

MINUTES FROM A REGULAR MEETING  
OF SELDOVIA CITY COUNCIL  
COUNCIL CHAMBERS

Wednesday  
March 14, 2018  
7:30pm

CAMPBELL MORRISON ROJAS LETHIN SWEATT COLBERG
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- A. Call to Order & Roll Call: MEETING CALLED TO ORDER BY MAYOR LENT AT 7:30 PM
- B. IN ATTENDANCE; MORRISON, ROJAS, LETHIN, SWEATT, COLBERG
- C. Pledge of Allegiance: Held
- D. Excused Absences: CAMPBELL
- E. Agenda Approval:  
ROJAS/COLBERG MOVED TO APPROVE THE AGENDA  
VOICE VOTE/UNANIMOUS/MOTION PASSED
- F. Approval of Minutes: Minutes of the Regular Meeting, February 28, 2018  
ROJAS/SWEATT MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING FEB. 28, 2018  
VOICE VOTE/UNANIMOUS/MOTION PASSED
- G. Treasurer's Report/ Utility Report:
- H. Voucher/Payroll Report : None
- I. Ordinance Introduction:
1. ORDINANCE 18-11 AN ORDINANCE OF THE CITY OF SELDOVIA AMENDING TITLE 2 BY ADOPTING SECTION 2.04.065 MEETINGS—AGENDA AND AMENDING TITLE 2.04.70 MEETINGS – ORDER OF BUSINESS BY ADDING A CONSENT AGENDA, PUBLIC HEARING ITEM, AND EXECUTIVE SESSION ITEM TO THE ORDER OF BUSINESS AND PLACING COUNCIL DISCUSSION BEFORE PUBLIC DISCUSSION ON NEW AND UNFINISHED BUSINESS  
CLERK/GEAGEL- Discussed that Ordinance 18-11 included both the new order of business discussed at the previous meeting and a code for setting the agenda according to the procedures in place already.
- SWEATT/ROJAS MOVED TO INTRODUCE ORDINANCE 18-11 AN ORDINANCE OF THE CITY OF SELDOVIA AMENDING TITLE 2 BY ADOPTING SECTION 2.04.065 MEETINGS—AGENDA AND AMENDING TITLE 2.04.70 MEETINGS – ORDER OF BUSINESS BY ADDING A CONSENT AGENDA, PUBLIC HEARING ITEM, AND EXECUTIVE SESSION ITEM TO THE ORDER OF BUSINESS AND PLACING COUNCIL DISCUSSION BEFORE PUBLIC DISCUSSION ON NEW AND UNFINISHED BUSINESS
- J. Proclamations:
- K. Public Presentation Prior Notice: (each presenter has up to 10 min)
- K. Public Presentation for Items not on Agenda: (public has 3 min each)
- LAUREL HILTS- Discussed the talent show coming up that weekend Saturday from 2-4pm and the Seldovia Arts Council had set its dates for the whole upcoming season which will be released soon. The Seldovia Art's Council serves as a portion of the City, each event Memorial Day through Labor Day will be accompanied by a race thanks to Tania and Tobben Spurland. She will bring the schedule of events to the next meeting.
- L. Committee and Advisory Board Reports: (each member has 5 min)
- M. Unfinished Business:
- N. New Business:
1. ORDINANCE 18-10 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING TITLE 2.04.030 MEETINGS—PUBLIC TO PRESENTATION DOCUMENTATION PRIOR NOTICE SHALL BE SUBMITTED TUESDAY INSTEAD OF THURSDAY AND 2.04.040 MEETINGS--

PROCEDURES TO REGULAR MEETINGS SHALL BE HELD MONDAY AT SIX PM INSTEAD OF WEDNESDAY AT SEVEN-THIRTY PM

a. Presentation by Staff or Council

CLERK/GEAGEL- Presented Ordinance 18-10 changing the regular Council meetings to Monday at 6pm from Wednesday at 7:30pm and requested the effective date be changed from upon adoption to July 1<sup>st</sup>, 2018 because of the already scheduled budget meetings through the end of fiscal year and the next meeting would need to be cancelled because of a holiday if the ordinance went into effect upon adoption.

b. Public Presentation

LAUREL HILTS- Spoke in favor of having early meetings on Monday, and suggested that line public to presentation may be erroneous with the way it reads.

PAULIE CARLUCCIO- Stated that she was glad that the change would not be starting until July, but will no longer be able to attend once the changed time begins.

c. Council Discussion

ROJAS- Spoke in support of the ordinance and the effective date of July 1, 2018.

MORRISON- Spoke in agreement

d. Action/Disposition

ROJAS/SWEATT MOVED TO ADOPT ORDINANCE 18-10 WITH AN EFFECTIVE DATE OF JULY 1<sup>ST</sup>, 2018.

VOICE VOTE/UNANIMOUS/MOTION PASSED

2. Application for lease of Block 4 Lot 4 Waterfront Resub. No. 1- Bear Bones Lumber

a. Presentation by Staff or Council

CLERK/GEAGEL- Presented the business plan by Bear Bones Lumber in the packet along with the previous ordinance passed opening the lot requested for the option to lease. The discussion at this time was for terms and limits of the lease. The setback is five feet from the road.

b. Public Presentation (public has 3 min each)

MORRISON- Joined the public and presented the business plan on behalf of Bobby Morrison, who he will be assisting. This is a great opportunity for Seldovia to have a viable lumber business that will be less expensive than having lumber brought over on the ferry. Eventually they would like to hire people. They would like to begin as soon as possible, logs will be stored on the lot and eventually they will bring the mill there, they would like to build a place to kiln dry the lumber. They would like a longer lease then one year and would like to be considered for a five year lease. Eventually in two to three years they would like to pursue leasing the added value building, could that be included in the initial lease? He discussed that the lease has the opportunity to increase and inquired as to what it would be in five years. He agreed that a deposit should be included for a safety net for the City and asked if once he was stubbed into the water if a restroom would be required? He inquired as to what the setbacks were, so that he could have a building right where the water was located. It would be backwards from where he would like it, but he could branch out later. He would be zoned industrial.

c. Council Discussion

SWEATT- Discussed that leasing is a contract that is more long term then renting,

ROJAS- Verified that Bobby was the sole proprietor, asked when they planned to start, and if logs would be milled on the property in question. She asked Morrison if they would be willing to start with a one year lease and see how it goes. The City as the leasers should clear the lot. She discussed that she did not know if a deposit would be necessary except that if anything was left on the lot when the business closed up. She asked if the City was expecting Morrison to dig through rocks in order to hook up to water and sewer.

CM CAMERON- Requested guidance from Council on what they were considering for terms, liability and workman's comp. insurance for the lease of the property. She discussed that in current leases they have with various entities, they entities have a certain limit of liability insurance and that they list the City of Seldovia as additional insurance. They will have workman's comp insurance listed in their contract that is a normal thing and an additional expenses for the entity leasing. They do have a normal lease format they can follow and it contains a termination clause and default clause. She asked what councils wishes were for water and sewer services.

According to the Borough website the assessed value of the property is 251,300 for the entire lot, 1.95 acres, she took the percentage of the lot 206 feet which come out to be 12% of the total lot and it estimates to \$301.00 a month. She asked if the Council would require a deposit down.

LETHIN- Discussed that the value-added building would be a separate lease. A termination clause should be included in the lease; do we have a format lease that can be used? The type of structures should be included in the lease, he stated it should be temporary structures, along with a place to store logs; also the person leasing the lot should clear it.

MAYOR LENT- Discussed that the ordinance on the books now is that after 30 days properties have to hook into water and sewer.

d. Action/Disposition

ROJAS/SWEATT MOVED TO ASK THE CITY MANAGER TO NEGOTIATE A LEASE AGREEMENT WITH BOBBY MORRISON ON BLOCK 4 LOT 4 OF THE WATERFRONT RESUBDIVISION NO. 1 WITH BEAR BONES LUMBER  
VOICE VOTE/MORRISON ADSTAINED/UNANIMOUS/MOTION PASSED

3. Discussion- Trafficability “No Parking” 30 feet from an intersection draft and Planning Commission recommendation on Visibility at Access Points

a. Presentation by Staff or Council

CLERK/GEAGEL- Presented a draft ordinance that included no parking 30 feet from an intersection as well as the amendment of visibility at access points to visibility at intersections which was recommended by the Planning Commission. Removing driveways from the visibility code and emphasizing intersections was recommended because the emphasis was on the safety of driving and intersections. The Planning Commission had discussed that the setbacks in the code already covered the visibility of driveways. It also defines intersection to include, four way intersections and three way intersections including Y and T intersections and both sides of the roadway adjoining the intersections. She also had discussed the issue of a penalty with Chief Officer Daniels and he recommended \$75.00 as the penalty for parking in an intersection.

b. Public Presentation (public has 3 min each)

c. Council Discussion

ROJAS- Discussed that she had sat in with Planning and Zoning and they had gone over the recommendation rigorously. This draft is separate from the issue of no parking 10 feet from a driveway. If their Police Officer recommends \$75.00, then that is the way they should go.

SWEATT- Spoke in favor of the ordinance and agreement with Rojas.

d. Action/Disposition

ROJAS/SWEATT MOVED TO DIRECT THE CITY OFFICE TO BRING THE TRAFFICABILITY NO PARKING 30 FEET FROM AN INTERSECTION TO THE COUNCIL AS AN ORDINANCE  
VOICE VOTE/UNANIMOUS/MOTION PASSED

4. Discussion- Easement/Licensing Application Process

a. Presentation by Staff or Council

CM CAMERON- Discussed that it had come the city office that there was no easement process or application. It is mentioned in Title 11 for utilities but not for a right of way. They need to get one in place; they have an entity that needs an easement. Page 23 of the packet is the Kenai application for easement. Heidi and herself both really liked the example that follows from the Fairbanks North Star Borough; it was very thorough and gave both the staff and customers necessary information. There are fees associated with the application, examples they had seen charged up to \$500 an application and the fee could be placed in the fee schedule. The code could be placed in Title 11 and Title 13 utilities. It stays in house because it is on City property.

b. Public Presentation (public has 3 min each)

c. Council Discussion

COLBERG- Discussed that he liked the look of Fairbanks North Star Boroughs application with all the information included on the back as well.

SWEATT- Spoke in agreement with Colberg.

ROJAS- Spoke in agreement as well and asked where the application would go, would it stay in house?

d. Action/Disposition

THE CITY COUNCIL DIRECTED THE CITY CLERK TO BRING BACK AN EXAMPLE FOR SELDOVIA AT THE NEXT MEETING

5. Discussion- Title 14-Tidelands

a. Presentation by Staff or Council

CLERK/GEAGEL- Presented Title 14 Tidelands in the regular packet. A tideland easement application has been requested from the City. It is in the City's code that there is a tideland permit application, the first part of the code discusses ownership and disposition and discusses needing a tideland review committee. Page 45 of the packet talks about needing a lease and use permit and an application process. Should there be a tideland review committee for the lease and permit process? Do they create an application in office and have it brought directly to Council? Cordova's tideland code is pretty much the same as Seldovia's and their application is in the laydown for review, when speaking with their clerk they had stated that they had not been through this process yet either. The question is do they need a tidelands review committee for putting the application together as well as reviewing the application. Does the code need updated? This is a new process and the office is seeking guidance from Council as to how to proceed and what the process should be.

b. Public Presentation (public has 3 min each)

c. Council Discussion

ROJAS- Asked for clarification if the request for a tideland permit was because they were asking to extend into the water. She asked if it was felt what was on the books was satisfactory. She spoke in agreement with the application process going through planning and zoning first so that they can make sure it will work. They do not have an application now; they have a code, but not an application. She spoke in agreement with referring the creation of the application to Planning and Zoning along with creating the guidelines for the application.

CM CAMERON- Discussed that Title 14 refers to ASC219 which is the city's ownership of the tidelands, essentially the water around the harbor and up the slough up to the 17 foot mean high tide. A request such as this is asking to use, lease, or have an easement on City Tidelands for whatever their project may be. The process is not laid out for what happens when an application comes through, the City Manager can review it and then Council reviews it, but it could essentially need to go through planning and zoning first. This has not come up in a situation before, Title 14 is very detailed and she liked the idea of having a tidelands review committee. Do they remember this every coming up before?

LETHIN- Asked about what the process would be and suggested that it went through Planning and Zoning first to be reviewed. They do not have to pass or grant things just because they are asked. He spoke in agreement with Planning and Zoning creating the application and process.

COLBERG- Discussed that he thought the code was written for people in the slough for their grids, there is only one left now. It should go to planning first for recommendation.

CLERK/GEAGEL- Asked if they would like to refer the creation of the application to Planning and Zoning as a Tidelands Review Committee and then it can come back to council.

d. Action/Disposition

CONSENSUS OF THE COUNCIL TO REFER THE CREATION OF THE TIDELANDS PERMIT APPLICATION AND ITS GUIDELINES TO THE PLANNING COMMISSION

6. Discussion- Retention Schedule Update Review

a. Presentation by Staff or Council

CLERK/GEAGEL- Discussed the updated retention schedule she had been working on. The retention schedule had not been updated since 1996 and states that the City follows the state model. The state model has been updated since 1996 and the Alaska Association of Municipal Clerks has formed a committee that is currently working to update the state model, whose last update was in 2012. There are a few things in the presented draft that are highlighted in yellow because they differ from the current state model at the recommendation of the head of the committee as to what the updated schedule will be. Once the draft is adopted the program will be implemented and staff will review all the city files and create a destruction log based on the retention schedule. Staff is anticipating an update needing to be made once the files are inventoried and/or once the state schedule is updated so this is a working draft to begin the process.

b. Public Presentation (public has 3 min each)

PAULIE CARLUCCIO- Discussed that she was really happy to see the updated schedule and that it clarifies that variances are for the life of the building and conditional uses are for the ownership of the building for planning and zoning. This is a big job.

c. Council Discussion

SWEATT- Discussed that the draft made her head spin, but she was glad it was happening and that they were getting rid of stuff they don't need anymore.

