

# *Seward City Council*

## *Agenda Packet*



*December 12, 2016*

*City Council Chambers*

*Beginning at 7:00 p.m.*



The City of Seward, Alaska  
CITY COUNCIL MEETING AGENDA



{Please silence all cellular phones during the meeting}

December 12, 2016

7:00 p.m.

Council Chambers

Jean Bardarson  
Mayor  
Term Expires 2017

Marianna Keil  
Vice Mayor  
Term Expires 2018

Ristine Casagrande  
Council Member  
Term Expires 2018

David Squires  
Council Member  
Term Expires 2017

Sue McClure  
Council Member  
Term Expires 2017

Deborah Altermatt  
Council Member  
Term Expires 2017

Erik Slater  
Council Member  
Term Expires 2018

James Hunt  
City Manager

Johanna Kinney  
City Clerk

Will Earnhart  
City Attorney

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING**  
*[Those who have signed in will be given the first opportunity to speak. Time is limited to 3 minutes per speaker and 36 minutes total time for this agenda item.]*
5. **APPROVAL OF AGENDA AND CONSENT AGENDA**  
*[Approval of Consent Agenda passes all routine items indicated by asterisk (\*). Consent Agenda items are not considered separately unless a council member so requests. In the event of such a request, the item is returned to the Regular Agenda]*
6. **SPECIAL ORDERS, PRESENTATIONS AND REPORTS**
  - A. Proclamations and Awards
    1. Proclamation recognizing Katelyn Correa for designing the Seward City Flag. ....**Pg. 3**
    2. Retrieving the Colors of Seward City logo flag and the raising of the new Official Seward City Flag in Council Chambers.
    3. Recognition of citizen Dano Michaud for volunteer work in repairing the city’s Christmas Tree on Bear Mountain.....**Pg. 4**
  - B. Chamber of Commerce Report
  - C. City Manager Report
  - D. City Attorney Report
  - E. Other Reports and Presentations
    1. Presentation on the 2015 Comprehensive Annual Financial Report (CAFR) by BDO, LLC.
    2. Kenai Peninsula Economic Development District Presentation by Tim Dillon.
    3. Presentation on the upcoming Rockwell Kent Centennial by Doug Capra.
    4. Presentation of capital credit check and update on TRANSCO/USO by Chugach Electric.

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**7. PUBLIC HEARINGS**

**A. Resolutions Requiring A Public Hearing**

1. Resolution 2016-083, Authorizing A 200-Day Extension To The Lease With The U.S. Department Of Army For Lot 9A, Fort Raymond Subdivision Replat No. 1 (US Army Rec Camp). .....**Pg. 5**

**8. UNFINISHED BUSINESS – None**

**9. NEW BUSINESS**

**A. Ordinances For Introduction**

- \*1. Ordinance 2016-009, Amending Seward City Code 15.10.220 Development Requirements – Notes, To Allow The Minimum Lot Size Platting Of 3,000 Square Feet And Clarification Of Lot Size For Duplex Development. ....**Pg. 10**

**B. Resolutions**

1. Resolution 2016-084, Authorizing A One-Time, One Percent Bonus For The City Clerk In 2016, As Previously Issued To Non-Union Regular Employees, And Appropriating Funds. ....**Pg. 23**

**C. Other New Business Items**

- \*1. Approval of the October 24, 2016 and the November 21, 2016 City Council Meeting Minutes. ....**Pg. 26**
- \*2. Cancel the December 27, 2016 City Council Meeting. ....**Pg. 43**
- \*3. Non-objection to the renewal of Beverage Dispensary Liquor License #1245 for Yukon Bar.....**Pg. 44**
4. Schedule Work Sessions to discuss Road Bond Funding and Police Wage Issues. (*Suggested date: January 9, 2017*)
5. Discuss and schedule a work session on new evaluation forms for City Manager, City Clerk, and City Attorney.
6. Discussion on the roles and duties of the Mayor and Council. (*Casagranda*).**Pg. 52**
7. Discussion of the city’s use of the AVTEC Facility. (*Casagranda*) .....**Pg. 53**

**10. INFORMATIONAL ITEMS AND REPORTS (No Action Required) - None**

**11. COUNCIL COMMENTS**

**12. CITIZEN COMMENTS**

**13. COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS**

**14. ADJOURNMENT**





# PROCLAMATION

**WHEREAS**, in January, 2016 a group of citizens formed the Seward City Flag Committee for the purpose of overseeing the creation of an official city flag; and

**WHEREAS**, in March, 2016 the Seward City Council approved Resolution 2016-027 in support of the citizen committee conducting a flag contest; and

**WHEREAS**, in April, 2016 the flag design submission period ended and resulted in 358 entries by school-aged children in Seward and the surrounding area; and

**WHEREAS**, in June, 2016 the flag design judging panel unanimously selected the final graphic design rendition based upon the design submitted by Katelyn Correa from Moose Pass; and

**WHEREAS**, in July, 2016 the Seward City Council unanimously approved Resolution 2016-048 officially adopting Katelyn Correa's design as Seward's official city flag; and

**WHEREAS**, a prototype of the new flag was formally unveiled to the public at the Founders Day Celebration on August 28, 2016.

**NOW, THEREFORE, I, Jean Bardarson, Mayor of Seward, Alaska, do hereby congratulate Katelyn Correa on her winning flag design and do proudly announce that starting today the new city flag will hang in four locations throughout Seward: in Council Chambers, outside City Hall, at the Harbor, and at Benny Benson Memorial Park.**

**Dated this 12<sup>th</sup> day of December, 2016**

**THE CITY OF SEWARD, ALASKA**

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**Jean Bardarson, Mayor**

# *Certificate of Appreciation*

*Presented to*

Dano Michaud

*for his volunteer efforts to make the  
Christmas tree on Bear Mountain  
presentable for the 2016 Holiday Season*

*DATED this 12<sup>th</sup> day of December, 2016*

*THE CITY OF SEWARD, ALASKA*

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*Jean Bardarson, Mayor*



**CITY OF SEWARD, ALASKA  
RESOLUTION 2016-083**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD,  
ALASKA, AUTHORIZING A 200-DAY EXTENSION TO THE LEASE WITH  
THE U.S. DEPARTMENT OF ARMY FOR LOT 9A, FORT RAYMOND  
SUBDIVISION REPLAT NO. 1 (US ARMY REC CAMP)**

**WHEREAS**, the City of Seward and the US Army Engineer District, Alaska entered into US Government Lease No. DACA85-5-86-20 on December 17, 1985, which lease has been amended 4 times, most recently in Resolution 2016-060 passed on September 26, 2016; and

**WHEREAS**, this lease covers the property known as the US Army Recreation Camp in Seward, Alaska, and the lease expires on December 31, 2016; and

**WHEREAS**, the parties request a 200-day extension to the lease in order to finalize negotiations on a new lease which will, among other things, incorporate standard lease language for City leases which represent substantive changes to the lease language as compared to the lease initially approved in 1985.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA**, that:

**Section 1.** The City Council hereby finds that it is in the public interest to authorize the continued lease, in accordance with the attached Supplemental Agreement No. 5 to the lease, of Lot 9A, Fort Raymond Subdivision Replat No. 1 between the City of Seward and the US Army Engineer District, Alaska, expiring June 30, 2017, in substantial form as attached hereto.

**Section 2.** The lease provides for payment, in arrears, of \$9,000 for the period January 1, 2017 through June 30, 2017, which is the same rate as the previous agreement.

**Section 3.** This resolution shall take effect 30 days after adoption in accordance with Section 7.05.145 of the Seward City Code.

**CITY OF SEWARD, ALASKA  
RESOLUTION 2016-083**

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**PASSED AND APPROVED** by the City Council of the City of Seward, Alaska, this 12<sup>th</sup> day of December, 2016.

**THE CITY OF SEWARD ALASKA**

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**Jean Bardarson, Mayor**

**AYES:  
NOES:  
ABSENT:  
ABSTAIN:**

**ATTEST:**

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Johanna Kinney, CMC  
City Clerk

# Council Agenda Statement



Meeting Date: December 12, 2016  
 To: Seward City Council  
 Through: Jim Hunt, City Manager  
 From: Kristin Erchinger, Finance Director

Agenda Item: Authorizing 200-day extension to US Army Rec Camp Lease

## **BACKGROUND & JUSTIFICATION:**

The Seward City Council approved the initial lease of the US Army Rec Camp to the US Army Engineer District, Alaska, on December 17, 1985 for a ten-year term with options to renew for subsequent 10-year terms thereafter, to September 30, 2016. The initial lease was for 12.43 acres more or less, at a lease rate of \$10,000 per year for the first ten years, and 25 percent of the fair market rental value of the leased land for subsequent years. The lease was amended as follows: 1) Supplemental Agreement No. 1 dated August 1, 1987 reduced the size of the leased parcel to 11.824 acres more or less; 2) Supplemental Agreement No. 2 dated April 11, 1997 eliminated the determination of fair market rental value of 25 percent of fair market rental value, and assessed annual rent in the amount of \$10,300 for the period October 1, 1996 through September 30, 2006; and 3) Supplemental Agreement No. 3 dated September 8, 2006 exercised the option to extend the lease through September 30, 2016, at an annual rental amount of \$18,000; and 4) Supplemental Agreement No. 4 dated September 16, 2016 authorizing a short-term lease extension through December 31, 2016.

The administration requests an additional 200 days to negotiate the new lease which will, among other things, incorporate standard lease language which has been added to City leases since the original Rec Camp lease was approved thirty years ago (i.e. lease appraisals; annual CPI rental adjustments, etc). The parties are awaiting approval from Fort Wainwright to negotiate new lease terms. The new lease is expected to address utility easements, lease appraisals, CPI rental adjustments, performance requirements, etc.

The previous Council action authorized a 90 day extension and this action requests an additional 200 days, giving the parties until June 2017 to finalize negotiations. The Agreement provides that the lease is subject to suspension during the first 30 days after passage of the authorizing resolution, if a sufficient referendary petition is filed in accordance with Seward City Code §7.05.145.

## **INTENT:**

To authorize Supplemental Agreement No. 5, representing an additional 200-day lease extension with the US Army Engineer District, Alaska, for the US Army Rec Camp located at Lot 9A, Fort Raymond Subdivision Replat No. 1, Seward, Alaska, to allow the parties to negotiate a new lease following expiration of the thirty-year former lease.

## **CONSISTENCY CHECKLIST:**

		Yes	No	N/A
1.	Comprehensive Plan: p. 6 " <i>Economic Development - Strengthen and diversify the economy of Seward by working with the private sector and other governmental units.</i> "; p. 19 " <i>Encourage additional military facilities that upgrade Seward as a Morale Welfare and Recreation (MWR) destination.</i> "	X		
2.	Strategic Plan:			X
3.	Other:			X

**FISCAL NOTE:** The 200-day additional lease extension provides for rental payments in arrears, in the amount of \$9,000 for the period January 1, 2017 through June 30, 2017, representing the same amount as the existing lease price, which is already anticipated in the approved budget.

