

CONSENT AGENDA

POSSIBLE MOTION

**I MOVE TO APPROVE THE CONSENT AGENDA
CONSISTING OF ITEMS A, B & C**

I wish to remove Item(s) _____

**REMINDER – Read aloud a portion of each item being
voted on that is included in the consent vote.**

Should this item be pulled from the Consent Agenda the following motion is suggested:

POSSIBLE MOTION

I MOVE TO approve the minutes of the
August 20, 23, 24 and September 6
Assembly meetings.



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
1332 Seward Ave.
Room 229
Sitka, AK
(907)747-1811

Minutes - Draft

City and Borough Assembly

Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Bob Potrzuski

Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson

Saturday, August 20, 2016

10:00 AM

Assembly Chambers

Meeting to be held at the Sealing Cove Business Center 601 Alice Loop

SPECIAL MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Potrzuski

Absent: 1 - Guevin

IV. CORRESPONDENCE/AGENDA CHANGES

None.

V. PERSONS TO BE HEARD

None.

VI. NEW BUSINESS:

A 16-151 Municipal attorney applicant interviews via video conferencing (Gagnon, Hanson, Hickey, DiNardo Jones, Carlisle)

Applicant interviews via Skype were held for Carey Gagnon, Brian Hanson, Eugene Hickey, Rachel DiNardo Jones, and Kevin Carlisle.

B 16-152 Discussion/Direction on today's interviews, further interviews, and other applications

A motion was made by Potrzuski to go into Executive Session to discuss

matters, the immediate knowledge of which could adversely affect the finances of the City and Borough of Sitka and invite in Mark Danielson and Reuben Yerkes. The motion PASSED by a unanimous voice vote.

The Assembly was in Executive Session from 4:32pm to 5:10pm.

A motion was made by Hunter to RECONVENE as the Assembly in regular session. The motion PASSED by a unanimous voice vote.

A motion was made by Potrzuski to direct the City Administrator to request Human Resources to facilitate a site visit for Carey Gagnon, candidate for Municipal Attorney. The motion PASSED by a unanimous voice vote.

VII. EXECUTIVE SESSION

See Item B.

VIII. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 5:12pm.

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk



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Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Bob Potrzuski*

*Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson*

Tuesday, August 23, 2016

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Potrzuski

Telephonic: 1 - Guevin

IV. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

16-156 Reminders, Calendars and General Correspondence

V. CEREMONIAL MATTERS

16-148 Service Award - Lauren Hughey, Health Needs and Human Services Commission

McConnell read and presented a service award to Lauren Hughey for her service on the Health Needs and Human Services Commission.

VI. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Sitka Community Hospital, Municipal Departments, School District, Students and Guests (time limits apply)

None.

VII. PERSONS TO BE HEARD

Larry Crews suggested as a cost saving measure the Assembly hire one of the qualified local attorneys that had applied for the Municipal Attorney position and suggested it be a contract position. Crews noted a full time attorney was not needed.

VIII. REPORTS

a. Mayor, b. Administrator, c. Attorney, d. Liaison Representatives, e. Clerk, f. Other

Mayor - McConnell reported on the Alaska Municipal League (AML) Summer board meetings held in Wasilla. Of note, the City of Bethel would be presenting to the AML body in November two resolutions; one opposing a state sales tax and the other in support of Public Employees Retirement System reform. Cynthia Franklin spoke about marijuana regulations and Forrest Dunbar spoke about the PFD/Voter Registration topic which was scheduled to be on the November General Election ballot. McConnell reported that Municipal Attorney candidate Carey Gagnon withdrew her application for consideration.

Administrator - Gorman thanked participants of the landslide commemoration events, stated on September 1st Lt. Jeff Ankerfelt would become Acting Police Chief, advised that the week of August 29th the transition back to Harrigan Centennial Hall (HCH) would begin and noted HCH user policies had been updated, shared that he and Maegan Bosak, Planning and Community Development Director, would be presenting the FY16 CBS Annual Report at the August 31st Chamber of Commerce luncheon, and reported repair work on the float plane dock would begin soon.

Clerk - Peterson assisted Assembly members in scheduling a Special Meeting for August 24th at 6pm to discuss the next steps of the Municipal Attorney hire process.

IX. CONSENT AGENDA

A motion was made by Swanson that the Consent Agenda consisting of items A & B be APPROVED. The motion PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

- A 16-149** Approve the minutes of the August 9 Assembly meetings

This item was APPROVED ON THE CONSENT AGENDA.

- B RES 16-14** Authorizing a Municipal Matching Grant application to the Alaska Department of Environmental Conservation for South Lake Street and West DeGross water and sewer improvements

This item was APPROVED ON THE CONSENT AGENDA.

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C 16-150** Appoint Barbara Kendall to an unexpired term on the Health Needs and Human Services Commission

A motion was made by Miyasato that this Item be APPROVED. The motion

PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

XI. UNFINISHED BUSINESS:

- D ORD 16-28** Amending Sitka General Code Title 22 "Zoning" by amending Section 22.30.150 "Administrative Approvals Without Notice"
- A motion was made by Hunter that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.**
- Yes:** 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski
- E ORD 16-29** Amending the official Sitka Zoning Map to assign OS (Open Space) Zoning to ASLS 2015-06, a previously unzoned parcel
- A motion was made by Miyasato that this Ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.**
- Yes:** 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

XII. NEW BUSINESS:

- F 16-153** Approve a standard marijuana cultivation facility license for Jeremy J. Erickson dba Vern's Wicked Weed at 3872 Halibut Point Road Bay One
- A motion was made by Hunter that this Item be APPROVED. The motion PASSED by the following vote.**
- Yes:** 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski
- G 16-154** Approve a retail marijuana store license for Anna M. Cleaver dba Weed Dudes at 1321 Sawmill Creek Road Suite J
- Potrzuski noted the review process had been thorough, both by the State and the City.
- A motion was made by Swanson that this Item be APPROVED. The motion PASSED by the following vote.**
- Yes:** 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski
- H ORD 16-27S** Adjusting the FY17 Budget (Float Plane Dock Funding - *substitute ordinance first reading*)
- Administrator Gorman noted this was a substitute ordinance before the Assembly for first reading. Additional information had been added identifying it as an appropriation.
- Hunter and Potrzuski noted it was an appropriate use of funds. While Eisenbeisz felt the repairs were warranted, he disagreed with the use of the Southeast Economic Development Fund.

A motion was made by Hunter that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 5 - McConnell, Hunter, Miyasato, Guevin, and Potrzuski

No: 2 - Swanson, and Eisenbeisz

I 16-155 Discussion of FY18 General Fund budget revenue considerations including agenda items ORD 16-30 and ORD 16-31

Assembly members discussed possible revenue generating ideas: a homestead exemption (voter approval needed); year round 6% sales tax; and a fuel tax dedicated to harbors, roads and other infrastructure. Gorman predicted a \$2.5 million deficit for FY18. While concerned, members felt it was best to wait until after the October election and then based on the outcome of the ballot proposition, take a closer look at revenue generating ideas. It was reminded a 2 mill property tax increase would not solve the budget deficit but was a step in the right direction.

Members offered their views on the ballot proposition (2 mill property tax increase) and proposed uses for revenue generated from the increase: 1 mill for subsidization of the General Fund and 1 mill for subsidization of the Electric Fund or 1 mill to subsidize the removal of sales tax from groceries.

J ORD 16-30 Amending Sitka General Code Chapter 4.09 "Sales Tax" Section 4.09.100 "Exemptions" by including an exemption for sales tax on groceries and amending Section 4.09.420 "Definitions" by adding a definition for groceries (*first reading*)

Larry Crews and Joe Meador spoke in opposition to the ordinance.

Eisenbeisz believed exempting sales tax from groceries and increasing electric rates would create localized inflation negating any gains in the long run.

A motion was made by Hunter that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 5 - McConnell, Hunter, Miyasato, Guevin, and Potrzuski

No: 2 - Swanson, and Eisenbeisz

K ORD 16-31 Amending Sitka General Code Chapter 4.12 "Property Tax" by adding a new Section 4.12.430 titled "Mill rate proceeds transfer to electric rate stabilization fund" (*first reading*)

Eisenbeisz and Potrzuski offered there was no harm in passing both ordinances (Ordinance 2016-30 and Ordinance 2016-31) on first reading. This would allow the public the opportunity to comment on second reading September 13.

Larry Crews spoke to the high cost of living in Sitka.

School Board member, Tom Conley, provided a report on the Sitka School District (SSD) and offered the SSD would be voting on a resolution in support of raising the millage rate.

A motion was made by Swanson that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.

Yes: 5 - Hunter, Swanson, Miyasato, Eisenbeisz, and Potrzuski

No: 2 - McConnell, and Guevin

XIII. PERSONS TO BE HEARD:

Alene Henning voiced concern about the use of cell phones while driving and the lack of enforcement.

Hugh Bevan suggested reconfiguring the Airport Terminal Enterprise Fund to include the float plane dock. Bevan also shared concerns of long term parking at the airport.

Clyde Bright spoke to the high housing demand and suggested the City turn over land (No Name Mountain) to a private entity for housing development. He added it was likely landlords would pass along a property tax increase to their tenants.

Zachary Desmond of Brave Heart Volunteers expressed appreciation to the Assembly for their continued support of Non Profits.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:39pm.

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk



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Aaron Swanson, Steven Eisenbeisz
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Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson

Wednesday, August 24, 2016

6:00 PM

Assembly Chambers

Meeting to be held at the Sealing Cove Business Center 601 Alice Loop

SPECIAL MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Potrzuski

Telephonic: 1 - Guevin

IV. PERSONS TO BE HEARD

None.

V. NEW BUSINESS:

A 16-157

Discussion/Direction on the Municipal Attorney Hire (*possible executive session*)

Human Resources Director, Mark Danielson, reviewed the available options in light of Municipal Attorney candidate, Carey Gagnon's, withdrawal of application. Danielson stated the Assembly could interview the remaining candidates, review the original fifteen applications, or readvertise and begin the search over.

A motion was made by Potrzuski to go into Executive Session to discuss subjects that tend to prejudice the reputation and character of a person with regards to review of the Municipal Attorney applicants and invite in Human Resources Director, Mark Danielson, and Legal Assistant, Reuben Yerkes. The motion PASSED by the following vote.

Yes: 5 - McConnell, Hunter, Miyasato, Guevin, and Potrzuski

No: 2 - Swanson, and Eisenbeisz

The Assembly was in Executive Session from 6:05pm to 6:25pm.

A motion was made by Hunter to RECONVENE as the Assembly in regular session. The motion PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

A motion was made by Potrzuski to direct Human Resources to set up an interview with Municipal Attorney candidate Brian Hanson. The motion PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

The Assembly scheduled Mr. Hanson's in-person interview for Tuesday, September 6, 2016 at 5pm.

VI. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. The motion PASSED by the following vote and the meeting ADJOURNED at 6:28pm.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk



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Tristan Guevin, and Bob Potrzuski

Municipal Administrator: Mark Gorman
Acting Municipal Attorney: Brian Hanson

Tuesday, September 6, 2016

5:00 PM

Assembly Chambers

Meeting to be held at the Sealing Cove Business Center 601 Alice Loop

SPECIAL MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

IV. PERSONS TO BE HEARD

None.

V. NEW BUSINESS:

A 16-158 In-person interview with Municipal Attorney candidate Brian Hanson

The Assembly interviewed Municipal Attorney candidate Brian Hanson.

A motion was made by Hunter to select Brian Hanson as the Municipal Attorney pending successful employment agreement negotiations. The motion **PASSED** by the following vote.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

B 16-159 Contingent on outcome of item A: Possible discussion on potential employment agreement with Brian Hanson and possible elements to be considered in the Municipal Attorney employment agreement

Assembly members discussed the potential elements of an employment agreement.

A motion was made by Potrzuski to direct the Municipal Administrator to have the Human Resources Director prepare an employment agreement with Brian Hanson to include the following elements and bring back to the Assembly for approval.

Starting Salary: \$125,000 per year, paid bi-weekly, exempt full-time, benefitted (advertised salary)

Salary after 12 months: \$135,000 per year based on satisfactory performance review

Salary after 24 months: \$140,000 per year based on satisfactory performance review

Starting Annual Leave Bank: 80 hours, available on the first day of employment

Annual Leave Accrual: 12.67 hours per month for the first year, 20 hours per month (240 hours per year) after the first anniversary

Severance Pay: 90 days - except for misconduct - no severance pay

Moving Expenses: None

Other Benefits: Per City and Borough of Sitka Personnel Policies Handbook - PERS and SBS annuities are the main retirement programs

Starting Date: To be determined

The motion PASSED by the following vote.

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

VI. EXECUTIVE SESSION

None.

VII. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 6:02pm.

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk