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PETERSBURG

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PETITION OPPOSING ANNEXATION TO

PETERSBURG, ALASKA

WE, THE UNDERSIGNED, BEING CITIZENS OF MITKOF ISLAND, BOTH INSIDE AND OUTSIDE THE PRESENT CITY LIMITS OF PETERSBURG, ARE STRONGLY OPPOSED TO THE PROPOSED ANNEXATION TO PETERSBURG AT THIS TIME DUE TO THE METHODS USED BY THE CITY IN DIRECT OPPOSITION TO THE DESIRES OF THE MAJORITY OF THE CITIZENS AND BECAUSE OF ERRORS IN THE FIGURES AS PRESENTED TO THE LOCAL BOUNDARY COMMISSION AND THE FAILURE BY THE CITY TO PROPERLY RESEARCH AND DOCUMENT THE ECONOMIC CHANGES SUCH ANNEXATION WOULD PRESENT TO THE CITY RESIDENTS AND THOSE IN THE ADJOINING PROPOSED AREAS. WE ARE EXTREMELY CONCERNED IN THE MANNER IN WHICH THE CITY HAS PRESENTED THIS ANNEXATION WITHOUT PROPER PUBLIC INPUT. WE ALSO PETITION THE HOUSE AND SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEES TO HOLD A JOINT HEARING IN PETERSBURG IN ORDER TO OBTAIN THE TRUE FACTS AND PUBLIC INPUT REGARDING THIS PROPOSED ANNEXATION.

NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Stanley L Reed	PO Box 891		X
Joe Reed	"		X
Alon Stevens	Gen Deliv	<del>X</del>	X
Mrs Maat Stevens	Box 112		X
C. H. Lyons	Box 189		X
Mary F Lyons	Box 189		X
Paul Desjardis	P.O. Box 242		X
Flaxen Collier	Box 1051		X
Frank Collier	Box 1051		X
Kim a [unclear]	Box 1083		X
Linda Kearney	Box 204		✓
Kallen Bein	Box 871		X
Donald B Jackson	Box 812		X
Ralph W Temple	Gen Delivery		X
Bill B Lyons	Box 588		X
Mrs Shu Wayne	Box 1275		X
Pete Einfeld	Box 234		X
Marilyn Jackson	Box 234		X
N. N. Johnson	Box 532		X
M. Johnson	Box 532		X
Urm R. Sharp	Box 627		X
Marjorie Sharp	Box 627		X

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NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Bill Higdon	Box 1095		✓
Small Williams	Box 585		✓
W. A. Grannick Jr.	Box 1141	✓	
Donald Williams	Box 585		✓
Barbara Grannick	Box 1141	✓	
Faye Harris	Box 263 Petersburg		✓
Bill Ennis	Box 263		✓
James Hange	Box 983	✓	
Maureen Brown	Box 547 Petersburg		✓
DiAnne Brown	Box 547		✓
Lida Clark	Box 1332	✓	✓
Barbara Higdon	Box 1095		✓
Ed Murray	Box 1168	✓	✓
Donald Hunt	Box 1075		✓
Bob Anderson	Box 42		✓
Helen Anderson	Box 42		✓
Jim Queen	Box 1159	✓	
Fusa Queen	Box 1154	✓	
Thomas Distleton	Box 421	✓	
Michael M.	Box 950	✓	
Gregory M.	Box 950	✓	✓
Frank M.	Box 937	✓	

*John*

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NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
<i>North T. Claypool</i>	<i>Box 1003</i>		<input checked="" type="checkbox"/>
<i>Ray D. ...</i>	<i>Box 1336</i>		<input checked="" type="checkbox"/>
<i>Fay Willard</i>	<i>Box 941</i>	<input checked="" type="checkbox"/>	
<i>Robert G. ...</i>	<i>Box 207</i>		<input checked="" type="checkbox"/>
<i>Ram School</i>	<i>Box 964</i>		<input checked="" type="checkbox"/>
<i>Frank ...</i>	<i>Box 12</i>		<input checked="" type="checkbox"/>
<i>Marianne ...</i>	<i>Box 12</i>		<input checked="" type="checkbox"/>
<i>Bill ...</i>	<i>Box 651</i>		<input checked="" type="checkbox"/>
<i>Donna ...</i>	<i>Box 1251</i>		<input checked="" type="checkbox"/>
<i>Walter ...</i>	<i>Box 566</i>		<input checked="" type="checkbox"/>
<i>...</i>	<i>Box 451</i>		
<i>Susan ...</i>	<i>Box 1335</i>		<input checked="" type="checkbox"/>
<i>Bob Olson</i>	<i>Box 55</i>		<input checked="" type="checkbox"/>
<i>Linn ...</i>	<i>Box 55</i>		<input checked="" type="checkbox"/>
<i>...</i>	<i>Box 700</i>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<i>...</i>	<i>Box 748</i>		
<i>Oliver Olson</i>	<i>Box 1135</i>		<input checked="" type="checkbox"/>
<i>Sam ...</i>	<i>Box 267</i>	<input checked="" type="checkbox"/>	
<i>Richard ...</i>	<i>Box 70</i>		<input checked="" type="checkbox"/>
<i>...</i>	<i>Box 361</i>	<input checked="" type="checkbox"/>	
<i>Mervin ...</i>	<i>Box 376</i>	<input checked="" type="checkbox"/>	
<i>Don ...</i>	<i>Box 984</i>		<input checked="" type="checkbox"/>
<i>John E. ...</i>	<i>Box 681</i>	<input checked="" type="checkbox"/>	

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PETERSBURG, ALASKA

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NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Dennis Rogers	Box 524	X	
Carolyn Remy	593 City		X
Joe Remy	893 City		X
Rebecca Rane	Box 1222	X	
Evelyn Slechte	Box 1222	X	
Jarrod Hoyt	Box 828	X	
Frank Greenman	Box 581	X	
Walt Gley	Box 1043	X	
Ken Kullback	Box 936	X	
B. J. Jass	Box 1328	X	
Dennis J. Heizer	Box 495	X	
Ken Healin	Box 884	X	
Chris Hany			X
Bruce F. Russell	Box 381		X
Neil Peterson	Box 355		X
John Eide	Box 101		X
W. Rielke	Box 511	X	
John Richmond	Box 857	X	
Al Peterson	Box 403		X
Bob Dennis	Box 1236		X
Steve Erickson	Box 177 P56.		X
Dick Jonnwall	Box 322 CITY	X	

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NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Bill McManis	PO Box 1004		✓
Arden Gilbert	PO Box 1101	✓	
Thomas Monroe	PO Box 654		✓
Ruth Maurer	Box 654		✓
Jim Welch	Box 382		✓
Bob Glenn	Box 622	✓	
Frank Glenn	Box 622	✓	
James H. Birch	Box 34	✓	
Diana Balus	Gen Del	✓	
Margie Birch	Box 34	✓	
James Hammer	400 Lumber St. (Box 223)	✓	
John Lave	Box 983	✓	
Steven Fitts	Box 892	✓	
Eugene Lave	Gen Del	✓	
Larry Adams	Box 331	✓	
Donna Schubert	Box 484	✓	
James M. Madsen	Box 577	✓	
Bill Buel	Box 561	✓	
Ray Glenn	Box 622	✓	
Paul Madsen	Box 405	✓	
Paul C. McDermott	Box 616	✓	
Wes Randsrup	Box 347		✓

WE, THE UNDERSIGNED, BEING CITIZENS OF SEIKO ISLAND, BOTH INSIDE AND OUTSIDE THE PRESENT CITY LIMITS OF PETERSBURG, ARE STRONGLY OPPOSED TO THE PROPOSED ANNEXATION TO PETERSBURG AT THIS TIME DUE TO THE METHODS USED BY THE CITY IN DIRECT OPPOSITION TO THE DESIRES OF THE MAJORITY OF THE CITIZENS AND BECAUSE OF ERRORS IN THE FIGURES AS PRESENTED BY THE LOCAL TOURISM COMMISSION AND THE FAILURE BY THE CITY TO PROPERLY RESEARCH AND DOCUMENT THE ECONOMIC CHANGES SUCH ANNEXATION WOULD PRESENT TO THE CITY RESIDENTS AND THOSE IN THE ADJOINING PROPOSED AREA. WE ARE EXTREMELY CONCERNED IN THE MANNER IN WHICH THE CITY HAS PRESENTED THIS ANNEXATION WITHOUT PROPER PUBLIC INPUT. WE ALSO PETITION THE HOUSE AND SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEES TO HOLD A JOINT HEARING IN PETERSBURG IN ORDER TO OBTAIN THE TRUE FACTS AND PUBLIC INPUT REGARDING THIS PROPOSED ANNEXATION.

NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Leon Jansky	Box 133	X	
Arb Kurwata	Box 770	X	
Ben Lucas	Box 220	X	
Rudy Rammauck	Box 732	X	
Ben Beilley	Box 23	X	
Doug L. Ward	Box 1291 Petersburg		X
DAVID MACKENZIE	Box 553	✓	
Carroll Milken	Box 838	✓	
Ross Rammauck	Box 732	✓	
Joe Strachan	P.O. Box 981	✓	
Jerry Dobb	Box 128	✓	
Richard Thompson	1044	✓	
Bryde Martin	Box 492 PSG	✓	
Robert M. Mills	Box 837	✓	
Zerry Archuleta	Box 1010 PSG	✓	
Walter Jones	Box 1017 PSG	✓	
Theresa Lewis	Box 1134 PSG	✓	
Linda Dean	Box 1112 Box	✓	
Charlpa Walden	1112 Box	✓	
Devenly Boy	Box 325		✓
David Loy	Box 325		✓
May R. Kurwata	Box 770	✓	

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NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Myron L. Lyons Sr	Box 588 PETERSBURG AAA.	X	
Beryl Hallingstad	Box 186 PETERSBURG AK	X	
Myron L. Lyons Jr	Box 938 PETERSBURG AK	X	
Gertrude Lyons	Box 588 PETERSBURG AK.	X	
James Hallingstad	Petersburg, Alaska	X	
Colyn Lopez	Box 588 PETERSBURG	X	
Carleen Dodge	Box 588 PETERSBURG	X	
James Kinnaman	Box 1102 Petersburg	X	
Richard Kinnaman	" # 1093	X	
James D. Hayes	Box 1252 "		X
Esther Soderate	P.O. Box 773		X
Janet Rankin	P.O. Box 114		X
Daphne Hallingstad	Box - 1342	X	
Bessie Hallingstad	Box 1342	X	
Nelen Bell	Box 208	X	
Charles Bell	Box 208	X	
Jim Baumgartner	Box 1355	X	
Judi Quinn	P.O. Box 1094	X	
Chris Lopez	P.O. Box 285	X	
Nelen Sarpid	P.O. Box 833	X	
Nelen Lash	P.O. Box 165	X	
Donald E. Lund	Box 1026	X	

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NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Julia Bauer	Box 237	✓	
Rich Dumbel	"	✓	
James F. Finney	Box 1244	✓	
Paul Russeth	Box 305	✓	
Bruce Franer	" 826	✓	
Michael Cooper	Box 227	✓	
Norris Wilson	Box 623	✓	
Thomas O. Dremman	Box 823	✓	
Thomas O. Dremman	Box 823	✓	
Steve V. Berrill	Box 1315		✓
Ethel Lynn Lopez	Box 285	✓	
Margaret de Leon	Box 1345	✓	
Julia de Leon	Box 96	✓	
Martha J. Jansen	Box 334	✓	
Loris S. Jansen	P.O. Box 311	✓	
Halder C. Veisteg	P.O. Box 1206		✓
Cynthia A. Young	Box 1348		✓
Kevin J. Bell	Box 1284	✓	
Karen Hill	Box 1284	✓	
Garry Bernaldo	Box 147	✓	
Deborah Bernaldo	Box 147	✓	
Kathy Hoppe	Box 1148	✓	

PETITION OPPOSING ANNEXATION TO  
PETERSBURG, ALASKA

WE, THE UNDERSIGNED, BEING CITIZENS OF MITROP ISLAND, BOTH INSIDE AND OUTSIDE THE PRESENT CITY LIMITS OF PETERSBURG, ARE STRONGLY OPPOSED TO THE PROPOSED ANNEXATION TO PETERSBURG AT THIS TIME DUE TO THE METHODS USED BY THE CITY IN DIRECT OPPOSITION TO THE DESIRES OF THE MAJORITY OF THE CITIZENS AND BECAUSE OF ERRORS IN THE FIGURES AS PRESENTED TO THE LOCAL BOUNDARY COMMISSION AND THE FAILURE BY THE CITY TO PROPERLY RESEARCH AND DOCUMENT THE ECONOMIC CHANGES SUCH ANNEXATION WOULD PRESENT TO THE CITY RESIDENTS AND THOSE IN THE ADJOINING PROPOSED AREAS. WE ARE EXTREMELY CONCERNED IN THE MANNER IN WHICH THE CITY HAS PRESENTED THIS ANNEXATION WITHOUT PROPER PUBLIC INPUT. WE ALSO PETITION THE HOUSE AND SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEES TO HOLD A JOINT HEARING IN PETERSBURG IN ORDER TO OBTAIN THE TRUE FACTS AND PUBLIC INPUT REGARDING THIS PROPOSED ANNEXATION.

NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Louise N. Kite	Box 271, Petersburg, AK	✓	
Rosanne Anderson	Box 837, Petersburg	✓	
Lucy Kite	Box 287 Petersburg	✓	
Rick Kite	Box 271 Petersburg	✓	
Nancy Benson	Box 36 " "	✓	
Nancy Benson	Box 36 " "	✓	
Casper & Hallingstad	Box 186 " "	✓	
Clara Lewis	401 H Street Petersburg	✓	
David W. [unclear]	Box 514	✓	
David Wilson	Box 661 - City	✓	
Michael Sterling	Box 1021 - City	✓	
Michael I. Wadsworth	Box 1052 - City	✓	
Tina Patis	Box 1226 City	✓	
Jeff Roth	1287 City	✓	
Linda Jagata	Box 565 City	✓	
Albert Sakamoto	Box 772 City	✓	
Arnold Haube	Box 736 City	✓	
Hester K. [unclear]	Box 384 City	✓	
Marita [unclear]	Box 1225	✓	
Bernie Haube	Box 736 - City	✓	
Dann Just	Box 165 - City	✓	
Jimmy [unclear]	Box 384 - City	✓	

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NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Joe Vukobrat	Box 241 - Petersburg		X
Thomas Morrison	Box 524 Petersburg		X
John C. Morris	Box 524 Petersburg		X
Ray B. Brown	Box 338		"
John J. Brown	Box 338 Petersburg		X
Lorraine M. Almy	Box 616, Petersburg	X	
Robert D. Erickson	Box 961 City		X
Andrew B. Thompson	Box 1355 - city	X	
Erica Nyberg	Box 445 Petersburg	X	
Jeff Reid	P.O. Box 914 Petersburg		X
Diane Erickson	Box 961 Psc		X
Sherry Hansen	Box 253 Petersburg	X	
Leite D. Silva	P.O. Box 58 Petersburg	X	
Rick Hansen	P.O. Box 253 Psc.	X	
Lill L. Lykens	P.O. Box 830 Petersburg	X	
Steve Erickson	P.O. Box 177 PSC		X
Billy Whitehorn	Box 834 Petersburg	X	
Cliff Lusk	Box 830 PSC	X	
Paul Macdonald	Box 435 Psc	X	
Richard Erickson	Box 253 Psc.	X	
Edward Dilling	10910 PSC		X
Wendy Kuntze	Box 770 Psc	X	

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NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Arda Johnson	Box 910	✓	
Jill Johnson	Box 910	X	
Lela Seims	Box 183		✓
Larry Heines	Box 182		✓
Eleanor Thomassen	Box 1044		✓
Sally Sawyer	Box 810	✓	-
Y. Stenmark	Box 735	✓	-
Dev Ried	645		✓
Patricia James	764	✓	
Ronela K. Jensen	Box 681	✓	
Yvonne M. Thynne	Box 56	✓	
Judy Ohmer	Box 372	✗	✓
Lela Trask	Box 1333	X	
Patricia Nannush	Box 732	✓	
Julie - Jerry Dahl	Box 128	✓	
DeWitt Sheppard	Box 312	✓	
Alvin Grant	Box 1143	✓	
Arden Davis	Box 208	✓	
Wileen Seer	Box 208	✓	
Margit Smith	Box 749	✓	
Jennifer Cummins	Box 1131		X



#3

PETITION OPPOSING ANNEXATION TO

PETERSBURG, ALASKA

WE, THE UNDERSIGNED, BEING CITIZENS OF MIKOF ISLAND, BOTH INSIDE AND OUTSIDE THE PRESENT CITY LIMITS OF PETERSBURG, ARE STRONGLY OPPOSED TO THE PROPOSED ANNEXATION TO PETERSBURG AT THIS TIME DUE TO THE METHODS USED BY THE CITY IN DIRECT OPPOSITION TO THE DESIRES OF THE MAJORITY OF THE CITIZENS AND BECAUSE OF ERRORS IN THE FIGURES AS PRESENTED TO THE LOCAL BOUNDARY COMMISSION AND THE FAILURE BY THE CITY TO PROPERLY RESEARCH AND DOCUMENT THE ECONOMIC CHANGES SUCH ANNEXATION WOULD PRESENT TO THE CITY RESIDENTS AND THOSE IN THE ADJOINING PROPOSED AREAS. WE ARE EXTREMELY CONCERNED IN THE MANNER IN WHICH THE CITY HAS PRESENTED THIS ANNEXATION WITHOUT PROPER PUBLIC INPUT. WE ALSO PETITION THE HOUSE AND SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEES TO HOLD A JOINT HEARING IN PETERSBURG IN ORDER TO OBTAIN THE TRUE FACTS AND PUBLIC INPUT REGARDING THIS PROPOSED ANNEXATION.

NAME	ADDRESS	RESIDENT	
		CITY	OUTSIDE
Jeff McEadyen	P.O. Box 592		X
Stephen Berry	P.O. Box 934		X
Jack Yancy	P.O. Box 1348		X
Herbert Hanson	Box 726	X	
Rosemary Hanson	Box 726	X	
Michael Hess	Box 1203	X	
Celis Rosenzweig	Box 1282	X	
William Miller	P.O. Box 1363		X
Jim Wiley	P.O. Box 712	X	
Ken Baird	P.O. Box 343	X	
Kathy Johnson	P.O. Box 593		X
Chris Magister	P.O. Box 934		X
<del>XXXXXXXXXX</del>	<del>XXXXXXXXXX</del>		X
Heidi D. Quire	P.O. Box 297	X	
Wendy G. Gately	P.O. Box 1153	X	
Robert J. Pardo	P.O. Box 1023	X	
Bill Swanson	Box 233	X	
Tracy R. Williams	"		X
John J. Otness	Box 1195	X	
Ralph A. Schuble	Box 614	X	
Scott A. Ross	Box 313	X	









TO: COMMUNITY & REGIONAL AFFAIRS COMMITTEE

ATTENTION: Honorable Joseph Orsini,  
Chairman, and Committee  
Members

From: Gertrude B. Lyons  
P. O. Box 1128  
Petersburg, AK 99833

Date: February 8, 1978

I am on the Board of Directors of the Petersburg Indian Association and have been a resident of the City of Petersburg all my life and have been authorized by unanimous vote of the Board to appear and protest to the Legislature any extension of the boundaries of Petersburg. The members of the Petersburg Indian Association are strongly opposed to the recommendations of the Local Boundary Commission to the Legislature of the State of Alaska concerning the extension of the boundaries of the City of Petersburg.

The Petersburg Indian Association was formed because of the various Alaska native groups, including the Tlingit-Haida Central Council, the Alaska Native Brotherhood, the Alaska Native Sisterhood, and Sealaska Corporation, which had programs to be administered within the Petersburg area. The Petersburg Indian Association is a combination and serves and represents all Alaska native programs administered in the Petersburg area. There are approximately one hundred eighty-five (185) adult members in the Petersburg Indian Association, all of whom are residents residing in the existing City of Petersburg.

The Petersburg Indian Association has reviewed the petition submitted by the City of Petersburg to the Department of Community and Regional Affairs for the annexation or expansion of the existing city limits of Petersburg and the recommendations of the Local Boundary Commission to the Legislature. The Petersburg Indian Association is strongly opposed to any expansion of the existing city limits of Petersburg.

The existing tax base for the City of Petersburg, including real property taxes, sales taxes, and utility charges is extremely high and before any of the existing utilities are expanded to additional areas, and before any additional police and fire protection services are expanded to additional areas, it appears to the Petersburg Indian Association that steps should be made to improve and reduce the charges to the existing residents within the present city limits of the City of Petersburg. The cost of expanding utilities and services to any additional areas could only be met by additional taxes far and above those which would be generated through the annexation of the additional area.

I was employed for eight (8) years as a dispatcher for the City of Petersburg Police Department, having left that position approximately one (1) year ago. In reviewing the petition of the City of Petersburg for additional areas to be annexed I noted the number of emergency medical treatment calls that they attributed to

Page Two  
February 8, 1978

areas outside the existing city limits. Based upon my own observations and experience, by far the vast majority of these calls would have been to the Petersburg Municipal Airport or to the float plane charter services operated in and out of Petersburg, bringing injured or sick persons from other areas to receive treatment at the Petersburg hospital.

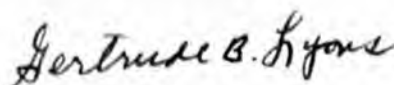
The existing fire equipment is inadequate to serve outlying areas without the addition of water lines and hydrants as the present tank trucks or pumper trucks would not be sufficient to fight any major fire without fire hydrants being located in the immediate vicinity.

If police protection is to be afforded in the additional annexed area it will require that at least one additional squad car be added to the existing police force and at least four (4) officers, one for each shift and one as a relief officer. The existing bonded indebtedness of the City of Petersburg is the highest per capita in the State of Alaska. It would seem apparent that if additional services and utilities are afforded to areas outside the existing city limits, that the only way this could be accomplished would be by incurring additional bonded indebtedness which would place an undue burden and hardship on the taxpayers and residents of the City of Petersburg. This is particularly true of our native residents who for the most part are employed on a seasonal basis, which severely limits their income and ability to pay any additional taxes or utility charges.

Before any additional areas are added to the City of Petersburg, the Petersburg Indian Association and myself feel that definite steps and improvements should be made within the city limits to reduce the taxes and improve existing services and utilities, particularly the electric utility services which, in my opinion, are the highest in the State. Presently people outside of the existing city limits of Petersburg pay a surcharge on top of their electric service charges for being rendered that service by the city; however, if these areas are included in the city this surcharge would be lost, and the only way that this could be made up is by adding to the already high electric service charges being taxed on the residents of the City of Petersburg.

For these reasons, the Petersburg Indian Association respectfully requests that the Senate and the House of Representatives pass a concurrent resolution rejecting the recommendation of the Local Boundary Commission.

Respectfully,



Gertrude B. Lyons

## SUMMARY OF PROPOSED PETERSBURG ANNEXATION

Present area of Petersburg: 2.1 square miles

Area to be annexed: Northern half of Mitkof Island (approx. 45 sq. miles)

Property value for annexed area: Approximately \$7 million in real and personal property.

Present population of Petersburg: 2,126

Population in annexation area: 514

### Purpose for annexation:

1. "Substantial population" exists in outlying area
2. Petersburg currently provides limited municipal services to the area.
3. Petersburg owns property in the area
4. Petersburg serves as the commercial center for the area.
5. Petersburg currently has jurisdiction in the area for parks, roads, trails, hydroelectric facilities, an airport, and its municipal water supply.
6. Petersburg residents use area for recreation
7. Annexation of area would provide logical and rational basis for Petersburg to plan and manage future growth, including:
  - a) Coastal Zone Management
  - b) Planning and Zoning
  - c) State land selections

### Additional reasons for annexation:

The City already provides basic municipal services to Mitkof Island (fire, ambulance, public protection) whenever it can, but residents of outlying areas receive these services without paying taxes for them.

### Reasons in opposition to annexation (by plaintiff in Court suit):

1. City violated procedural requirements by submitting information favorable to annexation after January 5 deadline.
2. Supporters of the annexation submitted erroneous and deliberately misleading information to the Boundary Commission, including:
  - a) Population figures for the City of Petersburg
  - b) Increase in power rates resulting from annexation
  - c) Requirement for increased sales taxes
  - d) Costs relating to the extension of sewer and water services
  - e) Adverse impact on the Petersburg School District budget
3. Plaintiffs were denied access to public information by the City of Petersburg regarding data submitted by the City to the Commission.
4. A previous election (August 26, 1976) showed 279 opposed and only 73 in favor of the expansion of the City's boundaries.
5. Boundary Commission has not correctly applied the statutory

standards for annexation to the Petersburg situation. (19 AAC 05.010.020)

Additional concerns expressed by letter of protest:

Taxes in Petersburg are already among the highest in Alaska yet municipal services are poor. Any attempt by the City to annex Mitkof Island would greatly extend the City's obligation to provide municipal services to outlying areas from which little or no revenue could be derived.

Ben Harding

2-6-78

SENATE COMMUNITY AND REGIONAL AFFAIRS  
COMMITTEE MINUTES

FEBRUARY 7, 1978

Present: Chairman Orsini, Senators Willis, Hackney and Sumner. Wm. K. Mearig; J. R. Floden; Frances G. Westre; David A. Moffat; Gene Owens; Sigvald J. Strandberg; Erick J. Simpson; Sunny A. Hick; Gertrude Lyons; Lars Eide; Ed Lapeyri; James F. Petersen; Annette Smith; Bruce Aronson.

Absent: Senator Ferguson

Chairman Orsini convened the hearings at 3:15 PM. He announced that the Committee would take testimony on SJR 38, 29 & 40 but would take no action on the resolutions that day.

SJR 39 (Proposed Annexation by Haines Borough):

Chairman Orsini asked Sigvald Strandberg, Chairman of the Boundary Commission, to give the circumstances behind the proposed annexation of land on which stood fuel tanks formerly operated by the military. Mr. Strandberg described the action as pro forma in nature to allow the Haines Borough to eliminate a pocket of non-borough land inside its borders. He explained that the final disposition of tank farm property, which would be handled by the General Services Administration, would not be affected by the Borough's action and that the military had not objected to the proposed annexation. Mr. Strandberg also stated that no objections had been made by members of the public during the Boundary Commission's hearings in Haines. No one else wished to testify on SJR 39 and Chairman Orsini closed the hearings on the resolution.

SJR 38 (Proposed Annexation by the City of Skagway):

Mr. Strandberg noted that the City of Skagway originally requested to extend its boundary to the Canadian border and that of the Haines Borough. He noted that this raised the question in the Boundary Commission's opinion of what properly constituted city government versus that of a borough. The Commission therefore recommended a smaller extension of the City's boundaries and informed the City that it could, if conditions warranted, petition the Commission in the future to move its jurisdiction to the Canadian border. The City of Skagway supported this action by the Commission and agreed with the recommendation. Strandberg acknowledged that public testimony by persons residing outside the present City boundaries was opposed to annexations since they believed that they were already paying for municipal services through the sales tax. In response to questions from Committee members, he said that the Commission had not considered the inclusion of the Dyea area into the City of Skagway and that such an action would require separate Commission action.

William Ruddy, an attorney representing the City of Skagway, said that public opposition had been expressed to the proposed annexation but that it was not organized.

In the absence of further public testimony, Chairman Orsini closed the hearings on the resolution.

SJR 40 (Proposed Annexation by the City of Petersburg):

Mr. Strandberg said that public hearings had been held by the Commission in Petersburg January 9 before an overflow crowd with the testimony being broadcast live over the local radio station. On January 16 the commissioners held a telephonic conference and approved a recommendation for the extension of the City of Petersburg boundary.

He explained that the Commission's recommendation called for the city boundary to be extended only over the northern portion of Mitkof Island, an area of approximately 45 square miles. The City had originally petitioned for the annexation of all Mitkof Island, an area of approximately 211 square miles. Mr. Strandberg said that the Commission respected the City's reasons for the larger request, which included concerns about Coastal Management and municipal selection of state lands. He said that this again raised the question of borough versus city government and that the Commission had recommended an area for annexation that would take in almost all residents, but not all the territory, of Mitkof Island. He noted that, in the Commission's view, the natural development of the City of Petersburg lay along Mitkof Highway and that the outlying areas did benefit from municipal services. The incorporation of this area would remove the present tax inequity between the residents of the City and the outlying district. Mr. Strandberg pointed out that the City of Petersburg has a narrow tax base, but a fairly heavy bonded indebtedness. The 2,126 City residents have a bonded indebtedness of \$3.7 million against a property valuation of \$34 million. This gives the City a debt/valuation ratio of approximately 11% as opposed to a 5.4% ratio for the City and Borough of Juneau and 3% for the City of Ketchikan. He noted that there were considerable private land holdings south of Petersburg along the Mitkof Highway.

In response to questions from Committee members, Mr. Strandberg made the following comments: The City indicated that it would assess one-half, or 7 mills, of the present City mill rate against the residents of the outlying area for the first year after annexation. Petersburg City Councilmen run at large and therefore there would be no council seat per se representing the annexed outlying area. During the public hearings in Petersburg, public sentiment ran about four to one against annexation. The August 26, 1975, election during which City voters rejected annexation was a straw vote on another proposed annexation and for which sketchy data had been gathered in regard to potential tax revenues. Service areas in the unorganized Borough could be established by the Legislature only if the same services could not be provided by annexation to existing local governments.

The vote of the Commission had been three to one for the proposed annexation. Children in the outlying area presently attend City schools which receive tuition payments from the State. The economic future of Petersburg lies fishing and some logging. Industry would find it attractive to locate in the outlying area following annexation.

William Ruddy, the attorney representing the City of Petersburg, and William Meariq, representing the Petersburg city government, testified

jointly. Mr. Mearig stated that the 1975 annexation vote concerned the proposed annexation of West Petersburg, which has now incorporated separately as the City of Kupreanof, and did not pertain to the present recommendation. He noted that the Environmental Protection Agency was requiring the extension of sewer and water facilities to outlying areas. Either the City of Petersburg would provide these services or they would be mandated at the state or federal level. In response to questions from the Committee members, Mearig concurred that Petersburg's economic future lay with fishing and stated that any expansion of fishing facilities would probably occur at the four plants currently within the City's boundaries. Because of environmental and esthetic concerns, little or no development is likely to take place in the Narrows. He commented that strictly speaking it was illegal for the City to provide municipal services to the outlying area.

James Petersen, the attorney representing the plaintiffs in the court suit opposing the proposed annexation, testified that his clients opposed the annexation on the grounds that insufficient study had been given to the revenue, tax burden, and expense of the action. He stated that the original petition requesting annexation had been hastily put together and that the municipal ordinance had had its first reading with no public input. The second and third readings took place on the same night. Studies were lacking on population density, cost of police protection, cost of water and sewer facilities, and cost of electric power extension. Peterson said that his clients were not opposed to annexation per se and believed that the establishment of a service district (outside of the municipal boundary) could provide a viable solution. He emphasized that it was not only residents of outlying areas who opposed annexation but the residents of the City as well.

Frances Westre testified, as a member of the Petersburg City Council, that the Council had unanimously approved the proposed annexation as being in the best interests of the community of Petersburg and its environs. She said that the apparent haste in acting upon the petition was due to the legal requirement to submit all annexation recommendations to the Legislature by the tenth day of session. She pointed out that Petersburg and Wrangel were jointly studying a proposal for hydroelectric development in the Thomas Bay area that would provide relatively inexpensive power for economic development in the area. Ms. Westre said that Bruce Aronson of the Department of Community and Regional Affairs had originally raised the annexation question in Petersburg several years ago.

Lars Eide read to the Committee a letter he sent on December 12, 1977, to Commissioner of Community and Regional Affairs Lee McNerney protesting the proposed annexation as contrary to the wishes of the majority of the people of Petersburg. He stated he was part owner of Mitkof Lumber Company which employes approximately 23 persons about 75% of whom lived in the City and 90% of the company's production was exported.

David Moffat, City Manager of Petersburg, said that the impetus for annexation had originated from residents in the outlying areas and that he had heard of little opposition to the proposal from within the City. He noted that, without the existence of the City of Petersburg, it would be unlikely that industries outside city limits would have located in the area. Moffat pointed out that the City has a

significant interest in exercising planning for Coastal Management for Mitkof Island as well as achieving a wider basis for future municipal selection of state land. He also noted that the possibility of a deep water port had been studied for the southern tip of Mitkof Island.

Ed Lapeyri, a resident and General Manager of Mitkoff Lumber Company, a plaintiff in a court suit against the annexation, testified that outlying residents did not receive municipal services for which they did not pay. He stated that residents outside city limits paid a 15% surcharge for electricity and a 50% surcharge for water. As for fire protection, the State paid the City \$7.50 per capita for residents outside City limits. He submitted to the Committee the following petition signed by 543 residents of the general Petersburg area:

"WE, THE UNDERSIGNED, BEING CITIZENS OF MITKOF ISLAND, BOTH INSIDE AND OUTSIDE THE PRESENT CITY LIMITS OF PETERSBURG, ARE STRONGLY OPPOSED TO THE PROPOSED ANNEXATION TO PETERSBURG AT THIS TIME DUE TO THE METHODS USED BY THE CITY IN DIRECT OPPOSITION TO THE DESIRES OF THE MAJORITY OF THE CITIZENS AND BECAUSE OF ERRORS IN THE FIGURES PRESENTED TO THE LOCAL BOUNDARY COMMISSION AND THE FAILURE BY THE CITY TO PROPERLY RESEARCH AND DOCUMENT THE ECONOMIC CHANGES SUCH ANNEXATION WOULD PRESENT TO THE CITY RESIDENTS AND THOSE IN THE ADJOINING PROPOSED AREAS. WE ARE EXTREMELY CONCERNED IN THE MANNER IN WHICH THE CITY HAS PRESENTED THIS ANNEXATION WITHOUT PROPER PUBLIC INPUT. WE ALSO PETITION THE HOUSE AND SENATE COMMUNITY AND REGIONAL AFFAIRS COMMITTEES TO HOLD A JOINT HEARING IN PETERSBURG IN ORDER TO OBTAIN THE TRUE FACTS AND PUBLIC INPUT REGARDING THIS PROPOSED ANNEXATION."

Mr. Lapeyri said that these signatures were obtained within three days last week and that every reasonable effort was made to insure that resident adults were the only persons who signed. He told the Committee that of the 543 petition signers, 193 lived outside the City and 350 lived within the City limits.

Mr. Lapeyri charged that during the City Council deliberations on the annexation petition, a show of hands indicated that only 11 of the 93 persons present supported annexation and that, of the 6 who testified in favor of the measure, four were city employees or relatives of Council members. He said that real property valuation for the 1975 proposed annexation was \$6.3 million and in 1977 only \$6.7 million for a slightly different area. He also cited an unidentified study undertaken by a local private firm that indicated no significant economic development in Petersburg in the future. In response to Committee members' questions he acknowledged that fishing was considerably more important economically to Petersburg than logging which he characterized as "shakey".

Gene Owens, a resident of Petersburg, testified in support of the proposed annexation. He stressed that the State had consistently urged localities to assume local government control in the Unorganized Borough in such matters as Coastal Management planning. Mr. Owens said that the annexation of land on Mitkof Island by Petersburg was consistent with that objective.

