



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Borough Assembly Regular Meeting

Monday, November 06, 2023

12:00 PM

Assembly Chambers

1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at 12:00 p.m.

PRESENT

Mayor Mark Jensen
Vice Mayor Bob Lynn
Assembly Member Thomas Fine-Walsh
Assembly Member Donna Marsh
Assembly Member Rob Schwartz
Assembly Member Jeigh Stanton Gregor

EXCUSED

Assembly Member Scott Newman

2. Voluntary Pledge of Allegiance

The Pledge was recited.

3. Approval of Minutes

A. October 16, 2023 Assembly Meeting Minutes

The October 16, 2023 Assembly meeting minutes were unanimously approved.

4. Amendment and Approval of Meeting Agenda

The agenda was approved as submitted.

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

5. Public Hearings

There were no public hearings.

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.

Sarah Fine-Walsh, representing herself, spoke in favor of a direct sale to Skylark Park, LLC.

Sven Westergard, IBEW Assistant Business Manager, and Sam Caulum, PMP&L Lead Lineman and IBEW negotiator, encouraged the Assembly to ratify the tentatively agreed upon Collective Bargaining Agreement between the Petersburg Borough and the International Brotherhood of Electrical Workers for the period of November 11, 2023 through June 30, 2027.

Beverly Richardson, representing herself, shared some personal history regarding Andy Mathisen's gift of tidelands and funds to the City of Petersburg to be used for a fishing park. She informed the Assembly that if the donated funds were used to purchase property along Blind Slough the donated tidelands would be returned to the Mathisen family as outlined on the Quit Claim Deed.

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.

Acting District Ranger Castro and Tyler Shaw, Petersburg Lake Trail Lead, provided an update on US Forest Service activities.

Eve Fredrick with the BBC, (who is working on Project Outlast at Little Duncan Bay), shared that the project will be finished on November 11th. She thanked the community of Petersburg and the business owners who worked with them during their stay.

Note: Mayor Jensen has internet issues and turns the meeting over to Vice Mayor Lynn to Chair. Mayor Jensen stays on Zoom to participate in the meeting.

9. Boards, Commission and Committee Reports

There were no reports.

10. Consent Agenda

A. The Trees Liquor License Transfer

The Alcohol and Marijuana Control Office (AMCO) has received two liquor license transfer of ownership applications from The Trees RV LLC to The Trees, LLC, and then from The Trees, LLC to PAH, LLC. The Assembly may support or protest the applications. A protest may not be arbitrary, capricious or unreasonable.

The Assembly unanimously supported the liquor license transfers for The Trees, LLC.

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

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton

Gregor

B. Acceptance of a Grant Award in the Amount of \$50,199 from the Division of Homeland Security and Emergency Management

This grant provides funding for the purchase and installation of an antenna with repeater, 2 base stations, 20 portable radios and the fees for FCC licensing of the School District's own frequency. This grant was not budgeted for in the FY24 Adopted Budget and if approved will be placed in the next supplemental budget which will be presented at a later date.

The Assembly unanimously approved acceptance of the Homeland Security grant in the amount of \$50,199.

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

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton Gregor

11. Report of Other Officers

A. Petersburg Medical Center

PMC CEO Hofstetter gave an update on and answered questions regarding the Medical Center.

B. US Forest Service

Acting District Ranger Castro provided his report under Persons to be Heard Unrelated to the Agenda.

C. Human Resources

Human Resource Officer/Deputy Clerk Regula updated the Assembly on the Borough's progress addressing recommendations from the APEI review.

12. Mayor's Report

A. November 6, 2023 Mayor's Report

Vice Mayor Lynn read the Mayor's Report into the record.

13. Manager's Report

A. November 6, 2023 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 #2023-14 - An Ordinance Amending the Official Zoning Map for Service Area 1 of the Petersburg Borough to Rezone Lot GL 14, Section 33, Township 58 South, Range 79 East, Copper River Meridian, (Parcel #01-010-600) from Public Use (P-1) to Single-Family Mobile Home (SFMH), with Conditions - Third and Final Reading**

Ordinance #2023-14 was unanimously approved in its third and final reading.

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

15. New Business

- A. Resolution #2023-13A: A Resolution Authorizing the Borough Manager to Apply to the State of Alaska, Department of Environmental Conservation, for a Loan from the Alaska Clean Water Fund for the Design and Construction of the Pump Station 4 Force Main Project**

Resolution #2023-13A is an amended version of Resolution #2023-13, which allows the Borough to apply for a loan increase from ADEC for the Pump Station 4 Force Main Project and was approved by the Assembly on October 9, 2023. This amended version references the amount of overall indebtedness to the water and wastewater funds that was approved by the voters with Proposition #1 at the 2019 municipal election (up to \$8 million).

The Assembly unanimously approved Resolution #2023-13A.

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

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton Gregor

- B. Resolution #2023-14: A Resolution in Support of Southeast Alaska Power Agency's Southeast Alaska Grid Resiliency Project Including Installation of a Third Turbine and Generator at the Tyee Hydroelectric Facility**

By unanimous roll call vote, Resolution #2023-14 was approved.

Motion made by Assembly Member Marsh, Seconded by Assembly Member Fine-Walsh.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton Gregor

C. Resolution #2023-15: 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

Resolution #2023-15 shows 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.

The Assembly unanimously approved Resolution #2023-15.

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

D. Skylark Park LLC Application to Purchase Borough Land (Lots 2, 3, 5, 5A, and 6, Skylark II Subdivision, and Government Lot 21, Section 33, T58S, R79E)

A motion was made to approve Skylark Park's application to purchase Borough land to move forward in the process.

Motion made by Assembly Member Fine-Walsh, Seconded by Assembly Member Schwartz.

The motion was amended to negotiate a direct sale with Skylark Park, LLC.

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

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Schwartz, Assembly Member Stanton Gregor

Voting Nay: Assembly Member Marsh

The original motion, as amended to approve the purchase application to move forward by negotiated direct sale, was unanimously approved.

Motion made by Assembly Member Fine-Walsh, Seconded by Assembly Member Schwartz.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton Gregor

E. Mental Health Trust Lot 37 on Blind Slough

The Alasa Mental Health Trust Land Office is offering for sale South Mitkof Lot 37 for a minimum bid of \$102,500. The lot fronts Blind Slough and is located in a popular recreational area for Petersburg's residents and visitors. In 2008 the Andy Mathisen family donated approximately \$95,000 to the Borough to be used towards a fishing park on the Wrangell narrows by Eagles Roost Park. The project never progressed due to costs above and beyond the gifted funds. The Andy Mathisen Fishing Park

investment fund currently has a balance of \$99,327.90 and the Mathisen estate is willing to use these funds to help purchase the Blind Slough property to ensure public access on Blind Slough is maintained. The Assembly was asked to determine whether or not the Borough should participate in the sealed bid land sale for the parcel.

A motion to approve the Borough to participate in the auction for South Mitkof Lot 37 failed by a vote of 4-2.

Motion made by Assembly Member Stanton Gregor, Seconded by Assembly Member Fine-Walsh.

Voting Yea: Vice Mayor Lynn, Assembly Member Stanton Gregor

Voting Nay: Mayor Jensen, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz

F. Request to Negotiate Purchase of 50-Foot Public Access Easement on Lots 37, 38 and 39 Fronting Blind Slough

A motion to approve sending a letter to ADNR to request the Borough be allowed to purchase a 50 foot public access easement on South Mitkof Lots 37, 38 and 39 failed to receive a second.

G. Petro Building Acquisition Status

The Borough (Staff and Attorney) has been working with Petro 49 since 2018 to acquire the old Union Oil building and property at 703 S. Nordic Drive for use as a maintenance facility for our Harbor Department. The Borough and Petro 49 have also been working with ADEC as a clear letter of conditions on the property is required before the Borough follows through with the acquisition. The Borough was recently informed that the process of receiving a clear letter of conditions on the property from ADEC may not be completed for several more years. Manager Giesbrecht requested direction from the Assembly whether the Borough should continue with the acquisition or look for other alternatives.

The Assembly unanimously voted to not continue with acquisition of the old Union Oil building from Petro, 49.

Motion made by Mayor Jensen, Seconded by Assembly Member Stanton Gregor.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton Gregor

H. Housing Task Force

The Assembly thanked the members of the Housing Task Force for their time and efforts and voted to dissolve the task force at this time.

Motion made by Mayor Jensen, Seconded by Assembly Member Fine-Walsh.

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton

Gregor

I. Election of Vice Mayor

A motion to appoint Bob Lynn as Vice Mayor failed by a vote of 3 to 3.

Motion made by Assembly Member Stanton Gregor, Seconded by Assembly Member Fine-Walsh.

Voting Yea: Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Stanton Gregor

Voting Nay: Mayor Jensen, Assembly Member Marsh, Assembly Member Schwartz]

A motion to appoint Donna Marsh as Vice Mayor passed by a vote of 4 to 2.

Motion made by Mayor Jensen, Seconded by Assembly Member Schwartz.

Voting Yea: Mayor Jensen, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz

Voting Nay: Vice Mayor Lynn, Assembly Member Stanton Gregor

J. Assembly Member Appointments to Boards

The Assembly made the following appointments:

Southeast Conference: Mayor Jensen (voting member) and Assembly Member Fine-Walsh

Alaska Municipal League: Mayor Jensen and Assembly Member Lynn

Liaison to the Harbor Board: Assembly Member Newman

Liaison to the Hospital Board: Assembly Member Lynn

Liaison to the Public Safety Advisory Board: Assembly Member Schwartz

Elected Official to the Local Emergency Planning Committee: Vice Mayor Marsh

Elected Official to the Early Childhood Education Task Force: Assembly Member Stanton Gregor

K. Alaska Municipal League 73rd Annual Local Government Conference

By unanimous roll call vote, the Assembly approved Manager Giesbrecht and Assembly Member Fine-Walsh to attend the Alaska Municipal League Annual Conference in December.

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

Voting Yea: Mayor Jensen, Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton

Gregor

L. Letter of Support for the Alaska Municipal League's Reducing Impact of Rural Boardwalk Barriers Project

The letter of support for AML's Thriving Communities Regional Grant program was unanimously approved.

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

16. Communications

A. Correspondence Received Since October 12, 2023

17. Assembly Discussion Items

A. Seafood Market Update

Assembly Member Schwartz shared what he heard at a recent webinar held by OBI and Trident Seafoods, which was that the seafood industry is in crisis.

B. Assembly Phone Numbers Posted on Borough Website

The Assembly discussed whether or not to add their personal phone numbers to the Borough website.

C. Assembly Member Comments

Assembly Member Fine-Walsh stated he was disappointed the acquisition of the old Union Oil building from Petro is not able to move forward and that Petro continues to allow a usable building to sit unused.

Manager Giesbrecht thanked Petro for all they have done to try to move the acquisition forward, clarifying that it is the State of Alaska, Department of Environmental Conservation making things too difficult.

D. Recognitions

Assembly Member Marsh thanked our Police Department and SEACAD for the recent arrests and for making Petersburg a safer and better place to live.

Note: Mayor Jensen had to leave the meeting due to internet issues.

18. Executive Session

The Assembly adjourned to Executive Session at 2:06 p.m. to discuss with members of the Borough negotiating team the status of the negotiations for a new labor agreement between the Borough and the International Brotherhood of Electrical Workers.

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

Voting Yea: Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton Gregor

The Assembly exited Executive Session at 2:42 p.m.

19. Ratification of the International Brotherhood of Electrical Workers Collective Bargaining Agreement for November 11, 2023 through June 30, 2027

By unanimous roll call vote, the Assembly ratified the November 11, 2023 through June 30, 2027 Collective Bargaining Agreement between the Borough and the International Brotherhood of Electrical Workers.

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

Voting Yea: Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton Gregor

20. Executive Session

The Assembly adjourned to Executive Session at 2:52 p.m. to receive advice and recommendations from attorneys in regard to pending litigation (Koenigs v. Petersburg Borough, 1PE-22-00046 CI; James Kerr v. Petersburg Borough, 1JU-22-00856 CI).

The Assembly exited Executive Session at 3:40 p.m.

21. Adjourn

The meeting was adjourned at 3:40 p.m.

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

Voting Yea: Vice Mayor Lynn, Assembly Member Fine-Walsh, Assembly Member Marsh, Assembly Member Schwartz, Assembly Member Stanton Gregor