

ASSEMBLY HUMAN RESOURCES COMMITTEE THE CITY AND BOROUGH OF JUNEAU, ALASKA

December 18, 2017 6:00 PM
Assembly Chambers

I. ROLL CALL

HRC Chair Maria Gladziszewski called the meeting to order at 6:09 p.m.

HRC members present: Maria Gladziszewski, Jesse Kiehl and Norton Gregory (telephonic) and Rob Edwardson (telephonic)

Technical difficulties were preventing the telephonic participation to stream through the main sound system system in the Chambers so Mr. Gregory and Mr. Edwardson's participation was through the speaker phone only.

Staff present: Deputy Clerk Beth McEwen; Municipal Clerk Laurie Sica

II. APPROVAL OF AGENDA

Ms. Gladziszewski stated that she would like to move the liquor license item up on the agenda and moved the discussion of board evaluation/review to the end of the agenda. *Hearing no objection, the agenda was approved as amended.*

III. APPROVAL OF MINUTES

A. November 6, 2017 Human Resources Committee Minutes

B. November 27, 2017 Human Resources Committee Minutes

Hearing no objection, corrections, or changes, the minutes of the November 6 and November 27, 2017 Assembly Human Resources Committee meetings were approved as presented.

IV. PUBLIC PARTICIPATION

No one from the public asked to address the committee on non-agenda items.

(Not to exceed a total of 10 minutes nor more than 2 minutes for any individual).

V. AGENDA TOPICS

A. Board Matters

1. Americans with Disabilities Act (ADA) Committee - Appointment

Ms. McEwen noted that the Clerk's office received an email earlier in the day which was forwarded to the Assembly regarding another resignation from the ADA Committee.

With that resignation having been received, that makes two vacant seats on the ADA Committee. The HRC could choose to recommend an appointment to either a term expiring August 31, 2018 or a term expiring August 31, 2020.

MOTION by Mr. Kiehl to recommend the appointment of Elizabeth Harrington to the ADA Committee to a term expiring August 31, 2020. *Hearing no objection, the motion carried.*

2. Youth Activities Board - Appointment

The Youth Activities Board has two open seat, one of which is for a representative from the Juneau Arts and Humanities Council.

MOTION by Mr. Kiehl to recommend the appointment of MK MacNaughton to the Juneau Arts and Humanities Council seat on the Youth Activities Board for a term expiring upon her completion of her term with the Juneau Arts and Humanities Council. *Hearing no objection, the motion carried.*

3. Utility Advisory Board - Appointment

The Utility Advisory Board has one open seat, which may be filled by an accountant, commercial customer, or general public member for a term expiring May 31, 2020.

MOTION by Mr. Kiehl to recommend the appointment of Kevin Buckland to the Utility Advisory Board to a general public seat with financial background for a term expiring May 31, 2020. *Hearing no objection, the motion carried.*

B. Other Business

1. Discussion re: Board Evaluation/Review Process

Ms. Gladyszewski said that she is interested in the proposal that the City Attorney mentioned during the Assembly retreat of combining the various appeal boards into one or possibly two boards.

She asked if any of the other members had thoughts or comments about the board evaluation/review process. Hearing none, Ms. Gladyszewski suggested that she discuss the possible merging of appeal board duties with Ms. Mead and bring that back to the HRC at a future meeting.

Ms. McEwen gave the committee a brief update on the board management software replacement program. She will continue to provide status updates as the program development continues. When it comes time to develop the online application form, she will be seeking feedback from the HRC on what they would questions like included on the final board application form.

C. Liquor Licenses

1. Liquor License Transfer Thibodeau's Douglas Depot Package Store License #828

Ms. Gladziszewski noted the letter in the packet from the Douglas Advisory Board (DAB) which held a public meeting on December 13 which included this topic. Following its meeting of December 13, the DAB sent a letter supporting the application for this liquor license to the HRC and Assembly.

Ms. Gladziszewski also noted a few emails that the Assembly had received including one that came in just minutes before the HRC meeting began.

Ms. Gladziszewski called for public participation on this agenda item.

Mr. Robert Sewell, a Douglas resident, raised concerns relating to the public notice process for all types of licenses and permits which might affect the nature and character of their community.

He also commented on the method for measurement to the nearby church. Mr. Sewell also raised concern that the Douglas Advisory Board should have term limits and their work be more transparent.

Ms. Gladziszewski asked if the HRC members had any questions for Mr. Sewell, hearing none, she thanked Mr. Sewell for his testimony.

