

# CONSENT AGENDA

## POSSIBLE MOTION

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

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  
June 9 Assembly meeting.



# CITY AND BOROUGH OF SITKA

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

## Minutes - Draft

### City and Borough Assembly

*Mayor Gary Paxton*  
*Deputy Mayor Steven Eisenbeisz,*  
*Vice Deputy Mayor Kevin Mosher,*  
*Kevin Knox, Dr. Richard Wein, Valorie Nelson, Thor Christianson*

*Municipal Administrator: John Leach*  
*Municipal Attorney: Brian Hanson*  
*Municipal Clerk: Sara Peterson*

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Tuesday, June 9, 2020

6:00 PM

Assembly Chambers

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#### REGULAR MEETING

#### I. CALL TO ORDER

#### II. FLAG SALUTE

#### III. ROLL CALL

Knox participated by videoconference.

**Present:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

#### IV. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

**20-119** Reminders, Calendars, and General Correspondence

#### V. CEREMONIAL MATTERS

None.

#### VI. SPECIAL REPORTS: Government to Government, Municipal Boards/Commissions/Committees, Municipal Departments, School District, Students and Guests (five minute time limit)

None.

#### VII. PERSONS TO BE HEARD

Police Chief Robert Baty spoke to the core values learned at the Police Academy and the quality and training of the Sitka Police Department. He told of the use of force,

diversity, operation, best practices, and of community oriented policing. Adrienne Wilbur spoke to the recent protests and asked the Assembly to take action. Michael Mosebach challenged Sitka to acknowledge and confront systemic racism and listed proposals to move forward. Rachel Roy, Executive Director of the Greater Sitka Chamber of Commerce updated on the 4th of July festivities in Sitka. Tom Gamble spoke to lack of communication with Sitka Tribe of Alaska with regards to the No Name Mountain/Granite Creek Project.

## VIII. REPORTS

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

Mayor - Paxton reported the Paycheck Protection Program extension and stated Alaska was only 40% complete for the 2020 Census.

Administrator - Leach reported there would be a special Assembly meeting on the 18th regarding the CARES Act funding distribution. He stated the Working Group was determining the framework. He told the request for information had ended for the Marine Service Center, negotiations were complete on the haulout, and of the University of Alaska Board of Regents letter that was in correspondence.

Liaison Representatives - Knox reported on the Parks and Recreation Committee meeting and Nelson on the Police and Fire Commission meeting.

Clerk - Peterson reported on vacancies for boards, commissions, and committees. She told of the municipal election which would be October 6 and gave options of advanced voting two weeks prior to the election and a vote by mail.

Other - Wein reported on the Emergency Operations Center meeting and told of the upcoming Fisheries Infection Committee meeting.

## IX. CONSENT AGENDA

**A motion was made by Nelson that the Consent Agenda consisting of item B be APPROVED. The motion PASSED by unanimous consent.**

### **A 20-115** Approve the minutes of the May 26 and May 28 Assembly meetings

Wein noted that the minutes of May 26 reflected *drug* addiction from Persons to be Heard, but that Ms. Lucas referred to *Methamphetamine* addiction.

**A motion was made by Mosher that this item be APPROVED. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

### **B 20-117** Approve a restaurant designation permit application and licensed premises diagram application for Hector Barragan dba Pizza Express at 1321 Sawmill Creek Road Suite E, F, G, H, I

**This item was APPROVED ON THE CONSENT AGENDA.**

**Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

- C 20-118** Reassign category membership of Historic Preservation Commission member Roberta Littlefield from "Native Community" to "At-Large"
- Roby Littlefield explained the request to move from the native community category to the at-large category and the reasoning which she felt would allow for greater native voice. Bob Sam and Scott Saline spoke in support.
- Wein spoke in support.
- A motion was made by Christianson that this item be APPROVED. The motion PASSED by the following vote.**
- Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**XI. UNFINISHED BUSINESS:**

