



# Petersburg Borough

12 South Nordic Drive  
Petersburg AK, 99833

## Meeting Minutes Borough Assembly

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Tuesday, January 21, 2014

7:00 PM

Assembly Chambers

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### 1. Call To Order/Roll Call

*Mayor Jensen called the meeting to order at 6:35 p.m. The meeting began immediately following a public hearing on the borough's commercial salvaging program.*

**Present:** 6 - Mayor Mark Jensen, Assembly Member John Hoag, Assembly Member John Havrilek, Assembly Member Nancy Strand, Assembly Member Kurt Wohlhueter and Assembly Member Bob Lynn

**By Phone:** 1 - Assembly Member Cindi Lagoudakis

### 2. Voluntary Pledge

*The Pledge was recited.*

### 3. Approval of Minutes

#### A. Regular Meeting Minutes of January 6, 2014

**Attachments:** [01-06-2014 Minutes.pdf](#)

*The minutes were unanimously approved, as submitted.*

### 4. Amendment and Approval of Meeting Agenda

*Assembly Member Hoag expressed his desire to discuss the possibilities of Borough Charter amendments. Mayor Jensen asked that the subject be placed on the next regular meeting agenda.*

*The meeting agenda, as presented, was approved.*

### 5. Public Hearings and Bid Awards

*No items.*

### 6. Visitors' Views Related to Agenda

*No comments.*

### 7. Visitors' Views Unrelated to Agenda

*No comments.*

**8. Board, Commission and Committee Reports**

*None.*

**9. Consent Agenda**

*No items.*

**10. Report of Other Officers**

*Postponed until later in the meeting.*

**11. Mayor's Report****A. 01-21-2014 Mayor's Report**

**Attachments:**    [Mayor's Report.pdf](#)  
                              [Wright Resignation.pdf](#)  
                              [Dept. of Ag Notice.pdf](#)

*Mayor Jensen read his written report which informed of: a vacancy on the Library Board due to Jon Wright's moving from the community; the Department of Agriculture's notice of intent to establish an advisory committee for the Tongass; need to reschedule the 2nd meeting in February; and Board of Equalization training to be provided to the assembly.*

*Mayor Jensen also shared the dates of upcoming meetings he will miss due to his job.*

**Authorization was given to solicit letters of interest for the vacant Library Board seat; the address for persons interested in applying for a position on the Tongass Advisory Committee was provided; the 2nd meeting for February was changed to Friday, February 14 to provide opportunity for the assembly to review the schematic drawings of the refurbished municipal building project prior to it being submitted to the legislature for funding consideration; and March 17 will be the day for Board of Equalization training. Exact time of training is pending.**

**12. Manager's Report****A. 01-21-2014 Manager's Report**

**Attachments:**    [Manager report 01212014](#)

*Manager Giesbrecht reviewed his written report.*

**The written report is attached and made part of these minutes.**

**13. Unfinished Business**

## Ordinances for Third and Final Reading

- A. Ordinance #2013-23: An Ordinance Providing for Chapter 3.52 (Public Library) of the Municipal Code, Updating Current Language to Reflect Borough Incorporation; and Providing for the Retention of an Elected Library Board for the Borough.

**Attachments:**     [Ord. 2013-23.pdf](#)

The ordinance was approved in final reading by a vote of 6-1, member Hoag opposed. Hoag believed the board should be appointed. He pointed out that the recent vacancies on the board supported his position for an appointed board.

- B. Ordinance #2013-24: An Ordinance Adjusting the FY 2014 Budget for Known Changes.