Approved by Finance Department: *Kristin Erchinger*

**ATTORNEY REVIEW:** Yes  No

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**RECOMMENDATION:**

Approve City Council Resolution 2016- **083** authorizing a 200-day extension to the US Army Rec Camp Lease in the form of Supplemental Agreement No. 5.

**SUPPLEMENTAL LEASE AGREEMENT**

SUPPLEMENTAL AGREEMENT NO. 5

DATE: December 12, 2016

To Lease No. DACA85-5-86-20

Page 1 of 1

ADDRESS OF PREMISES: Lot 9A, Fort Raymond Subdivision Replat No. 1, Seward, Alaska

THIS AGREEMENT, made and entered into this date by and between the CITY OF SEWARD, whose address is Post Office Box 167, Seward Alaska 99664, hereinafter called the Lessor, and the UNITED STATES OF AMERICA, hereinafter called the Government:

Whereas, the parties hereto desire to amend the above lease to extend the term of the lease.

NOW THEREFORE, these parties, for the consideration of the premises and the consideration hereinafter mentioned, and the mutual benefit to be derived therefrom, covenant and agree that said Lease is amended, effective December 12, 2016, as follows:

THAT Paragraph 3 of the lease is modified to extend the lease for an additional two-hundred (200) day period, beginning December 12, 2016 through June 30, 2017.

THAT Paragraph 4 of the lease is modified to stipulate that rent in the amount of \$9,000, payable in arrears, is to cover the lease period from January 1, 2017 through June 30, 2017.

THAT the lease is subject to suspension during the first 30 days after passage of the Seward City Council Resolution authorizing this Supplemental Lease Agreement No. 5 if a sufficient referendary petition is filed in accordance with Section 4.8 of the Seward City Charter.

FUND CITATION: QG1-LF-53-746-87

All other terms and conditions of the lease shall remain in full force and effect.

IN WITNESS WHEREOF, the parties subscribed their names as of the above date.

LESSOR: City of Seward

TAX ID NO: 92-6000086

James Hunt (signature)

Date

City Manager

In the presence of:

UNITED STATES OF AMERICA

BY:

Michael D. Coy (signature)

29 NOV 2016

Date

Michael D. Coy  
Real Estate Contracting Officer  
U.S. Army Engineer District, Alaska  
(Official Title)

**Sponsored by:** Planning and Zoning Commission

**Introduction Date:** December 12, 2016

**Public Hearing Date:** January 9, 2017

**Enactment Date:** January 9, 2017

**CITY OF SEWARD, ALASKA  
ORDINANCE 2016-009**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SEWARD,  
ALASKA, AMENDING SEWARD CITY CODE 15.10.220  
DEVELOPMENT REQUIREMENTS – NOTES, TO ALLOW THE  
MINIMUM LOT SIZE PLATTING OF 3,000 SQUARE FEET AND  
CLARIFICATION OF LOT SIZE FOR DUPLEX DEVELOPMENT**

**WHEREAS**, City Council requested the Planning and Zoning Commission review and bring forward City Code amendments to allow the platting and single family home development of 3,000 square foot lots; and

**WHEREAS**, current City Code allows for the single family home development of existing **originally platted** 3,000 square foot lots but does not allow for the development of other 3,000 square foot lots or the platting of additional 3,000 square foot lots; and

**WHEREAS**, amending the City Code to allow additional 3,000 square foot parcels could provide added single family home lots and greater in-fill or density; and

**WHEREAS**, the lots south of Van Buren, within the Original Townsite of Seward and the Federal and Laubner Additions, are served by existing utilities located in both the alley and street rights-of-way, allowing for required utility separation on small lots; and

**WHEREAS**, the Planning and Zoning Commission held three (3) work sessions and two (2) public hearings in review of the code amendments to allow platting and single family home development of 3,000 square foot parcels; and

**WHEREAS**, minimum lot size for single family homes and multi-family developments with three – four units is currently provided in the Development Requirements of the City Code; however, no guidance is provided for duplex development; and

**WHEREAS**, staff has provided a code amendment to provide clarification on the lot size for duplex or two family developments; and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on September 6, 2016 and November 1, 2016 recommended City Council approve the proposed City Code amendments within this Ordinance.

**NOW, THEREFORE, THE CITY OF SEWARD ORDAINS** that:

**CITY OF SEWARD, ALASKA**

**ORDINANCE 2016-009**

Page 2 of 3

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**Section 1.** Seward City Code is hereby amended as follows:

**Chapter 15.10.220 Development Requirements – Notes** is hereby amended as follows:

(Deletions are **Bold Strikethroughs**; Additions are **Bold Underline**)

**15.10.220 Development Requirements - Notes**

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NOTE 2.

\*\*\*

B. In the R1, R2, R3, UR, OR ~~and~~ , AC and CB Districts, from ~~the Seward Highway/Phoenix Road intersection~~ Van Buren Street South, ~~6,000~~ 3,000 SF and north, ~~7,000~~ 6,000 SF with ~~60~~ 30 and ~~70~~ 60 foot minimum frontages respectively, for single-family residences.

\*\*\*

D. In the R1, R2, R3, UR, OR ~~and~~ , AC and CB Districts, individual **originally platted** lots of at least 3,000 SF in the Original Townsite, Federal Addition, Laubner Addition, Cliff Addition and Bayview Addition may be developed for single-family residences provided all other development requirements of this chapter are met.

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**F. Two-family or duplex developments require a minimum of 6,000 SF in the R2, R3, UR, OR, AC and CB Districts and 20,000 SF in the RM District. Duplex developments within the Federal Addition Subdivision require 5,000 SF. All other development requirements of this chapter shall be met.**

**Section 2.** This ordinance shall take effect ten (10) days following enactment.

**ENACTED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA,** this 9<sup>th</sup> day of January, 2017.

**THE CITY OF SEWARD, ALASKA**

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**Jean Bardarson, Mayor**

**CITY OF SEWARD, ALASKA**

**ORDINANCE 2016-009**

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AYES:

NOES:

ABSENT:

ABSTAIN:

**ATTEST:**

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Johanna Kinney, CMC  
City Clerk

(City Seal)

# Agenda Statement



Meeting Date: December 12, 2016  
To: City Council  
Through: Jim Hunt, City Manager  
Ron Long, Assistant City Manager  
From: Donna Glenz, Planner  
Agenda Item: Council amend Seward City Code §15.10.220. Development Requirements - Notes

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## **BACKGROUND & JUSTIFICATION:**

At the Council joint work session with the Planning and Zoning Commission on February 24, 2016 the Council directed the Planning and Zoning Commission and Community Development Department staff to review and develop new Code provisions addressing the ability to plat and develop lots of 3,000 square feet.

The Commission held several public work sessions to discuss the pros and cons of smaller lots. Current City Code allows for the single family home development of existing **originally platted** 3,000 square foot lots but does not allow for the development of other 3,000 square foot lots. There are several 3,000 square foot lots that currently do not meet the **originally platted** requirement of the current code. Also, the current City code does not allow for the platting of new or additional 3,000 square foot lots.

The Commission held a Public Hearing on September 6, 2016. Two members of the public spoke in opposition to the proposed code amendment. The Commission voted to postpone the decision on Resolution 2016-12 until an additional public work session and further discussion was held. A public work session was held on September 20, 2016 with two (2) members of Council and a member of the public present. The proposed Ordinance was thoroughly discussed and no changes or amendments were requested.

The facilitation of small lot development could to some degree encourage infill development. New construction on scattered vacant or underutilized lots near the center of town may be a way to increase housing.

For the most part, the subdivisions south of Van Buren Street are severed by alley access with utilities located in both the alley and street rights-of-way, allowing for the required separation of utilities on small lots.

While the City of Seward is required to provide recommendations to the Kenai Peninsula Borough (KPB) on all platting or subdivision requests within the City Limits, the Borough Platting Commission has the final authority on the subdivision approval. There are several Borough code provisions that address lot size, special or different standards within organized cities:

- KPB subdivision code §20.30.190. **Lots – Dimensions** requires minimum lot width of 60 feet
- KPB §20.30.200. **Lots – Minimum Size** requires minimum lot size of 6,000 square feet.

- **KPB §20.30.270 Different standards in cities;** requires the City to have an Ordinance in place stating the different subdivision design standards.

Therefore, if the City chooses to have different lot sizes or standards than the Borough Code requirements, the City is required to have an Ordinance in place stating the different standards. When a surveyor is platting a smaller lot a special exception request to the Borough standards will be required.

Staff is also requesting a code amendment to provide clarification on the lot size for duplex or two family developments. Minimum lot size for single family homes and multi-family developments with three – four units is currently provided in the Development Requirements but no guidance is provided for duplex development. Therefore, City staff has provided a recommendation by the addition of item F. to the Development Requirements - Notes.

**Specific additions, deletions or changes are as follows:**

(Deletions are **Bold Strikethroughs**; Additions are **Bold Underline**)

**15.10.220 Development Requirements - Notes**

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NOTE 2.

\*\*\*

B. In the R1, R2, R3, UR, OR ~~and~~ , AC ~~and~~ CB Districts, from ~~the Seward Highway/Phoenix Road intersection~~ Van Buren Street South, ~~6,000~~ 3,000 SF and north, ~~7,000~~ 6,000 SF with ~~60~~ 30 and ~~70~~ 60 foot minimum frontages respectively, for single-family residences.

\*\*\*

D. In the R1, R2, R3, UR, OR ~~and~~ , AC ~~and~~ CB Districts, individual ~~originally-platted~~ lots of at least 3,000 SF in the Original Townsite, Federal Addition, Laubner Addition, Cliff Addition and Bayview Addition may be developed for single-family residences provided all other development requirements of this chapter are met.

\*\*\*

F. Two-family or duplex developments require a minimum of 6,000 SF in the R2, R3, UR, OR, AC and CB Districts and 20,000 SF in the RM District. Duplex developments within the Federal Addition Subdivision require 5,000 SF, provided all other development requirements of this chapter are met.

<b>CONSISTENCY CHECKLIST:</b>		Yes	No	N/A
<b>Comprehensive Plan (2020, approved by Council August 8, 2005):</b>				
3.2.1	Promote residential and commercial development within the city of Seward in accordance with community values. (page 19)	X		
3.3.1.1	Support a range of housing choices that meet the needs of people in various income and age groups. (page 22)			

	<p><b>Strategic Plan</b> (Approved by Council Resolution 99-043):</p> <ul style="list-style-type: none"> <li>• <b>Expand availability of affordable, diverse, year-round housing.</b> <ul style="list-style-type: none"> <li>○ Seward has a wide range of housing alternatives to meet the varied needs of Seward's long term and seasonal residents (Page 18, Bullet 3)</li> </ul> </li> <li>• <b>Promote Residential and Commercial Development inside the City.</b> (Page 9, Bullet 2)</li> </ul> <p>Encourage construction of residential and seasonal housing at all market levels (Page 9, Bullet 2-1)</p>	X		
	<p><b>Municipal Lands Management Plan:</b> (Adopted by Council Resolution 2014-095)</p>			X

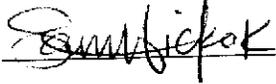
Seward City Code §15.01.035(c)(2)&(3) provides that the Planning and Zoning Commission shall hold a public hearing and forward written recommendations to the City Council before the City Council amends or repeals any land use regulations, or changes zoning or land use boundaries.

