



Petersburg Borough

12 South Nordic Drive
Petersburg, AK 99833

Meeting Minutes Borough Assembly Regular Meeting

Monday, April 01, 2024

12:00 PM

Assembly Chambers

1. Call To Order/Roll Call

Mayor Jensen called the meeting to order at noon.

PRESENT

Mayor Mark Jensen
Assembly Member Thomas Fine-Walsh
Assembly Member Bob Lynn
Assembly Member Scott Newman
Assembly Member Rob Schwartz
Assembly Member Jeigh Stanton Gregor

EXCUSED

Vice Mayor Donna Marsh

2. Voluntary Pledge of Allegiance

The Pledge was recited.

3. Approval of Minutes

A. March 18, 2024 Assembly Meeting Minutes

The March 18, 2024 Assembly meeting minutes were unanimously approved.

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

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

4. Amendment and Approval of Meeting Agenda

5. Public Hearings

A. Ordinance #2024-05: An Ordinance Determining that Property Conveyed to the Borough in a Tax Foreclosure Proceeding Shall not be Retained for a Public Purpose and Shall Hereafter be Sold - Second Reading

No testimony was given.

B. Public Hearing for an Application to Purchase Borough Owned Tidelands - Island Refrigeration, LLC

Brock Snider, owner of Island Refrigeration, LLC, has filed an application to purchase a Borough owned tideland lot located on the south side of Dock Street (legal description: a portion of Wilson Tidelands Lease Plat #2000-6, T-37; parcel ID #01-010-035).

Borough Code Section 16.16.070, *Sale of Tidelands*, requires that at the public hearing, the applicant clearly demonstrate the benefits of sale of the subject tideland that could not be realized through leasing and that outright sale of a tideland, as contrasted with lease of the tideland, is in the Borough's best interest.

A. Island Refrigeration, LLC

Brock Snider spoke about the reason for his application to purchase the tideland and the importance of the property for his business.

B. Public Testimony

Casey Knight, a member of the Harbor Advisory Board and speaking on behalf of himself, spoke about the work session with the Harbor Board regarding the tidelands and encouraged the Assembly to route proceeds from any tideland sales to the Harbor Enterprise Fund.

Harbormaster Wollen spoke in support of Brock's application using the appraisal price and not the assessed value. She also supported that proceeds from tideland sales go to the Harbor Enterprise Fund.

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.

Almont Lindsey, representing himself, spoke in opposition to Ordinance #2024-04 as an owner of property at Frederick Point East.

Catherine Kowalski, representing himself, spoke about the role of pharmacies in communities and spoke in support of Resolution #2024-05.

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. Mayor's Report

Mayor Jensen thanked the Moose Lodge for holding their mid-year conference in Petersburg. He also mentioned that he may not be able to attend the May 6th meeting.

10. Boards, Commission and Committee Reports

There were no reports.

11. Consent Agenda

A. Kito's Kave Package Store License Renewal Application

Kito's Kave has applied with the Alaska Alcohol & Marijuana Control Office for a retail package store liquor license renewal. The Assembly may support or protest the application. A protest may not be arbitrary, capricious or unreasonable.

The Assembly unanimously supported the application renewal.

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

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

B. Kito's Kave Beverage Dispensary License Renewal Application

Kito's Kave has applied with the Alaska Alcohol & Marijuana Control Office for a liquor license renewal. The Assembly may support or protest the application. A protest may not be arbitrary, capricious or unreasonable.

The Assembly unanimously supported the application renewal.

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

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

12. Report of Other Officers

A. Petersburg Medical Center

PMC CEO Hofstetter thanked vendors and hospital staff for a successful health fair. He also reported that the hospital is working with new providers for specialty clinic

options.

B. Summary of SEAPA Board Meeting - March 14, 2024

Member Lynn provided a report on the March 14, 2024 SEAPA Board meeting which was attended by Members Lynn and Fine-Walsh, Mayor Jensen and Utility Director Hagerman.

13. Manager's Report

A. April 1, 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 #2024-03: An Ordinance Adjusting the FY 2024 Budget for Known Changes - Third Reading

Ordinance #2024-03 will 1) transfer funds approved by the Assembly in the FY 2023 budget to begin the GIS Capital Project; 2) utilize \$9,000 of the Property Development Fund for conceptual plan design for parking and traffic flow improvements to better serve the Stedman Elementary School and the Petersburg Children's Center; 3) increase the Fire Department's Machine and Equipment budget by \$11,500 to purchase mounting cradles for Getec Tablets used for computer aided dispatch and for two Starlink Mobile units; 4) transfer \$367,599 from the General Fund FY 2023 Surplus to the Assisted Living Facility to cover the facility's operating deficit; 5) transfer \$41,616 from the Electric Department reserves to their Travel & Training budget to cover new employee moving/hiring expenses and EMD training for our Power Generation/Mechanic/Operator position; 6) transfer \$10,000 from the Sanitation Department reserves to their Machinery & Equipment budget to purchase two 20' shipping containers to store household hazardous waste items at the Landfill; 7) transfer \$12,700 to the Community Development Department to provide Petersburg with an ICC-certified official while the new Building Official is working through his credentials and \$5,000 to the Community Development Travel & Training budget to send two employees to the International Code Council conference for continuing education credits and additional training; 8) transfer \$23,399 to the Finance Department's Auditing Expenses budget to cover the Borough auditor's fees for FY 2024; 9) transfer \$60,000 to the Borough's Attorney Fees budget to cover extra expenses incurred by the Kerr and Koenigs lawsuits; and 10) transfer \$30,017 to the Borough's Property Insurance budget due to increased property insurance premiums.

As Amended in the Second Reading:

11) Added the Elderly Housing Entrance Repair Project to the supplemental budget in the amount of \$50,000 (from the Mountain View Manor Elderly Housing reserves) to put the project out to bid.

By unanimous roll call vote, Ordinance #2024-03 was approved in its third and final reading.

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

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

B. Ordinance #2024-04: An Ordinance Amending Section 10.20.010, *Discharge of Firearms Prohibited*, of the Petersburg Municipal Code, to Remove Prohibition of Discharge of Firearms in the Area of Frederick Point East Subdivision - Third Reading

Ordinance #2024-04 will remove the prohibition of the discharge of firearms in the Frederick Point East area to include immediately adjacent lands.

The Assembly unanimously approved Ordinance #2024-04 in its third and final reading.

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

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

C. Ordinance #2024-05: An Ordinance Determining that Property Conveyed to the Borough in a Tax Foreclosure Proceeding Shall not be Retained for a Public Purpose and Shall Hereafter be Sold - Second Reading

If approved in three readings, land conveyed to the Borough in a tax foreclosure proceeding will be offered for public sale. Ordinance #2024-05 was unanimously approved in its first reading.

Ordinance #2024-05 was unanimously approved in its second reading.

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

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

15. New Business

A. Resolution #: 2024-05: A Resolution in Support of SB121/HB226: Protecting Patient Freedom of Pharmacy Choice and Access to Medications

Resolution #2024-05 will convey to the Alaska Legislature Petersburg's support for Senate Bill 121 and House Bill 226, protecting patient freedom of pharmacy choice and access to medications.

By unanimous roll call vote, Resolution #2024-05 was approved.
Motion made by Assembly Member Lynn, Seconded by Assembly Member Schwartz.
Voting Yea: Mayor Jensen, Assembly Member Fine-Walsh, Assembly Member Lynn,
Assembly Member Newman, Assembly Member Schwartz, Assembly Member Stanton
Gregor

B. Assignment of Trident Seafoods Corporation Lease to EC Phillips and Son, Inc.

E.C. Phillips and Son is in the process of purchasing the Trident Seafoods Petersburg Plant, and requests to assume the Trident Lease. The lease assignment should be contingent upon the closing of the sale of 301 Harbor Way to E.C. Phillips and Son Inc.

The Assembly unanimously approved the assignment of the Trident Seafoods lease to EC Phillips and Son, Inc., contingent upon the closing of the sale at 301 Harbor Way to EC Phillips.

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

C. Island Refrigeration, LLC Application to Purchase Borough-Owned Tidelands

Island Refrigeration, LLC has filed an application to purchase Borough-owned tidelands located on the south side of Dock Street (legal description: a portion of Wilson Tidelands Lease Plat #2000-6, T-37; parcel ID #01-010-035). The Planning Commission recommends the Assembly approve the sale of the tidelands.

By unanimous roll call vote, the Assembly approved Island Refrigeration's application to purchase Borough-owned tidelands and instructed Manager Giesbrecht to commence negotiations for the sale., the final terms of which will come back to the Assembly in the form of a resolution for approval.

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

16. Communications

A. Correspondence Received Since March 14, 2024

17. Assembly Discussion Items

A. Assembly Member Comments

Mayor Jensen asked about the status of the auction of the fire truck. Manager Giesbrecht reported that the truck will be auctioned after repairs are completed to a fire truck in service. Member Lynn asked if the truck will be auctioned with all of its

equipment. Emergency Services Director Hankins responded that all hose fittings, ladders, etc. will be removed from the truck for use by our Fire Department.

B. Recognitions

Member Schwartz congratulated Member Fine-Walsh and his wife, Sarah, on the expected arrival of their baby and wished them well.

18. Adjourn

The meeting was adjourned at 1:22 pm.

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

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