

**MINUTES FROM THE REGULAR MEETING
OF SELDOVIA CITY COUNCIL
COUNCIL CHAMBERS**

**Wednesday
April 12, 2017
7:30pm**

SWEATT COLBERG PATRICK MORRISON ROJAS LETHIN

- A. Call to Order & Roll Call: MEETING CALLED TO ORDER BY MAYOR LENT AT 7:30PM
- B. Pledge of Allegiance: Held
- C. Excused Absences: None
- D. Agenda Approval: ROJAS/COLBERG MOVED TO APPROVE THE AGENDA
ROJAS/SWEATT MOVED TO AMEND THE AGENDA ADDING N5. REQUEST FOR COMMENT
ON KPB PLAT PROPOSAL FILE #2017-048 VALHALLA
VOICE VOTE/ UNANIMOUS/ MOTION PASSED
ROJAS/SWEATT MOVED TO APPROVE THE AGENDA AS AMENDED
VOICE VOTE/ UNANIMOUS/ MOTION PASSED
- E. Approval of Minutes: Minutes of the Regular Meeting, March 22, 2017

PATRICK/ROJAS MOVED TO APPROVE THE MINUTES OF THE REGULAR MEETING,
MARCH 22, 2017
VOICE VOTE/ UNANIMOUS/ MOTION PASSED
- F. Treasurer's Report/ Utility Report:
FINANCE OFFICER/LITTLE- Presented Council the treasurer's and utility report from the workshop packet.
- G. Voucher/Payroll Report: CLERK/STANISH- Directed Council to the report in the packet.
ZANE HENNING- Asked if all of the vendors in the report have City business licenses?

ROJAS/COLBERG MOVED TO APPROVE THE VOUCHER/PAYROLL REPORT DATED APRIL 6, 2017
VOICE VOTE/ UNANIMOUS/ MOTION PASSED
- H. Ordinance Introduction:
1. ORDINANCE 17-19 AN ORDINANCE OF THE CITY OF SELDOVIA REPEALING ORDINANCE 16-04 AN ORDINANCE AMENDING TITLE 6, PURCHASING AND CONTRACTS, AND REPLACING TITLE 6 WITH THE LANGUAGE ATTACHED TO THIS ORDINANCE TO BECOME PART OF THE SELDOVIA MUNICIPAL CODE
CLERK/STANISH- Requested the council have a thorough look over the ordinance as it is lengthy with many revisions to the code. She did send it to city attorney, Joe Levesque, to preview for consistency and legal opinions. He contacted her today with some suggestions which will be discussed on April 26 when the Ordinance is open for public hearing.

ROJAS/COLBERG MOVED TO INTRODUCE ORDINANCE 17-19 AN ORDINANCE OF THE CITY OF SELDOVIA REPEALING ORDINANCE 16-04 AN ORDINANCE AMENDING TITLE 6, PURCHASING AND CONTRACTS, AND REPLACING TITLE 6 WITH THE LANGUAGE ATTACHED TO THIS ORDINANCE TO BECOME PART OF THE SELDOVIA MUNICIPAL CODE
VOICE VOTE/ UNANIMOUS/ MOTION PASSED
- I. Proclamations: None
- J. Public Presentation Prior Notice: (each presenter has up to 10 min) Hearing none
- K. Public Presentation for Items not on Agenda: (public has 3 min each)
1. Letter from Noel Napolilli
CLERK/STANISH- Presented the letter from Mr. Napolilli and asked for direction from the Council.
ROJAS- Suggested to encourage Mr. Napolilli to set up his own payment plan ahead of time. It is possible to prepay his moorage.

Additions to the agenda are reflected in italics

SWEATT- Agrees with Rojas.

LAUREL HILTS- Spoke to the Council of the upcoming presentation at the SVT Conference Center, and Sat. April 15 at 11am, SVT will sponsor the annual Easter egg hunt.

JAN WYLAND- Offered a special thanks to Councilman, Perley Morrison, for building a children's book shelf for the library. It is beautiful and greatly appreciated. In addition, she informed the Council of the new artifact display made by Jan Yeager for the library, and encouraged everyone to come check it out.

L. Committee and Advisory Board Reports: (each member has 5 min) Hearing None

M. Unfinished Business: None

N. New Business:

1. ORDINANCE 17-18 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING TITLE 5 BUSINESS LICENSES AND REGULATIONS BY ADDING A PENALTY FOR CONDUCTING BUSINESS IN THE CITY OF SELDOVIA WITHOUT A CITY OF SELDOVIA BUSINESS LICENSE AND ADDING AN EXEMPTION FOR SMALL BUSINESS OWNERS For Council Review

a. Presentation by Staff or Council

CLERK/STANISH- Presented the Ordinance to Council. She spoke on the regulation at the Kenai Peninsula Borough which exempts businesses from the requirement of obtaining a sales tax ID if the business yearly net is under \$2,500.00. As the City requires a KPB tax ID to issue a Seldovia Business License, Council may want to take this into consideration.

b. Public Presentation (public has 3 min each)

JENNY CHISSUS- Spoke to Council to consider new business coming to town opening a consignment shop. She was concerned how this may effect them.