As per Seward City Code the Planning and Zoning Commission held public hearings on September 6, and November 1, 2016 and approved P&Z Resolution 2016-12, recommending City Council approved the attached Ordinance, amending Seward City Code 15.10.220 Development Requirement – Notes.

One member of the public provided written concerns in opposition to the requested code amendment. Those concerns have been included within your packet. Concerns were expressed from City staff regarding the ability to provide the required separation of utilities to small lots with no alley access. Those concerns have been addressed by only allowing the 3,000 square foot lot additions and development south of Van Buren Street where most lots are accessed by both street front and alley rights-of-way.

**INTENT:**  
Amend Seward City Code §15.10.220. Development Requirements – Notes to allow the minimum lot size platting of 3,000 square feet and clarification of lot size for duplex development.

**FISCAL NOTE:**  
Implementation of the code amendment will have no direct cost to the City.

Approved by Finance Department: 

**ATTORNEY REVIEW:** Yes X No       

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**RECOMMENDATION:**  
Staff and the Planning and Zoning Commission recommend the Council introduce and enact Ordinance 2016-009, amending Seward City Code 15.10.220 Development Requirements - Notes.

Sponsored by: Staff

Postponed from: September 6, 2016

**CITY OF SEWARD, ALASKA  
PLANNING AND ZONING COMMISSION  
RESOLUTION 2016-12**

**A RESOLUTION OF THE PLANNING AND ZONING COMMISSION OF  
THE CITY OF SEWARD, ALASKA, RECOMMENDING CITY COUNCIL  
AMEND PORTIONS OF SEWARD CITY CODE 15.10.220  
DEVELOPMENT REQUIREMENTS – NOTES, TO ALLOW THE  
MINIMUM LOT SIZE PLATTING OF 3,000 SQUARE FEET AND  
CLARIFICATION OF LOT SIZE FOR DUPLEX DEVELOPEMNT**

**WHEREAS**, City Council has requested a City Code amendment to allow for the platting and single family home development of 3,000 square foot lots; and

**WHEREAS**, the Planning and Zoning Commission held two public work sessions reviewing the platting and development options of 3,000 square foot lots; and

**WHEREAS**, having complied with the public notification process, on September 6, 2016, the Seward Planning and Zoning Commission held the required public hearing and made the following recommendations.

**NOW, THEREFORE, BE IT RESOLVED** by the Seward Planning and Zoning Commission that:

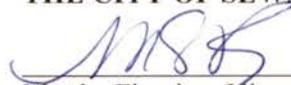
**Section 1.** The Commission recommends Ordinance 2016-\_\_\_ attached and incorporated herein by reference, be forwarded to City Council.

**Section 2.** The Commission further recommends the Council approve Ordinance 2016-\_\_\_, amending portions of Seward City Code §15.10.220, Development Requirements - Notes.

**Section 3.** This resolution shall take effect immediately upon its adoption.

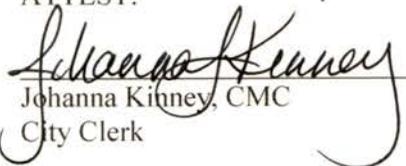
**PASSED AND APPROVED** by the Seward Planning and Zoning Commission this 1<sup>st</sup> day of November 2016.

THE CITY OF SEWARD

  
Martha Fleming, Vice-Chair

AYES: Ambrosiani, Seese, Anderson, Fleming  
NOES: None  
ABSENT: Carlton, Swann, Ecklund  
ABSTAIN: None  
VACANT: None

ATTEST:

  
Johanna Kinney, CMC  
City Clerk

(City Seal)



**Resolution 2016-12 of the Planning and Zoning Commission of the City of Seward, Alaska, recommending City Council amend portions of Seward City Code 15.10.220 Development Requirements – Notes, to allow the minimum lot size platting of 3,000 square feet and clarification of lot size for duplex development**

Glenz described the proposed amendments to the City Code and the direction City Council had provided regarding small lot development. The small lot development and platting changes would be implemented for properties south of Van Buren Street. Glenz stated that the proposed amendments would also provide needed Code guidance for duplex development.

**Notice of public hearing being posted and published as required by law was noted and the public hearing was opened.**

Carol Griswold, inside City, noted she had submitted a letter and that it was included in the meeting packet. Griswold said the effort to facilitate development of small lots would have an impact on quality of life, including landscaping. She said the town was very busy in the summer and very quiet in the winter. Nonresident owners were purchasing properties and were not fully participating in the community, she said. Further subdivision in the Original Townsite would impact vegetation and trees and promote increased density, which she opposed.

Kerry Martin, inside City, said he believed that facilitating the development of 3,000 square foot lots would not result in the construction of more affordable housing. The cost per square foot of land would be driven upward, he said. The cost of the construction was the same, regardless of the size of the lot.

Martin said there was a great number of lodging businesses and the new construction and sales of existing structures seemed to be largely related to seasonal lodging. The City Administration needed to work with the public to extend utilities to subdivisions that were not served, Martin said. He also said that small lots were not sufficient to serve modern families and the vehicles and other items that would be stored. He said he opposed the creation of more 3,000 square foot lots.

**Hearing no one else wishing to speak, the public hearing was closed.**

**Motion (Anderson/Swann)**

**Approve Resolution 2016-12**

Ambrosiani questioned the long term effects of allowing the platting of 3,000 square foot lots.

Glenz pointed out that Code allowed for residential development of an originally platted 30 foot by 100 foot lot. Glenz explained there were some lots that included 3,000 square feet, but were no longer in the original configuration. Code prevented development of those lots.

Ambrosiani asked staff to explain the primary goal of the proposed Code changes.

Glenz stated the goal was to allow the platting of 3,000 square foot lots. She noted that a resident had vacated an interior lot line to allow planned development, but changed the development plan and was now only using a portion of that land. The owner wanted to create a smaller lot from the unused land, noting that current Code did not allow the platting of less than 6,000 square feet.

Glenz suggested that if the Commission was not prepared to approve the resolution, the Commission could postpone action and the proposed amendment could be reviewed in an additional work sessions.

**Motion (Carlton/Ambrosiani)**

**Postpone action until Resolution 2016-12 was brought back before the Commission**

**Motion Passed**

**Yes: Fleming, Ambrosiani, Carlton, Ecklund  
No: Swann, Anderson**

**Unfinished Business – None**

**New Business Items –**

**Planning and Zoning September 20 Work Session Topic**

Glenz noted a memo in the meeting packet and suggested Commissioners attend a Comprehensive Plan Open House scheduled for September 14. Commissioners also needed to determine if they would hold a September 20 work session, and set the topic for that session. Glenz also said the Historic Preservation Commission had requested a joint work session on October 4.

Ecklund asked what the Historic Preservation Commission work session topic would be.

Glenz said there would be no specific topic, but an agenda would be provided prior to the work session.

Commissioners discussed their schedules and set the September 20 work session topic as further review of the development and platting of 3,000 square foot lots. Commissioners also planned to attend the Comprehensive Plan Open House on September 14.

**Informational Items and Reports (No action required)**

**FEMA Region X Newsletter**

**2016 Planning & Zoning Meeting Schedule and Calendar**

**Unfinished Business Items requiring a Public Hearing –**

**Resolution 2016-12 of the Planning and Zoning Commission of the City of Seward, Alaska, recommending City Council amend portions of Seward City Code 15.10.220 Development Requirements – Notes, to allow the minimum lot size platting of 3,000 square feet and clarification of lot size for duplex development (Postponed from September 6)**

Glenz noted the history of the proposed Code amendments to allow for the development and platting of 3,000 square foot lots. A public work session was held on September 20, following the Planning and Zoning Commission postponement of action on Resolution 2016-12. Glenz noted the Commission had recommended no amendments as a result of the work session.

Glenz stated the proposed Code amendments were to be limited to the parcels south of Van Buren Street to meet minimum required utility separation. Following the September 20 work session, staff had not received any additional comments or questions regarding Resolution 2016-12. She noted that following the public hearing the Motion and Second to approve Resolution 2016-12 was back on the table for discussion and vote.

**Notice of public hearing being posted and published as required by law was noted and the public hearing was opened.**

**Hearing no one wishing to speak, the public hearing was closed.**

**Original Motion (Anderson/Swann)**  
*(Motion made on September 6)*

**Approve Resolution 2016-12**

Fleming asked Commissioners if they had any further discussion.

Anderson called for the question.

**Motion Passed**

**Unanimous**

**New Business Items requiring a Public Hearing – None**

**Unfinished Business – None**

**New Business Items –**

**Approve the 2017 Planning and Zoning Commission meeting schedule and public hearing cut-off dates**

August 16, 2016

Re: 30x100' lot development

Dear Planning and Zoning Commissioners,

I am opposed to increasing the potential for more 30' lot development for the following reasons:

1. Development on 30' lots is already occurring without any changes to the code. Note the new houses at 422 and 424 Third Ave, and the new building at 329 Third Ave.
2. Note as well the lack of off-street parking for many small lots. Vehicles park along the street, increasing traffic congestion and issues with road maintenance.
3. People have stuff. The romantic notion that a small house means the simple, uncluttered life is often not true. Last year, a 627 square foot cottage on a 30x100' lot was purchased by an out-of-town owner. He then parked his large motorhome in the alley, extending into the property to the north. A large boat and skiff were parked in the front yard, along with a school bus, and storage trailer. His two vehicles were variously parked on the front yard or in the alley on the neighboring property. While this may be an extreme case, it points out the fact that most people have stuff that does not fit on 30' lot, even with a small home.
4. Many of Seward's small homes and small lots are owned by non-residents who bought them for summer use or nightly lodging. Encouraging more 30' lots will promote more out-of-town or non-resident owners and more seasonal use, not year-round residents.
5. Small lots are not necessarily affordable for first time homeowners, young or old. Subdividing a larger parcel does not create cheaper per square foot lots, but increases the price per square foot. Small homes are still expensive for first time homeowners.
6. The possible additional property tax is miniscule and not a good argument for smaller lots.

7. Subdividing larger lots into 30x100' lots, especially in the historic parts of Seward, will destroy trees and shrubs and other landscaping that contribute to the beauty of Seward. Please refer to Title 15.15.025, Seward's Historic Plant and Tree Register, that provides for public recognition of local plants and trees, many of which are located in the area under discussion.

8. The Council's interest in smaller lots and tiny homes is inconsistent with its decision to donate 1.7 acres of public land for up to two 6-bedroom apartment buildings that will serve a maximum of 24 people if all the units are 2 bedroom with 2 people per 12 units.

What is our vision for Seward? Do we want to encourage maximum density with smaller lots? Do we want to allow three story buildings now that the fire department has a ladder truck?

Shall we allow the creation of more small lots in residential zones that encourages more nonresident ownership, more seasonal use, and further exacerbates the lack of year-round housing for residents? Is there a point of saturation?

Or do we want a livable town with adequate space for residents with off street parking and storage space, and space for trees and shrubs that grace our town. I vote for quality of life.

Thank you for your consideration.  
Carol Griswold

**CITY OF SEWARD, ALASKA  
RESOLUTION 2016-084**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SEWARD,  
ALASKA, AUTHORIZING A ONE-TIME, ONE PERCENT BONUS FOR  
THE CITY CLERK IN 2016, AS PREVIOUSLY ISSUED TO NON-UNION  
REGULAR EMPLOYEES, AND APPROPRIATING FUNDS**

**WHEREAS**, the City of Seward 2016/2017 budget saw a nearly 13% reduction in the General Fund budget, largely the result of State budget cuts and uncertainty surrounding sales tax revenues; and

**WHEREAS**, in order to balance the budget, employee merit increases and proposed cost of living increases were eliminated from the budget in both 2016 and 2017; and

**WHEREAS**, the City Council agreed to consider reinstating some level of employee pay increases following receipt of the City's financial performance results from 2015; especially considering whether sales tax revenues came in higher than projected; and

**WHEREAS**, the General Fund ended 2015 with a positive net increase in Fund Balance of \$321,309; and

**WHEREAS**, at the recommendation of administration, the City Council approved Resolution 2016-046 on July 25, 2016 which restored merit increases in 2016 to those employees who were eligible and provided a one percent bonus to all non-union regular employees which was not added to employees' future base year salaries; and

**WHEREAS**, any increases in pay for the City Clerk must be approved by the City Council. The clerk is requesting the same one percent bonus that all non-union regular employees received earlier this year.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SEWARD, ALASKA** that:

**Section 1.** The City Clerk shall be eligible for a one-time bonus at the rate of one percent of her regular annual salary based on their regular rate of pay in 2016. The one percent bonus is offered in lieu of a cost of living increase, such that the bonus will not add to the clerk's base salary in future years.

**Section 2.** An appropriation in the amount of \$743 is hereby appropriated from the General Fund undesignated reserves account no. 01000-0000-3400 to Clerk department salary and benefits account no. 01000-1113-6XXX.

**Section 3.** This resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** by the City Council of the City of Seward, Alaska, this 12<sup>th</sup> day of December, 2016.

**CITY OF SEWARD, ALASKA  
RESOLUTION 2016-084**

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**THE CITY OF SEWARD, ALASKA**

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**Jean Bardarson, Mayor**

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

**ATTEST:**

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Johanna Kinney, CMC  
City Clerk

(City Seal)

# Agenda Statement



Meeting Date: December 12, 2016  
 To: City Council  
 From: Johanna Kinney, City Clerk *JK*  
 Agenda Item: Authorizing a one percent bonus for the City Clerk in 2016 as previously issued to non-union regular employees.

**BACKGROUND & JUSTIFICATION:**

In order to balance the FY 2016-2017 budget, the City Council had eliminated employee merit increases and any proposed cost of living increases for employees in 2015.

046

The City Council met at their July 25, 2016 meeting and approved Resolution 2016-049, which restored merit increases in 2016 to eligible and provided a one-time, one percent bonus to all non-union regular employees, provided that the bonus was not added to employees' future base year salaries.

As a contracted employee, the City Clerk does not participate in the pay plan of city employees and must obtain council approval for any cost of living increases or increase in pay. At this time, the clerk is requesting the one-time one percent bonus that the employees received earlier this year. This bonus will not add to the position's base pay.

**INTENT:**

To authorize a one-time, one percent bonus to the City Clerk as previously issued to non-union regular employees earlier this year.

<b><u>CONSISTENCY CHECKLIST:</u></b>		Yes	No	N/A
1.	Comprehensive Plan			X
2.	Strategic Plan :			X
3.	Other ( <i>list</i> ):			

**FISCAL NOTE:** The total impact of the proposed one-time one percent bonus for the City Clerk for 2016 is \$743 and will be appropriated from the General Fund undesignated reserves account to the City Clerk Department salary and benefits funds.

Approved by Finance Department: *[Signature]*

**ATTORNEY REVIEW:** Yes \_\_\_\_\_ No X Not Applicable \_\_\_\_\_

**RECOMMENDATION:**

City Council approve Resolution 2016-084 authorize a one percent bonus in 2016 for the City Clerk as previously issued to non-union regular employees, and appropriating funds.

## **CALL TO ORDER**

The October 24, 2016 regular meeting of the Seward City Council was called to order at 7:00 p.m. by Mayor Jean Bardarson.

## **OPENING CEREMONY**

Police Chief Tom Clemons led the Pledge of Allegiance to the flag.

## **SWEAR IN NEWLY ELECTED OFFICIALS**

**City Clerk Johanna Kinney swore in newly elected Council Members Erik Slater and Marianna Keil.**

## **ROLL CALL**

There were present:

Jean Bardarson, presiding and  
Marianna Keil  
Sue McClure

David Squires  
Erik Slater

comprising a quorum of the Council; and

Jim Hunt, City Manager  
Johanna Kinney, City Clerk  
Brenda Ballou, Deputy City Clerk

Absent – Casagrande, Altermatt

## **CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING**

**Kelley Wiley Lane** was curious about the lots on First Avenue where some houses had been removed.

## **APPROVAL OF AGENDA AND CONSENT AGENDA**

**Motion (Keil/McClure)**

**Approval of Agenda and Consent Agenda**

**Motion Passed**

**Unanimous**

The clerk read the following approved consent agenda items:

**Approval of the September 6, 2016 City Council Special Meeting Minutes.**

**Resolution 2016-063, Authorizing A Sole Source Contract With Construction Machinery Industrial, LLC (CMI) For Repairs To The 2006 G990 Volvo Road Grader For An Amount Of \$32,427.20 With A 15% Contingency For A Total Amount Not To Exceed \$37,291.28, And Appropriating Funds.**

**Resolution 2016-064, Honoring The 25<sup>th</sup> Anniversary Of The Seward Bike Path.**

**Resolution 2016-068, Accepting Grant Funds From The State Of Alaska Department Of Commerce, Community And Economic Development In The Amount Of \$300,000 For Lowell Canyon Tunnel Flood Protection Scoping And Feasibility Study, And Appropriating Funds.**

**Resolution 2016-069, Accepting Grant Funds From The U.S. Department Of The Army In The Amount Of \$1.5 Million For The Lowell Creek Flood Diversion Feasibility Study, Approving A Cooperative Agreement For The Project, Authorizing Initial Matching Funds In The Amount Of \$500,000, And Appropriating Funds.**

**Resolution 2016-070, Accepting Grant Funds From The Kenai Peninsula Borough In The Amount Of \$50,000, For Beach Erosion, Bank Stabilization And Revetment, And Appropriating Funds.**

## **SPECIAL ORDERS, PRESENTATIONS AND REPORTS**

### **Proclamations & Awards – None**

**Chamber of Commerce Report. Cindy Clock** congratulated Erik Slater and Marianna Keil. The 3<sup>rd</sup> Annual Energy Forum & Fair was held at AVTEC on October 14 & 15, 2016. The Pacific Marine Expo would be held November 17-19, 2016 in Seattle and the Chamber would be attending with representatives from the Harbormaster's Office, AVTEC and the Alaska Railroad. On a sad note, Clock reported that Kamell Allaway and Steve Zernia's father had both passed away recently. In a snapshot report for Alaska tourism, Clock reported that from October 2014 through September 2015, there had been over 2.7 million visitors who spent nearly \$2 billion while visiting. The Mount Marathon Race Committee met last night and had already begun planning for the 2017 race. One new change would be an additional 50 spots in the Junior Race. Clock would be celebrating her 11<sup>th</sup> Anniversary with the Chamber on Thursday.

**City Manager Report. Jim Hunt** said there had been no purchase orders between \$10,000 - \$50,000 since the last meeting. Hunt thanked Executive Liaison Jackie Wilde for managing the asbestos abatement and carpet replacement project in City Hall. Hunt had conducted an on-site tour of the Lowell Canyon Diversion Tunnel this afternoon with representatives from the U.S. Army Corps of Engineers, in advance of the upcoming two-day charrette that would begin tomorrow. Hunt had attended the Kenai Peninsula Economic Development District (KPEDD) meeting last Thursday and had met with Director Tim Dillon; the focus of the meeting was addressing new revenue sources for the state.

**Assistant City Manager Ron Long** said there were four lots on First Avenue that had come back to the city through a tax foreclosure, and the city had destroyed the houses and addressed some

environmental issues with the property. The city would be selling the properties, and was now considering how they would recoup the actual cost incurred; the city was not allowed to dispose of the property in such a way as to make a profit. Long went on to say the Snow River project was advancing quickly.

In response to Keil, Long confirmed that there would be a port-a-potty installed at the Waterfront Park playground for the winter.

In response to McClure, Hunt said he had met with Lowell Point residents Jim McCracken and Mica Van Buskirk to find a funding source to address Lowell Point Road issues.

In response to McClure, Long said the nearest Alaska Department of Transportation (DOT) facility was at Mile 24, although the state kept sanding supplies in Seward. Bardarson was concerned because she said that the DOT had told council that they would be maintaining a vehicle and a crewperson in Seward. Hunt said he would contact the DOT and speak to them about the situation.

### **Other Reports, Announcements and Presentations**

**PUBLIC HEARINGS** – None

### **UNFINISHED BUSINESS**

**Resolution 2016-061, Authorizing The City Manager To Sign The Automatic Aid Agreement And Operational Plan Between The City Of Seward Fire Department And The Bear Creek Fire And Emergency Services Area.** (*Postponed from October 10, 2016*)

**Motion (Keil/Casagrande)**

**Approve Resolution 2016-061**

**Primary Motion to Amend (Keil/McClure)**

**Amend Resolution 2016-061 by adopting the substitute laydown version.**

**Fire Chief Eddie Athey** said the city had had mutual aid and automatic aid agreements with the borough since the 1980s, so this was not a new concept, but was an updated agreement.

**Secondary Motion to Amend (Squires/Keil)**

**Amend the laydown version by striking “Borough and City Mayors” and replacing it with “Borough Mayor and City Manager”.**

**Secondary Motion to Amend Passed**

**Unanimous**

In response to Squires, Athey said he would be flushing out the Operational Plan with Chief Bacon to determine how and when the two fire departments would respond in various scenarios.

**Primary Motion to Amend Passed**

**Unanimous**

**Main Motion Passed**

**Unanimous**

**Resolution 2016-062, Authorizing The City Manager To Sign The Mutual Aid Agreement And Operational Plan Between The City Of Seward Fire Department And The Bear Creek Fire And Emergency Services Area. (Postponed from October 10, 2016)**

**Motion (Keil/Casagrande)**

**Approve Resolution 2016-062**

**Primary Motion to Amend (Keil/McClure)**

**Amend Resolution 2016-062 by adopting the substitute laydown version.**

**Secondary Motion to Amend (Squires/Keil)**

**Amend laydown version by striking “Borough and City Mayors” and replacing it with “Borough Mayor and City Manager”, and also add “and the City Manager” after “to be executed by the Borough Mayor” on the Operational Plan annual review.**

**Secondary Motion to Amend Passed**

**Unanimous**

In response to Squires, Athey said these agreements would continue in perpetuity until such time as either party needed to end it or update it.

**Primary Motion to Amend Passed**

**Unanimous**

**Main Motion Passed**

**Unanimous**

**NEW BUSINESS**

**Resolution 2016-065, Amending The City Of Seward’s Calendar Year 2017 City Legislative Priorities.**

**Motion (Keil/McClure)**

**Approve Resolution 2016-065**

Long said this resolution, as well as the next two, were created in response to the borough’s request to furnish it. Long said administration had copied the language exactly as council had approved the priorities last year, with the exception of one typo that they would recommend fixing. Long added that these priorities could be amended at any time going forward as the need arose.

**Motion Passed**

**Unanimous**

**Resolution 2016-066, Amending The City Of Seward’s Calendar Year 2017 State Legislative Priorities.**

**Motion (Keil/McClure)**

**Approve Resolution 2016-066**

Long said this resolution needed an amendment to correct a capital improvements figure.

**Motion To Amend (Keil/McClure)**

**Amend Resolution 2016-066 under Capital Projects, Item 6, by striking “\$500.00” and replacing it with “\$500,000” to read “(City provides \$500,000 annually towards capital improvements).”**

**Motion To Amend Passed**

**Unanimous**

Squires asked for consideration on whether there should be something added for the city’s need to have a new public safety building and animal shelter. Long said last year council had considered that item but then had decided to wait and watch for other funding opportunities rather than potentially dilute the state priority list.

**Motion Passed**

**Unanimous**

**Resolution 2016-067, Establishing The City Of Seward’s Calendar Year 2017 Federal Legislative Priorities.**

**Motion (Keil/McClure)**

**Approve Resolution 2016-067**

**Motion Passed**

**Unanimous**

**Other New Business Items**

**Nominate, elect, and swear-in a council member as Vice-Mayor.**

The floor was opened by the presiding officer for nominations. A nomination was made to select Marianna Keil as Vice Mayor.

**Motion (McClure/Squires)**

**Nominate and appoint Marianna Keil as Vice Mayor.**

*No other nominations were made and nominations were closed.*

**Motion Passed**

**Unanimous Consent**

**City Clerk Johanna Kinney swore in Marianna Keil as Vice Mayor.**

**Appoint a council liaison or direct individual Boards & Commissions to give periodic reports to the City Council.**

Bardarson wished to maintain the current schedule: quarterly reports for the Planning and Zoning Commission and the Port and Commerce Advisory Board; and, twice annual reports for the Historic Preservation Commission. There was no objection from council.

**Appoint a city representative to the Kenai Peninsula Economic Development District (KPEDD).**

Bardarson appointed Council Member Deborah Altermatt. There was no objection from council.

Bardarson stated she would like Vice Mayor Marianna Keil to continue as the liaison to the Seward Community Health Center's Coordinating Committee. There was no objection from council.

**INFORMATIONAL ITEMS AND REPORTS**

*Seward Community Health Center Coordinating Committee Meeting Minutes from July, 2016.*

*"Extra Mile Day" Proclamation.*

**COUNCIL COMMENTS**

**Keil** welcomed Erik Slater to council, and thanked Dale Butts for his service on council. She also thanked council for their support of her as Vice Mayor.

**Squires** welcomed Slater to council. Squires attended the Energy Forum and one idea was to have a citizen designated to act as a liaison to bring forward energy conservation ideas; Squires suggested that administration give that idea some consideration.

**McClure** said when the bike path was installed 25 years ago, it was not a favorable idea. One champion of the project at that time was Dan Seavey, and he should be credited for the work he did. The bike path starts at Mile 0 and follows the first mile of the historic Iditarod Trail; the bike path goes all the way out to the school.

**Slater** thanked everyone for having him as a new member of council.

**Bardarson** thanked Butts for his service, welcomed Slater, and thanked Jackie Wilde for her work on the carpet project. She was pleased that the Lowell Canyon Tunnel project was being worked on in a more meaningful way than it had in the past. She wished everyone a Happy Halloween and cautioned drivers to watch for children.

**Long** congratulated everyone who put their name in the hat for this election, and he thanked Butts for his service. He thanked council for attending the special meeting earlier tonight to consider the AVTEC gym contract.

**Hunt** said he was working with Parks and Recreation and Finance Departments to make some improvements at the cemeteries. There would be mapping capabilities that would allow for easy online searches.

**Bardarson** reminded the public that the City Clerk's Office had permanently relocated to the second floor of City Hall, next to the Department of Motor Vehicles (DMV). In response to

Bardarson, Long said the Human Resources Department would be moving into the office space vacated by the clerks.

### **CITIZEN COMMENTS**

**Kelley Wiley Lane** was wondering how much the lots on First Avenue were going to be.

### **COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS**

**Keil** said there had been a post on Facebook today where someone had placed a 911 call today placed from the Moose Pass area, but was unsure where they really were. In trying to give descriptions of the area to the 911 operator, the operator had no local knowledge of where the caller was calling from and so had difficulty responding. The confusion and lack of local knowledge led the caller to some distress.

### **ADJOURNMENT**

The meeting was adjourned at 8:07 p.m.

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Johanna Kinney CMC  
City Clerk

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Jean Bardarson  
Mayor

(City Seal)

## CALL TO ORDER

The November 21, 2016 regular meeting of the Seward City Council was called to order at 7:00 p.m. by Mayor Jean Bardarson.

## OPENING CEREMONY

Police Chief Tom Clemons led the Pledge of Allegiance to the flag.

## ROLL CALL

There were present:

Jean Bardarson presiding and  
Marianna Keil  
Deborah Altermatt  
Dave Squires

Ristine Casagrande  
Sue McClure  
Erik Slater

comprising a quorum of the Council; and

Jim Hunt, City Manager  
Johanna Kinney, City Clerk  
Will Earnhart, City Attorney

Absent – None

## CITIZEN COMMENTS ON ANY SUBJECT EXCEPT THOSE ITEMS SCHEDULED FOR PUBLIC HEARING

**Orson Smith**, the city's representative on the Prince William Sound Regional Citizens Advisory Council (PWSRCAC), gave a brief update on the council. He noted the PWSRCAC was founded in 1989 and mandated by the Oil Pollution Act of 1990. They had a new Executive Director, Donna Schantz and Smith felt that she was doing a great job. The proposed changes by the State of Alaska to the Alaska Unified Plan had been withdrawn; the city had expressed opposition to this proposal earlier in the year.

**Kelley Lane** asked about the campgrounds in town and the occupancy of the city campground.

## APPROVAL OF AGENDA AND CONSENT AGENDA

**Motion (Keil/Casagrande)**

**Approval of Agenda and Consent Agenda**

**Slater stated he owned a restaurant in town and maintained permits to sell beer and wine with the Alcoholic Beverage Control (ABC) Board and asked for a ruling on a potential conflict of**

**interest in the approval of the liquor licenses on the consent agenda tonight. Bardarson ruled no conflict existed and there was no objection from council.**

**Motion Passed**

**Unanimous**

The clerk read the following approved consent agenda items:

**Resolution 2016-074, Supporting The Seward Area Public Transit Human Services Community Coordination Plan To Be Submitted To The State Of Alaska Department Of Transportation And Public Facilities.**

**Resolution 2016-077, In Support Of Proposed Changes To Alaska Statutes Chapter 30.30 And 05.25 Improving The Management And Prevention Of Derelict Vessels.**

**Resolution 2016-078, Accepting Funds From The Alaska State Library For The Public Library Assistance Grant In The Amount Of \$6,900.00 And Appropriating Funds.**

**Approval of the September 26, 2016 and October 10, 2016 City Council Regular Meeting Minutes, and the October 24, 2016 City Council Special Meeting Minutes.**

**Schedule a work session with BDO (city auditors) to review the 2015 Comprehensive Annual Financial Report (CAFR) for December 12, 2016 at 6:00 p.m.**

**Approval of the liquor license transfers of beverage dispensary liquor license #822 for Christo's Palace and package store liquor license #3909 for AK, Inc d/b/a Seward Marketplace (formerly Three Bears Alaska, Inc.).**

## **SPECIAL ORDERS, PRESENTATIONS AND REPORTS**

### **Proclamations & Awards**

#### **Recognition of 2016 State Firefighter Award Recipients:**

**Firefighter of the Year Austin Chapman**

**Del Moffitt Award Recipient Jilian Chapman**

**Ken Ackerly Fire Service Leadership Award Recipient Eddie Athey**

#### **Recognition of Dale Butts for his service on the Seward City Council.**

**Chamber of Commerce Report.** Cindy Clock stated Robert Parsons joined Seward representatives at the Pacific Marine Expo this year. Parsons traveled to Seward to teach Ice Navigation at the AVTEC Maritime Academy. Clock passed out community award nominations to the council. The Chamber's website, [seward.com](http://seward.com), was up and totally mobile compatible and responsive. The Chamber's Rise and Shine! Seward Business Network meetings continued, with the next occurring December 1, 2016. This group was also promoting the "Light Up Winter!" campaign. She reminded residents to shop local on Black Friday and Small Business Saturday. There would be two Chambers Luncheons in December: December 2, 2016 with Patty Linville of the Seward

Community Foundation and December 9, 2016 with representatives from Joint Base Elmendorf-Richardson (JBER) on the Northern Edge training exercise occurring in 2017. The annual tree lighting ceremony would be December 1, 2016, and the Holiday Arts and Craft Bazaar on December 2 - 3, 2016. The Chamber offices would be closing between the Christmas and New Year's holidays.

**City Manager Report.** **Jim Hunt** reported the following purchase orders between \$10,000 and \$50,000 were approved by the City Manager since the last council meeting:

- Fire - \$32,025.00 to Storm Chasers for maintenance and repair work for the fire boat
- Roads and Streets - \$37,291.28 to Construction Machinery for repair to the Volvo road grader differential
- Public Works - \$13,870.80 to Univar for salt and calcium chloride
- Buildings - \$20,681.00 to Otis Elevator to replace a traveling elevator cable

Hunt announced that the carpet renovation project came in under budget and the city did not have to touch the contingency funds for the project.

In response to Altermatt, **Fire Chief Eddie Athey** stated the city had owned the fire boat since 2005 and had performed deferred maintenance on it in the past, but it was to the point where they could no longer defer. Part of the money appropriated would install an in-cabin heater. Athey stated the outboard engines had 500 hour servicing performed on them and they were fine. The pump motor was what was being fixed.

In response to Casagranda, Hunt stated the Air Force Recreation Camp had taken over two years in terminating their lease with the city, and it was still not yet terminated. The Air Force needed to clean up the leased land prior to giving it back to the city. He anticipated the property to be cleaned next spring at the latest. Hunt noted the city had record camping attendance this last year and didn't think the closure of the camp hurt the city. As far as what would happen to that land, it would need to be determined in a public fashion.

In response to Casagranda, Hunt stated at this time, the Friends of the Jesse Lee Home had a valid contract with the city and time to meet the criteria of that contract.

McClure requested an update from city staff on the two day meetings hosted by the US Army Corps of Engineers regarding the Lowell Canyon Tunnel in October. She formally requested some kind of report. Hunt didn't have anything from the meeting, as it was the Corps' meeting.

