

**TOWN OF INDIAN HEAD
TOWN COUNCIL
Village Green Pavilion
SPECIAL MEETING CASE #201701
June 21, 2017**

Mayor Paulin called the Special Meeting for Case #201701 to order at 3:00 p.m. Steve Scott of Scott Law Group and Cathy Flerlage of Soltesz were present to represent Cook Inlet Region, Inc. for application for Rezoning from Open Space (OS) and Town Center Mixed Use (TCMX) to TCMX for Parcel 609, Tax Map 11, consisting of 19.368 acres, more or less. Those in attendance were:

Mayor Brandon Paulin
Vice Mayor Ron Sitoula
Councilman Curtis Smith (*via phone*)
Ryan Hicks, Town Manager
Lucinda Stevens, Zoning Administrator
Fred Sussman, Town Attorney
Andrea Brad, Town Clerk

Mayor Paulin called the meeting to order at 3:00pm and asked for opening comments from Town Clerk Brady.

Town Clerk Brady clarified for the record that the application book, the affidavits of mailings and posting the property, the certified mailing materials provided by the applicant, the staff and Planning Commission reports, the certificate of publication and the public hearing notice are all part of the record. While the record remained open the applicant submitted more certified mailing materials but no other submissions or comments were received.

Following the opening comments, Councilman Smith made a request/motion for remote participation due to geographic distance based on business. Vice Mayor Sitoula seconds the motion. Motion carried to allow Councilman Smith to participate remotely.

Town Attorney, Fred Sussman reminded Mayor Paulin of the procedural requirements for remote participation.

Mayor Paulin verified that all requirements were met. A quorum was physically present at the meeting, and Councilman Smith's reason for remote participation is a permitted reason. Councilman Smith is using a permissible technology for remote participation. Mayor Paulin announced the presence of Councilman Smith and verified that Councilman Smith and all persons present are clearly audible to one another.

Mayor Paulin stated to let the record reflect that Councilman Smith is attending and will be participating in the special meeting via phone, and to let the record reflect that Councilman Smith who is attending by remote participation can be heard by all present.

Mayor Paulin explained that in the case of technical difficulties the disconnection will be noted in the minutes and Councilman Smith would no longer be considered present at the meeting. Should this occur, the meeting would continue with the quorum present. Mayor Paulin stated that all votes taken during the meeting will be done by roll call vote.

Mayor Paulin asked Town Clerk Brady for any additional information for the opening comments. Town Clerk Brady had no additional information.

Vice Mayor Sitoula asked Town Clerk Brady if any new comments were received since the last meeting. Town Clerk Brady stated again that the only items received were additional certified mailing documents from the applicant. Vice Mayor Sitoula asked to see all of the certified mailing documents and had no further questions.

Mr. Sussman stated that at this point in the meeting it was the decision of Mayor and Council if they felt it was necessary to have further deliberations on the case or if they were prepared to make a motion.

Mayor Paulin made a motion to close public comment for case #201701. Councilman Smith seconds the motion. Motion carried by roll vote. Mayor Paulin – yes. Vice Mayor Sitoula – yes. Councilman Smith – yes.

Mayor Paulin made a motion to approve the rezoning for Parcel 609 to entirely TCMX.

Mr. Sussman suggested Mayor Paulin modify the amendment to direct the Town Attorney to draft the decision of the Council approving the application of CIRI for rezoning of the entire parcel to TCMX.

Town Clerk Brady suggested that the Mayor may also want to include that it is approved with the conditions as suggest by the Staff Report and the Planning Commission.

Mayor Paulin made the motion as amended. Vice Mayor Sitoula seconds the motion.

Mr. Sussman stated that in looking at the Planning Commission conditions there is nothing tying the granting of the application to the concept plan that was submitted and approved by the Planning Commission. Mr. Sussman stated that Mayor and Council need to decide if they want the rezoning tied to the concept plan at future proceedings, recognizing that it is just a concept plan.

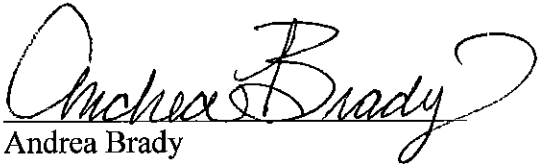
Councilman Smith made a motion to tie the granting of the application together with the concept plan. Vice Mayor Sitoula seconds the motion.

Mr. Sussman verified the motion before the Council is to direct the Town Attorney to prepare a decision by the Mayor and Council granting the application for reclassification filed by CIRI for the entire tract to TCMX and subject to the recommended conditions put forth by the Planning Commission and that at further proceedings regarding this property be conducted pursuant to the concept plan previously submitted. Mayor and Council unanimously agreed that Mr. Sussman was correct about the motion.

With no further discussion roll vote was called. Mayor Paulin – yes. Vice Mayor Sitoula – no. Councilman Smith – yes. The motion carried with a vote of 2 to 1.

Mayor Paulin made a motion to adjourn the meeting. Vice Mayor Sitoula seconds the motion. Motion carried by roll vote. Mayor Paulin – yes. Vice Mayor Sitoula – yes. Councilman Smith – yes.

The meeting adjourned at 3:12pm.

A handwritten signature in cursive script that reads "Andrea Brady". The signature is written in black ink and is positioned above the printed name and title.

Andrea Brady
Town Clerk