



CITY AND BOROUGH OF SITKA

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

Minutes - Final

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
Municipal Attorney: Robin L. Schmid

Tuesday, March 22, 2016

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 4 - Hunter, Swanson, Eisenbeisz, and Guevin

Absent: 3 - McConnell, Miyasato, and Potrzuski

IV. CORRESPONDENCE/AGENDA CHANGES

[16-051](#) Reminders, Calendars and General Correspondence

V. CEREMONIAL MATTERS

[16-049](#) Proclamation honoring Cindy Edwards and Brant Brantman

Deputy Mayor Hunter read and presented a proclamation to Cindy Edwards and Brant Brantman honoring them for their work with the Hames Center revitalization project.

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

[16-050](#) Hames Center Update - Cindy Edwards and Brant Brantman

Cindy Edwards and Brant Brantman shared a video of the Hames Center restoration efforts. Edwards and Brantman thanked those involved for contributing to the success of the Hames Center and looked forward to the future of the Center.

VII. PERSONS TO BE HEARD

Tom Gamble spoke to racial equity in Alaska and announced an event on this issue was scheduled to be held in Sitka April 1 and 2 at a location yet to be determined.

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

Administrator - Gorman attended the Sitka Public Library opening celebration, reported on the Citizens' Taskforce Town Hall Meeting, and announced the draft FY2017 budget would be available to the Assembly on March 28.

Chief Finance and Administrative Officer - Sweeney reported on the Southeast Conference and AML PERS/TRS Summit. Sweeney offered it was likely that legislation would be passed affecting the state permanent fund and less likely a broad based tax would be passed this year. Sweeney told of Soldotna Senator Micciche's comments that communities off the main line of the Alaska Marine Highway System might want to consider privatization in the future. Sweeney stated there was a possibility of legislation being introduced that would increase the percentage for PERS and TRS contributions.

Liaison reports - Guevin reported on the Citizens' Taskforce Town Hall Meeting and explained the Grand Bargain concept. Hunter reported on the recent Port and Harbors Commission meeting.

IX. CONSENT AGENDA

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

Yes: 4 - Hunter, Swanson, Eisenbeisz, and Guevin

Absent: 3 - McConnell, Miyasato, and Potrzuski

A [16-046](#) Approve the minutes of the March 8 Assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

B [16-047](#) Approve a liquor license renewal application for Talon Charters, Inc. dba Talon Lodge

This item was APPROVED ON THE CONSENT AGENDA.

C [ORD 16-08](#) Adjusting the FY16 Budget

This item was APPROVED ON THE CONSENT AGENDA - first reading.

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- D [16-048](#) Appoint Lorraine Lil and Barbara Morse to three-year terms on the Parks and Recreation Committee

Guevin thanked the applicants for their willingness to serve.

A motion was made by Guevin that this Item be APPROVED. The motion PASSED by the following vote.

Yes: 4 - Hunter, Swanson, Eisenbeisz, and Guevin

Absent: 3 - McConnell, Miyasato, and Potrzuski

XI. UNFINISHED BUSINESS:

- E [ORD 16-07](#) Amending Sitka General Code at Chapter 2.12 entitled "City and Borough of Sitka Hospital Board" section 2.12.070 entitled, "Organization" to clarify board offices to be elected

A motion was made by Swanson that this Ordinance be APPROVED on second and final reading. The motion PASSED by the following vote.

Yes: 4 - Hunter, Swanson, Eisenbeisz, and Guevin

Absent: 3 - McConnell, Miyasato, and Potrzuski

XII. NEW BUSINESS:

- F [ORD 16-05](#) Amending Sitka General Code Title 10 "Public Peace, Safety and Morals" by adding a new Chapter 10.25 entitled, "Cellular Phone Use While Driving"

Don Jones, Vice Chair of the Police and Fire Commission, urged the Assembly to support the ordinance. Doug Osborne, Chair of the Health Needs and Human Services Commission, spoke in support of the ordinance and relayed to the Assembly that the number one cause of distracted driving was cell phone use.

Swanson spoke in opposition to the ordinance and wondered why there was no mention of fines. Eisenbeisz understood the reasoning behind the ordinance but was not in support of the ordinance as written. He felt the ordinance was incomplete because penalties were not included. Eisenbeisz wished to see the hands free device definition further defined. Police Chief, Sheldon Schmitt, noted that not all ordinances included a fine schedule. Schmitt explained there was a blanket ordinance that indicated if penalties were not listed in an ordinance then the fine could be as high as \$500 for a violation. Schmitt asked for direction from the Assembly on a proposed fine. His recommendation was a low fine, e.g., \$25 for the first offense. He offered with this approach there was likely to be less push back from the community and it would still be effective in preventing people from talking on their cell phone. He added that when the seatbelt law was passed people could donate their fine to the Fire Department. He would like to see a similar program started if this ordinance were to pass. Osborne preferred a higher fine of \$75 to \$100.

Attorney Robin Schmid noted the intent of the ordinance was for people to not use cell phones while driving unless they had a hands free device, however, she noted

there were exceptions as outlined in the ordinance.

Guevin, the liaison for the Health Needs and Human Services Commission (HNHSC), stated the idea for the ordinance came from the HNHSC. While not perfect, the ordinance would limit people driving with cell phones and provide a tool to prevent dangerous behavior on the road.

Hunter spoke in support of the ordinance and wondered why the ordinance did not prohibit the use of cell phones on bicycles. Schmid explained it was an enforcement issue.

Of the Assembly members present, there was support for a beginning fine of \$25. Schmitt indicated it would most likely be a tiered violation scale and that there would be a public education period.

A motion was made by Swanson that this Item be APPROVED on first reading. The motion PASSED by the following vote.

Yes: 4 - Hunter, Swanson, Eisenbeisz, and Guevin

Absent: 3 - McConnell, Miyasato, and Potrzuski

G [16-045](#) Discussion/Direction on FY2017 Budget Worksessions

Administrator Gorman suggested that because of the very dynamic budget situation it would be helpful to hold special meetings to discuss the budget as opposed to worksessions. This would allow the Assembly to take action. Assembly members concurred.

XIII. PERSONS TO BE HEARD:

None.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Swanson to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:18pm.

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk