



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Borough Assembly Regular Meeting

Monday, November 18, 2024

6:00 PM

Assembly Chambers

1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at 6:00 p.m.

PRESENT

Mayor Mark Jensen
Vice Mayor Donna Marsh
Assembly Member Bob Lynn
Assembly Member Rob Schwartz
Assembly Member Jeigh Stanton Gregor
Assembly Member James Valentine

EXCUSED

Assembly Member Scott Newman

2. Voluntary Pledge of Allegiance

The Pledge was recited.

3. Approval of Minutes

A. November 4, 2024 Assembly Meeting Minutes

The November 4, 2024 Assembly meeting minutes were unanimously approved.

Motion made by Assembly Member Stanton Gregor, Seconded by Assembly Member Lynn.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

4. Amendment and Approval of Meeting Agenda

The agenda was approved as submitted.

Motion made by Assembly Member Lynn, Seconded by Assembly Member Schwartz.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly

5. Public Hearings

A. Public Hearing for Ordinance #2024-22: An Ordinance Clarifying that Property Obtained by Foreclosure and Which the Assembly Determines to Sell is Exempt from Sale Procedures and Requirements of Petersburg Municipal Code Chapters 16.12 and 16.16

Any public testimony regarding Ordinance #2024-22 should be given during this public hearing. A copy of Ordinance #2024-22 may be found under agenda item 14D.

B. Public Hearing for Ordinance #2024-23: An Ordinance Amending Chapter 14.20 of the Petersburg Municipal Code, *Municipal Harbors*, to Adopt Provisions Regarding Inactive Vessels

Any public testimony regarding Ordinance #2024-23 should be given during this public hearing. A copy of Ordinance #2024-23 may be found under agenda item 14E.

John Murgas, owner of Petersburg Marine, speaking for himself and two other lease holders at the Scow Bay Turnaround, spoke in support of Ordinance #2024-23 and stated that many of the vessels in the harbor that are inactive are in the early stages of being abandoned and derelict. He shared that he believes this is a universal problem and hopes that if we all work together, we may be able to come up with partial solutions.

6. Bid Awards

There were no 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.

No views were shared.

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.

No views were shared.

9. Boards, Commission and Committee Reports

A. Southeast Alaska Power Agency (SEAPA) Update

Assembly and SEAPA Board Member Lynn and Utility Director and SEAPA Board Member Hagerman will provide an update on SEAPA activities.

Assembly and SEAPA Board Member Lynn updated the Assembly on the October SEAPA Board Meeting.

10. Consent Agenda

There were no consent agenda items.

11. Report of Other Officers

There were no reports.

12. Mayor's Report

A. November 18, 2024 Mayor's Report

Mayor Jensen read his report into the record.

13. Manager's Report

A. November 18, 2024 Manager's Report

Manager Giesbrecht read his report into the record, a copy of which is attached and made a permanent part of these minutes.

14. Unfinished Business

A. Ordinance #2024-19: An Ordinance Amending Chapter 4.30 of the Petersburg Municipal Code, Alaska Remote Seller Sales Tax Code - Third and Final Reading

If approved, Ordinance #2024-19 will adopt the Uniform Alaska Remote Seller Sales Tax Code by reference and provide that the Assembly ratify subsequent amendments to the Uniform Code within 120 days of adoption by the Alaska Remote Seller Sales Tax Commission. Ordinance #2024-19 was unanimously approved in its first and second readings.

Ordinance #2024-19 was unanimously approved in its third and final reading.

Motion made by Assembly Member Stanton Gregor, Seconded by Assembly Member Lynn.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

B. Ordinance #2024-20: An Ordinance Amending Chapter 14.30, Mountain View Manor Elderly Housing and Assisted Living Facility, to Institute a New Assisted Living Community Facility Fee to be Used for Facility Maintenance and Repair, to Require that Two Bedroom Assisted Living Units be Occupied by Two Residents, and to Increase Certain Fees - Third and Final Reading

Adoption of Ordinance #2024-20 will create a one-time Community Facility Fee of \$2,000 for new residents moving into the facility which will be used for facility maintenance and repair, will require that future rented two bedroom Assisted Living units be occupied by two residents, increase the Assisted Living food cost from \$350 to \$450 per month, will add a security deposit and pet registration fee for Assisted Living units, and will provide for late fees. Amendment was unanimously approved

during the second reading to provide a prorated refund of the \$2,000 facility fee if a resident moves out of the facility within six months of moving in.

By unanimous roll call vote, the Assembly approved Ordinance #2024-20 in its third and final reading.

Motion made by Assembly Member Stanton Gregor, Seconded by Assembly Member Valentine.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

C. Ordinance #2024-21: An Ordinance Amending Chapter 16.16, *Tidelands*, of the Petersburg Municipal Code to Provide for Updated Provisions Regarding the Disposal of Tidelands and Submerged Lands - Third and Final Reading

Because the economic value of Petersburg's tidelands is great, Ordinance #2024-21 is written to provide that the sale of tidelands shall not be made for consideration less than the appraised full and true value rather than the assessed value, and to clarify the sale process to ensure any sale of tidelands is in the Borough's best interest.

An amendment was drafted for the third reading at the request of Assembly Member Lynn to provide that in the case of a sale of tidelands by public auction the individual who has the highest bid and purchases the property shall pay for all costs associated with the sale. See Section 16.16.075(A)(3).

Ordinance #2024-21 was unanimously approved in its first and second readings.

A motion to amend Section 16.16.070 to state that tidelands and submerged lands shall not be sold for a consideration less than the appraised or assessed value, whichever is greater, was unanimously approved.

Motion made by Vice Mayor Marsh, Seconded by Assembly Member Lynn.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

A motion to amend Section 16.16.075(A)(3) to provide that the purchaser of tidelands or submerged land shall pay the actual costs incurred by the Borough in the application process in addition to the purchase price was unanimously approved.

Motion made by Assembly Member Lynn, Seconded by Assembly Member Stanton Gregor.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

The Assembly unanimously approved Ordinance #2024-21, as amended, in its third and final reading.

Motion made by Assembly Member Stanton Gregor, Seconded by Assembly Member Schwartz.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly

Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

D. Ordinance #2024-22: An Ordinance Clarifying that Property Obtained by Foreclosure and Which the Assembly Determines to Sell is Exempt from Sale Procedures and Requirements of Petersburg Municipal Code Chapters 16.12 and 16.16 - Second Reading

If adopted in three readings, Ordinance #2024-22 will clarify that the procedures and requirements of Code Chapters 16.12 and 16.16 do not apply to the disposal and sale of property obtained by the Borough in foreclosure proceedings. Ordinance #2024-22 was unanimously approved in its first reading.

By unanimous roll call vote, Ordinance #2024-22 was approved in its second reading.

Motion made by Assembly Member Schwartz, Seconded by Assembly Member Valentine.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

E. Ordinance #2024-23: An Ordinance Amending Chapter 14.20 of the Petersburg Municipal Code, *Municipal Harbors*, to Adopt Provisions Regarding Inactive Vessels - Second Reading

If adopted in three readings, Ordinance #2024-23 will impose storage fees, a marine condition survey, and proof of insurance on vessels in the harbors that are deemed inactive. Ordinance #2024-23 was unanimously approved in its first reading.

Ordinance #2024-23 was unanimously approved in its second reading.

Motion made by Assembly Member Valentine, Seconded by Assembly Member Lynn.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

15. New Business

A. Resolution #2024-15: A Resolution Supporting Full Funding (\$5,740,408) for the State of Alaska Municipal Harbor Facility Grant Program in the FY 2026 State Capital Budget

If approved, Resolution #2024-15 will show Petersburg's support for fully funding the Municipal Harbor Facility Grant Program in the FY 2026 State of Alaska capital budget.

The Assembly unanimously approved Resolution #2024-15.

Motion made by Assembly Member Stanton Gregor, Seconded by Assembly Member Schwartz.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly

Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

B. Resolution #2024-16: A Resolution in Support of Raising the Maximum Available Alaska Department of Transportation Harbor Facility Grant to \$7,500,000 for Eligible Projects on an Annual Basis

If adopted, Resolution #2024-16 will show the Borough's support for Governor Dunleavy and the Alaska Legislature to amend Alaska Statute 29.60.800 to raise the maximum Harbor Facility Grant Fund award from \$5,000,000 to \$7,500,000 per eligible project to account for inflation since 2006.

Resolution #2024-16 was approved by unanimous roll call vote.

Motion made by Assembly Member Stanton Gregor, Seconded by Assembly Member Valentine.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

C. Assembly / Hospital Board Work Session

Assembly Member Lynn requests to schedule a work session with the Hospital Board in January, 2025, sometime after January 13th.

The Assembly scheduled a work session with the Hospital Board for Monday, January 27, 2025 at 6:00 p.m.

Motion made by Assembly Member Valentine, Seconded by Assembly Member Lynn.
Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine

16. Communications

A. Correspondence Received Since October 31, 2024

17. Assembly Discussion Items

A. Assembly Member Comments

There were no comments.

B. Recognitions

Assembly Member Stanton Gregor recognized the many student athletes for their very busy weekend of basketball and swimming. He also recognized the adult volunteers and paid employees who support the students' events, calling their efforts impressive dedication to the children of Petersburg.

Mayor Jensen agreed with Member Stanton Gregor's recognitions. He also recognized the Harbor and Fire Department staff and volunteers for the quick response to extinguish the fire on the F/V Carole B recently. In addition, Mayor Jensen recognized the Friends of the NRA and the NRA Foundation for the \$121,374 they have given to our community since 2015, which has been used for the Devil's Thumb Shooters and for improvements on the shooting range.

18. Adjourn

The meeting was adjourned at 6:39 p.m.

Motion made by Assembly Member Stanton Gregor, Seconded by Assembly Member Schwartz.

Voting Yea: Mayor Jensen, Vice Mayor Marsh, Assembly Member Lynn, Assembly Member Schwartz, Assembly Member Stanton Gregor, Assembly Member Valentine