ZANE HENNING- Spoke to the Council about enforcement of Business Licenses.

c. Council Discussion

ROJAS- Mentioned the need to distinguish between Cottage Industries and Main St. businesses. She spoke on enforcement issues and would like to see a definition for Cottage Industry added to this Ordinance.

COLBERG- Agreed to go with the Borough standards.

d. Action/Disposition

CONSENSUS OF THE COUNCIL TO ADD A DEFINITION FOR COTTAGE INDUSTRY, REFLECT THAT AS THE EXEMPTION IF THE BUSINESS' TOTAL ANNUAL GROSS DOES NOT EXCEED \$2500 PER YEAR AND PRESENT THE ORDINANCE FOR INTRODUCTION AT THE NEXT MEETING

2. ORDINANCE 17-20 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING TITLE 13 UTILITIES BY ADDING SECTION 13.72.045 LATE PAYMENT PENALTY TO THE SELDOVIA MUNICIPAL CODE For Council Review

a. Presentation by Staff or Council

CLERK/STANISH- Spoke to the Council on the Ordinance and information from other communities presented per their requests at the last meeting. She asked for direction from the Council on how they would like to implement this penalty.

b. Public Presentation (public has 3 min each)

Hearing none

c. Council Discussion

LETHIN- Suggested a penalty like Seward by Resolution.

SWEATT- Suggested 8% of current amount due.

FO/LITTLE- Cautioned the 8% may not cover the cost of collecting the penalty.

ROJAS and PATRICK- Suggested a flat fee of \$35.

d. Action/Disposition

CONSENSUS OF THE COUNCIL TO IMPLEMENT THE PENALTY BY RESOLUTION IN ORDINANCE 17-20 TO BE INTRODUCED AT THE NEXT MEETING, AND PRESENT A RESOLUTION TO SET THE PENALTY AT \$35 UPON PASSAGE OF ORDINANCE 17-20

3. RESOLUTION 17-10, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, ESTABLISHING THE MIL RATE FOR FY 2018.

a. Presentation by Staff or Council

CLERK/STANISH- Informed the Council this resolution is on the agenda tonight to allow for public comment on any changes that may occur to the Mil Rate. These are only discussions this evening as the Mil Rate needs to be passed by May 1 of each year.

b. Public Presentation (public has 3 min each)

JENNY CHISSUS- Spoke to Council in opposition of raising the Mil Rate any more as last year's raise was significant, and she was surprised by that increase.

FO/LITTLE- Addressed some history of that increase. Last year we were significantly over budget with a \$144,000.00 shortfall and the Council felt we could make up some of that by raising the Mil. That shortfall came from a decrease in revenue sharing of \$37,000. Two years ago, the personal property tax cut \$45,000 out of our budget. Personal property tax is the biggest contributor to the General Fund and cannot be made up with increases to building permits or harbor. There were several years we had no change to the Mil Rate FY2012-15 we were at 9.85 and in 2006-7 we were at 7.25 just for Seldovia. So we were at the 12% range back at that time.

CHISSUS- Asked if there is a proposed increase at this time?

FO/LITTLE- This is the first step in the process which is public input. We are not at the point of proposing an increase.

ROJAS- Asked for a clarification on the local personal property tax change.

FO/LITTLE- Most of the local personal property tax is from boats here in Seldovia. The tax was based on a percentage of the value of the boat. The change was to a flat tax based on the length of the vessel. That caused a significant decrease in our tax revenue.

ROJAS- Reminded the public of her comment when this tax change occurred. The room was full of supporters of this change so Council passed the flat tax. She mentioned this will eventually have to be made up somewhere at sometime, and it could be in a Mil Rate increase.

ZANE HENNING- Spoke to Council to decrease the Mil to 5% and any services over and above that cut.

VALERIE HENNING- Spoke in opposition of raising the Mil.

LAUREL HILTS- Spoke in opposition of increasing the Mil Rate.