In response to Keil, **Electric Utility Manager John Foutz** stated the department's current priority was on construction orders until the ground froze, in addition to an outage needing repair. They planned to hang holiday lights the week after Thanksgiving. In response to McClure, Foutz stated the department would be focusing on street light repairs after the construction season ended. He said to please call the utility counter if anyone in the public observed a light out.

Bardarson commented that she had spoken with Harmon Construction, who completed the City Hall carpet renovation project, and she was told one of the reasons it was under budget was the city's decision to use some linoleum in place of carpet and also because the employees did a lot of

the packing and moving of items. She thanked Executive Liaison Jackie Wilde for doing a great job as Project Manager.

**City Attorney Report. Will Earnhart** reported on the Orion litigation: costs and fees of almost \$19,000 had been awarded to the city and the city had prevailed against Orion's Motion for Reconsideration. Orion appealed the Judgment and was unwilling to discuss settlement. Earnhart stated the state's Open Meetings Act stated members of a governing body cannot be together in a group larger than three of the body, but that a meeting also had to occur in which they discussed matters on which they were empowered to act. He stated the downside to this caveat was that the laws were read in the eyes of openness and transparency.

### **Other Reports, Announcements and Presentations**

**Informational presentation about the Exercise Northern Edge biennial training exercise to be conducted in the Joint Pacific Alaska Range Complex, a vast region of land and airspace encompassing parts of the state and areas within the Gulf of Alaska in May, 2017.**

**2016 Seward Community Foundation Presentation by Advisory Board President Patty Linville.**

**Seward High School Hybrid Program Presentation by Trevan Walker. (McClure)**

**Alaska Municipal League Travel Report by Mayor Bardarson, Council Members Casagranda and Slater.**

### **PUBLIC HEARINGS**

**Resolution 2016-072, Authorizing The City Manager To Enter Into A New Lease With Hamilton Construction, LLC For Lot 1, Block 3 Fourth Of July Creek Subdivision, Seward Marine Industrial Center, Kenai Peninsula Borough, Plat No. 97-27 Seward Recording District, Third Judicial District, State Of Alaska.**

**Motion (Keil/Casagranda)**

**Approve Resolution 2016-072**

*Notice of the public hearing being posted and published as required by law was noted and the public hearing was opened. No one appeared to address the Council and the public hearing was closed.*

Altermatt commented that it was great to see Hamilton Construction coming to Seward and wanting to be part of our community.

In response to Squires, **Deputy Harbormaster Matt Chase** stated the land use was intended for vessel and marine equipment storage. Chase said the lessee would be responsible for making improvements to the property as needed. They did not have sewer utilities at this time. Chase stated there were facilities for public use in that area.

Casagranda wanted to know what the Alaska Industrial Development and Export Authority (AIDEA) report of this area recommended. She thought it was prime land and didn't understand why the city would give this away for this type of use. Hunt felt this was an ideal match and noted the lessee intended to build on the property. Hamilton Construction had performed millions of dollars worth of construction in Seward, and in his mind they could not find a better business partner.

Keil said Hamilton felt like a local company already and she supported this lease.

Squires agreed with needing the plan for this area but also felt with the improvements intended for this property, it was in the public's best interest to move forward. Regarding the land west of the proposed site, **Harbormaster Norm Regis** stated there would be a lot available according to the proposed plans at the Seward Marine Industrial Center (SMIC) for development. It could be for nearly anything, including a store, a restaurant, etc.

**Motion Passed**

**Yes: Slater, Squires, McClure, Altermatt,  
Keil, Bardarson**

**No: Casagranda**

**Resolution 2016-073, Rescinding And Replacing Resolution 84-104 Approved By The Seward City Council On August 31, 1984, And Authorizing The Transfer Of Parcel A-1 Spring Creek Correctional Facility, To The State Of Alaska Department Of Natural Resources, As The Site Of The Spring Creek Correctional Facility, Subject To A Reversionary Interest By The City Of Seward.**

**Motion (Keil/Casagranda)**

**Approve Resolution 2016-073**

**Earnhart** said when the borough was mapped out, they kept a parcel across the bay for the intent of building a prison. When the state built such a prison in the 1980s, the city managed the bonds for it and the borough transferred the land to the city. Eventually the bonds were paid off and through many channels and many negotiations, the city was ready to give this land back to the state with a reversionary interest that if the facility closed, the land would be given back to the city.

*Notice of the public hearing being posted and published as required by law was noted and the public hearing was opened. No one appeared to address the Council and the public hearing was closed.*

Squires asked how the easements going into the facility would be protected, as well as the fire lane required to the back of the housing buildings. **Finance Director Kris Erchinger** said the easements stopped at the fence line and any properties inside that line would be the responsibility of the state. She didn't recall the access agreements in terms of fire access. Hunt said they could pursue annual agreements for infrastructure and access, too.

**Motion Passed**

**Unanimous**

**UNFINISHED BUSINESS – None**

**NEW BUSINESS**

**Resolution 2016-075, Urging The Alaska Legislature And Governor To Fully Fund The Municipal Harbor Facility Grant Program In The FY 2018 State Capital Budget.**

**Motion (Keil/Casagranda)**

**Approve Resolution 2016-075**

Regis said in the past, harbors throughout the state had supported Seward in their grant efforts, and this was a reciprocal measure for Seward to support other communities in the state.

Casagranda stated this resolution was presented at the Alaska Municipal League (AML) Conference last week and the organization amended it to take out mention of the 2018 budget and amount, so it became a broader statement. Hunt appreciated Casagranda mentioning this, but read the legislation being specific to the 2018 capital budget.

**Motion Passed**

**Unanimous**

**Resolution 2016-076, Support Of The Addition Of Port And Harbor Employees To The List Of Employees Covered By Alaska Statute 12.55.135.**

**Motion (Keil/Squires)**

**Approve Resolution 2016-076**

Regis clarified that this proposed addition to state statutes did not affect PERS or retirement, but that it was a simple protection of harbor workers. Currently, if someone assaulted a harbor worker, they would get a sentence but not jail time. If this was approved, the offense would require mandatory jail time. Regis stated harbor personnel were uniformed workers and he wanted them to have more protection.

Keil mentioned that currently a lot of sentencing laws were changing. Regis said this movement began last year before any new sentencing requirements went into effect. Hunt said it was meant to be a deterrent.

Altermatt asked if any training would be required of the workers if this was approved. Regis said harbor workers were defined as first responders, not public safety officers. They were very much first responders in the harbor. He could look into additional training for his workers.

Slater asked if this coverage was common throughout the state. Regis said this effort was to make this change statewide, and all harbormasters were bringing this forward to their councils. Some had voted for it, some had not.

Casagranda said this was discussed at AML and a lot of people were not in support of it, mostly because the way charges were being reduced in this current day.

In response to Keil, Regis said harbor office personnel would likely be included in this measure. She stated she supported employees, but wasn't sure she could support this.

Squires thought this was a good position to take. He agreed with Keil, but they didn't get into the prosecution on issues as a city. He would like to see more definitive protections for the city's responders.

**Motion Passed**

**Yes: Squires, McClure, Slater, Bardarson  
No: Casagranda, Altermatt, Keil**

**Resolution 2016-079, Authorizing The City Manager To Purchase A 2017 Ford Explorer Police Vehicle From Cal Worthington Ford For A Price Of \$34,979 Utilizing The State Of Alaska's Competitive Procurement Process, And To Purchase Accessories And Equipment From Various Vendors For A Total Amount Not To Exceed \$46,000.00, And Appropriating Funds.**

**Motion (Keil/Casagranda)**

**Approve Resolution 2016-079**

**Police Chief Tom Clemons** said there had been an unfortunate incident happen recently involving an older patrol car. The damage caused was more than the vehicle was worth, so therefore it needed replacement. He stated a lot of the equipment from the old vehicle would be put into the new vehicle to save money.

Keil asked to be informed when there were accidents on city vehicles. Hunt said he could provide that information in the future to council. Clemons said this particular vehicle was self-insured because it was so old, so the city's insurance company, AML/JIA, wasn't even aware of this accident.

**Motion Passed**

**Unanimous**

**Resolution 2016-080, Authorizing The Expenditure Of Not To Exceed \$110,000 To Hamilton Construction Ltd For The Purpose Of Emergency Erosion Protection To City's Waterfront, And Appropriating Matching Funds In The Amount Of \$60,000.**

**Motion (Keil/Casagranda)**

**Approve Resolution 2016-080**

Hunt said the complete project cost for this erosion protection on the waterfront was \$110,000. The city received \$50,000 from the Kenai Peninsula Borough Seward Bear Creek Flood Service Area Board for this project. The city needed to appropriate \$60,000 to complete their commitment. Hamilton Construction had already made the repairs and did a good job.

**Motion Passed**

**Unanimous**

**Resolution 2016-081, Authorizing A Sole Source Contract With Sturgeon Electric For A Joint Communications Project With TelAlaska Communications To Bore Under Snow River For An Amount Not To Exceed \$89,951.40, And Appropriating Funds.**

**Motion (Keil/Casagranda)**

**Approve Resolution 2016-081**

Foutz said TelAlaska had a project along Snow River, unrelated to the city's bank erosion issue. Doing this under river work in conjunction with another utility was a benefit to the city, as this was a costly service.

In response to Casagranda, Foutz said the work previously done by the city addressed the river bank and not the poles. The area Sturgeon Electric was working in was parallel to the work done earlier by the city.

Squires asked if this would interfere with TelAlaska's equipment. Foutz said it would not; they would be boring a second line for the city.

**Motion Passed**

**Unanimous**

**Resolution 2016-082, Authorizing The City Manager To Enter Into A Sole Source Purchase Agreement With Alaska Pump & Supply, Inc. To Replace #1 Lift Station Pump, For An Amount Not To Exceed \$32,918.00, And Appropriating Funds.**

**Motion (Keil/Casagranda)**

**Approve Resolution 2016-082**

**Public Works Director Doug Schoessler** said they had replaced a few of these pumps already due to an aging system. Public Works had three lift pumps for each station, two in the station, one standing by on the shelf. It was about a three week endeavor to get a pump rebuilt. This current pump was rebuilt so many times the companies would not rebuild it anymore, so it was time to replace it.

In response to Squires, Schoessler said the new pump would be built to slide right in, so no modifications to the lift station needed to be made. Hunt thought this could be put on the city's critical infrastructure needs list.

**Motion Passed**

**Unanimous**

**Other New Business Items**

**Formal recommendation from the Seward Community Health Center Board of Directors regarding the reconsideration of the Co-Applicant Agreement.**

**Council Suspended the Rules to allow Seward Community Health Center Director Pat Linton to speak.** Linton said he was not a board member, but was speaking on their behalf. The board voted to recommend to council that the status of the health center employees as city employees continue per the co-applicant agreement for another three years, which would be to February, 2020. The original provision for the status of the employees expired in 2017. Linton noted the only thing the Seward Community Health Center (SCHC) employees were participating in as city employees was the health plan. The SCHC was responsible for things like benefits and payroll. The center continued to look for other health plans, but the city's plan was more attractive than anything they found and hoped to maintain it to draw in new employees. Linton stated the SCHC was paying for all premiums, not the city.

In response to Squires, Linton stated the SCHC pays the same amount as the city does for the health plan for each employee. Linton also noted the co-applicant agreement continued on an ongoing basis as long as they were able to maintain the Federal 330 grant, which was given in three year increments.

Earnhart confirmed SCHC employees were not in PERS. Hunt added the SCHC employee participation assisted the health plan pool, so it lowered the city's premiums.

Casagranda appreciated the SCHC coming forward this far in advance with their recommendation.

**Council went back on the rules.**

## **INFORMATIONAL ITEMS AND REPORTS**

*City of Seward Grant Awards for 2013-2015.*

## **COUNCIL COMMENTS**

**McClure** complimented the city's Public Works Director for his attentiveness to details to things requested. He was prompt. Things were getting graded and maintained very well since he came on.

**Squires** stated regarding the lease approved tonight for Hamilton Construction, code required them to put in their own utilities and noted nowhere did this exempt the city from doing the same. He felt the city needed to start doing their part in installing utilities at SMIC and follow their own rules. Squires stated he would like a work session on this topic in the future.

**Keil** wanted to show council and the public pictures of her brand new granddaughter but, unfortunately, her phone battery died. She wished everyone a Happy Thanksgiving. She was sad to see Pat Linton retire soon.

**Casagranda** thanked the volunteers awarded tonight. They had a strong community of volunteers. She attended a garden community meeting and it was a large group of citizens motivated to create their own crops. She wished everyone a Happy Thanksgiving and noted she would be turning 41 that day.

**Altermatt** welcomed Slater to the City Council. She had a great month away and spent some time on a cruise ship. As a passenger they would get off at every port, and those places were moored at the end of the dock, so there was always a bus there to take them in to town. Her point was this transportation was never free. They were charged for every single bus ride, and they paid it. Altermatt noted Seward had a great transportation system and should consider the opportunity to change things up to use the cruise ship money for their free transportation to other things. She said Happy Thanksgiving to all.

**Slater** thanked everyone who presented tonight. He gave his congratulations to the firefighters recognized this evening. He wished everyone a safe and Happy Thanksgiving, advised to always brine your turkey, and don't talk politics at the dinner table.

**Bardarson** appreciated the opportunity to go to AML and network and attend their sessions. It was always good to find out what other communities were doing. She wished everyone a Happy Thanksgiving.

**CITIZEN COMMENTS** – None

### **COUNCIL AND ADMINISTRATION RESPONSE TO CITIZEN COMMENTS**

**Keil** added she went to the Fire Department Open House and showcased the items she won in their raffle.

### **ADJOURNMENT**

The meeting was adjourned at 10:04 p.m.

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Johanna Kinney, CMC  
City Clerk

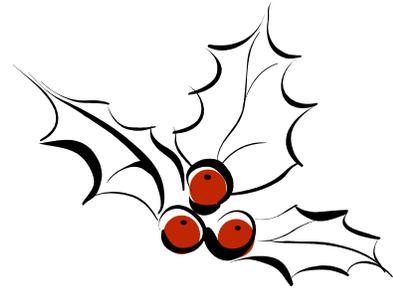
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Jean Bardarson  
Mayor

(City Seal)

# Memorandum

Date: December 12, 2016  
To: Seward City Council  
From: Johanna Kinney, City Clerk  
Subj: Cancellation of the December 27, 2016 City Council meeting



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According to City Council Rules of Procedure (Rule 2) and Seward City Code (2.10.030 A.1), the regular meetings of the City Council are held on the 2<sup>nd</sup> and 4<sup>th</sup> Mondays of each month at 7:00 p.m. Council has traditionally canceled the last meeting in December due to the holidays.

If all business is met, it is recommended City Council cancel the second regular City Council meeting of December 27, 2016 in observance of the holiday season.

Happy Holidays!



## AGENDA STATEMENT

Meeting Date: December 12, 2016

From: Johanna Kinney, City Clerk *JK*

Agenda Item: Non-Objection to the Renewal of Beverage Dispensary Liquor License #1245 for Yukon Bar

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### BACKGROUND & JUSTIFICATION:

The City Council has an opportunity to object to the renewal of a Beverage Dispensary Liquor License #1245 for Yukon Bar.

The City of Seward Police Department, Fire Department, Utilities Department and the Kenai Peninsula Borough Finance Department have no objections to the liquor license renewal for this business.

### FISCAL NOTE:

In the event the City of Seward chooses to file a protest for the above liquor license renewal, then under Alaska Statutes the City of Seward will be required to assist in, or undertake the defense of its protest.

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### RECOMMENDATION:

Non-objection to the renewal of a Beverage Dispensary Liquor License #1245 for Yukon Bar.



## MEMORANDUM

Date: November 21, 2016

To: Naneth Ambrosiani                      Finance/Leases  
Sarka Calocci                              Finance/Public Utilities  
Chief Tom Clemons                      Police Department  
Chief Eddie Athey                        Fire Department

From: Brenda Ballou, Deputy City Clerk *bjb*

RE: Verifying Compliance For The Application Of Renewal Of Liquor License

---

The following business has applied for a renewal of a liquor license. Please review for compliance with all utilities, lease payments and assessments. Thank you.

---

Name of Business: Yukon Bar

Type of License: Beverage Dispensary

License Number: 1245

Owner: Yukon Tender, Inc.

Department	Status	Initials
Finance/Leases	ok	Naneth Ambrosiani
Finance/Utilities	ok	Sarka Calocci
Police Chief	OK	<i>[Signature]</i>
Fire Chief	ok	<i>[Signature]</i>



## **KENAI PENINSULA BOROUGH**

144 North Binkley Street • Soldotna, Alaska 99669-7520

PHONE: (907) 714-2160 • FAX: (907) 714-2388

Toll-free within the Borough: 1-800-478-4441 Ext. 2160

Email: [assemblyclerk@kpb.us](mailto:assemblyclerk@kpb.us)

**JOHNI BLANKENSHIP, MMC  
BOROUGH CLERK**

November 30, 2016

Ms. Sarah Daulton Oates  
Records & Licensing Supervisor  
Alcohol & Marijuana Control Office  
550 West 7<sup>th</sup> Ave, Suite 1600  
Anchorage, AK 99501

RE: **Non-Objection of License Renewal**

Business Name	:	Yukon Bar
License Type	:	Beverage Dispensary
License Location	:	City of Seward
License No.	:	1245

Dear Sarah,

This serves to advise that the Finance Department has reviewed the above referenced application and has no objection to the renewal of this license.

Should you have any questions, or need additional information, please do not hesitate to contact our office.

Sincerely,

Johni Blankenship, MMC  
Borough Clerk

JB/klr

cc: Applicant  
City of Seward  
KPB Finance Department  
File



THE STATE  
of **ALASKA**  
GOVERNOR BILL WALKER

**Department of Commerce, Community,  
and Economic Development**

ALCOHOL & MARIJUANA CONTROL OFFICE  
550 West 7<sup>th</sup> Avenue, Suite 1600  
Anchorage, AK 99501  
Main: 907.269.0350

November 21, 2016

City of Seward

Attn: Brenda Ballou & Johanna Kinney, City Clerks

VIA Email: [bballou@cityofseward.net](mailto:bballou@cityofseward.net)

[jkinney@cityofseward.net](mailto:jkinney@cityofseward.net)

Cc: [joanne@borough.kenai.ak.us](mailto:joanne@borough.kenai.ak.us)

[jblankenship@borough.kenai.ak.us](mailto:jblankenship@borough.kenai.ak.us)

[kring@borough.kenai.ak.us](mailto:kring@borough.kenai.ak.us)

**Re: Notice of 2017/2018 Liquor License Renewal Application**

<b>License Type:</b>	Beverage Dispensary	<b>License Number:</b>	1245
<b>Licensee:</b>	Yukon Tender, Inc.		
<b>Doing Business As:</b>	Yukon Bar		

We have received a completed renewal application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable.

To protest the application referenced above, please submit your written protest within 60 days, and show proof of service upon the applicant and proof that the applicant has had a reasonable opportunity to defend the application before a meeting of the local governing body.

Sincerely,

Cynthia Franklin, Director

[amco.localgovernmentonly@alaska.gov](mailto:amco.localgovernmentonly@alaska.gov)



11/9/16  
 ✓ # 1245  
 \$2700

Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

## Form AB-17: Renewal License Application

### What is this form?

This renewal license application form is required for all individuals or entities seeking to apply for renewal of an existing liquor license that will expire on December 31, 2016. All fields of this form must be complete and correct, or the application will be returned to you in the manner in which it was received, per AS 04.11.270 and 3 AAC 304.105. The Community Council field only needs to be verified/completed by licensees whose establishments are located within the Municipality of Anchorage or outside of city limits within the Matanuska-Susitna Borough.

This form must be completed correctly and submitted to the Alcohol & Marijuana Control Office (AMCO)'s main office, along with all other required documents and fees, before any renewal license application will be considered complete.

### Section 1 - Establishment and Contact Information

Enter information for the business seeking to have its license renewed.

Licensee:	Yukon Tender Inc.	License #:	1245
License Type:	Beverage Dispensary	Statute:	AS 04.11.090
Doing Business As:	Yukon Bar		
Premises Address:	201 Fourth Ave		
Local Governing Body:	City of Seward (Kenai Peninsula Borough)		
Community Council:	None		

Mailing Address:	P.O. Box 992				
City:	Seward, AK	State:	99664-AK	ZIP:	99664

Enter information for the licensee who will be designated as the primary point of contact regarding this application and the license.

Designated Licensee:	SUSAN J. CUMMINGS	
Contact Phone:	Business Phone:	
Contact Email:	HAVE NONE	

Seasonal License?  Yes  No  
 If "Yes", write your six-month operating period: \_\_\_\_\_



Alaska Alcoholic Beverage Control Board

**Form AB-17: Renewal License Application**

**Section 2 – Sole Proprietor Ownership Information**

This section must be completed by any sole proprietor who is applying for a license. Entities should skip to Section 3.  
 If more space is needed, please attach a separate sheet with the required information.  
 The following information must be completed for each licensee and each affiliate (spouse).

This individual is an:  applicant

affiliate

RENEWAL

Name:	SUSAN J. COMMINGS			
Address:				
City:	ANCHORAGE	State:	AK	ZIP: 99515
Email:	NONE			
Contact Phone:				

This individual is an:  applicant

affiliate

CELL

BUS

HOMER ID SEWARD

Name:				
Address:				
City:		State:		ZIP:
Email:				
Contact Phone:				

**Section 3 – Entity Ownership Information**

This subsection must be completed by any licensee that is a corporation or LLC. Corporations and LLCs are required to be in good standing with the Alaska Division of Corporations (DOC). Partnerships may skip to Page 3. Sole proprietors should skip to Section 4.

Alaska DOC Entity #:	50513D
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Alaska Division of Corporations:

Yes  No

Is your entity in good standing with the Alaska Division of Corporations?



Alaska Alcoholic Beverage Control Board

**Form AB-17: Renewal License Application**

This subsection must be completed by any entity, including a corporation, limited liability company (LLC), partnership, or limited partnership, that is applying for renewal. If more space is needed, please attach additional completed copies of this page.

