

# UNALASKA CITY COUNCIL

Unalaska, Alaska

Regular Meeting  
Tuesday, June 26, 2018  
6:00 p.m.

## MINUTES

Unalaska City Hall  
Council Chambers  
43 Raven Way

1. Call to order. The regular meeting of the Unalaska City Council came to order at 6:00pm, on June 26, 2018, in the Unalaska City council chambers.

2. Roll call

Present:

Frank Kelty, Mayor  
Dennis Robinson, Vice Mayor  
Roger Rowland (Telephonic)  
James Fitch  
Alejandro Tungul (Telephonic)  
David Gregory  
Shari Coleman

Absent:

None

3. Pledge of Allegiance. Council Member Coleman led the Pledge of Allegiance
4. Recognition of visitors: Trish Johnson, BIA; Donna Kerrigan, BIA
5. Adoption of agenda. Robinson made a motion to adopt agenda; Gregory seconded. Motion passed by consensus.
6. Awards / Presentations:
  - a. Peter Galaktionoff: 12 years of service with the City of Unalaska (February 6, 2006 – February 6, 2018)
  - b. Gilbert Chavarria: 20 years of service with the City of Unalaska (June 11, 1998 – June 11, 2018)
  - c. Brian Rankin: 20 years of service with the City of Unalaska (July 20, 1998 – July 20, 2018)
  - d. John Warden: 10 years of service with the City of Unalaska (May 9, 2008 – May 9, 2018)
  - e. Marilou Bautista: 10 years of service with the City of Unalaska (June 9, 2008 – June 9, 2018)
7. Minutes of previous meeting, June 12, 2018, were in the packet.  
Robinson made a motion to approve June 12, 2018 meeting minutes; Gregory seconded.  
Motion passed by consensus.
8. Reports
  - a. City Manager (report in the council packet)
  - b. Financials (report in the council packet)
  - c. Board / Commission Minutes (in the packet): Planning Commission and Platting Board; Historic Preservation Commission May 17, 2018
9. Community Input / Announcements
  - PCR: 4<sup>th</sup> of July Parade, Hot Dog eating contest, Ballyhoo Lions Duck Races (Tickets available), Tutiakoff Field - 4<sup>th</sup> of July activities
  - Ports – Ferry Schedule

10. Public testimony on agenda items (none)

11. Legislative: Police Officer oath of office. Clerk administered Police Officer oath of office to Officer Richard Pechin

12. Public Hearing: An appeal of Planning Commission Resolution 2018-07, denying the request from Joel Collins for approval of a rear yard setback variance to three (3) feet and a side yard setback variance to three (3) feet, for a temporary hot tub gazebo structure located on lot 2A of 1995 and 1996 Broadway Right-of-way Acquisitions, Plat 97-7 at 226 West Broadway Avenue

- Chairperson opened Public Hearing on appeal of Planning Commission Resolution 2018-07
- Chairperson stated quorum present
- Board Members affirmed:
  - Capable of rendering an unbiased decision in the matter set before them; and
  - No ex-parte communications in the matter set before them
- Bil Homka, Planning Director, presented a brief overview of events leading to the denial of Planning Resolution 2018-07 and answered council questions
- Joel Collins, Appellant, provided testimony in support of his appeal and answered council questions
- Clerk read letters submitted by the public supporting the denial of Planning Resolution 2018-07
- Donna Kerrigan provided testimony

13. Legislative: Deliberation by Council as quasi-judicial board

Summary:

- Board Member Rowland:
  - (2) issues: a variance issue and a trespass issue
  - Supports Planning Commission ruling on Planning Resolution 2018-07
- Board Member Robinson:
  - Deck can be moved to property setbacks
  - Does not intend to deal with encroachment issues
  - Supports Planning Commission ruling on Planning Resolution 2018-07
- Board Member Fitch:
  - (2) issues: a zoning issue and a civil issue
  - Supports Planning Commission ruling on Planning Resolution 2018-07
- Board Member Gregory:
  - Supports Planning Commission ruling on Planning Resolution 2018-07
  - Deck can be moved easily
  - Trespass issued to be dealt as a separate issue
- Board Member Coleman:
  - Supports Planning Commission ruling on Resolution 2018-07
- Board Member Tungul:
  - Supports Planning Commission ruling on Planning Resolution 2018-07
  - Trespass is a separate issue

Robinson made a motion to uphold Planning Commission decision on Planning Resolution 2018-07, denying the request from Joel Collins for approval of a rear yard setback variance to three (3) feet and a side yard setback variance to three (3) feet, for a temporary hot tub gazebo structure located on lot 2A of 1995 and 1996 Broadway Right-of-way Acquisitions, Plat 97-7 at 226 West Broadway Avenue and a written decision to be prepared by City Attorney; Fitch seconded.

Roll Call Vote: Gregory – yes; Fitch – yes; Coleman – yes; Rowland – yes; Robinson – yes; Tungul – yes. Motion passed 6-0.

Chairperson closed Public Hearing on Planning Commission Resolution 2018-07.

14. Public hearings. Mayor Kelty opened Public Hearing on Ordinance 2018-07.

- a. Ordinance 2018-07 (Second Reading): An Ordinance of the Unalaska City Council creating Budget Amendment #6 to the Fiscal Year 2018 Budget, recognize Grant Revenue of \$42,360 in the Ports & Harbors Capital Projects Fund and increase Capital Project Expenditures in the Ports & Harbors UMC Fencing Project

Mayor Kelty, hearing no testimony, closed Public Hearing.

15. Work session

- a. Presentation: Keri Boyd and Cheri Johansen from APIA to promote the new APIA & EATs Intensive Outpatient Substance Abuse Treatment Program
- b. Resolution 2018-43: A Resolution of the Unalaska City Council denying a request for a waiver for failure to file a timely application for the Senior Citizen Sales Tax Refund for Theresa A. Warren

16. Consent agenda (none)

17. Regular agenda

a. Unfinished Business

- i. Resolution 2018-43: A Resolution of the Unalaska City Council denying a request for a waiver for failure to file a timely application for the Senior Citizen Sales Tax Refund for Theresa A. Warren

Robinson made a motion to adopt Resolution 2018-43; Gregory seconded.

Fitch made a motion to postpone indefinitely; Gregory seconded.

Roll Call Vote: Coleman – yes; Rowland – yes; Robinson – yes; Tungul – yes; Gregory – yes; Fitch – yes.

Motion to postpone indefinitely passed 6-0.

- ii. Ordinance 2018-07 (Second Reading): An Ordinance of the Unalaska City Council creating Budget Amendment #6 to the Fiscal Year 2018 Budget, recognize Grant Revenue of \$42,360 in the Ports & Harbors Capital Projects Fund and increase Capital Project Expenditures in the Ports & Harbors UMC Fencing Project

Robinson made a motion to adopt Ordinance 2018-07; Fitch seconded.

Coleman made a motion to amend Ordinance 2018-07 to delete \$42,360 and insert \$43,718.18; Robinson seconded.

Motion passed by consensus.

Roll Call Vote on main motion as amended: Gregory – yes; Fitch – yes; Coleman – yes; Rowland – yes; Robinson – yes; Tungul – yes.

Motion passed 6-0.

b. New Business (none)

18. Executive Session: To Discuss Litigation

7:42pm: Coleman made a motion to adjourn to Executive Session to discuss litigation, which discussed in public might negatively impact the interest of the City; Robinson seconded.

Motion passed by consensus.

8:09pm: Adjourned into Regular Session

Robinson made a motion to direct the City Manager to offer to pay Appraisal Company of Alaska \$9000 in reimbursement in case 3UN-17-00006CI; Fitch seconded.

Roll Call Vote: Rowland – yes; Robinson – yes; Gregory – yes; Fitch – yes; Coleman – yes.  
Motion passed 5-0.

19. Council Directives to City Manager (none)

20. Community Input / Announcements

- Fireworks – July 3<sup>rd</sup> at 11:59 pm
- Dan Winters ordained Permanent Deacon with Archdiocese of Anchorage and first deacon assigned to St. Christopher by the Sea.
- Thomas Thomas, City Manager, commended staff for work on budget amendment.

21. Adjournment

Robinson made a motion to adjourn; Fitch seconded.

Motion passed by consensus.

The meeting adjourned at 8:24pm.



Marjie Veeder  
City Clerk

*rfw*