Mr. John Delgado, a member of the Douglas Advisory Board, said he was speaking as a private citizen/Douglas resident and not on behalf of the board. He stated that he was in favor of the liquor license application as he felt it would be good for the community since the building in that location is virtually in danger of falling down and the Thibodeau's are willing to make a substantial investment in that property to make it a better place. He also stated that he felt public notice by CBJ has been quite sufficient if people are paying attention.

Ms. Gladziszewski asked Mr. Delgado about the meeting of the DAB on December 13 and what was discussed relating to this license. Mr. Delgado said he doesn't recall how many people attended the meeting. He said that Mr. Pete Thibodeau gave a full description about his plans for that property. They plan on not only renovating the existing building but also on placing new gas pumps to replace those currently on the property.

Mr. Edwardson said in reading through the packet, it appears that the applicant has complied with all city and state laws and he does not see any basis upon which to protest the issuance of this license.

Mr. Edwardson said they received a number of comments regarding lack of public notice and he asked about the public notice process. Ms. McEwen explained the code requirements relating to the notice to the applicant in the event of a possible protest

recommendation. The code relating to liquor licenses does not require notice similar to an abutters notice but that all liquor licenses are published in the Assembly's agenda which appears in the newspaper's Your Municipality ad the Friday prior to the Monday's Assembly agenda. She also stated that with respect to this particular license, additional notice was provided to the Douglas area by sending copies of the certified letter to the Douglas Island Neighbors Association, the Douglas Community United Methodist Church, and the Douglas Advisory Board and the additional public meeting held on December 13 by the Douglas Advisory Board.

Mr. Kiehl agreed that additional notice came out in this case. He said that if the Assembly wants to make a change to the process in which we treat liquor licenses and make them go through the Conditional Use Permit process that marijuana licenses are made to go through, that would take a code change and not something that can happen at this point with this license. He stated that he too reviewed the packet materials and was satisfied that the license before them has met all the necessary code requirements and there is no basis for protesting the license application.

Mr. Kiehl went on to say that if the Assembly wishes to make code or zoning changes it has the opportunity to do so in the future. The Assembly has talked about coming up with a Douglas Plan similar to other area plans as they are working on updates to the Comp Plan. He said if they want to change the zoning in Douglas, that is a much larger discussion that needs to occur with the Assembly before someone submits an application for a liquor or other license. He said that the applicant has come in good faith under the rules currently in place and he sees no reason to protest the issuance of this license.

MOTION by Mr. Kiehl that the HRC recommend the Assembly waive its right to protest the transfer of the package store liquor license #828. *Hearing no objection, the motion carried.*

VI. STAFF REPORTS

A. Liquor and Marijuana Licensing Process Verbal Report

Ms. McEwen explained the process for liquor license review by a local governing bodies.

1) Alcohol Marijuana Control Office (AMCO) sends notification to the local governing body which has 60-days in which to comment on the license.

2) Clerk's office loads the AMCO information into a SharePoint system for staff review by the Fire, Finance, Community Development, Public Works, and Police Departments.

3) Staff makes recommendations of protest or no protest to the license action.

3a) If staff recommends protest, a certified letter stating with specificity the basis for protest is mailed to the licensee and the Clerk's staff places that license on the HRC agenda and under New Business on the Assembly's agenda and the licensee is afforded an informal hearing before the Assembly on the matter.

3b) If staff recommends waiver of protest, the license is placed on only the Assembly agenda with a recommendation for the Assembly to waive its right to protest.

4) Following Assembly action, Clerk's office sends a letter to AMCO notifying them of the local governing body action on the liquor license.

Ms. McEwen explained that this is generally the same process for marijuana licenses. In addition to the 60-day local governing body process for marijuana licenses, they also go through a separate Conditional Use Permit as well as a local CBJ marijuana license application process at CDD.

Mr. Kiehl asked questions regarding the types of things that the police department reviews when it does its review. Ms. McEwen noted that there is a quarterly report that police departments provide to AMCO about their enforcement of AS 04 and she said she would ask JPD to see if they could forward copies of those quarterly reports to her and the Assembly.

Ms. Gladziszewski said she would like to have a discussion with CDD regarding the potential for a Conditional Use Permit process for new or transferring liquor licenses similar to those done for marijuana licenses.

VII. COMMITTEE MEMBER COMMENTS AND QUESTIONS

VIII. ADJOURNMENT

There being no further committee questions or comments, Chair Gladziszewski adjourned the meeting at 6:38 p.m.