- If the applicant is a corporation, the following information must be completed for each stockholder who owns 10% or more of the stock in the corporation, and for each president, vice-president, secretary, and managing officer.
- If the applicant is a limited liability organization, the following information must be completed for each member with an ownership interest of 10% or more, and for each manager.
- If the applicant is a partnership, including a limited partnership, the following information must be completed for each partner with an interest of 10% or more, and for each general partner.

Entity Official:	SUSAN J. COMMINGS			
Title(s):	PRES. OWNER	Phone:	3	% Owned: 100%
Address:				
City:	ANCH	State:	AK	ZIP: 99515

Entity Official:	MICHELLE SALTZ			
Title(s):	MANAGER	Phone:		% Owned: 0
Address:				
City:	SEWARD	State:	AK	ZIP: 99515

Entity Official:	ERIZ COMMINGS			
Title(s):	V. PRESIDENT	Phone:	MOB.	% Owned: 0
Address:				
City:	ANCH	State:	AK	ZIP: 99517

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:

Entity Official:				
Title(s):		Phone:		% Owned:
Address:				
City:		State:		ZIP:



Alcohol and Marijuana Control Office  
 550 W 7<sup>th</sup> Avenue, Suite 1600  
 Anchorage, AK 99501  
[alcohol.licensing@alaska.gov](mailto:alcohol.licensing@alaska.gov)  
<https://www.commerce.alaska.gov/web/amco>  
 Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board  
**Form AB-17: Renewal License Application**

**Section 4 – Authorization**

Communication with AMCO staff: Yes No

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

**Section 5 – License Operation**

Check the box that best describes your liquor license operations in calendar years 2015 and 2016:

- The license was regularly operated continuously throughout each year, for 8 or more hours each day.  *yes*
- The license was regularly operated during a specific season each year, for 8 or more hours each day.  *ALL SEASONS - AD*
- The license was only operated to meet the minimum requirement of 30 days each year, 8 hours each day.   
*If this box is checked, an AMCO employee will contact you after reviewing your application.*
- The license was not operated at all or was not operated for at least the minimum requirement of 30 days each year, 8 hours each day, during one or both of the calendar years.   
*If this box is checked, an AMCO employee will contact you after reviewing your application.*

**Section 6 – Convictions**

Applicant convictions in calendar years 2015 and 2016: Yes  No

Has any person named in this application been convicted of a violation of Title 04, of 3 AAC 304, or a local ordinance adopted under AS 04.21.010 in the calendar years 2015 or 2016?

If "Yes", list all convictions:

**From the Charter:**

· **3.4. - Mayor.**

- (a) The mayor shall possess all powers and shall exercise all duties provided or required of him by law or by the council.
- (b) He shall be the presiding officer of the council.
- (c) He shall be a member of the council with all the powers and duties of that office.
- (d) He shall advise the council concerning the affairs of the city and make recommendations thereon.
- (e) He shall make all required appointments subject to prior approval of the council.
- (f) He shall be ceremonial head and chief officer of the city.
- (g) He shall not possess the veto power.

**From the Code:**

· **2.10.025. - Duties of mayor, vice-mayor, acting mayor.**

- (a) *Mayor.* The mayor shall possess all powers and shall exercise all duties required of him by law or the city council. He shall be presiding officer of the council. He shall be a member of the council with all powers and duties of that office.
  - (b) *Vice-mayor.* In the absence of the mayor, the vice-mayor shall possess all the powers of the mayor. He shall possess all duties provided for or required of him by law or the city council.
  - (c) *Acting mayor.* In the absence of the mayor and the vice-mayor, and if a quorum shall be present, the council shall choose one of its members acting mayor for that session or until the appearance of the mayor or vice-mayor. He shall possess all duties provided for or required of him by law or the city council.
- (Ord. 482, § 1(part), 1980)

**From Council Rules of Procedure:**

**RULE 5. PRESIDING OFFICER**

The Mayor presides at all meetings of the Council and is recognized as the head of the City for all ceremonial purposes. The Mayor has no regular administrative or executive duties. In case of the Mayor's absence or temporary disability, the Vice-Mayor acts as Mayor during the continuance of the absence. In case of the absence or temporary disability of the Mayor and the Vice-Mayor, an Acting Mayor selected by members of the Council acts as Mayor during the continuance of the absences or disabilities. The Mayor or Vice-Mayor is referred to as "Presiding Officer" from time to time in these Rules of Procedure. *[SCC §2.10.020 and § 2.10-025]*

**RULE 17. GIVING DIRECTION TO APPOINTED OFFICIALS**

The Manager, Clerk and Attorney work for the Council as a body and may not take direction from any individual member of the Council if doing so would conflict with the wishes of the majority. Generally, requests for research or drafting of ordinances, resolutions or other documents should be made at a meeting or work session to give dissenting members of the Council an opportunity to object to the request and to assure the appointed official that the direction given is supported by a majority of Council.

Old schedule;  
M-F 2pm-9pm  
Sa. 12pm-6pm  
Sunday closed

Old costs:  
\$1500 per month plus a \$43,000/ year janitorial contract

Old Labor:  
See attachment

Old user fees:  
\$99/ year if purchased in September or March  
\$200/ year if purchased in month's of October, Nov. Dec.Jan.Feb.April, May, June, July, Aug.  
\$2/ day with punch card  
\$4/ day as drop- in

Old use included:  
Racquetball, Gym, small weight room, equipment in the foyer and limited use of the sauna.

Old Leagues/ Available activities provided by City staff:  
Racquetball, wallyball, badminton, volleyball, basketball, tot time, birthday parties, Friday night skate.

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New Schedule:  
T & TH 8am - 9pm  
W 8am-2pm  
Sa 12pm-6pm  
Closed Sunday, Monday and Friday

New costs:  
\$350/day

New Labor:  
\*per administration, remains the same

New user fees:  
\$300/ year  
\$5/ day as drop in  
\$4/ day with a punch card

New use includes:  
Racquetball, Gym, small weight room, equipment in the foyer and yoga/multipurpose room.

Now existing leagues:  
?

\*\*\*\*\* This is a compilation of information compiled from a group of citizens and has not been reviewed by City Administration. \*\*\*\*\*

**City of Seward**  
**General Fund Parks & Rec - Sports & Recreation**  
**Expenditure Detail by Department**  
**For 12/31/2016**

	2012 Actual	2013 Actual	2014 Actual	2015 Actual	Y-T-D Actual	2016 Budget
Total Expenditures						
<b>Personnel Costs:</b>						
6000 Salaries	106,013	103,711	105,943	105,354	67,032	110,704
6001 Overtime	3,464	4,353	7,454	2,723	1,664	0
6100 Medicare	2,324	2,637	2,998	3,419	1,619	2,220
6101 Unemployment Insurance	0	0	379	1,839	127	0
6102 Workers' Compensation	1,399	1,993	1,482	3,927	5,029	6,108
6200 Leave Time	9,966	10,347	11,205	11,555	8,517	11,484
6201 Retirement Benefits	16,020	12,014	9,171	10,736	7,393	5,124
6202 Health Insurance	29,569	37,784	46,811	38,236	39,954	53,316
6203 In Lieu of FICA	1,186	1,972	1,886	1,041	899	984
Total Personnel Costs:	\$ 169,941	\$ 174,811	\$ 187,329	\$ 178,830	\$ 132,234	\$ 189,940
<b>Non-Personnel Costs:</b>						
7001 Communications	3,542	3,497	4,211	3,839	3,203	3,504
7002 Postage and Freight	1,009	2,051	1,424	2,678	437	2,196
7003 Bank and Credit Card Fees	0	0	0	1,508	0	1,704
7004 Insurance	2,214	2,284	2,281	2,220	1,100	2,496
7009 Contracted Services	43,815	44,063	53,572	33,167	18,822	30,000
7011 Testing	0	0	0	401	334	0
7017 Rents & Leases	1,500	18,124	18,000	18,100	12,385	18,204
7211 Gas & Lube	0	0	524	330	179	0
7212 Uniform Allowance	0	0	830	0	957	0
7213 Safety Equipment	0	0	0	17	131	504
7214 Janitorial Supplies	0	0	579	0	0	0
7215 Operating Supplies	18,609	22,365	33,451	31,929	23,658	21,996
7216 Maintenance & Repair	0	608	423	337	84	396
7217 Small Tools & Equipment	0	0	0	4,628	74	0
7300 Advertising	679	173	811	827	460	996
7301 Subscriptions & Dues	300	190	249	264	17	348
7302 Travel & Subsistence	12	1,211	1,698	454	2,320	1,500
7303 Education & Training	75	381	0	350	149	756
7304 Equipment Rent	0	0	150	150	240	0
7810 Miscellaneous Expense	744	1,046	636	229	15	804
8103 Capital Equipment	0	0	0	0	222	0
Total Non-Personnel Costs:	\$ 72,499	\$ 95,993	\$ 118,839	\$ 101,428	\$ 64,787	\$ 85,404
<b>Total Expenditures</b>	<b>\$ 242,440</b>	<b>\$ 270,804</b>	<b>\$ 306,168</b>	<b>\$ 280,258</b>	<b>\$ 197,021</b>	<b>\$ 275,344</b>

# December 2016

December 2016

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

January 2017

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

	Monday	Tuesday	Wednesday	Thursday	Friday
	<b>Nov 28</b>	<b>29</b>	<b>30</b>	<b>Dec 1</b>	<b>2</b>
Nov 28 - Dec 2					
	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>
Dec 5 - 9		6:00pm 7:00pm P&Z WS w/Flood Board (City Annex Building) 7:00pm 9:30pm P&Z WS (Annex)	12:00pm 2:00pm PACAB WS		
	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>
Dec 12 - 16	6:00pm 7:00pm CC WS 7:00pm 10:30pm CC Mtg (Chambers)	6:00pm 9:30pm P&Z WS (Annex Bldg)	6:00pm 7:00pm KPB (Sales Tax)		
	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>
Dec 19 - 23			12:00pm 2:00pm PACAB Work Session (Chambers)		12:00pm 5:00pm Christmas Holiday (Offices Close at Noon)
	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>
Dec 26 - 30	Offices Closed	7:00pm 10:30pm CC Mtg (Chambers)			

# January 2017

January 2017

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

February 2017

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28				

	Monday	Tuesday	Wednesday	Thursday	Friday
Jan 2 - 6	<b>Jan 2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
		7:00pm 10:30pm P&Z Mtg (City Annex Building)	12:00pm 2:00pm PACAB Mtg		
Jan 9 - 13	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>
	7:00pm 10:30pm CC Mtg (Chambers)				
Jan 16 - 20	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>
		6:00pm 9:30pm P&Z WS (City Annex Building)	12:00pm 2:00pm PACAB Work Session (Chambers) 6:30pm 10:00pm HP Mtg & WS (Chambers)		
Jan 23 - 27	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>
	7:00pm 10:30pm CC Mtg (Chambers)				
Jan 30 - Feb 3	<b>30</b>	<b>31</b>	<b>Feb 1</b>	<b>2</b>	<b>3</b>