- D 20-106** Approve the City and Borough of Sitka Athletic Field Use Policy and Guidelines as recommended by the Parks and Recreation Committee (*this item was postponed at the May 12, 2020 meeting*)
- Brandon Marx a member of the Parks and Recreation Subcommittee that helped revise the policy told of the consensus reached among user groups and that the Parks and Recreation Committee recommended approval of the updated policy. He noted the need to hold another subcommittee meeting to refresh the online calendar which would take place in the near future.
- Knox told of the conflict among different user groups. He noted the need to continue to utilize the field for the most groups possible.
- A motion was made by Christianson that this item be APPROVED. The motion PASSED by the following vote.**
- Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson
- E ORD 20-26** Amending Title 2 "Administration", Chapter 2.04 "City and Borough Assembly", Section 2.04.010 "Agenda"
- Paxton explained that this ordinance would move reports on the agenda toward the end of the meeting. Nelson gave history for reports in previous meetings taking up to 45 minutes and felt they would be better served toward the end of the meeting. Wein stated that reports were important and the time should be taken. He felt it encouraged staff to give good reports and liaisons to attend their meetings. Christianson and Mosher although not strong feelings one way or another, felt reports would be better served toward the end of the meeting.
- A motion was made by Mosher that this ordinance be APPROVED on SECOND AND FINAL READING. The motion PASSED by the following vote.**
- Yes:** 4 - Christianson, Paxton, Mosher, and Nelson
- No:** 3 - Eisenbeisz, Knox, and Wein

**F     ORD 20-27**     Amending Title 2 "Administration", Chapter 2.20 "Fire Department", Section 2.20.010 "Establishment"

Mike Motti spoke in opposition of the ordinance.

Christianson told of the importance of having an Assistant Fire Chief and the increased likelihood of not having the position funded with this ordinance. Nelson noted that the Assistant Fire Chief position had not been funded in two years and the ordinance was cleaning up the code. Wein stated this was housekeeping and eliminated wording that stated there *shall* be an Assistant Fire Chief but allowed for as many other positions necessary for effective operation. Mosher noted this was cleaning up code and did not prevent the Fire Hall from having an Assistant Fire Chief. Paxton spoke in opposition of the ordinance. Knox wondered if overtime costs outweighed funding an Assistant Fire Chief position.

Municipal Administrator John Leach noted that the Assistant Fire Chief position was not funded for FY2021 yet was in the code. He was unsure of the legalities but was comfortable leaving it in the code.

**A motion was made by Mosher that this ordinance be APPROVED on SECOND AND FINAL READING. The motion FAILED by the following vote.**

**Yes:** 3 - Wein, Mosher, and Nelson

**No:** 4 - Christianson, Eisenbeisz, Knox, and Paxton

**G     ORD 20-30**

Authorizing the City to obtain a loan from the Alaska Municipal Bond Bank in a principal amount not to exceed \$7,000,000 to refinance for savings the City's outstanding loan from the Alaska Energy Authority; authorizing the issuance to the Bond Bank of a junior lien electric revenue refunding bond of the City to evidence and secure the loan; authorizing the Municipal Administrator and Chief Finance and Administrative Officer to enter into a loan agreement with the Bond Bank setting forth the terms and conditions of the loan and the refunding bond; and establishing an effective date

Wein explained the cost savings.

Chief Finance and Administrative Officer Jay Sweeney clarified that this was refinancing a loan from 1979 that financed the Green Lake Dam. He told of the ability to defease the bond prior to the 10 year call date.

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

**Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**H     ORD 20-28**

Establishing the CARES Act Utilities Subsidization Program

Tom Gamble noted other category needs rather than just funding utilities and urged to coordinate with Sitka Tribal of Alaska (STA) and other entities that would also receive funding.

Paxton stated that there were CARES Act Working Group meetings twice a week that included Lisa Gassman from STA. Nelson relayed that the funds were restrictive in how to spend/distribute.

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

**Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**I      ORD 20-29      Establishing the CARES Act Moorage Costs Subsidization Program**

Nelson wondered of the privately owned docks that collected moorage. Eisenbeisz requested that if funding would be sectioned off for certain segments of the population, to make sure the CARES Act Working Group would look at it to make sure it falls within the plan.

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

**Yes:** 6 - Christianson, Knox, Wein, Paxton, Mosher, and Nelson

**No:** 1 - Eisenbeisz

**J      ORD 20-31      Making supplemental appropriations for Fiscal Year 2021 (*CARES Act Funding - Utilities and Moorage Accounts*)**

Wein pointed out that he didn't know how the funds were calculated.

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

**Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**XII.    NEW BUSINESS:**

**New Business First Reading**

**K      ORD 20-32      Making supplemental appropriations for fiscal year 2020 (*Secure Rural Schools Support*)**

George Paul, Rachel Moreno, and School Board Members Amy Morrison and Eric Van Cise spoke in support of the ordinance.

Mosher spoke in support of the ordinance stating it was fair. Nelson was in support for first reading and would reach out to hear thoughts from others before second reading. Christianson thought the funding could be used for a counselor position in the middle school that was needed. Wein stated he was not in support of the ordinance as the School District was already funded to the cap and the funding could be used for roads. Paxton stated the Lincoln Street project has been postponed for two years. Knox spoke in support of the 50/50 split.

Municipal Administrator John Leach noted that funding wasn't expected for FY2020, but that funds were received and a determination needed to be made on how to distribute.

**A motion was made by Mosher that this ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.**

**Yes:** 5 - Christianson, Eisenbeisz, Knox, Mosher, and Nelson

**No:** 2 - Wein, and Paxton

**L     ORD 20-33**     Amending Title 4 "Revenue and Finance" of the Sitka General Code by revising Chapter 4.09 "Sales Tax" relating to exemption certificate

Nelson explained that this cleared up the code for businesses to get resale exemptions as long as they were current with sales tax. Christianson stated that the vendors were asking for this.

**A motion was made by Christianson that this ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**Additional New Business Items**

**M     20-116**     Consideration and award of the request for proposals submitted for the available funds in the Fisheries Enhancement Fund

Lisa Busch spoke to the proposal submitted by Sitka Sound Science Center. Linda Behnken spoke to the Alaska Longline Fisherman's Association. Amy Doherty gave an overview of the Alaska Trollers Association proposal.

Speaking from the public, Matt Donohoe and Jim Moore spoke in support of the Alaska Trollers Association proposal.

Nelson pointed out from the memo that not all entities included all documents, however it stated *should* not *shall*. She was in support of all applicants but not of giving more than requested. Paxton thought to double the amount for Alaska Trollers Association. Wein felt that the portions should be what the organizations asked for. Knox wondered why there was an increase above what an entity was requesting. Christianson relayed the circumstances that the entity wasn't aware of their situation prior to the application date.

**A motion was made by Mosher to AMEND the award amounts of \$20,000 to Sitka Sound Science Center, award \$8,000 to Alaska Longline Fisherman's Association, and award \$10,000 to Alaska Trollers Association. The amendment FAILED by the following vote.**

**Yes:** 3 - Paxton, Christianson, and Mosher

**No:** 4 - Eisenbeisz, Wein, Nelson, and Knox

Eisenbeisz noted the importance of the Alaska Trollers Association funding. He was in support of following the advertised requested funding. Knox was not in support of utilizing funds for lobbying and felt that this program needed further developed definitions.

**A motion was made by Wein to award \$23,000 to Sitka Sound Science Center, award \$10,000 to Alaska Longline Fisherman's Association, and award \$5,000 to Alaska Trollers Association. The motion PASSED by the following vote.**

**Yes:** 6 - Christianson, Eisenbeisz, Wein, Paxton, Mosher, and Nelson



No: 1 - Knox

**N RES 20-20**

Authorizing a 50/50 matching grant application to the Office of Justice Program - Bulletproof Vest Partnership

Police Chief Robert Baty told of the benefits of bulletproof vests.

**A motion was made by Wein that this resolution be APPROVED on FIRST AND FINAL READING. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**O RES 20-21**

Authorizing the Municipal Administrator to apply for and execute a grant with the Alaska Sustainable Salmon Fund for \$125,000 to support the Peterson Storm Sewer Rehabilitation Project

Public Works Director Michael Harmon spoke to the project to replace the culvert to allow fish passage as required when culverts were replaced, the increased size, maintenance, other grants secured, and ownership.

Wein appreciated the work to secure grant funding. Knox commented on concerns of the lifespan of the culverts and wondered if there was other obtainable funding.

**A motion was made by Nelson that this resolution be APPROVED on FIRST AND FINAL READING. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

**XIII. PERSONS TO BE HEARD:**

George Paul told of recent events and urged the Assembly and Administrator to give strong endorsements to the Police Department. He stressed the importance of emergency assistance.

**XIV. EXECUTIVE SESSION**

None.

**XV. ADJOURNMENT**

**A motion was made by Mosher to ADJOURN. Hearing no objections, the meeting ADJOURNED at 8:47 p.m.**

**ATTEST:** \_\_\_\_\_  
**Melissa Henshaw, CMC**  
**Deputy Clerk**