



CITY AND BOROUGH OF SITKA

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

Minutes - Final

City and Borough Assembly

*Mayor Steven Eisenbeisz,
Deputy Mayor Kevin Knox,
Vice Deputy Mayor Kevin Mosher,
Thor Christianson, Crystal Duncan, Rebecca Himschoot,
David Miller*

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

Tuesday, February 8, 2022

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

Due to technical issues, the meeting started at 6:10pm.

II. FLAG SALUTE

III. RECITAL OF LANDS ACKNOWLEDGEMENT

IV. ROLL CALL

Present: 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

V. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

[22-024](#)

Reminders, Calendars, and General Correspondence

VI. CEREMONIAL MATTERS

None.

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

[22-019](#)

Special Report: FY2021 ACFR/Audit - BDO, Joy Merriner

Joy Merriner with BDO USA, LLP, provided an audit wrap-up for year-end June 30,

2021. Merriner reviewed the audit results and stated there were no material weaknesses or significant deficiencies.

VIII. PERSONS TO BE HEARD

Karen Lucas, Harriet Bealeal, David Kreiss-Tomkins, Alexis Jenkins, Nick Front, Anna Laffrey, Claire Sanches, Bridgette Hitchcock, Leah Mason, Michelle Putz, Richard Wein, Paulette Moreno, Andrew Roberts, Myasia Stephens, Sylvia Snow-Rackley, and Juan S Aguilera spoke in support of the installment of a bench in front of Harrigan Centennial Hall honoring civil rights activist Elizabeth Peratrovich. Nick McGraw urged the Assembly to address the poor road conditions. Rich McClear expressed frustration on the recent announcement from the Department of Transportation of a Request for Proposals to seek a parking management company to handle airport parking. Valorie Nelson expressed disappointment on the City's recent actions regarding a settlement reached with a local Sitka businessman guilty of stealing power and another issue on two attempted recall efforts.

IX. CONSENT AGENDA

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

Yes: 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

- A** [22-021](#) Approve the minutes of the January 25 and January 27 Assembly meetings
- This item was **APPROVED ON THE CONSENT AGENDA.**
- B** [22-020](#) Approve a liquor license renewal application for Ludvig's Bistro, Inc. dba Ludvig's Bistro at 256 Katlian Street
- This item was **APPROVED ON THE CONSENT AGENDA.**

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C** [22-022](#) Appoint Brennon O'Connor to a three-year term on the Tree and Landscape Committee, and Reappoint 1) Richard Doland to a three-year term on the Building Department Appeals Board in the category of alternate, and 2) Tristan Guevin to a three-year term on the Health Needs and Human Services Commission
- Richard Wein thanked the applicants.
- A motion was made by Christianson that this Item be APPROVED. The motion PASSED by the following vote.**
- Yes:** 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

XI. UNFINISHED BUSINESS:

- D** [ORD 22-01](#) Making supplemental appropriations for fiscal year 2022 (expenses

related to increase in cruise passengers for 2022)

Richard Wein stated the appropriation was reactive.

Public Works Director Michael Harmon relayed commercial vessel passenger excise tax (CPET) funds would be used to pay for the expenditures. Assembly members stated the expenses were directly related to tourism and worthy of the use of funds.

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, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

XII. NEW BUSINESS:

New Business First Reading

- E** [ORD 22-02](#) Amending Title 11 "Vehicles and Traffic" of the Sitka General Code by repealing Section 11.28.040 "Exception - Prohibition of all-purpose vehicles traveling on public roadways" in Chapter 11.28 "State Traffic Laws Adopted" and adding Chapter 11.75 "All-Purpose Vehicles"
- Sponsors Christianson and Miller told of the recent state regulation changes at the end of 2021 and reminded the City had opted out of allowing all-terrain vehicle (ATV) use. Since then, the sponsors had met with users to develop safety rules/regulations for ATV vehicle use. An ordinance had been drafted and reviewed by the Police and Fire Commission. To assist the Police Department with inspection work, Miller said members of the local ATV Club were offering pre-inspection checks to users before applying for a permit through the Police Department.
- From the public, Dennis Peterson, Nick McGraw, and Mike Finn spoke in support. Joel Hanson suggested the use of electric all-terrain vehicles. Richard Wein wondered of fiscal costs and noted the rules may be cost-prohibitive for some users.
- Knox and Mosher expressed safety concerns over a business renting all-terrain vehicles to tourists citing the unfamiliarity with Sitka. Knox wondered about the possibility of adding language that would restrict the issuance of a city permit to only Sitka residents. Municipal Attorney Hanson stated he would need to research the matter. Himschoot complimented the group on their collaborative work and hoped users would be patient with the Police Department as the permitting process was developed. Duncan expressed appreciation to those who offered input and worked on the development of the ordinance, in particular the safety requirements.
- A motion was made by Christianson that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote.**
- Yes:** 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

Additional New Business Items

- F** [22-023](#) Adopt the Short-Term Tourism Plan
- Kent Barkhau and Joel Hanson thanked the Planning Commission and Planning Staff for their development of a short-term tourism plan. In addition, they told of the need for

a long-term tourism plan. Richard Wein stated the plan was reactive and the increase in tourists would dramatically affect the quality of life for Sitkans. Shauna Thorton of First National Bank of Alaska said their drive-thru wouldn't be accessible and told of costly ADA modifications needed at the Harbor Drive entrance.

Assembly members deliberated and expressed appreciation to Amy Ainslie, staff, and the Planning Commission. Christianson spoke in support of a full closure of Lincoln Street. Miller wondered if passenger counts, once a ship was underway, would be available to assist municipal officials in determining whether the street closure hours could be modified. Duncan said the Planning staff and the Planning Commission had delivered a plan to address the 2022 tourist season, as requested. For the short-term, she stated the plan would aid in navigating the upcoming tourist season. Himschoot voiced concern of one-lane traffic on Katlian Street, commented on the extra duties placed on staff, and suggested the need for a Tourism Director. Knox didn't believe there was an alternative to closing Lincoln Street. Mosher was supportive of full closure. Eisenbeisz was cautious in deciding to close Lincoln Street and hoped the closure wouldn't change the look and feel of the Sitka experience. A consensus of the Assembly was to close Lincoln Street from 10am to 4pm on days with 3,000 or more cruise ship passengers. In addition, the Assembly reminded this season would be a learning experience and urged the Administrator to use discretion in modifying the Lincoln Street closure as necessary.

A motion was made by Christianson to APPROVE this Item. The motion PASSED by the following vote.

Yes: 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

G [RES 22-04](#)

Approving submittal and execution of Alaska Clean Water Fund loan applications to the State of Alaska Department of Environmental Conservation totaling up to \$1,300,000 for the project entitled Thomsen Harbor Lift Station Rehabilitation Project

Public Works Director Michael Harmon told of the low-interest loan opportunity available for the project. Harmon said the lift station, installed in 1984, was one of the most critical lift stations in the fleet and in dire need of repair. He said the lift station had overseen capacity, maintenance was difficult, and told of the catastrophic pump failure in 2018.

Richard Wein spoke in support.

Knox wondered about the timeline and grant opportunities. Harmon indicated it would be a 3 to 4-year project and that grant funding was certainly a possibility if the opportunity arose. Eisenbeisz inquired if additional rate increases would be needed. Finance Director Melissa Haley said additional rate increases were needed but not as a direct result of this project.

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

Yes: 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

H [RES 22-05](#)

Authorizing the Municipal Administrator to apply for and execute a grant with the Southeast Alaska Fish Habitat Partnership (SEAKFHP) for \$50,000 to support the Wachusett Storm Sewer Rehabilitation Project

Public Works Director Michael Harmon told of the grant funding and summarized the

project.

From the public, Richard Wein asked questions related to the project.

Knox disclosed his home was downstream of the culvert and his mother's home was adjacent to the project. Mayor Eisenbeisz ruled there was no disqualifying bias or conflict.

A motion was made by Duncan that this Resolution be APPROVED on FIRST AND FINAL READING.

Yes: 7 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, Duncan, and Miller

XIII. PERSONS TO BE HEARD:

Richard Wein spoke to the APV ordinance and short-term tourism plan.

XIV. REPORTS

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

Attorney - Hanson stated he would be on leave February 11-21, however, available by phone or email.

Liaison Representatives - Knox reported on the February 8 Parks and Recreation Committee meeting and reviewed the agenda for the February 9 Port and Harbors Commission meeting. Miller reported on the Library Commission and Historic Preservation Commission meetings. Duncan told of vacancies on the Health Needs and Human Services Commission and the Police and Fire Commission.

Clerk - Peterson reviewed upcoming meeting dates.

Other - Himschoot told of a new scholarship created for Filipino students. Information was available at Sitka High School.

XV. EXECUTIVE SESSION

None.

XVI. ADJOURNMENT

A motion was made by Knox to ADJOURN. Hearing no objections, the meeting ADJOURNED at 9:56pm.

ATTEST: _____
Sara Peterson, MMC
Municipal Clerk