



Petersburg Borough

12 South Nordic Drive
Petersburg AK, 99833

Meeting Agenda Borough Assembly

Monday, November 4, 2019

12:00 PM

Assembly Chambers

1. **Call To Order/Roll Call**
2. **Voluntary Pledge of Allegiance**
3. **Approval of Minutes**
 - A. **October 21, 2019 Regular Meeting Minutes**
Attachments: [October 21, 2019 Assembly Meeting Minutes](#)
4. **Amendment and Approval of Meeting Agenda**
5. **Public Hearings**
 - A. **Public Hearing for Ordinance #2019-13: An Ordinance Adjusting the FY 2020 Budget for Known Changes**
Any public testimony regarding Ordinance #2019-13 should be given during this public hearing. A copy of Ordinance #2019-13 may be found under agenda item 14E.
6. **Bid Awards**
7. **Persons to be Heard Related to Agenda**
Persons wishing to share their views on any item on today's agenda may do so at this time.
8. **Persons to be Heard Unrelated to Agenda**
Persons with views on subjects not on today's agenda may share those views at this time.
9. **Board, Commission and Committee Reports**
10. **Consent Agenda**

A. Kito's Kave Bar & Liquor 2020/2021 Liquor License Renewal Applications

Attachments: [Kito's Kave Beverage Dispensary Application](#)

[Kito's Kave Package Store Application](#)

Kito's Kave has applied with the Alaska Alcohol & Marijuana Control Office for a liquor license renewal for their bar and liquor store. The Assembly may support or protest the applications. A protest may not be arbitrary, capricious or unreasonable.

11. Report of Other Officers**A. Southeast Alaska Power Agency Update**

Assembly Member Lynn, Petersburg's voting member on the SEAPA Board, will provide an update on SEAPA activities.

B. PEDC Report Regarding the Borough Manager's Goals and Objectives for the 2019/2020 Budget Year, Tasks #12 & #13

Attachments: [Letter from PEDC Board](#)

Community and Economic Development Director Cabrera has provided a letter from the PEDC Board regarding economic development in response to the Borough Manager Goals and Objectives for the 2019-2020 budget year, Items 12 & 13, assigned by the Assembly.

12. Mayor's Report**A. November 4, 2019 Mayor's Report**

Attachments: [November 4, 2019 Mayor's Report](#)

[SEAPA Board Member Selections Letter](#)

[Summary of Mold Testing Results](#)

[Census 2020 - Why We Ask](#)

[Join the 2020 Census Team](#)

13. Manager's Report**A. November 4, 2019 Manager's Report**

Attachments: [Manager Report 11042019](#)

B. Progress Update on Borough Manager Goals and Objectives for 2019-2020 Budget Year

Attachments: [Progress Report re 2019-2020 Manager Goals & Objectives](#)

Assembly Member Meucci requested an update on the progress to date of the Borough Manager Goals and Objectives for the 2019-2020 budget year.

14. Unfinished Business

Ordinances for Third and Final Reading

- A. Ordinance #2019-09: An Ordinance Amending Chapter 4.28, "Sales Tax", of the Borough Code to Clarify that Sales of Marijuana and Marijuana Products to Non-profit Organizations and Senior Citizens are Subject to the Borough Sales Tax**

Attachments: [Ordinance #2019-09](#)

Ordinance #2019-09 will clarify in Borough Code that sales of marijuana and marijuana products to non-profit organizations and senior citizens are subject to Borough sales tax. The ordinance was amended in its first reading to add language to the definition of marijuana excluding hemp or CBD products. The amended ordinance passed unanimously in its first and second readings.

- B. Ordinance #2019-10: An Ordinance Providing for Chapter 3.10 of the Municipal Code, Entitled "Public Notice of Meetings", Updating Current Language to Reflect Borough Incorporation**

Attachments: [Ordinance #2019-10](#)

Ordinance #2019-10 updates Municipal Code Chapter 3.10 to reflect Borough Incorporation and was unanimously approved in its first and second readings.

- C. Ordinance #2019-11: An Ordinance Providing for Chapter 3.70 of the Municipal Code, Entitled "Petersburg School Board", Updating Current Language to Reflect Borough Incorporation**

Attachments: [Ordinance #2019-11](#)

Ordinance #2019-11 updates Municipal Code Chapter 3.70 to reflect Borough Incorporation and was unanimously approved in its first and second readings.

- D. Ordinance #2019-12: An Ordinance Providing for Repeal of Chapters 3.42 Titled Utility Advisory Board and 3.49 Titled Parks and Recreation Advisory Board of the Code of the Former City of Petersburg (Now Service Area 1)**

Attachments: [Ordinance #2019-12](#)

Ordinance #2019-12 repeals Municipal Code Chapters 3.42, Utility Advisory Board, and 3.49, Parks and Recreation Advisory Board, as the advisory boards were disbanded January 3, 2014. Ordinance #2019-12 was unanimously approved in its first and second readings.

Ordinances for Second Reading

E. Ordinance #2019-13: An Ordinance Adjusting the FY 2020 Budget for Known Changes

Attachments: [Ordinance #2019-13](#)

[Utility Director Hagerman Supplemental Budget Request](#)

Bids received for the Scow Bay 1 Pump Station Upgrade project placed expenses over and above the ADEC loan amount secured for the project. If approved, Ordinance #2019-13 will transfer Wastewater Department reserves to the Scow Bay 1 Pump Station Upgrade capital project fund in order to make an award to the lowest responsive bidder. The Wastewater Department will be preparing a loan increase application for ADEC's consideration with the goal of returning this supplemental funds transfer amount of \$194,695 back to department reserves when the loan increase for the project is approved. Ordinance #2019-13 was unanimously approved in its first reading.