John Floden, city engineer for Petersburg, spoke in favor of the annexation recommendation and pointed out that the City had basically proposed a service area concept. He noted that 19% of the population

of Petersburg currently lives outside the city limits. This meant that those inside the city pay 19% more for municipal services than their just share, while those outside pay 19% less. Mr. Floden said that without the extension of planning and zoning powers to the present outlying areas they were likely to develop in a haphazard manner leading to severe water and sewage problems in the future. There were instances in the outlying area where land was being subdivided into lots too small handle on-site sewage and water. Mr. Floden said that the City's goal in the annexed area would be to maintain large lots so as to prevent the need to establish sewer and water lines to high density residential and commercial dwellings. Additionally the projected linkage of Mitkof Highway with a proposed Stikine Highway could result in unrestrained commercial development of gas stations, drive-ins, etc. along the way unless proper planning and zoning authority existed to control it. In response to Committee members' questions, he said he believed a comprehensive community development plan for Petersburg had been prepared in 1965/66.

Certrude Lyons, a plaintiff in the court suite against the proposed annexation and a member of the Board of Directors of the Petersburg Indian Association, testified that the increased costs association with the extension of services to outlying areas would work an undue hardship on Native residents of Petersburg who were primarily dependent upon seasonal employment. Ms. Lyons said that the membership of the Petersburg Indian Association was approximately 185 adult persons and that the Association was the combined organization for the Tlingit-Haida Central Council, the Alaska Native Brotherhood, the Alaska Native Sisterhood, and Sealaska Corporation.

Sunny Hicks, a resident of the Petersburg area and opponent of the proposed annexation, characterized the community atmosphere of Petersburg as a "local Watergate situation" where neighbors were divided against one another and conversations were surreptitiously recorded. She believed that local anti-sities had been inflamed by the City's handling of the annexation petition. She stressed that the residents of the outlying area considered themselves to be members of the general Petersburg community and were willing to assume their share for local services. She questioned whether the City was capable of efficiently carrying out its present obligations, much less undertake more extensive ones without the compensation of major new revenues.

William Mearig requested to testify a second time to present his views as a private citizen in addition to his capacity as a city official. He said that the proposed annexation offered outlying residents their first chance to participate in the political decisions affecting them locally, even in the absence of a separate election district for the area. He stated that participation in local government in such matters as Coastal Management offered residents more protection than if they remained unorganized and allowed either the State or federal government to impose regulations on them.

In the absence of further public testimony on SJR 40, Chairman Orsini concluded public hearings on the resolution and adjourned the Committee at 6:28 PM.

PREPARED BY: Ben Harding, Senate C/RA Committee Staff

DATE: February 16, 1978

## SUMMARY OF ECONOMIC AFFECTS OF PETERSBURG ANNEXATION

GENERALRevenue Gains

High estimate:	\$238,600 *
Low estimate:	<u>\$139,600</u> **

(\*using sales tax estimate of \$150,000 annually)

(\*\*using sales tax estimate of \$50,000 annually)

Revenue Losses or Added Expenses

High estimate:	\$182,000 *
Low estimate:	<u>\$157,000</u> **

These estimates are based on the following assumptions:

- a) No added water and power services to annexed areas (per City policy).
- b) No added police, ambulance, or fire services (per City statements that these services are already funded through State revenues sharing).

(\*using high estimate for increased administrative costs)

(\*\*using low estimate for increased administrative costs)

FINANCIAL BREAK-DOWN BY CATEGORIESRevenue Gains

1) Sales Tax Revenues:	High estimate:	\$150,000
	Low estimate:	\$ 50,000

The City has estimated that a sales tax could raise approximately \$150,000 annually in new revenues from the annexed area. Annexation opponents contend that this figure is greatly inflated and that a more realistic estimate is closer to \$50,000. The City has acknowledged that its estimate is very rough and that it was not able to obtain full data on which to base its figures.

## 2) Electricity Rate Increases

\$1 a month for residential and  
commercial users

\$2 a month for industrial users

Estimated revenue: \$19,000

It is the City's intent that electricity rate increases will equal and offset revenue losses from the elimination of surcharges on water and electricity to users in the previously outlying areas.

## 3) State Revenue Sharing (using a population increase of 500)

Police	\$6,000
Air and Water Pollution	1,000
Parks and Recreation	2,500
Transportation	2,500
Roads (est. 3 miles)	4,500
Health Service	1,000
Regular*	850
Liquor*	1,100
Amusement and games*	150
Gross receipts tax**	1,000
Total Revenue:	\$20,600

(\*from Department of Revenue estimates)

(\*\*Department of Revenue estimates \$2,000 in revenue sharing from gross receipts. However over \$1,000 annually appears already to have been inadvertently shared with the City)

## 4) Property Tax Revenue

7 mills on an estimated \$7 million in real and  
personal property \$49,000

Revenue losses of Increased Expenses:

## 1) New Administrative Costs

High estimate: \$50,000 \*  
Low estimate: \$25,000 \*\*

This figure is derived from the assumption that increased administrative responsibilities, such as Planning and Zoning, for the annexed area will require an increase in City administrative personnel.

(\*using high estimate of 1 officer and 1 secretary plus office start up costs)

(\*\*using low estimate of 1 secretary/clerk plus office start up costs)

## 2) Elimination of State Tuition Payments

\$97,700

This figure is based on the calculation that 100 students will come from the annexed area. For 1977/78 payments, the Department of Education is using \$976.74 per pupil. Currently 115 students from outlying areas (including 5 from Kupreanof) attend Petersburg schools. The City's own loss projection was \$47,000 which was calculated on the Department of Education payments per pupil of \$443.61. That was the rate of payment used by the State last year. These payments will more than double this year.

3) Other Expenses

- a) Electricity and water extension costs \$ 0 \*
- b) Police, ambulance and fire service costs \$ 0 \*\*

(\*City plans no extension of power and water service beyond present level)

(\*\*City plans to maintain these services at present level using existing State revenue sharing funds)

## BACKGROUND

In its original annexation petition, the City of Petersburg requested the annexation of all Mitkof Island, an area of approximately 211 square miles.

The Local Boundary Commission recommended instead the annexation of the northern end of Mitkof Island, or about 45 square miles. The Commission's rationale was that 211 square miles would have created a territory calling for a borough organization without Petersburg having gone through the borough government process. The Commission believed that a city government provides essentially direct services to its citizens whereas a borough exercises regional responsibilities. As a result, its recommendation provided for the City of Petersburg to annex areas containing virtually all the population of Mitkof Island, but excluded uninhabited or yet-to-be-developed areas.

Following annexation, the City has said that it would increase electricity rate charges by \$1 a month for residential and commercial users and be \$2 a month for industrial customers. The present surcharges to outlying residents for City water and electricity would then be dropped. The City's intent is that the rate increases would equal the loss of revenue resulting from the elimination of the surcharges.

The City has no plans to extend water or electricity, beyond its present service level, to the annexed area. Police, fire and ambulance services to these areas are projected to remain unchanged and funded through State revenue sharing. (Confirmed in telephone conversation with Petersburg City Manager by Staff)

Other revenue-raising means the City plans to use include: a 7 mill tax levy on approximately \$7 million in real and personal property located in the annexed area, a sales tax on transactions under \$1,000, and the receipt of increased State revenue sharing funds.

Major revenue losses or increased expenses resulting from annexation include the dropping of State tuition payments, surcharge elimination, and the cost of probable added administrative services.

The proposed annexation has been strongly opposed by plaintiffs in a court suit who charge that inadequate study and planning have gone into the proposal. They cite poor or expensive municipal services and a high bonded indebtedness as evidence of the City's inability to take on added municipal obligations. A petition containing the signatures of 543 Petersburg residents in opposition to the annexation was presented to the Senate Community and Regional Affairs Committee February 7.

## ANALYSIS

A major charge made by opponents of annexation is that the City is presently overextended financially and could under no circumstances assume additional financial obligations without the assurance of at least matching revenues. The annexation opponents contend that any new sources of revenue in the outlying area are minor and would be more than off-set by increased expenses.

The City acknowledges that its data on the economic impact of annexation

are fragmentary and based on rough estimates open to challenge. In fact, the attorney for the City wrote to the Boundary Commission that "I am strongly inclined to agree with that assessment about a short-term negative cash flow but similarly inclined to discount its magnitude predicated on the knowledge that many of the general services... have been provided heretofore." The attorney, L.B. Jacobson, further noted, "...nor was I of the opinion that financial viability of an annexation proposal was one of the standards promulgated in (state regulations) or the Alaska Constitution."

A summary economic analysis indicates, however, that the City has a fair chance of breaking even financially in the event of annexation, provided it does not extend to the annexed area any services it is presently not making available. The annexation would reduce somewhat, the City's unusually high (11%) bonded indebtedness to property valuation ratio. It would also increase City valuation by an estimated \$7 million in real and personal property from the annexed area. (See attached table to compare Petersburg population and bonded indebtedness with similar Alaskan communities.)

It would appear from testimony presented by a number of city officials at the Senate hearings, however, that the proposed annexation does not directly address the real reasons which impelled the City to request the annexation of Mitkof Island in the first place.

Those reasons are threefold: 1) the desire to plan for the Coastal Management of Mitkof Island, 2) the desire to obtain an adequate land base for later municipal selection of state lands, and 3) the desire to plan for the rational and orderly development of Mitkof Island. None of these objectives is significantly met by the proposed annexation of the northern quarter of Mitkof Island. In fact, from one viewpoint, the recommended annexation only adds to the City's problems without providing any of the benefits which the incorporation of the entire island would entail.

Nevertheless, the Boundary Commission's question, i.e. would the annexation of the 211 square miles of Mitkof Island create a de facto borough government rather than a city?, appears valid.

The implementation of the proposed annexation would not however settle the issue. The City of Petersburg supports the Boundary Commission's recommendation for the smaller area annexation despite its desire to annex all of Mitkof Island. But the City has also expressed the intention to renew its petition next year for the incorporation of all Mitkof Island under the City's jurisdiction. At that time, the same issues and the same arguments of city versus borough government and the need for local regional control will have to be addressed again.

TABLE V

## VALUATION, POPULATION AND G.O. BONDED DEBT

CITIES	FULL VALUE DETERMINATION 1-1-77	CIVILIAN POPULATION 7-1-77	G.O. BONDED DEBT 7-1-77	PER CAPITA DEBT	PER CAPITA VALUATION	DEBT % TO VALUATION
CORDOVA	33,047,580	2,406	1,169,200	486	13,735	3.54
CRAIG	5,295,655	467	143,040	306	11,340	2.70
DILLINGHAM	17,140,840	1,269	135,000	106	13,507	.78
EAGLE	1,413,250	145			9,747	
GALENA	2,670,800	631			4,233	
HOONAH	5,332,800	848			6,289	
HYDABURG	1,438,405	380			3,785	
KAKE	2,394,685	679			3,527	
KING COVE	2,863,490	408	393,860	965	7,018	13.75
KLAWOCK	1,025,850	323			3,176	
NENANA	5,373,975	433	253,000	513	10,901	4.71
NOME	33,747,720	2,585	830,000	321	13,055	2.46
PELICAN	4,639,275	169			27,451	
PETERSBURG	34,048,060	2,126	3,750,000	1,764	16,015	11.01
ST. MARY'S	1,415,000	415			3,410	
SELAWIK	1,250,005	521			2,400	
SKAGWAY	29,850,185	854	627,000	734	34,953	2.10
UNALASKA	16,571,530	510			32,493	
VALDEZ	1,211,561,410	7,483	13,036,000	1,742	161,909	1.08
WRANGELL	37,599,610	3,152	575,000	182	11,929	1.53
YAKUTAT	10,149,240	442			22,963	
TOTAL CITIES	1,458,829,725	26,306	20,912,100	795	55,456	1.43
STATE	17,105,126,829	398,983	530,008,000	1,328	42,372	3.10
MUNICIPAL	14,001,074,809	368,406	519,599,526	1,410	38,004	3.71
STATEWIDE TOTAL	17,105,126,829	398,983	1,049,607,526	2,631	42,872	6.14

Alaska Taxable 1977

(Issued January, 1978)

State of Alaska

LOCAL BOUNDARY COMMISSION

Petition from City of Petersburg )  
Requesting annexation of )  
remaining portion of Mitkof Island)

STATEMENT OF DECISION

Whereas, on November 22, 1977, the City of Petersburg submitted a petition to the Local Boundary Commission through the Department of Community and Regional Affairs in accordance with Title 29 of the Alaska Statutes requesting annexation of the area generally described as the balance of Mitkof Island; and

Whereas, on December 1, 1977, the Department found the petition in proper form with the requisite content and accompanying exhibits; and

Whereas, upon notification by the Department of the petition's sufficiency, the Local Boundary Commission scheduled a public hearing with notice as prescribed by law; and

Whereas, the Local Boundary Commission conducted a physical inspection of the proposed annexation territory and held a public hearing in the Petersburg City Council Chambers on Monday, January 9, 1978; and

Whereas, the Local Boundary Commission held a decisional meeting in Anchorage on January 16, 1978, to review the proceedings on the annexation petition;

NOW THEREFORE, the Local Boundary Commission makes the following findings of fact and enters its decision thereto:

The portion of the petition territory accepted by the Commission meets the regulatory standards for annexation as follows:

19 Alaska Administrative Code 05.010 (a) (3): The territory on either side of the Mitkof Highway within the recommended annexation, extending southerly from the current City of Petersburg limits is generally being utilized and developed for residential and business purposes and such growth generally represents an extension of the Petersburg community beyond current city limits.