ROJAS- Discussed that it was great and that it gives needed guidelines and she was glad the staff was excited about the project.

d. Action/Disposition

CONSENSUS OF THE CITY COUNCIL TO HAVE THE CITY CLERK BRING THE ORDINANCE FORTH TO INTRODUCE AT THE NEXT COUNCIL MEETING

7. Discussion- Video Surveillance in the City Office

a. Presentation by Staff or Council

CLERK/GEAGEL- Presented AS 40.25.110 Public Records Open to Inspection in the packet page 48 as well as the Fairbanks North Star Boroughs Surveillance Policy. She also received a draft of Palmer's Surveillance policy that they were working to implement. Fairbanks policy was run through their Borough Facility Manager and Palmers would be run through their police department. Once she began looking into this project it became apparent that it is a much larger project then just putting up a few cameras. A policy would need to be developed clarifying storage, management, and proper disposal. A budget will need to be created and a fee schedule for records requested, because video surveillance does fall under the Public Records Act.

b. Public Presentation (public has 3 min each)

LAUREL HILTS- Asked how much would a lawyer need to be involved in the policy and how would that also look with their budgeting?

PAULIE CARLUCCIO- Asked where they planned to place cameras, would it be through the employee offices? She stated she thought it was a good idea.

c. Council Discussion

COLBERG- Discussed that cameras could be placed coming into the city office and in front of the jail cells and through employee offices. Any Anchorage or federal government building has video surveillance. If they are not recording, next thing will be having lawsuits on hand. Discussed covering the police station at minimum.

LETHIN- Discussed that he had done a lot of research on video surveillance and Netgear is less than \$1000.00 and comes with a four or five camera system and storage in the cloud. It also does motion detection and night vision as well as audio. He spoke in agreement with Rojas.

SWEATT- Discussed that at one time she thought it was a good idea that originated with safety issues, since then and after talking to the staff that would be monitored she did not think it was such a good idea and staff has come up with other safety ideas. Staff does not have the time to keep track of everything that is needed for this program. She discussed they could cover the police station if Robin felt it was necessary.

ROJAS- Spoke in agreement with Sweatt, especially with going through the current budget. She spoke not in favor unless the city employees want it.

d. Action/Disposition

NO ACTION WAS TAKEN

O. Informational Items Not Requiring Action:

1. The next FY19 Budget Workshop is scheduled for March 28, 2018
2. The City Office will be closed March 26, 2018 for Seward's' Day
3. List of Council Priorities for Staff

P. City Manager's Report: See laydown

CM CAMERON- Discussed the City Manager's report as written in the laydown, and included that the Opportunity Zones were a state leg based bill to create commerce and Tyonek and Seldovia were labeled as communities in distress that would receive support. Her meeting with Brad of HEA was about how the crew was able to successfully figure out how to be able to restart the generator from Kenai should there need to be another restart after the generators initial startup, again, in the future. She will be gone from the office from Tuesday to Tuesday. She had

asked Bruce about LED street lights, but had not received a response as of yet, and Katy from the Army Corp had stated that she anticipated an answer during the 1<sup>st</sup> part of April.

LETHIN- Asked if LED street lights had been discussed with HEA and if there had been any word from the Army Corp of engineers.

Q. Council and Mayor Comments Concerning Items Not on the Agenda:

MORRISON- Thanks to the people here in the public, and great job you guys, thank you.

ROJAS- Thanks everyone, audience, council and great staff that we have, thanks very much for your hard work.

LETHIN- Thanks everyone and staff.

SWEATT- Thanks everyone for coming and staff for all your hard work.

COLBERG- Thank you Paulie and Laurel, great job staff.

MAYOR LENT- Thank you for coming Laurel, we appreciate the information that you bring and thank you Paulie we appreciate your information. If anyone would like a ride up to the water filtration plant he would be happy to take them up there. When they first got the grant for five million, he thought someone had to be out of their mind. Go up there and look at it, it is unbelievable. All this talk about how much time it takes, go up there and see it, it is very technical and involved.

R. Next Meeting: Regular Meeting will be held on March 28, 2018 at 7:30 pm

S. Adjournment:

COLBERG/LETHIN MOVED TO ADJOURN AT 8:48 PM  
NO OBJECTION/MOTION PASSED

I certify the above represents accurate minutes of City of Seldovia Council meeting of March 14, 2018.

  
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Heidi Geagel, City Clerk

Approved by Council 03/28/2018