



CITY AND BOROUGH OF SITKA

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

Minutes - Final

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

Interim Municipal Administrator: Phillip Messina
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson

Tuesday, July 25, 2017

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 5 - Swanson, Guevin, Hunter, Knox, and Bean

Absent: 2 - Eisenbeisz, and Potrzuski

IV. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

[17-133](#)

Reminders, Calendars and General Correspondence

V. CEREMONIAL MATTERS

[17-131](#)

Citation - U.S. Coast Guard Day

Mayor Hunter read and presented a Citation to U.S. Coast Guard Sitka-based personnel recognizing August 4th as U.S. Coast Guard Day. Mayor Hunter thanked Sitka-based personnel for their service.

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

None.

VII. PERSONS TO BE HEARD

Robert Haddle, member of the Sitka Bicycle Coalition, recognized those individuals in the room who had biked or walked to the Assembly meeting. Haddle announced, during the month of August, Sitka Community Hospital was sponsoring an Active August Fitness Challenge encouraging Sitka residents to commute by foot or bike.

Dr. Marilyn Corruzi believed, while finances were important, effective healing medical care was based on a strong commitment to core values of healthcare. Corruzi urged the Assembly to engage the public in conversations regarding the future of Sitka Community Hospital.

Cynthia Dennis expressed confusion over the proposed hospital RFP process and encouraged the Assembly to involve the public.

Rachel Roy, Executive Director of the Chamber of Commerce, invited members of the Assembly and public to attend the Chamber of Commerce Luncheon July 26 at which Senator Bert Stedman would be speaking.

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

Mayor - Hunter shared he, Assembly member Knox, and the Interim Administrator had met with the Alaska Regional Administrator of the FAA about navigational aids for Alaska and the Seaplane Float renovations. Hunter announced staff was in the early stages of planning two community meetings regarding healthcare in Sitka. These were tentatively scheduled for August 30 and August 31; locations and times to be determined. He added the goal was to provide an opportunity for the public to comment and possibly come to a consensus on what an ideal healthcare situation would look like in Sitka.

Interim Administrator - Messina informed Library Director interviews were scheduled for July 26 and 27, noted he had toured harbor facilities with Harbormaster, Stan Eliason, and received a tour of the Police Department.

Attorney - Hanson reported Legal Assistant interviews were scheduled for July 31.

Liaison Representatives - Knox reported on the recent Parks and Recreation Committee meeting.

Clerk - Peterson reviewed Board vacancies and reminded of the candidate filing deadline for the October 3 Municipal Election.

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: 5 - Swanson, Guevin, Hunter, Knox, and Bean

Absent: 2 - Eisenbeisz, and Potrzuski

- A [17-130](#) Approve the minutes of the July 11 Assembly meeting

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

- B [RES 17-17](#) Supporting the Municipality's application to host the Alaska Municipal League Summer Meeting in 2018

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

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

- C [17-132](#) Reappoint Darrell Windsor to a three-year term on the Planning Commission

Knox thanked Windsor for his service and commented that Windsor had served on the Planning Commission for 6 years.

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

Yes: 5 - Swanson, Guevin, Hunter, Knox, and Bean

Absent: 2 - Eisenbeisz, and Potrzuski

XI. **UNFINISHED BUSINESS:**

- D [ORD 17-23](#) Adjusting the FY17/FY18 budgets (*reappropriations*)

Rob Allen and Cynthia Brandt of Sitka Community Hospital addressed the Hospital's reappropriation request of \$156,192. Project reimbursement included: the Mountainside Family Healthcare Paint/Flooring, Patient Financial Services Remodel, and the Nurse's Conference Room Remodel.

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

Yes: 5 - Swanson, Guevin, Hunter, Knox, and Bean

Absent: 2 - Eisenbeisz, and Potrzuski

- E [ORD 17-24](#) Adjusting the FY18 budget (*downtown shuttle pilot project*)

Knox noted there was interest from the downtown business district and the pilot project was worthy of the funds.

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

Yes: 5 - Swanson, Guevin, Hunter, Knox, and Bean

Absent: 2 - Eisenbeisz, and Potrzuski

- F [ORD 17-25](#) Amending Sitka General Code Title 2 "Administration" by adding a new Chapter 2.10 entitled "Defense and Indemnification of Officers and

Employees"

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

Yes: 5 - Swanson, Guevin, Hunter, Knox, and Bean

Absent: 2 - Eisenbeisz, and Potrzuski

XII. NEW BUSINESS:

New Business First Reading

- G** [ORD 17-26](#) Amending Sitka General Code Chapter 4.28 "Investment Policy" by adding a new Section 4.28.045 entitled "External Investment Management"

Chief Finance and Administrative Officer, Jay Sweeney, explained the Assembly had previously approved the external management of investment of Municipal funds by Alaska Permanent Capital Management, however, Sitka General Code did not address external investment of funds. Staff and the Investment Committee believed that external management of investments, with added language for safeguards, be codified.