RAEWYN WEYER- Spoke in opposition of an increase to the Mil Rate.

c. Council Discussion

ROJAS- Would not support another increase at this time in the Mil Rate. It's hard to run a City and provide when there are so few people.

d. Action/Disposition

ROJAS/PATRICK MOVED TO POSTPONE RESOLUTION 17-10

VOICE VOTE/UNANIMOUS/MOTION PASSED

4. ORDINANCE 17-17 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING TITLE 18.84 NONCONFORMITY TO ADD THE ADOPTION DATE OF THE CITY OF SELDOVIA'S ZONING CODE

a. Presentation by Staff or Council

CLERK/STANISH- This is a recommendation from P&Z for clarity on the adoption of the local Zoning Laws.

b. Public Presentation (public has 3 min each)

JENNY CHISSUS- Asked for clarification on this Ordinance.

CLERK/STANISH- A nonconforming building or structure built prior to May 27, 1998 may remain for the life of the structure.

CHISSUS- Asked if replacing a deck that's rotten and you want to repair it; could that be done?

STANISH- If it is a nonconforming structure there are provisions for applying for a variance which would allow for the repair. If the variance does not apply, no you cannot repair it or add onto it.

c. Council Discussion

COLBERG/MORRISON MOVED TO ADOPT ORDINANCE 17-17 AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELDOVIA, ALASKA, AMENDING TITLE 18.84 NONCONFORMITY TO ADD THE ADOPTION DATE OF THE CITY OF SELDOVIA'S ZONING CODE

d. Action Disposition

VOICE VOTE/UNANIMOUS/MOTION PASSED

5. REQUEST FOR COMMENT ON KPB PLAT PROPOSAL FILE #2017-048 VALHALLA

a. Presentation by Staff or Council

It CLERK/STANISH- This is being presented to Council as the City is a landowner within 600 ft of this proposal. was discussed at Planning & Zoning who decided to make no comment. After further review, it was found that A St. could be the legal access to the new property thus the 30 ROW dedication from the landowners is unnecessary.

The surveyor could ask for an exception to the Borough code of the 60' access road to allow for A St. as the access to the new lot 1. This is brought to Council as A st. was not discussed at Planning. Extending the width of Frank Raby to 60' here will require the adjoining landowners to also match this dedication if they subdivide in the future. Frank Raby may never be built and adding on to this ROW may cause problems in the future.

b. Public Presentation (public has 3 min each)

ZANE HENNING- Spoke in favor of vacating Frank Raby Dr. and using A St. as the access to this new subdivision.

JENNY CHISSUS- Discussed Frank Raby as being an unviable road for many reasons, so why perpetuate that? Everyone would benefit from vacating Frank Raby and using A St. as this access.

c. Council Discussion

ROJAS/SWEATT MOVED TO RECOMMEND GIVING ACCESS TO LOT 1 THROUGH A STREET AND REMOVE THE 30' ROW DEDICATION ON KPB PLAT FILE #2017-048 VALHALLA

d. Action Disposition

VOICE VOTE/UNANIMOUS/MOTION PASSED

O. Informational Items Not Requiring Action:

1. PWSRCAC Community Spill Response Workshop April 26, 2017

CLERK/STANISH- Asked Council members if they could commit to this upcoming training, and if so, she will register them for it.

P. City Manager's Report:

INTERIM CM/LITTLE- Discussed community cleanup date set for May 13th. She is working with Hopkins to get the streets swept as the State cannot get to us until July. Please thank new Fire Chief, Andrew Mattox for stepping up for this volunteer position. The water treatment plant is set to go online at the end of May. The City would like to have an open house for locals to tour the new building and see what's been happening up at the site. That date is TBD.

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

LETHIN- Spoke on changes at the Clinic. Services have had to be reduced due to changes in the Affordable Care Act. They will continue to provide dental care with three dentists visiting at different times. Providers will not be in the office, they are moving to telemedicine. Clinic Manager, Karen Swearingen is able to do imaging such as xrays and ultra sounds. He also spoke on working with the National Guard to repair the road to Red Mountain. The Guard needs an applicant to start the process.

SWEATT- Thank you for coming.

COLBERG- Thanks for the comments.

MORRISON- Thanked the community members for coming and sharing their opinions.

ROJAS- After the budget cycle, she'd like to discuss giving Planning and Zoning some direction as they discuss changes to the Zoning codes.

LENT- Thanked the members of the community for coming.

- R. Next Meeting: Regular Meeting will be held on April 26, 2017 at 7:30 pm
- S. Adjournment:

PATRICK/ROJAS MOVED TO ADJOURN AT 9:05 PM
VOICE VOTE/ UNANIMOUS/ MOTION PASSED

I certify the above represents accurate minutes of City of Seldovia Council meeting of April 12, 2017.



Lisa Stanish
Lisa Stanish, City Clerk

Approved by Council April 26, 2017