19 AAC 05.010 (a) (4): The territory recommended for inclusion in the city is in need of City of Petersburg general fund services such as fire and police protection, land use planning and zoning and the City is the most appropriate local government entity for providing such needed services. The City is capable of providing such services and has presented a differential taxation plan which the Commission finds appropriate for integrating the territory with the present city.

19 AAC 05.010 (a) (5): Both the scarcity of developable property and the suitability of property along the Mitkof Highway southerly from the present city limits has resulted in Petersburg community growth in this direction. The Commission foresees continued community growth in the area defined for inclusion in the City by the recommendation, and finds that such growth warrants City of Petersburg jurisdiction.

19 AAC 05.010 (a) (8): The Commission finds that both residents of and property owners in the territory recommended for inclusion within the city benefit from the existence of the adjacent city and by inclusion in the city will make tax contributions commensurate with benefits derived from provision of city services.

On the basis of the foregoing, the Local Boundary Commission affirms its decision to accept, with Commission modification, the City of Petersburg boundary change petition in accordance with Exhibit "A" attached hereto.

LOCAL BOUNDARY COMMISSION.

January 30, 1978

Approved:

s/ Sigvald J. Strandberg  
Sigvald J. Strandberg, Chairman

s/ \_\_\_\_\_  
Josephine Anderson

s/ \_\_\_\_\_  
Edward Hopson

Dissenting:

s/ \_\_\_\_\_  
James Dodson

Absent & Excused:

s/ \_\_\_\_\_  
Sheila Gallagher

RECEIVED  
JAN 31 1978

STATE OF ALASKA

LOCAL BOUNDARY COMMISSION

JUNEAU, ALASKA

RECOMMENDATION FOR ANNEXATION OF TERRITORY TO THE CITY OF  
PETERSBURG, ALASKA

SUBMITTED JANUARY 18, 1978

RECOMMENDATION FOR ANNEXATION OF TERRITORY  
TO THE  
CITY OF PETERSBURG

WHEREAS, petitioner, the City of Petersburg, has requested that the entirety of Mitkof Island be annexed to the City of Petersburg, including the contiguous waters extending a distance of 1,000 feet from the line of mean high tide excepting in Wrangell Narrows at which distance shall be the midpoint between Mitkof and Kupreanof Islands; and

WHEREAS, subject to proper notice, the Local Boundary Commission conducted a public hearing in Petersburg on January 9, 1978, to hear testimony from the public concerning the proposed annexation; and

WHEREAS, upon conclusion of the public hearing the Local Boundary Commission requested additional data to supplement the hearing record; and

WHEREAS, petitioner, City of Petersburg, submitted the supplemental information requested to be distributed to Commission members; and

WHEREAS, the Local Boundary Commission held a decisional meeting on January 16, 1978;

NOW THEREFORE, the Local Boundary Commission recommends that pursuant to Article X, Section 12 of the Alaska Constitution and Alaska Statute 44.19.260, the petition brief and reply brief of annexation to the City of Petersburg was approved and the Local Boundary Commission modified the boundary to include a portion of Mitkof Island north of UT59S, Copper River Meridian. The official description of the proposed boundaries of the City of Petersburg are as follows:

Beginning at the SW corner of Section 31, UT59S, R81E, Copper River Meridian, Alaska; thence in an easterly direction along the S boundary of Section 31 protracted to its intersection with the mean low water of Mitkof Island; thence in a northerly, northwesterly direction along the meandering mean low water of Mitkof Island to the northerly tip of Mitkof Island; thence in a northwesterly direction to the center of the mouth of Wrangell Narrows; thence in a southerly direction along the center line of Wrangell Narrows to the point of intersection on the S boundary of Section 34, UT59S, R79E; thence easterly along the S boundary of UT59S to the point of beginning, containing 46.1 square miles more or less.

In accordance with Article X, Section 12 of the Alaska Constitution, this recommendation shall become effective forty-five days after presentation to the Legislature or at the end of the Session, whichever is earlier, unless disapproved by a resolution concurred in by a majority of the members of each House.

Report To Local Boundary Commission

Annexation  
To  
present limits  
of  
The 1st Class City of  
Petersburg

Department of Community & Regional Affairs  
Local Government Assistance

January 4, 1978

The City of Petersburg was organized in 1912 and exists as a first class city under the laws of Alaska. The City of Petersburg's boundaries encompass more or less 2.1 square miles excluding tide and submerged lands. The City's population for 1977 State Revenue Sharing purposes, as accepted by the Department of Community and Regional Affairs, is 2,126.

The City of Petersburg is situated on the northern end of Mitkof Island where the Wrangell Narrows connect to Frederick Sound. The City is located on a low lying plane extending between sea level and a general elevation of 200 feet. This area is approximately 5 square miles. The lack of topographical relief in this area has made it possible for Petersburg to expand beyond its present boundaries.

The City proposes to modify and extend its municipal corporate boundaries. The annexation of contiguous lands and adjacent waters to Mitkof Island will expand the existing general boundaries southward to encompass the entire island. Annexation was first contemplated in 1975 and proposed encompassing west Petersburg, which is now the City of Kupreanof. The City Council followed an October 1975 referendum mandate from its citizens not to pursue annexation, but the City now has current circumstances which it feels necessitates extension of the municipal boundaries to include the entire Mitkof Island.

On November 22, 1977, the Department of Community and Regional Affairs received a petition and brief for the annexation proposed by the City of Petersburg. On December 1 the Department accepted and found the petition and brief to be substantially in proper form and containing the factual information required.

Attached is a copy of the letter from L. B. Jacobson, petitioners' attorney, explaining the difficulty of mailing the petition and brief to the City of Kupreanof. However, the Department feels every reasonable effort was made to contact the City of Kupreanof.

Attached is a notice of filing the petition as published in the Petersburg Pilot, December 14, 1977. At the request of Representative E. J. Haugen and the City of Petersburg Erik Simpson and Doug Griffin scheduled a trip to Petersburg from December 19 through 21 to answer questions concerning annexation. On December 19, 1977, a notice of public hearing for the proposed annexation was submitted to the Petersburg Pilot. Since the notice could not be published in the newspaper until December 28, five notices of the public hearing were posted within the City at the post office, City Clerk's office, Archie's, The Trading Union and the Magistrate's office. Outside the City the notice was posted at Scow Bay Liquor, The Beachcombers and Mitkof Lumber on December 20, 1977.

In the petitioners' brief the City of Petersburg reports that seven annexation standards are satisfied for the territory proposed for annexation.

The City of Petersburg maintains that the annexation standards depicted by 19 AAC 05.010 of subsections (3) through (9) are applicable and satisfied. Realizing that the City of Petersburg may propose annexation if only one of these standards is met, the Department will indicate the applicable standards and summarize any issues raised as follows:

Under subsection (3), the petitioners claim that the standard is satisfied because the territory between Blind Slough and Petersburg is essentially urban in character.

The Department notes that this standard may only partially be satisfied because the territory proposed for annexation beyond Mile 8 of the Witkof Highway is not essentially urban in character.

Under subsection (4), the petitioners claim the residents of the area are presently in need of all the basic municipal services, and the City of Petersburg is in a most favorable position to provide them. The City has presently felt the necessity to provide a minimum level of police, fire and ambulance services outside the present City limits.

The Department raises the issue that police, fire and ambulance services cannot legally be provided outside the City limits according to AS 29.48.037. The above municipal powers are not extraterritorial powers granted to the City of Petersburg by state statute.

Under subsection (5), the petitioners maintain there is no doubt that the future growth of Petersburg will occur within the territory and that annexation will permit the City to plan and control its development. It is envisioned that State land selections under the Statehood Act and the municipal entitlement of 10 percent of the vacant unappropriated land within the annexed territory will cause a material deviation from the old patterns of growth and development.

The Department raises the issue that this territory could be annexed at a time when the State receives title to this land rather than second guess which lands will actually become available for State land selection and municipal entitlement.

Under subsection (6), the petitioners maintain that annexation will alleviate the condition presently jeopardizing the health and safety of the City residents, particularly nonresidents. The City feels that to deny police, fire and ambulance services and to not respond to residents who have accidents while outside the City does allow nonresidents to receive services without cost. The City simultaneously suffers substantial tort liability exposure.

Annexation would alleviate this problem if minimum level services are provided to the residents outside the City. Since no additional

tax levy may be collected in the territory proposed for annexation until Fiscal Year 1978 - 79, the Department is concerned about the ability of the City to pay additional school support from the sales tax and make any capital expenditures needed to effectively provide police, fire and ambulance services to those residents beyond Mile 8 of the Mitkof Highway.

According to 19 AAC 30.050.020 no annexation will be approved unless the annexing city demonstrates to the satisfaction of the Commission that it is capable of extending and willing to provide services to the annexed areas. The 50 percent property tax for administrative services may need to be further itemized depending on the capability and willingness of the city to provide specific services.

Under subsection (7), the petitioners feel that the extension of city water, sewer and garbage collection will inevitably follow annexation. The services are dependent upon obtaining a favorable cost benefit ratio both to the City and the consumer.

The Department raises the question whether it would be appropriate for the City to collect property tax for the utility functions. The utilities would normally be considered an enterprise function which would be self-supportive from the user rates or surcharges associated with the particular utility.

Under subsection (8), the petitioners maintain that the residents and owners of property in the territory to be annexed receive the benefit of City services without remunerative tax contribution.

The Department notes that the City sales tax collected from residents and nonresidents alike has been used to substantially support the school and pay for the hospital and swimming pool bonded indebtedness. Previously the Federal and State Revenue Sharing funds have adequately covered the cost of providing the operating expenditures for the library, museum and parks and recreational programs.

Under subsection (9), the petitioners state that annexation is otherwise necessary in three important aspects to accomplish valid public purposes:

(1) All of the City's various properties and facilities would be within the jurisdiction of its boundaries.

Although it may be argued that City-owned rock quarries and mineral sites should be within the City limits to provide direct jurisdiction, the Department notes that the territorial jurisdiction protecting the water supply and the watershed may be preserved by adopting an ordinance to enforce the jurisdiction outside the City's present boundaries.

(2) The City feels that to participate in the coastal zone management program the entire Mitkof Island should be annexed.

Although the federal guidelines have not been developed, the Department notes that the City has not budgeted for nor is presently engaged in an effort to develop a district coastal zone plan by December 4, 1979.

(3) The City could also acquire additional properties to facilitate its growth and development through the acquisition of public and private properties as a result of State land selection.

The Department notes that only after the State has received title to the property will the City finally determine which territory will facilitate growth and development either in the private or the public sector. The Department also has some questions as to whether the City would receive all the State lands selected, particularly the section at the southern end of Mitkof Island.

According to 19 AAC 30.10.120, the Department has summarized the issues raised in the petition and brief with comments to those issues which are deemed relevant to the proposed annexation. The Department issues no recommendation regarding this proposed annexation.

# JAMES F. PETERSEN

ATTORNEY & COUNSELLOR AT LAW

319 SEWARD STREET

JUNEAU, ALASKA 99801

THOMAS G. NAVE, ASSOCIATE

(907) 586-3530

February 4, 1978

Senator Joseph Orsini, Chairman,  
House Committee of Community and  
Regional Affairs  
Room 101, Assembly Building  
Juneau, Alaska 99811

Re: Opposition to Local Boundary Commission's  
Recommendations Regarding Petersburg  
Annexation Area  
Our File No. P-8706

Dear Senator Orsini:

Please be advised that this office represents a number of the residents in Petersburg who strongly object to the procedures utilized by both the City of Petersburg and the Local Boundary Commission in determining that the city limits of Petersburg should be extended. For your information, I have attached hereto and to the copies of this letter which is being furnished to each member of your committee, copies of the pleadings which were filed on behalf of these citizens with the superior court here in Juneau. A review of these pleadings will clearly demonstrate the basis for the objection of the people of Petersburg.

As you and the members of your committee are aware, the recommendations by the Local Boundary Commission automatically come into being forty-five days after they have been submitted to the legislature, unless the House and the Senate pass a concurrent resolution rejecting said recommendations. Because of the total lack of community input into both the City of Petersburg's petition to the Local Boundary Commission and the decision of the Local Boundary Commission, the people of Petersburg sought a temporary restraining order preventing the recommendations from going to the legislature; however, the superior court did not enter the temporary restraining order. In order for a restraining order to issue by the court, the parties seeking the same must show immediate harm. The court took the position that the mere

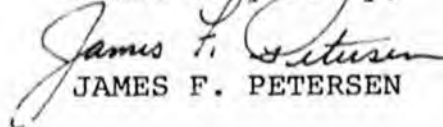
recommendations by the Local Boundary Commission to the legislature did not cause such immediate harm as to require the issuance of a temporary restraining order, and for that reason the same was denied by the superior court.

There is presently circulating in Petersburg petitions objecting to any annexation to Petersburg without having adequate studies made to determine the total impact that such an annexation would have upon the City of Petersburg and its citizens. At last report, these petitions have been signed by over half of the adult residents of the Petersburg area, and the indication was that by the time the petitions were presented to the House Committee on Community and Regional Affairs and the the Senate Committee on Community and Regional Affairs they would have better than 75% of the signatures of the adult population of the Petersburg area.

A number of Petersburg residents would like to attend the Committee hearings, but because of the time and expense involved, if at all possible they would like to have the committees meet jointly in Petersburg to enable the citizens to express their concerns over this proposed annexation. For instance, the Petersburg Indian Association is almost unanimously opposed to any expansion of the existin; city boundaries without adequate studies regarding the impact of such an expansion; however, the Petersburg Indian Association does not have adequate funding to send a delegate up to Juneau to testify before the committees. The Petersburg Indian Association is representative of all native organizations and groups in the Petersburg area and is responsible for administering the various native programs in the Petersburg area, they have a membership of over two hundred adults.

After reviewing the attachments to this letter, should you have any questions in reference to the same, please do not hesitate to contact me. Thank you.

Yours very truly,

  
JAMES F. PETERSEN

JFP/lm

Attachments - 1 Copy of "Complaint"  
1 Copy of "Motion For Temporary Restraining Order And Preliminary Injunction"  
1 Copy of "Memorandum In Support Of Motion For Temporary Restraining Order And Preliminary Injunction"  
1 Copy of "Amended Complaint"

cc: Senators Willis, Ferguson, Hackney & Sumner

To: Ben Harding

SCRA

A large, stylized handwritten flourish or signature mark, possibly a stylized 'Z' or a similar symbol, located below the text 'SCRA'.

DEPARTMENT OF COMMUNITY AND REGIONAL AFFAIRS

In the Matter of the Annexation by )  
the City of Petersburg, Alaska )

) PETITIONER'S BRIEF

I. In General. The City of Petersburg, Alaska is a first class city organized in 1910 and existing under the laws of the State of Alaska. The City of Petersburg's original municipal boundaries encompass 2.1 square miles more or less, excluding tide and submerged lands. They have remained unchanged. Petersburg's population for FY 1977 revenue sharing purposes as compiled for and approved by the Alaska Department of Community and Regional Affairs was 2,126.

Annexation was first contemplated in 1975, which proposal encompassed West Petersburg, now the City of Kupreanof. The Council followed an October 1975 referendum mandate from its citizens to not pursue annexation, but current circumstances warrant extension of municipal boundaries, albeit modified as to territory. The population residing in the territory sought to be annexed has mixed feelings about annexation and the passage of two years did not yield a consensus sufficient to proceed under local action.

II. Municipal Services Provided Within The City. The City of Petersburg currently provides electrical, water, sewer, garbage and solid waste disposal services to its residents. The City provides maintenance and repair services for city streets and rights-of-way, and the Public Works Department extends utility lines to new subdivisions and housing developments.

Law enforcement within its jurisdiction is undertaken by the Petersburg Police Department consisting of a chief,

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captain, sergeant, three officers, plus a public safety officer for canine control and parking. The Department has two patrol cars, a canine truck and an ambulance. The police department has paramedic capacity, and EMT's from the police department and fire department respond to ambulance calls. The police department offers 24-hour service 7 days a week with radio-equipped vehicles with CB backup.

Fire protection within the City is furnished by the Petersburg Volunteer Fire Department operated out of City Hall and which possesses major equipment as follows: 1963 American LaFrance pumper with 500 gallon tank, 1967 American LaFrance pumper with 500 gallon tank, 1975 American LaFrance pumper with a 750 gallon tank, 1952 Jeep pumper without tank, 1938 International Harvester pumper with a 100 gallon tank, and a 1969 Ford Rescue Van. The Department is staffed with one paid full-time lieutenant. The chief and two assistant chiefs are part-time, and the backbone of the department lies in its 22 volunteers. The volunteers meet weekly for fire and EMT training, and representatives regularly attend fire fighting schools within the State.

Petersburg's primary industry is fishing and the City has, in addition to a major port development project currently in progress, old and new boat harbors furnishing 220 stalls plus transient and floatsides moorage. The stalls are furnished with water hookups and electricity, and the harbors also have a pay phone, public lavatory, a refuse dumpster, and two boat grids.

The municipal library is located in City Hall, available to the public.

Petersburg General Hospital has 15 short-term beds and 10 beds for long-term care. It has an emergency room,

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operating room, delivery room, and possesses x-ray facilities, laboratory, blood bank, cardiac monitor, and defibrillator. Use of the hospital facilities is not limited to Petersburg residents and there is no surcharge for nonresidents. It has 28 employees, 15 full-time and 13 on a part-time basis. Two independent physicians reside in Petersburg. In the last fiscal year, the Petersburg General Hospital has accommodated 342 patients and treated 891 emergency and outpatient cases.

Clausen Memorial Museum is an entirely City operated entity both in terms of physical plant and personnel.

The City owns the physical plant and facilities of the local school system operated by the Petersburg School District through its School Board. The plant consists of an elementary school, an old and a new high school buildings, an old gym for community and gradeschool physical education, and a swimming pool and industrial arts building. The swimming pool is used by the students during the school day but is open to the public on evenings and weekends. Total enrollment is 613 which includes 105 students from Mitkof Island outside the city and 5 students from Kupreanof. There are 47 teachers including two principals.

III. Extra-Territorial Services. The City currently provides extra-territorial fire protection and ambulance response service to nonresidents on a gratuitous basis. The City earlier implemented a plan of contractual fire protection but found it administratively burdensome and politically untenable. There were no fires outside the City requiring response. The ambulance and EMT service responded to 73 calls in 1976, 20 of which were outside of the present city limits. In 1977 to date, the ambulance has responded on 56 occasions, 19 of which were outside the City.

The City furnishes electricity to 215 extra-territorial customers and imposes a 15% surcharge above the normal in-city rate.

There are slightly in excess of 50 customers outside of the City who are connected to the City water utility and they pay a 50% surcharge over the in-city water rate.

There are 15 customers outside the present city limits connected to the municipal sewer utility and they pay no surcharge above the standard sewer rate.

The City affords garbage collection service to its residents, and while such service is not afforded to nonresidents, the garbage dump is operated and maintained by the City and is gratuitously available for nonresidents. The school district does not impose a nonresident tuition fee as to those students residing outside of the City nor is there any prohibition or surcharge imposed for use of school facilities such as the gym or swimming pool by nonresidents.

The hospital imposes no nonresident surcharge, and while the emergency and outpatient case records do not indicate a breakdown between resident versus nonresident, a substantial number of patients were treated at that facility, most commonly in connection with commercial fishing, logging and auto accidents. The City imposes no extra charge for nonresident's use of the municipal library, port facilities, cemetery, recreation areas, or other general services. Police protection outside the City is furnished by the Alaska State Trooper placed at Petersburg. The City has entered into a mutual aid agreement with the State of Alaska for fire protection at the airport which lies outside the City in exchange for the City's use of the State's major

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firefighting equipment for responding to in-City fires.

IV. City-Owned Properties Outside the Existing Boundaries. A substantial portion of the City's electrical system lies outside the City. The City of Petersburg owns and operates the Blind Slough Hydroelectric Project, the site of which is approximately 15 air miles south/southeast of the present City of Petersburg, or 17 miles via the Mitkof Highway. The power house generates 2,000 KW and lies on the west side of Blind River with the dam at Crystal Lake lying approximately a mile and a half via trail above to the southwest. Current estimated replacement value for the dam, penstock, generators, and miscellaneous equipment is \$6 million. A distribution line runs from the Blind Slough Hydro facility to the City of Petersburg with 5 substations inbetween.

The City of Petersburg operates a sanitary landfill which is approximately 1 mile south of the present city limits via Sandy Beach Road. This facility is operated 6 days per week and serves most of the disposal needs of the Mitkof Island population.

The rock quarry is approximately 1 mile south of the airport and the City of Petersburg has applied to the State of Alaska for continued use of the quarry, part of which will be exclusively for the City's use if the pending application is approved. This 15 acre quarry site is developed to provide shot-rock for the City's needs in road construction, gravel production, and land fill material for tideland development.

The Sandy Beach Recreation Area is owned and operated by the City through its parks and recreation board. It is just south of the present city boundaries and affords

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picnic tables, restrooms, and covered shelters at the beach which is also used by the hardy for swimming.

The Water Treatment Plant and City reservoir lie approximately 1 mile further south beyond the City landfill. The reservoir is approximately 5 acres and the treatment facility capacity is designed at 4 million gallons per day. A 750,000 gallon capacity storage tank is located between the treatment plant and the City. Estimated replacement cost for this system is \$1 million.

The Petersburg cemetery which is owned, operated and maintained by the City consists of 982 plots and lies approximately 1/4 mile south of the City boundaries on the Mitkof Highway.

V. What is in the Area Proposed for Annexation?

A total of 514 persons reside outside the City limits and within the area proposed for annexation.

In addition to City-owned facilities recited in the previous section, numerous federal, state and privately-owned properties and enterprises exist.

At the federal level, the Forest Service has most of the facilities. It operates and maintains campground and recreation areas known as the Blind Island Picnic area, the Blind Slough Recreation area, Ohmer Creek Campground, Sumner Strait Campground, Wilson Creek picnic area and the Three Lakes Recreation area. (See Appendix A) In addition to these, the Forest Service maintains the Three Lakes Loop Road which is available for recreational purposes, the collecting of wood for fireplaces, fishing and various other recreational activities, and is about 25 miles in length, going over toward the Ideal Cove vicinity.

The Forest Service also has the old University of Alaska Experimental Fur Farm, and the Forest Service operates

a warehouse at Scow Bay. The majority of land on Mitkof Island is under Forest Service jurisdiction.

The U.S. Coast Guard owns 41.25 acres in the vicinity of Mile 6 on the Mitkof Highway.

The Federal Power Commission still has a land withdrawal at the Blind Slough Hydro Electric facility and that is the land on which the City maintains its hydroelectric plant and where the Light & Power Department superintendent and his family reside.

The State of Alaska owns and operates the Mitkof Highway running along the west and south sides of Mitkof Island, approximately 30 miles in length. The State Department of Transportation also operates a maintenance facility outside the city limits where they keep their materials and equipment.

The Alaska Department of Fish and Game operates a major facility at Blind Slough, specifically a fish hatchery.

The Alaska Division of Lands controls various rock and materials quarries which are on state land in addition to the airport quarry which the City operates. All of these quarries are outside the present City limits.

The most heavily used state facility is the airport immediately south of the present city boundaries consisting of a gravel runway suited for 737 jet service by Alaska Airlines twice daily to Petersburg.

The majority of the remainder of the land on Mitkof Island not owned by the Forest Service is in State of Alaska ownership, earmarked as Mental Health land under the Division of Lands jurisdiction.

#### VI. Non-Governmental Property Ownership Outside.

There are approximately 182 houses, plus a few summer cabins.

There is also a church, four trailer courts, one cafe, two welding shops, a motor carrier transfer company, six warehouses, three construction companies, two building supplies, a consumers co-op, a liquor store, nightclub, general business, two logging companies, a lumber mill, marine transportation dock, and three airlines.

VII. New Developments. The City of Petersburg is presently advertising for construction of Phase I of the Port Project. This port will supply berthing facilities for the Coast Guard and possibly other federal and state agencies. A small boat moorage will be developed in the future and a docking facility and land fill with leasable land area and a lift-out facility with 100-ton capacity is envisioned in the prospective development. Total estimated construction costs for Phases I and II are approximately \$1.1 million.

The City has just completed construction of a major repair job on the Blind Slough Hydroelectric facility, the dam being faced with aluminum sheeting, reinforcement of the penstock supports, and spillway area capacity was increased.

Major construction on the municipal sewer treatment plant was completed and approved September 1, 1977 and the remainder is scheduled for estimated completion by January 1, 1978. It is an \$3 million project.

On October 1, 1976, the City of Petersburg completed construction on its new high school and the reconstruction of the swimming pool was undertaken concurrently. Phase II of the high school development is now in the planning stage.

The City of Petersburg has completed planning and is in the developmental phases of several new subdivisions which will open for construction as soon as utilities and access are complete. Road construction is currently in

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process as well as sewer line extension and water line development to the subdivisions.

The Petersburg Power & Light Department is in the process of installing an additional 1,200 KW diesel generator.

VIII. Ongoing and Future Non-City Development.

The U.S. Forest Service is in the final planning process for establishing a tree nursery to be undertaken at the site of the old University of Alaska experimental fur farm at approximately 9 Mile Mitkof Highway. This nursery will have a capacity of about 1 million containerized seedlings each year to provide planting stock for Forest Service activities, and private landowners and the State of Alaska will also be able to acquire planting stocks from this nursery.

There are presently two active timber sales at the south end of Mitkof Island, specifically Bear Creek No. 1 which is an independent sale being operated by Louisiana Pacific which has a log transfer point at Pape's Landing. The second is a Pacific Northern Timber Contract and it has a log transfer point at the south end of Blind Slough.

Forest Service also has an appropriation for installation of a boat ramp and dock on the extreme south shore of Mitkof Island, this project to be undertaken in conjunction with the State of Alaska.

The State of Alaska Department of Transportation has awarded a contract for construction of Phase II of the Mitkof Highway from the downtown Petersburg area out to Sandy Beach. The State Department of Fish & Game has ongoing construction of the fish hatchery at Blind Slough and will be working with the Department of Transportation to construct a new bridge over the Blind River for hatchery access and

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other public purposes.

Private subdivision development is also occurring outside the present city boundaries, the major growth area being in the vicinity of Skow Bay.

The Forest Service is currently cooperating with the City of Petersburg in repair and relicensing of the Blind Slough Hydro project. This project includes a man at Crystal Lake and a pipeline to the power house down to Blind Slough.

Intergovernmental cooperation at the local level is occurring by joinder of Petersburg with Wrangell in formation of the Thomas Bay Power Authority which will ultimately connect the Wrangell electrical system with the Petersburg distribution system, tying in somewhere on the south end of Mitkof Island in the vicinity of Blind Slough.

#### IX. Why the Boundaries Proposed?

The municipal boundaries of Petersburg have not changed for over 65 years. Until perhaps the last decade growth in and around the City of Petersburg has not warranted extension of the municipal boundaries based upon necessity of extension of municipal services in light of costs and service benefit to both the City and residents outside of the municipal boundaries. It became apparent to the City Council, however, that the City by reason of its serving as a major fishing port and as the commercial and industrial center of the area, has conferred substantial benefits upon the residents and owners of properties outside the City without corresponding tax contributions for municipally-provided services. Further, the apparent need for basic services such as the promotion and control of land and usage and development through planning and zoning authority and

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extension of full police and fire protection to the areas outside of the City which are, in part, urban in character, mandated consideration of an annexation proposal.

Petersburg's 1975 annexation proposal is a matter of record both in the files of Community and Regional Affairs and in the courts. Petersburg's own residents did not like the territorial boundaries described in the former proposal which included West Petersburg (now Kupreanof) and extended down to Blind Slough.

This proposal differs from the former in two significant respects: (1) West Petersburg is excluded from the proposal, and (2) all of Mitkof Island is included, not limited exclusively to the developed portions fronting Wrangell Narrows between Blind Sough and the present City.

The residents within the territory proposed for annexation naturally use the City-owned and maintained school, hospital, library, museum, cemetery, port facility, and all other municipal facilities, including city streets and roadways. The nonresidents benefit from the access to and actual utilization of the aforementioned municipal facilities but other than through payment of the local sales tax do not financially contribute to their establishment, maintenance or perpetuation in any manner corresponding with the contributions from local residents. It is felt by the Council that an annexation proposal encompassing a smaller territory would cause political foment to the extent that a proposal would include some residents and exclude others, and for the second reason that a small proposal at this time would merely be a piecemeal approach to the ultimate inclusion of the entire island at a future time anyway. Finally, the Council has determined that inclusion of Mitkof Island in

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its entirety as the municipal boundaries for the City of Petersburg are in the best interests when viewed in the light of Coastal Zone Management and State land selections.

X. Applicable Standards Satisfied.

19 AAC 05.010 describes the standards for annexable territory, subsection (a) reciting standards to be considered when the territory to be annexed is contiguous to present municipal boundaries. It is the City of Petersburg's position that subsections (3) through and including subsection (9) are applicable and satisfied as follows:

(3) The territory between Blind Slough and Petersburg proper is essentially urban in character. Virtually all of the extra-territorial population resides therein and the City provides electrical service to all dwellings and commercial enterprises therein. While it suffers from the lack of zoning control, it is accurate to state that the land is largely platted and held for sale and in fact the State of Alaska Division of Lands conducted a major land sale within the area in 1972. (See Appendix B). The population stems primarily from actual growth of the City beyond its legal boundaries, particularly the extension of population from Petersburg to Skow Bay.

(4) The residents in the territory need all of the basic municipal services, providing none to themselves and certainly the City of Petersburg is in a more favored position to provide them rather than some other municipality. An alternative is for residents in the territory to form their own municipal government, but it would invariably suffer from an inadequate population base and be capable of furnishing only very basic services. Formation of such local government would also run afoul of the constitutional

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mandate found in Article X, §1 of the Alaska Constitution,  
to-wit:

"The purpose of this Article is to provide for maximum local self-government with a minimum of local government units, and to prevent duplication of tax-levying jurisdictions."

(5) There can be no doubt that future growth and development of Petersburg will occur within the territory. Annexation will permit the City to plan and control its development. The reason that growth and development have been limited to the "strip" on Mitkof Island adjacent to Wrangell Narrows is because the remaining land has been tied up in U.S. Forest Service jurisdiction and simply incapable of development from a legal standpoint of ownership. It is envisioned that state land selections under the Statehood Act and municipal entitlement of 10% of the vacant unappropriated lands within the annexed territory will cause a material deviation from the old pattern of development.

(6) It is entirely accurate to state that annexation will alleviate a condition presently jeopardizing the health and safety of city residents and particularly nonresidents. The issue of whether the City of Petersburg should expand its fire, police and ambulance protection service beyond the municipal limits has been a troublesome issue and one on which there has been much vacillation. To deny the service is to not respond to residents have an accident while outside the City limits, yet to provide the services gives the nonresidents something for nothing and the City simultaneously suffers substantial tort liability exposure. Even to provide such fire service on a contractual basis is to inevitably do nothing but watch in anguish over the house which burns without contractual protection while the volunteers hose down the protected neighboring properties. Perhaps the

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major "danger zone" outside the City is at the Airport and Petersburg's residents and nonresidents alike use this facility as well as the general sector. The State Troopers are to respond to criminal matters at the airport and presumably the State Division of Aviation handles fire control. The latter presumption is, however, largely a fiction and the interim patchwork takes the form of mutual aid agreement whereunder the City's volunteer fire department responds to airport fires and crashes.

(7) The extension of City water service, sewer service and garbage collection service will inevitably follow annexation albeit at disjointed times dependent upon attaining a favorable cost/benefit ratio both to the City and to the consumer. The electrical service is already areawide. The municipal water system has excess capacity as does the wastewater treatment plant and solid waste disposal plant.

(8) It is self-evident that the residents and owners of property in the territory to be annexed receive the benefit of City services without commensurate tax contributions. Illustrations abound where general services are provided to nonresidents without surcharge, yet it is the Petersburg real property owner who has unfairly shouldered the burden of establishing, operating and maintaining the general facilities.

(9) Annexation is otherwise necessary in three important respects to accomplish valid public purposes: (1) To have all of the City's various properties and facilities within its jurisdictional boundaries, (2) to participate in Coastal Zone Management affecting the entire island, and (3) to enable the City of Petersburg to acquire additional

properties to facilitate its own growth and development, for example, rock quarry and material sites.

It should be noted that snowmobiling, cross-country skiing, hunting, and summer recreational hiking occur on the virtual entirety of Mitkof Island and the police and fire departments' EMTs ought properly to be charged with responding to calls for assistance from their citizens.

XI. Taxes, Services and Benefits in Transition.

Upon receiving annexation authority the City of Petersburg proposes immediately to confer planning and zoning control, police and ambulance service, and fire protection throughout the enlarged jurisdiction. Garbage collection service throughout the area would be phased in as quickly as possible following annexation, consistent with the availability of the trucks and manpower. The City of Petersburg's fiscal year runs from July 1 through June 30 the next calendar year. Since the effective date of the annexation, if granted, would fall in the middle of calendar year 1978, and most probably at a time other than commencement of Petersburg's 1978-79 fiscal year, it is contemplated that the services which the City is to provide should be phased in on a schedule roughly commensurate with additional revenue which is generated from capital improvement. The City will not impose taxation, either on real or personal property, in the territory proposed for annexation until tax year 1979.

Extension of the water and sewer utility services will be undertaken on a basis compatible with the City's financial ability with a view toward a favorable cost/benefit ratio. This will be done in piecemeal fashion and to adjust for the inequitable provision of utilities services, the

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City proposes to implement a program of differential tax zones on a schedule to be from time to time amended as the scale of services changes. The initial proposed tax differential zones will be proposed as follows:

<u>Service</u>	<u>Percentage of Tax Levy</u>
Basic general services and administration	50%
Electrical utility service	15%
Sewerage and wastewater treatment	15%
Water utility	15%
Garbage collection	5%

The surcharges to nonresident consumers of water and electricity would all continue through 1978 and thence be discontinued.