Bean wondered of the selection process for the investment firm. Sweeney clarified that the RFP process had been followed to select an investment firm for the management of the Permanent Fund. The Investment Committee recommended the scope of services for Alaska Permanent Capital Management's contract be expanded to include management of enterprise funds. Guevin thanked staff and the Investment Committee for their work.

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

Yes: 5 - Swanson, Guevin, Hunter, Knox, and Bean

Absent: 2 - Eisenbeisz, and Potrzuski

- H** [TMP 05](#) Consideration of the following two ordinances, with the same subject, on first reading (one may move forward):

Hunter stated he and fellow Assembly member Swanson had been working on this issue for the past year after receiving complaints from citizens on the negative impacts of fireworks. Two ordinances had been developed for possible consideration: 1) allowed use of private fireworks at specific times of the year (4th of July and New Year's), added definitions, and the addition of a penalty section, and, 2) maintaining current ban on private fireworks and the addition of a penalty section. The Police and Fire Commission favored option 2, and in addition, wished to see the fine schedule increased and allow for citizen's arrest.

Lorraine Lil, Helen Craig, William Craig, Jeff Budd, Gerald Gangle, and Kathleen McCrossin spoke in opposition to the use of private fireworks and wished to see a ban.

Police Chief, Jeff Ankerfelt, stated it was difficult for officers to respond to reports of illegal fireworks either because of higher priority calls or the offenders hiding from or avoiding officers. Ankerfelt recognized the problem and believed, while enforcement

was difficult, there was room for improvement from the Police Department.

Municipal Attorney, Brian Hanson, clarified the City had a non permitted ban on fireworks except if they were permitted which was only for public use. He reminded that if a citizen witnessed someone else using fireworks in an illegal manner that violation could be reported. Hanson stated the penalty schedule was consistent with other penalty provisions that had been added to the minor offense code. It allowed for an easier and quicker way to hold violators accountable for their actions. Hanson reiterated that with either ordinance, the sale of fireworks would be prohibited.

Knox asked what the proposed City guidelines were for applying for a permit compared to the State. Hanson noted there were no specified City guidelines; it was left to the discretion of the Administrator. Hunter wondered if the legalization of fireworks would lead to a greater problem of abuse. He spoke in support of option 2. Knox wondered if by permitting private use that it created a conflict because the sale of fireworks would still be prohibited. Without further definition to the permitting process, he was in support of the status quo. Bean spoke in support of legalizing fireworks for specific times of the year. With regards to permits, he wondered if it was wise to allow City staff to issue permits for liability reasons. Guevin supported the recommendations of the Police and Fire Commission.

ORD 17-27 Amending Sitka General Code Chapter 10.24 entitled "Fireworks" by adding exceptions to Section 10.24.040 "Exceptions for Authorized Displays", additional definitions to Section 10.24.060 "Fireworks Defined", and a new Section 10.24.070 "Penalties"

This Ordinance was not considered.

[ORD 17-28](#) Amending Sitka General Code Chapter 10.24 entitled "Fireworks" by adding a new Section 10.24.070 "Penalties"

Gerald Gangle spoke in support of the penalty schedule and enforcement. Jeff Budd suggested adding a decibel level to the ordinance, spoke in opposition to neighborhood use, and encouraged an educational campaign. Kathleen McCrossin agreed and suggested the fines were too low. Robert Haddle, a nurse, shared the physical injuries he had witnessed caused by fireworks. Fire Chief, Dave Miller, shared his history of fireworks in Sitka, including a few fires that had been started by fireworks. In his recollection, only two permits had been issued over the last 28 years.

A motion was made by Guevin that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote. (Note: Per the Charter, an ordinance on first reading automatically moves forward to second reading, regardless of the vote, unless there are 4 votes to fail it on first reading.)*

Yes: 2 - Hunter, and Knox

No: 3 - Swanson, Guevin, and Bean

Absent: 2 - Eisenbeisz, and Potruski

*Assembly member Guevin gave notice of reconsideration, however, he later removed notice realizing the ordinance required four votes to fail and would move forward to second reading without a motion to reconsider.

XIII. PERSONS TO BE HEARD:

Fire Chief Dave Miller reminded the Fire Department's Super Saturday event was July 29 and announced Sitka was hosting the Alaska State Firefighter's Conference

September 25-30.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Swanson to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:48pm.

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk