reading.

The ordinance has been revised by Attorney Heideman since its second reading. In Section 14.12.210, fines for violations are to be as provided in Chapter 1.16. Proposed Ordinance #2013-22 (under new business) provides for a fine schedule for the Code.

Attachments: [Ord. 2013-17, as amended.pdf](#)

Ordinances for Second Reading

- B.** Ordinance # 2013-18, An Ordinance Providing for Chapter 9.12, Entitled Littering, of the Municipal Code, Updating Current Language to Reflect Borough Incorporation. Second Reading.

The ordinance has been revised by Attorney Heideman to address fines in Section 9.12.200 as well as added language to Section 9.12.130 clarifying that the costs for clean-up can be recovered in a civil action as well as inclusion in the refuse collection bill.

Attachments: [Ord. #2013-18.pdf](#)

- C.** Ordinance # 2013-19, An Ordinance Providing for the Harbors and Ports Department and Advisory Board (short title). Second Reading.

Attachments: [Ord. #2013-19.pdf](#)

- D.** Ordinance # 2013-20, An Ordinance Providing for a Borough Health Officer, Fire Department, Police Department and Retention of a Five Member Elected Advisory Board (short title). Second Reading.

In response to concerns voiced at the November 25, 2013 assembly meeting that the ordinance automatically designated the chief of staff of the Medical Center to be the health officer, Attorney Heideman has recommended that Section 3.20.010 be amended to give the borough flexibility to acquire the most knowledgeable person for different needs. The proposed amendment provides for the borough manager to appoint a health officer for each specific need as it arises.

Attachments: [Ord. 2013-20, as amended.pdf](#)

- E.** Ordinance #2013-21, An Ordinance Providing for Borough Parks and Recreation and Retention of a Five Person Elected Advisory Board. Second Reading.

Attachments: [Ord. #2013-21.pdf](#)

- F.** Juneau Appeal of Petersburg Borough Boundaries

No new information.

- G.** Consideration to be a signatory on a letter to our federal representatives asking that the federal government take more action to ensure that downstream Alaska water quality and fisheries will not be adversely affected by industrial development in British Columbia.

Attachments: [Proposed Letter.pdf](#)

14. New Business

- A.** Ordinance #2013-22: An Ordinance Providing for a Fine Schedule for the Municipal Code and Including a Section Addressing Injunctive and Civil Relief. First Reading.
- The ordinance establishes fine amounts for violations of provisions in titles 4, 6 and 14. It also provides for a unified fine schedule for violations of the code as to facilitate enforcement and collection of such fines; and provides for injunctive and civil relief for code violations.
- Attachments:** [Ord. #2013-22.pdf](#)
- B.** Resolution # 2013-26: FY 2014 Shared Fisheries Business Tax Program Alternative Method Resolution
- Attachments:** [Res. #2013-26 Shared Fisheries.pdf](#)
[Shared Fisheries Info.pdf](#)
- C.** Authorization to enter into a Professional Services Agreement with PND Engineer's in the amount not to exceed \$21,000 for engineering services for the permitting and design work of a new fish cleaning float at South Harbor.
- The borough has received a Chinook Salmon Mitigation Infrastructure Grant in the amount of \$225,800 for this project.
- Attachments:** [Harbormaster Recommendation.pdf](#)
[PND Proposal.pdf](#)
- D.** Authorization to enter into a Professional Services Agreement with MRV Architects per their November 25 and 26, 2013 Proposal in the amount of \$91,560 to provide the conceptual and schematic building design processes for the Police Station and Municipal Building Renovation Projects.
- The proposal expense is broken down into two portions; \$65,444 for the design work of the Police Department and \$26,116 for Municipal Building functions. Funding for the Municipal Building portion of the work will require a supplement expenditure appropriation.
- Attachments:** [Manager Recommendation.pdf](#)
[MRV Proposal.pdf](#)
- E.** Consideration to release attorney-client privilege information
- Attorney Brennan has requested the Assembly, not staff, determine if the document in question should be released. Prior to the Assembly taking a vote on whether to release a privileged document that addresses organizational and legal relationships between the Borough and Petersburg Medical Center, the Assembly will meet with Attorney Brennan in Executive Session. (See agenda item 17A1)

15. Communications**16. Assembly Discussion Items****A. Recognitions**

This agenda item is reserved to acknowledge individuals, groups, departments, agencies or anyone for their contributions toward the betterment of the Petersburg community.

17. Executive Session

- A.** The Purpose of Executive Session is for the Assembly to:
1. meet with Attorney Brennan in to obtain his opinion as to whether release of the communication that addresses organizational and legal relationships between the Borough and Petersburg Medical Center could or would be injurious to the public interest, and
 2. to conduct deliberations in regard to the adjudicatory noncompliance hearing held on the Triem/Ellingstad property, 1011 Wrangell Ave.

B. Return from Executive Session

- A. Action on Release of Privileged Document
- B. Announcement of Assembly Decision on Noncompliance Hearing

17. Adjourn