The administration in the City of Petersburg recognizes the need for fire, rescue and ambulance service within the expanded jurisdiction; a plan will be formulated to ascertain how to best respond to the additional requirements, perhaps by creating one or more fire substations in the newly annexed area.

The construction of new residential and commercial structures and additions thereto in the new territory will be subject to the National Building, Plumbing and Electrical Codes as well as the Fire Prevention Code, thus ensuring greater value through compliance with recognized standards. The City's comprehensive zoning plan will have to be expanded commensurate with its enlarged jurisdiction. In undertaking this task, the City plans to (1) recognize non-conforming uses through "grandfather rights" and (2) amend the Planning Commission Ordinance to add at least two members residing in the newly-annexed territory prior to formulating enlargement

of the comprehensive zoning plan for the entire area.

Members of the population currently residing outside of the City and using municipally-provided services are unable to play a role in the formulation of policy pertaining to those services. If authorized, the annexation would, in addition to the obvious benefit of the privilege of voting, allow those who are currently nonresidents of the City to participate in the policy making process through candidacy for elective office such as the Council and School Board and to serve on numerous committees and commissions.

There are no inter-municipal agreements regarding transitional provision of services and distribution of assets and liabilities because this proposed annexation does not affect any other City or Borough.

#### XII. Conclusion.

The territory proposed for annexation contains approximately 20% of Mitkof Island's total population. Although numerous and independent, the residents in the territory sought for annexation do not constitute a sufficient population base to warrant establishment of a borough and they accordingly rely upon the City to provide basic governmental services.

Growth is inevitable in the territory--both in terms of population and in terms of increased commercial and governmental activity. If the bottom fishery development progresses as contemplated, Petersburg's waterfront will be active to the point of excessive demand.

Acquiring jurisdiction to implement planning is desirable as to the entirety of Mitkof Island. The need for revision of Petersburg's comprehensive plan on an area-wide

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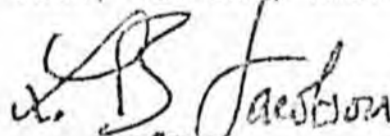
basis is indicated. New zoning is desirable to encourage organized growth and compatible neighboring uses. The expansion of municipal services into the annexed territory will inevitably bring the concomitant burden of taxation. The City is not engaged in an imperialistic plan to acquire properties by expanding its jurisdiction for the purpose of generating income. Its function instead is to provide for efficient, adequate and economical government operating on a break-even basis in accordance with the will of the populace. Those inhabitants of the territory and absentee property owners who would oppose the proposed annexation merely because of the necessary incident of taxation should be mindful of the fact that for years Petersburg's taxpayers have unfairly shouldered the entire financial burden of providing the municipal schools, library, boat harbors, museum, fire and ambulance and police services, streets and roadways, hospital, cemetery which they have used without commensurate contribution. Moreover, the establishment of differential taxation zones predicated upon services provided and benefits received will assure basic fairness.

Petersburg is a progressive community and Mitkof Island is on the threshold of imminent additional growth. Recognizing this, the City wishes to respond to this impact by enlarging its jurisdiction "to provide the maximum local self government" consistent with Alaska's constitutional mandate.

DATED this 22nd day of November, 1977.

ROBERTSON, MONAGLE, EASTAUGH & BRADLEY

By



L. B. Jacobson of Attorneys  
for Petitioner

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July 26, 1963

## DESCRIPTION OF CORPORATE LIMITS OF THE TOWN OF PETERSBURG, ALASKA

Beginning at Corner No. 1, identical with Corner No. 3, N.C., U.S. Survey No. 1173; thence East a distance of 6,000.00 feet to Corner No. 2; thence North a distance of 920.00 feet to Corner No. 3; thence East a distance of 7,900.00 feet to deep water of Frederick Sound, Corner No. 4; thence North 35 degrees 37 minutes West parallel to the westerly shore of Frederick Sound a distance of 8,800.00 feet to the mouth of Wrangell Narrows, Corner No. 5; thence South 52 degrees 45 minutes West along Wrangell Narrows a distance of 6,300.00 feet to Corner No. 6; thence South 42 degrees 30 minutes West along Wrangell Narrows a distance of 3,300.00 feet to Corner No. 7; thence South 50 degrees 29 minutes 30 seconds West along Wrangell Narrows a distance of 3,496.50 feet to Corner No. 8; thence East a distance of 1,450 feet to Corner No. 1, the point of beginning.

*Containing 2.10 Sq mi more or less.*

EXHIBIT "A"  
Municipal Limits of Petersburg  
11-22-77



# PETERSBURG

## EXHIBIT C

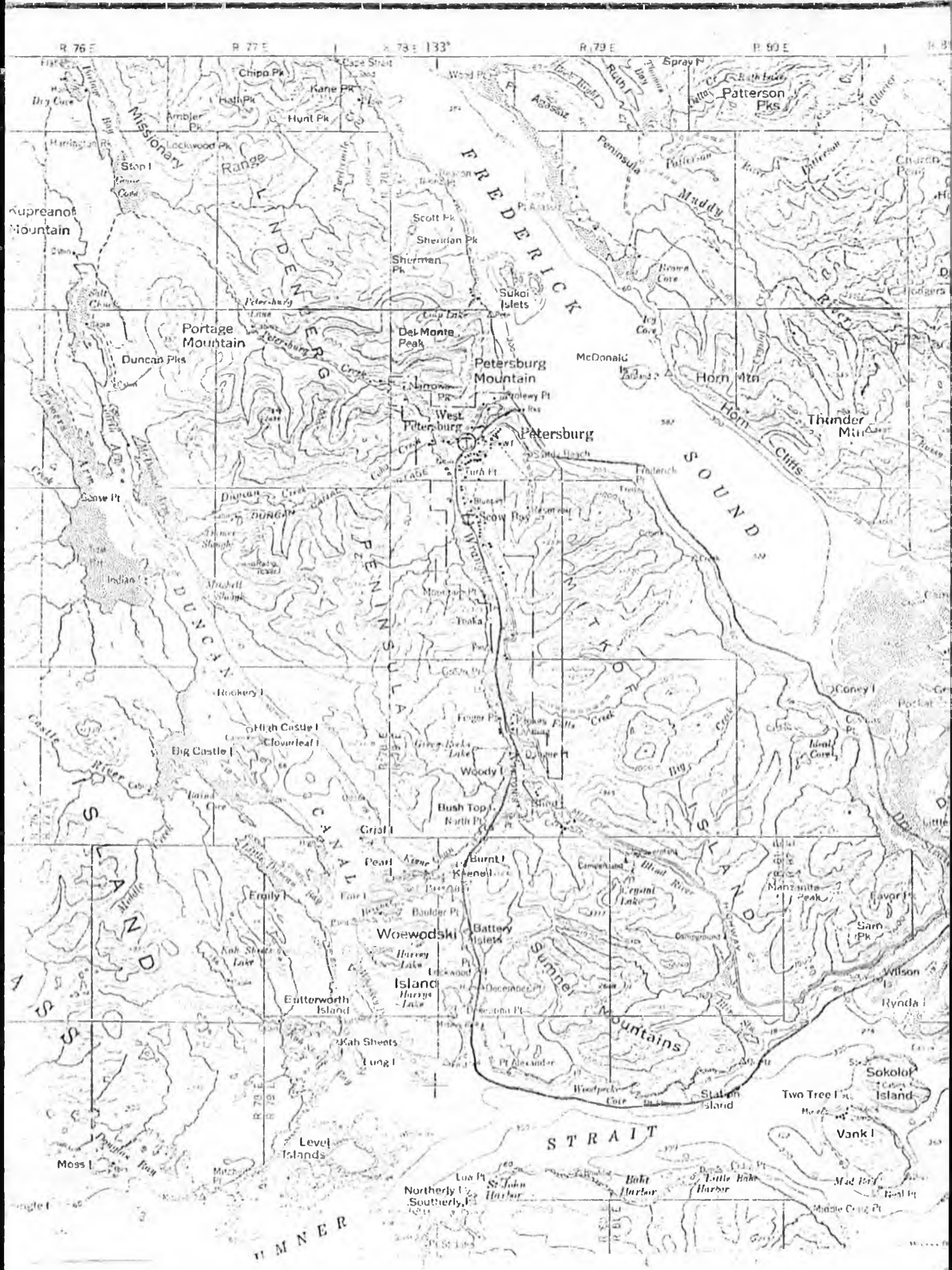


EXHIBIT D

ORDINANCE NO. 381  
City of Petersburg, Alaska

AN ORDINANCE PROPOSING THE MODIFICATION OF THE MUNICIPAL BOUNDARIES OF THE CITY OF PETERSBURG BY ANNEXATION OF MITKOF ISLAND AND ADJACENT WATERS OUT TO THE CENTER OF WRANGELL NARROWS CHANNEL WHERE MITKOF ISLAND IS BOUNDED BY THE NARROWS AND OUT 1000 FEET FROM SHORE AROUND THE REMAINDER OF THE ISLAND PERIMETER.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PETERSBURG, ALASKA:

Sec. 1. Classification. This Ordinance is of an impermanent nature and is not to be codified in the Petersburg Code of Ordinances.

Sec. 2. Declaration of Intent. The City of Petersburg proposes to modify and extend its municipal corporate boundaries and jurisdiction by annexation of contiguous lands and adjacent waters on Mitkof Island to expand the existing general boundary southward to encompass the entire island.

Sec. 3. Description. The proposed boundaries of the City of Petersburg, Petersburg Recording District, First Judicial District, State of Alaska, including the territories to be annexed by this proposal, are as follows:

The entirety of Mitkof Island out to the center of Wrangell Narrows Channel where Mitkof Island is bounded by the narrows and out 1000 feet from shore around the remainder of the island perimeter.

Sec. 4. Standards. It is verily believed that the territory proposed for annexation described in the preceding paragraph does and will comply with the annexation standards prescribed in 19 AAC 05.010.

Sec. 5. Procedure. The City of Petersburg shall forthwith petition for a local government boundary change pursuant to Chapter 10, Title 19, Alaska Administrative Code.

Sec. 6. Purpose of Annexation. The purpose of the proposed annexation is to extend the municipal boundaries and jurisdiction of the City of Petersburg, Alaska to comport with the essentially urban character of the territory for which annexation is proposed, and accordingly enunciates the following considerations:

1. There exists a substantial population in the territory for which annexation is proposed,
2. The City of Petersburg currently provides limited municipal services to the territory,

- 3) The City of Petersburg owns several properties in the territory which are outside the existing municipal boundary,
- 4) The City of Petersburg serves as the commercial and industrial center of the territory,
- 5) The City of Petersburg currently asserts extra territorial jurisdiction with respect to parks, roads, trails, hydro-electric facility, an airport, and its water supply in the territory proposed for annexation,
- 6) Recreational usages by municipal residents of the area proposed for annexation, and
- 7) An extension of municipal services to the territory proposed for annexation is logical and foreseeable, and the extension of municipal boundaries will enable the City of Petersburg to control and provide for the organized development of likely future growth,
- 8) Coastal Zone Management.....
- 9) Planning and Zoning.....
- 10) State Land Selections.....

Sec. 7. Annexation. The City Manager, Mayor, City Clerk, City Attorney and such other municipal officials as are deemed appropriate are authorized to initiate, petition, and implement such procedures as may be necessary to complete this annexation proposal and as may be modified by the Local Boundary Commission and Alaska State Legislature.

Sec. 8. Effective Date. This ordinance shall become effective on the third day after adoption, excluding the date of enactment. However, the official map and zoning map of the City of Petersburg shall not be modified except by subsequent ordinance enactment following consideration, hearing, and determination by the Local Boundary Commission and the Alaska State Legislature.

Sec. 9. Severability. If any provision of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

PASSED AND APPROVED by the City Council of the City of Petersburg, Alaska

this 31 day of November, 1977.

*Howard W. Wright*  
Mayor

ATTEST:

*Jerry Hunt*  
City Clerk

Certified copy to be  
furnished 11/23/77.

*L.R. Jacobson*