15. New Business

A. Ordinance #2019-14: An Ordinance to Provide for Determining the Full and True Value of a Property that Qualifies for Low-Income Housing Tax Credits Under 26 USC 42

Attachments: [Ordinance #2019-14](#)

Ordinance #2019-14 will provide a method of determining the full and true value of a property that qualifies for low-income housing tax credits per Alaska Statute 29.45.110. This method is based on the actual income of the property to encourage the private sector to develop affordable housing projects within local communities.

B. Southern Southeast Regional Aquaculture Association Board Member Nomination

Attachments: [SSRAA Board Nomination Invitation](#)

[SSRAA Board Seat Nomination Form](#)

SSRAA invites Mayor Jensen and the Assembly to nominate an Assembly Member (including the Mayor) to their Board of Directors to fill a seat designated for municipalities. The term of the appointment is 2 years - 2020 through 2021. Borough Charter and Code allow Mayor Jensen to make an appointment with approval of the Assembly.

C. Assembly Appointments

Per Borough Charter and Code, Mayor Jensen may make appointments with approval of the Assembly. The following Assembly appointments are needed:

- 1. Vice Mayor*
- 2. Southeast Conference Representative*
- 3. Alaska Municipal League Representative*
- 4. Liaison to Harbors and Ports Advisory Board*
- 5. Liaison to Hospital Board*
- 6. Liaison to Public Safety Advisory Board*
- 7. Elected Official to the Local Emergency Planning Committee*
- 8. Mayor's seat on the PEDC Board (PEDC Bylaws state the seat is for the Mayor or the Mayor's designee from the Assembly. This appointment does not need Assembly approval.)*

D. Appointments to the Planning Commission

Attachments: [N. Strand Letter of Interest](#)

[H. O'Neil Letter of Interest](#)

Two letters of interest were submitted (by Nancy Strand and Heather O'Neil) to fill the two vacant seats on the Planning Commission. Mayor Jensen may make the appointments with approval of the Assembly.

E. EMS Coordinator / Fire Fighter Position

Attachments: [EMS Coordinator Fire Fighter Job Description](#)

Fire/EMS Director Dixon requests authorization to advertise and fill the EMS Coordinator / Fire Fighter position, which is currently funded in the FY 2020 Fire Department budget.

F. Police Sergeant Position

Attachments: [Police Sergeant Job Description](#)

Chief Kerr requests authorization to advertise and fill the vacant Police Sergeant position, which is currently funded in the FY 2020 Police Department budget.

G. FY 2021 Budget Calendar

Attachments: [FY 2021 Budget Calendar](#)

Finance Director Tow requests approval of the draft FY 2021 budget calendar.

16. Communications**A. Roadless Rule Communication**

Attachments: [Email from Becky Knight](#)

[Timber Report Oct 2019](#)

[Opinion on Tongass Roadless Rule Exemption](#)

[Opinion on Tongass Roadless Rule](#)

Petersburg resident, Becky Knight, shared recent media pieces regarding the proposed Tongass exemption to the Roadless Rule with the Assembly.

B. Request for Letter of Support for a Low-Income Housing Tax Credit Housing Application - Swell, LLC

Attachments: [Email from G. Gellert with Swell, LLC](#)

[Suggested Letter of Support for Swell, LLC](#)

Mayor Jensen received a request from Swell, LLC for a letter of support for their Low Income Housing Tax Credit housing application they are submitting to the Alaska Housing Finance Corporation. If the application is approved, they plan to build a 15 unit rental facility in Petersburg for low income families or families with a disabled family member. If an Assembly Member would like a letter of support drafted for approval at the next Assembly meeting, please notify Clerk Thompson.

C. Assembly Letter re: Ernie Haugen Public Use Area

Attachments: [Ernie Haugen Public Use Area Letter to Stedman & JKT](#)
[Cooperative Resources Management Agreement ADL 105894](#)
[Map of Ernie Haugen Public Use Area](#)

The Assembly requested a letter to Senator Stedman and Representative Kreiss-Tomkins regarding the Ernie Haugen Public Use Area maintenance funding. A copy of the letter is attached.

D. Assembly Letter re: Humpback Whale Critical Habitat Proposed Rule

Attachments: [Humpback Whale Critical Habitat Letter to NMFS](#)

The Assembly requested a letter be drafted to the National Marine Fisheries Service regarding the Humpback Whale Critical Habitat Proposed Rule. A copy of the letter is attached.

17. Assembly Discussion Items**A. Marine Passenger Fee Funds**

Assembly Member Meucci requested this discussion item.

B. Petro Building & Land / Harbor Storage / Harbor Parking

Assembly Member Meucci is looking for the following information: estimated square footage of the Petro building the Borough may acquire, possible revenue from land to be leased if the Borough acquires the property, how much Harbor storage area will be freed up when/if storage vans are removed, and the increase in Harbor parking when/if the vans are removed from the Middle Harbor.

C. Adjusting Baler Hours

Attachments: [1.18.2018 Report on Saturday Baler Schedule](#)

Assembly Member Meucci requests a discussion about the possibility of adjusting the baler facility hours so it can be open to the public on Saturday afternoon twice per month. Attached is a report written by then Public Works Director Hagerman in response to Member Meucci's similar request in January of 2018.

D. Sales Tax Collection from Online Purchases

Assembly Member Meucci requests an update on the Borough's collection of sales tax on online purchases.

E. Visitor Industry Group

Assembly Member Meucci requests an update on the progression of the Visitor Industry Group.

F. Borough Communications

Assembly Member Meucci requests a discussion about the procedure of signing Borough correspondence to ensure the Assembly's position is being accurately represented.

G. Recognitions

18. Adjourn