**Attachments:**     [Ord. 2013-24.pdf](#)  
                              [Harbor Ramp Resurfacing Info.pdf](#)

*Discussion was held on the Harbor Department's request to amend the ordinance to provide \$16,000 in appropriations to resurface the South Harbor access ramps. Assembly Member Lynn questioned if the department planned to replace the reserve funds in next year's budget if the amendment was approved. Harbor Master Wollen informed of a very favorable return on revenues this fiscal year, resulting in the expectation that the reserve fund will increase next year. Discussion was held on the possibility of providing line item contingencies in future enterprise fund budgets to address unforeseen expenses.*

**The Ordinance, as amended to provide funding for the resurfacing of South Harbor ramps, was unanimously approved by Roll Call Vote.**

## 10. Report of Other Officers

- A. Hannah Pfundt - School District Student Representative Report

*New Student Representative Hannah Pfundt reported on scholastic, extra curricular activities and sporting events at the school. Ms. Pfundt plans to make monthly reports to the assembly at the 2nd meeting of each month, if available.*

**This Report was presented**

- C. Ordinance # 2013-25: An Ordinance Providing for New Chapters 11.04 through 11.20 of Title 11, the Borough Traffic Code.

**Attachments:**     [Ord. 2013-25 as amended.pdf](#)

*From direction of the assembly at the January 6 meeting, the ordinance had been amended in Section 11.12.020 I, to better define the areas of the harbor facilities that would prohibit limited use of wheeled vehicles. The ordinance had also been amended in Section 11.12.010 C, per the request of Fire Department administration, to assure it was made clear that department members under the direction of department officers, may assist in traffic direction at the scene of a fire or accident.*

By unanimous Roll Call Vote, the ordinance was approved in final reading, as amended.

D. Juneau Appeal of Petersburg Borough Boundaries

No court decision yet.

**14. New Business**

A. Ordinance #2014-01: An Ordinance Providing for Chapter 3.50 (Hospital Board) of the Municipal Code, Updating Current Language to Reflect Borough Incorporation; and Providing Provisions for the Hospital Board for the Borough. Second Reading.

The Hospital Board has requested language with respect to capital projects be included in the Ordinance. Section 3.50.080E has been amended since the first reading to repeat the Charter requirement that the Board prepare and submit a six-year capital project improvements plan for equipment and buildings.

**Attachments:** [Ord. 2014-01.pdf](#)

*The proposed ordinance contained changes discussed by the assembly and hospital board at their January 9 work session. The ordinance provided for the provisions of an elected borough hospital board. All changes except for one, being subsection F of 3.50.080 received legal counsel approval. Legal counsel and borough administration believed the section should remain as originally drafted to assure future assemblies, boards and administrations, for both the hospital and borough, are aware of the necessary approvals needed in obtaining loans and lines of credit. Hospital Administrator Woodard informed that one agreed upon change was missed in the ordinance. She asked that the ordinance be amended to include grants in section 3.50.080, subsection A. Mayor Jensen encouraged any member of the public with an opinion on the relationship between the hospital board and borough assembly attend the public hearing on the ordinance that will be held February 3.*

**The ordinance, as amended, was approved by Roll Call Vote of 5-2, members Havrilek and Lynn opposed. The Hospital Board will meet in the near future and if further changes are needed, will advise the assembly.**

B. Ordinance #2014-02: An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough, to Rezone Lot 3 of the Subdivision of Tract B of the Olsen Subdivision from Single Family Residential (S-F) to Commercial-2 (C-2) with Special Limitations. First Reading.

**Attachments:** [Ord. #2014-02.pdf](#)

[Map.pdf](#)

[Planning Commission support information for rezoning.pdf](#)

*The Planning Commission has recommended that Lots 3 and 4 of the Tract B Subdivision of the Olsen Subdivision be rezoned from Single Family Residential to Commercial-2, subject to conditions.*

**There was no second to the motion to approve the ordinance.**

- C.** Ordinance #2014-03: An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough, to Rezone Lot 4 of the Subdivision of Tract B of the Olsen Subdivision from Single Family Residential (S-F) to Commercial-2 (C-2) with Special Limitations. First Reading.

**Attachments:**     [Ord. #2013-03.pdf](#)

*The Planning Commission has recommended that Lots 3 and 4 of the Tract B Subdivision of the Olsen Subdivision be rezoned from Single Family Residential to Commercial-2, subject to conditions. Note: All attachments for Ordinance #2014-02 also apply to Ordinance #2014-03.*

**There was no second to the motion to approve the ordinance.**

- D.** ANB and ANS Request for Donated Meeting Space

**Attachments:**     [ANS and ANB Request.pdf](#)

[Parks & Rec Director Information on Request.pdf](#)

*The assembly discussed the request for donated meeting space and facilities at the community gym to provide for the native Grand Camp to be held October 7 through 11. The event is expected to attract approximately 300 people. The Grand Camp was last held in Petersburg in 1970 and is expected to bring together members from communities as far away as Oregon. Along with the request, the assembly viewed a written report from Parks & Recreation Director Hayes that indicated the facilities being requested have never been donated for a function. There were numerous questions the director had about the event's needs. He informed that traditionally, community events are not totally exempted from use fees. Assembly Member Lagoudakis informed of her membership in the Alaska Native Sisterhood and asked if she should abstain from any decision made by the assembly. The assembly decided the request did not affect her personal gain and Lagoudakis should vote on the matter. Consensus was the assembly did not want to set a precedence of donating public facilities.*

**By a unanimous vote, the assembly postponed taking action on the request until the Parks and Rec Director has had opportunity to work with ANB and ANS to examine their needs and to address costs to the borough.**

- E.** Federal Lobbying Priorities

**Attachments:**     [List of Federal Concerns.pdf](#)

*The borough's federal lobbyist was seeking direction from the assembly on what priorities should be sought for the community in the upcoming federal fiscal year. The manager had presented a recommended list of items for consideration.*

**By a unanimous Roll Call Vote, the assembly approved the 13 item list as submitted by the manager, with one change. Sea mammal issues, including sea otter and stellar sea lions, was moved to the fourth item on the list. The top three concerns on the list were: retention of Payment in Lieu of Taxes, Funding of Secure Rural Schools and Essential Air services.**

Clerk's Note: Recording of balance of meeting not captured. Reason for error - unknown.

## 15. Communications

*None.*

## 16. Assembly Discussion Items

### A. Recognitions

**Matt Lichtenstein was acknowledged for his many years of service to the community as a news broadcaster for KFSK radio; and Police Officer Alice Williams was recognized for her successful completion of the Force Science course.**

### B. By Mail Elections

**Attachments:**    [Report-General Info on By-Mail Elections.pdf](#)  
[Cost Comparison on Elections.pdf](#)  
[Petersburg Election Turnout History.pdf](#)  
[Oregon Information.pdf](#)  
[New Comments Received.pdf](#)  
[Updated Facebook Comments.pdf](#)

*The assembly was provided written comments received since the last meeting. In addition, they reviewed a report prepared by the Clerk's office informing of: general information regarding by-mail elections, along with cost comparisons in conducting by-mailing elections compared to in-person elections. Also included with the information was a listing of fraudulent voter activity in Oregon and what help the borough could expect from the State of Alaska should the community migrate to all by-mail elections. The total responses received to the Borough's request for public comments on preference for a voting method, indicated an approximate 3 to 1 preference for retaining the current in-person voting provisions. It was acknowledged the public response to the request was very small.*

**Consensus of the assembly was for legal counsel and the clerk's office to proceed in preparing the borough's election ordinance, retaining the in-person voting provisions.**

### C. Relationship Between the Medical Center and Borough (discussion item requested by Member Havrilek)

*The assembly discussed a written memorandum from Assembly Member Havrilek informing of 10 reasons he believed supported the borough separating itself from all relationships with Petersburg Medical Center. No action was taken on the written comments. The general public was again encouraged to attend the February 3 assembly meeting to voice their opinions during the public hearing for Ordinance # 2014-001 (Hospital Board).*

**This Report was discussed**

**17. Executive Session**

**A.**

By unanimous Roll Call Vote, the assembly adjourned to Executive Session for the purpose of the Assembly to meet with Attorney Brennan to conduct deliberations in the case of Karen E. Ellingstad and Fred W. Triem vs the Petersburg Borough.

Assembly to Executive Session at 7:50 p.m.

Regular Session reconvened at 8:40 p.m.

**17. Adjourn**

The meeting adjourned at 8:41 p.m.

Minutes approved: \_\_\_\_\_

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Debra Thompson, Deputy Clerk