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**SITKA PORT AND HARBORS COMMISSION**  
Regular Commission Meeting Minutes  
October 10, 2007  
Harrigan Centennial Hall

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**I. CALL TO ORDER**

Acting Chair Creamer called the meeting to order at 7:00 pm.

**II. ROLL CALL**

Members Present:      Ken Creamer                      Chuck Woods  
                                 Keith Nyitray                      Rich MacIntyre  
                                 Mike Slifer (teleconference)

Absent and excused:   Grant Miller                      Marc Moats

Others Present:        Ray Majeski

Member of the public: Jamie Cagle                      John Dunlap

**APPROVAL OF MINUTES FROM THE SEPT. 19<sup>TH</sup>, 2007 MONTHLY MEETING**

**MOTION:**        **M/S Nyitray/Woods** moved to approve the minutes from the Sept. 19<sup>th</sup>, 2007 meeting.

**DISCUSSION:** Responding to Mr. Woods' query regarding paragraph 2 on page 3, Mr. Slifer explained the rationale for wanting an engineering study completed first before paving of the parking area takes place.

**ACTION:**        Motion **PASSED 5-0** on a voice vote.

**III. CHANGES TO AGENDA - NONE**

**IV. CORRESPONDENCE**

Mr. Creamer informed the members about the call he received from Tim Ryan of the Long Range Planning Commission (LRPC) who invited him to a meeting scheduled on Oct. 11, 2007 where the chairpersons of boards and commissions will discuss the following: (1) Roberts Rules of Order, (2) Review of the Open Meetings Act, and (3) what other commissions are doing so things are coordinated. He said that whoever is elected as Chair will be attending the meeting.

**V. PERSONS TO BE HEARD - NONE**

**VI. REPORTS**

**1.        *Harbormaster***

Mr. Majeski spoke about the maintenance work on harbor carts, the training program at UAS for the certification of port and harbors personnel, and personnel changes in the department. In response to Mr. Nyitray's query, he said the phone company is not investing on phone lines for the harbor because people

are going more for wireless. He also mentioned that the Commission's proposal regarding residential user fees for the harbors will be submitted to the Assembly although there is a possibility that it can be administratively.

**2. City Staff – None**

**3. Chair**

Mr. Creamer updated the members about the discussion at the October 9<sup>th</sup> Assembly Meeting regarding the ordinance allowing liveboards at Crescent Harbor and resolution accepting the transfer of ownership of Baranof Warm Springs dock from the State of Alaska. The members briefly exchanged ideas about the need to reaffirm the Commission's original stance not to accept the transfer. They directed Mr. Majeski to draw up a letter voicing their position.

**4. Others**

Mr. Woods told the members that the subcommittee to review Title 13 did not have the chance to meet.

**VII. UNFINISHED BUSINESS**

**1. Subcommittee Report on Commercial User Fees**

Mr. Creamer stated that the subcommittee met twice in the last month and felt that they came up with a good work along with Stan Eliason who provided additional input.

*Fee for vessels for hire carrying seven passengers or more*

Mr. Cagle of Allen Marine contended that the proposed fee might reduce the potential amount that Allen Marine can donate to the community. He also mentioned that there is a fair amount of revenue paid by the company to the City.

Mr. Dunlap of Allen Marine told the members that their business slid by 23% from last year which is forcing them to count every dime. He pointed out that their company has tried to limit the impact of their business on the harbor system, citing for instance that they have developed their own pump out system. He also enumerated the different communities activities that Allen Marine has supported over the years, which amount to almost \$50,000, and they will have to tighten this account to meet the proposed fee.

The members briefly discussed how the exemption applies for vessels involved in carrying passengers for public schools and non-profit entities.

**MOTION:** M/S **Nyitray/Slifer** moved to recommend to the Assembly to charge a fee for vessels for hire carrying seven passengers or more:

1. \$400.00 per year or
2. \$50 per day per boat, up to \$400.00 per year for the same vessel during a calendar year

Exemption: Vessels involved in carrying passengers for public schools and non-profit entities.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

The Chair stated that the fee is not a done deal and Allen Marine would have the opportunity to comment at the Assembly level.

### *Commercial User fees for work float use*

The Chair briefly explained this proposed fee which will cover Eliason Harbor, Channel work float & dock next to covered area in Crescent Harbor. Commercial use is defined as the buying and selling of product, or repair or construction work on vessels or gear for profit or hire. Exempt from this fee are those selling from their own stalls. He further stated that commercial users are required to contact the Harbor Master's office to schedule use of work floats and receive approval of work and safety measures required.

Mr. Slifer stated that the safety measures referred to are the basic requirements for welding such as fire extinguisher, blanket, etc. He also said that the subcommittee contemplated imposing progressive fines for non-compliance but they believe it is not feasible at this time. Title 13 has to be changed first before penalties are imposed.

**MOTION:** M/S **Woods/MacIntyre** moved to recommend to the Assembly to charge a commercial user's fee of \$400 per calendar year or \$50 per use per day up to \$400 per calendar year, as proposed by the subcommittee.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

### *Charter Boat Row Fee*

The Chair said that the subcommittee came to the conclusion there should be no fee charged for using this area, explaining that the charter boat operators do not have exclusive use of the area in Crescent Harbor used to drop or pick up passengers. They suggested the following:

- (a) That the Harbor Master should apply for grant money from the tour vessel head tax, for a summer temporary employee to be used in the tourist use areas of the harbor system;
- (b) That there should be no boats left unattended in the loading zones or passenger loading areas. All areas to be used as loading zones be painted and a time limit for use be included.
- (c) A passenger pick up and drop off area be established in Thomsen Harbor for charter boats.

He added that Stan Eliason requested that the standard parking ticket be used for both vehicles and vessels that are left unattended on the work float, in loading zone areas and the launch ramp dock.

Mr. Slifer stressed that it is real imperative that the painting be done by spring. Commenting on the suggestion that monies collected from the tickets be placed in the harbor fund, he said that there is more book work involved than money collected, adding that it becomes a harbor tracking problem.

Mr. MacIntyre wondered if the subcommittee considered charging commercial users carrying less than 7 passengers such as the water taxi businesses. The Chair responded in the negative, saying that the subcommittee has not be charged to work on it.

Mr. Majeski also explained the mechanics on how the money from the head tax is allocated. He said that the state legislature will have to appropriate first before it can be distributed to the municipalities.

**MOTION:** M/S **MacIntyre/Woods** moved to adopt the subcommittee's recommendation not to charge a fee for using the charter boat row.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

## **VIII. NEW BUSINESS**

### **1. Election of Chairman and Vice Chairman**

**MOTION:** M/S **Nyitray/MacIntyre** moved to nominate Mr. Creamer as Chair.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**MOTION:** M/S **MacIntyre/Woods** moved to nominate Mr. Miller as Vice Chair.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**2. Proposed Ordinance to control boats left at the Sealing Cove Launch Dock**

**MOTION:** M/S **Nyitray/MacIntyre** moved to ask the City Attorney to draft an ordinance to control boats left unattended for more than 10 minutes at the Sealing Cove Launch Dock by imposing a \$50 fine plus the Harbor Department's impound costs for first offense and gradually increasing.

**DISCUSSION:** Mr. MacIntyre suggested parallel fees for Crescent Harbor. Mr. Majeski said he will discuss the idea with the City Attorney.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**3. Mooring Buoys for public use**

Mr. Majeski said that he will try to get more information from other harbors such as Avalon, California and bring it back in the next meeting.

**MOTION:** M/S **Woods/MacIntyre** moved to table this agenda item to next month's meeting.

**ACTION:** Motion **PASSED 5-0** on a voice vote.

**IX. GENERAL DISCUSSION**

In response to Mr. Slifer's query, Mr. Majeski said that he requested the Harbor Maintenance Supervisor to find an easier solution. He assured the Commission that they would figure it out before the next season.

Mr. Woods expressed appreciation to the Harbors Department for towing away derelict vessels out of the harbor. Mr. Majeski said that they will continue to identify more vessels to be taken out.

**X. CLOSING**

**A. AGENDA**

Under reports:

1. Mr. Wolff's report

Under unfinished business:

1. Subcommittee Report on Review of Title 13
2. Mooring buoys for public use
3. Proposed ordinances

**B. NEXT MEETING DATE HARRIGAN CENTENNIAL BUILDING – November 14<sup>th</sup>, 2007**

Mr. Slifer notified the Commission that he will be participating telephonically in next month's meeting.

**C. ADJOURNMENT**

The meeting adjourned at 8:45 pm.

Prepared by: **MARIA FINKENBINDER**  
Contract Secretary