



# Petersburg Borough

12 South Nordic Drive  
Petersburg AK, 99833

## Meeting Minutes Borough Assembly

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Monday, February 3, 2014

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 noon.

**Present:** 7 - Mayor Mark Jensen, Assembly Member John Hoag, Assembly Member John Havrilek, Assembly Member Cindi Lagoudakis, Assembly Member Nancy Strand, Assembly Member Kurt Wohlhueter and Assembly Member Bob Lynn

### 2. Voluntary Pledge

The Pledge was recited.

### 3. Approval of Minutes

#### A. Regular Meeting Minutes of January 21, 2014

**Attachments:** [01-21-2014 Minutes.pdf](#)

The minutes were unanimously approved as submitted.

### 4. Amendment and Approval of Meeting Agenda

Assembly Member Hoag requested to amend the agenda to tender his resignation from the Assembly at this point of the meeting. He read his resignation aloud, was thanked by the Mayor for his service and Mr. Hoag left the meeting. The meeting agenda was unanimously approved as amended.

### 5. Public Hearings and Bid Awards

#### A. Public Hearing on 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

*No comments were received.*

### 6. Visitors' Views Related to Agenda

*No comments.*

### 7. Visitors' Views Unrelated to Agenda

*No comments.*

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

*No reports.*

**9. Consent Agenda**

*No items.*

**10. Report of Other Officers**

*No reports.*

**11. Mayor's Report**

**A. 02-03-2014 Mayor's Report**

**Attachments:**    [2-3-2014 Mayor's Report.pdf](#)  
                              [Buschmann Resignation.pdf](#)  
                              [Fish Letter of Interest.pdf](#)  
                              [Samuelson Letter of Interest.pdf](#)

*Mayor Jensen read his written report which informed of: a vacancy on the Assembly due to John Hoag's resignation, and a vacancy on the Planning & Zoning Commission - both terms would be from the date of appointment to the date of the October 2014 election; receipt of a letter of interest from Barb Fish to fill the open Library Board seat; receipt of a letter of interest from Steven Samuelson to fill the open Hospital Advisory Board; a reconsideration of rezoning ordinances #2014-02 and #2014-03 that failed in their first reading at the January 21, 2014 meeting (due to the lack of a second) in order to provide the applicants with reasons for any Assembly determination made on the requests; a reminder that the second Assembly meeting in February will be held at noon on Friday, February 14, 2014; and an upcoming meeting between Petersburg Borough Manager Giesbrecht, Mayor Jensen, and Wrangell Borough Manager Jabusch regarding SEAPA and Thomas Bay Power Authority.*

**Authorization was given to solicit letters of interest for the vacant Assembly seat; Barb Fish was appointed to the Library Advisory Board until the October 2014 election; and Steven Samuelson was appointed to the Hospital Board until the October 2014 election.**

**12. Manager's Report**

**A. 02-03-2014 Manager's Report**

**Attachments:**    [Manager report 02032014](#)

*Manager Giesbrecht reviewed his written report.*

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

### 13. Unfinished 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. Third and Final 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:** [Amended for Second Read #2014-01.pdf](#)

*This ordinance was amended after its first reading to repeat the Charter requirement that the Hospital Board prepare, adopt and submit to the Borough a six-year capital project improvements plan for equipment and buildings along with its annual budget.*

*Discussion was held on whether the ordinance language was specific enough to delineate responsibilities of the Medical Center versus responsibilities of the Borough. It was noted that any amendment to the ordinance with regard to specific responsibilities of the parties involved would require amendment to the Borough Charter as well. Petersburg Medical Center CEO Woodyard and Borough Manager Giesbrecht stated they understood the delineation of responsibilities.*

**By unanimous roll call vote, the ordinance passed in its second reading as amended.**

- B. Consideration of Administrative Changes to the Landfill Salvage Program that would Eliminate Private Commercial Profiteering from Metals in the Landfill Scrap Pile

**Attachments:** [Landfill Salvage Program Memo.pdf](#)

**The motion to eliminate private commercial salvaging at the landfill failed 3-3, Mayor Jensen and Assembly Members Lynn and Wohlhueter opposed.**

- C. Juneau Appeal of Petersburg Borough Boundaries

No court decision yet.

### 14. New Business

- A. Ordinance #2014-04: An Ordinance Providing for Title 2 (Elections) of the Municipal Code, and Updating Current Language to Reflect Borough Incorporation. Second Reading

The ordinance retains all processes and functions for in-person voting that our residents are accustomed to.

**Attachments:**     [Ord. 2014-04.pdf](#)

*Assembly Member Lynn asked for clarification on the language of Section 2.44.020 B, "A matter to be proposed by initiative must be limited to a single, comprehensive subject, ...." He inquired about how "comprehensive" is defined and who will make the determination if a subject is comprehensive. Deputy Clerk Thompson will contact the Borough Attorney for clarification prior to the second reading of the ordinance.*

**By unanimous Roll Call Vote, the ordinance was approved in its first reading.**

- B.**                      Ordinance #2014-05: An Ordinance Providing for Title 10 (Criminal Code) of the Municipal Code and Updating Current Language to Reflect Borough Incorporation. Second Reading.

This ordinance has been revised to remove outdated and unused portions of the previous code. Also, portions of the code have been updated to allow the police department to process minor crimes as Borough ordinance violations. Under this revision, officers would have the discretion to issue a Borough citation, in lieu of arrest, for common offenses. Allowing for the disposition of cases in this manner will provide defendants with a speedier process and will reduce the amount of police, prosecutor, and court resources needed to process what were traditionally criminal cases. Nothing in this revision prevents officers from making physical arrests and processing criminal violations in the current manner.

Other revisions include the adoption of current state watercraft statutes similar to the Borough's previous adoption of traffic administrative codes and statutes.

**Attachments:**     [Ord. 2014-05.pdf](#)

[Map for Ordinance #2014-05 Sections 10.20.020 & 10.20.021.pdf](#)

**The ordinance was unanimously approved in its first reading.**

- C.**                      Landfill Slope Stabilization Project - Change Order #1

**Attachments:**     [LSS CO 1 Memo](#)

[2014 01 29 KH CO1 with Backup](#)

**Motion to approve Change Order #1 passed unanimously by Roll Call Vote.**

## **15.        Communications**

*Mayor Jensen received a letter from the Ketchikan Borough Manager seeking political, legal, and financial support with a lawsuit they filed against the State of Alaska over the Mandatory Local Contribution component of the State education funding formula. The letter will be available at the Clerk's office for those interested.*

## **16.        Assembly Discussion Items**

**A. Recognitions**

*Assembly Member Lagoudakis shared a conversation she had with Allison Sartori, a juvenile probation officer with the State of Alaska, who expressed her appreciation of Police Chief Swihart and Carli Byrer at the School District for their assistance in working with juveniles who have gotten into trouble with the law and need some help trying to turn the situation around.*

**B. Assembly Member Hoag Requested a Discussion on the Possibility of Borough Charter Amendments**

*No discussion held as Member Hoag resigned earlier in the meeting.*

**17. Adjourn**

**The meeting was adjourned at 12:56 p.m.**