



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
330 Harbor Drive
Sitka, AK
(907)747-1811

Minutes

City and Borough Assembly

Mayor Matthew Hunter
Deputy Mayor Bob Potrzuski
Vice-Deputy Mayor Steven Eisenbeisz
Tristan Guevin, Kevin Knox
Aaron Bean, and Aaron Swanson

Municipal Administrator: Mark Gorman
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson

Tuesday, May 9, 2017

6:00 PM

Assembly Chambers

WORKSESSION 5:00 PM

Cancelled.

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Deputy Mayor Potrzuski noted the community had faced a huge tragedy over the weekend that had affected many. He asked for a moment of silence.

Present: 7 - Swanson, Eisenbeisz, Guevin, Potrzuski, Hunter, Knox, and Bean

IV. CORRESPONDENCE/AGENDA CHANGES

Mayor Hunter announced the following items were pulled from tonight's agenda and would be discussed at a future meeting: Arbor Day Proclamation, Special Reports, and items A, C, D, F, G, H, I and J.

[17-098](#)

Reminders, Calendars and General Correspondence

V. CEREMONIAL MATTERS

[17-090](#)

Arbor Day Proclamation and Service Award for Debra Pohlman

This item was PULLED from the agenda.

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

- 17-089** Special Reports: 1) Alaska DOT&PF - Sawmill Creek Road Resurfacing and Pedestrian Improvements, 2) Sitka Comprehensive Plan Update
These items were PULLED from the agenda.

VII. PERSONS TO BE HEARD

Alene Henning asked for enforcement of the law prohibiting cell phone use while driving.

VIII. REPORTS

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

None.

IX. CONSENT AGENDA

- A** [17-091](#) Approve the minutes of the April 11, 17, 18, 19, 25, May 1, 2, 9 Assembly meetings
This item was PULLED from the agenda.
- B** [17-092](#) Approve liquor license transfer and controlling interest applications for Baranof Island Brewing Company, LLC dba Baranof Island Brewing Company at a new location, 1209-A Sawmill Creek Road
A motion was made by Guevin to APPROVE this Item. The motion PASSED by the following vote.
Yes: 7 - Swanson, Eisenbeisz, Guevin, Potrzuski, Hunter, Knox, and Bean

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C** [17-093](#) Appoint Martha Moses to an unexpired term on the Historic Preservation Commission in the category of "Sitka Tribe of Alaska - alternate seat"
This item was PULLED from the agenda.

XI. UNFINISHED BUSINESS:

- D** [ORD 17-11](#) Adjusting the FY17 Budget (*Fire Department Operations, Crescent Harbor Playground Project, Commercial Passenger Excise Tax*)
This item was PULLED from the agenda.
- E** [ORD 17-12](#) Authorizing the lease of 1000 square feet of US Survey 3377 Griffith

Island also known as 725 Siginaka Way

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

Yes: 7 - Swanson, Eisenbeisz, Guevin, Potrzuski, Hunter, Knox, and Bean

XII. NEW BUSINESS:

New Business First Reading

- F** [ORD 17-13](#) Adjusting the FY17 Budget (*Electric Utility Subsidization*)
This item was PULLED from the agenda.
- G** [ORD 17-14](#) Amending Sitka General Code Title 20 "Miscellaneous Permit Regulations" by changing the name to "Environmentally Critical Areas" and adding a new Chapter 20.01 entitled "Landslide Area Management"
This item was PULLED from the agenda.

Additional New Business Items

- H** [17-094](#) Accept the insurance settlement of approximately \$248,000 for the Administration Building at the Gary Paxton Industrial Park
This item was PULLED from the agenda.
- I** [17-095](#) Approve a final subdivision plat for a Planned Unit Development at 1306 Halibut Point Road filed by the Sitka Community Land Trust
This item was PULLED from the agenda.
- J** [17-096](#) Discussion/Direction/Decision on the selection of an Interim Administrator(s)
This item was PULLED from the agenda.

XIII. PERSONS TO BE HEARD:

Acting Administrator Michael Harmon stated thoughts and prayers went out to family and friends affected by the tragic event over the weekend and applauded the Police Department for their work. He reminded the community of counseling services available.

XIV. EXECUTIVE SESSION

- K** [17-097](#) Litigation Update - Dapcevich Lawsuit

A motion was made by Knox to go into Executive Session, and exclude Acting Administrator Michael Harmon, to receive advice from outside legal counsel, Michael Gatti, regarding legal matters affecting the Municipality as a result of the lawsuit filed by Marko Dapceвич on March 30, 2017. The motion PASSED by the following vote.

Yes: 7 - Swanson, Eisenbeisz, Guevin, Potrzuski, Hunter, Knox, and Bean

The Assembly was in Executive Session from 6:08pm to 6:55pm.

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

A motion was made by Knox that the City and Borough of Sitka shall defend and indemnify Assembly members, the Administrator, GPIIP Director, GPIIP board members, and employees, current and former, against all costs, expenses, judgements and liabilities, including attorney fees, incurred by or imposed upon that person in connection with the lawsuit in the Superior Court of the State of Alaska in the First Judicial District at Sitka, captioned Marko Dapceвич v. City and Borough of Sitka, et al., Case No. 1SI-17-44 CI, arising from the person's affiliation with the City and Borough of Sitka if the person acted on behalf of the City and Borough of Sitka and within the scope of the person's official duties or powers. The motion PASSED by the following vote.

Yes: 6 - Swanson, Eisenbeisz, Guevin, Potrzuski, Hunter, and Knox

No: 1 - Bean

XV. ADJOURNMENT

A motion was made by Swanson to ADJOURN. Hearing no objections, the meeting ADJOURNED at 6:59pm.

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk