

# 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 – When making the motion to approve the consent agenda, please read the title 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 May 10 Assembly meeting.



# CITY AND BOROUGH OF SITKA

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

## Minutes - Draft

### 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*

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Tuesday, May 10, 2022

6:00 PM

Assembly Chambers

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#### REGULAR MEETING

I. CALL TO ORDER

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.

[22-076](#)

Reminders, Calendars, and General Correspondence

VI. CEREMONIAL MATTERS

[22-069](#)

Service Awards - Members of the COVID-19 Emergency Operations Center

Mayor Eisenbeisz read and presented service awards to members of the Emergency Operations Center for their work during the COVID-19 pandemic.

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

[22-070](#)

Special Report: Tree and Landscape Committee - Chair Deb Miller and

Vice Chair Joe D'Arienzo

Chair Deb Miller and Vice Chair Joe D'Arienzo recognized the Committee members and shared photos of their work.

#### VIII. PERSONS TO BE HEARD

None.

#### IX. CONSENT AGENDA

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

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

**A**     [22-066](#)           Approve the minutes of the April 7, 12, 19, and 26 Assembly meetings

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

**B**     [22-071](#)           Approve a liquor license renewal for Alaska Yacht Charters, LLC

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

**C**     [RES 22-13](#)         Authorizing a 50/50 matching grant application to the Office of Justice Programs - Bulletproof Vest Partnership

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

#### X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

**D**     [22-073](#)           Appoint Elias Erickson to a three-year term on the Tree and Landscape Committee

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

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

**E**     [22-074](#)           Reappoint Wendy Alderson to a three-year term on the Planning Commission

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

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

**F**     [22-075](#)           Reappoint Scott Saline to a three-year term on the Historic Preservation Commission in the category of At-Large

**A motion was made by Miller 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:**

- G**     [ORD 22-09](#)           Making supplemental appropriations for fiscal year 2022 (Cross Trail Repair)
- A motion was made by Duncan 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**

- H**     [ORD 22-13](#)           Amending Title 2 “Administration” of the Sitka General Code by repealing and replacing sections of Chapter 2.04 “City and Borough Assembly” to address Assembly and public participation
- Sponsors Knox, Mosher, and Duncan, spoke to the ordinance. Christianson wondered if the annual limit of 4 for remote meetings was sufficient. Knox reminded the limits for remote attendance in the proposed ordinance were the same as the current code. Duncan told of allowed absences before needing formal excusal by the Assembly. Mosher desired the number of allowed remote meetings to remain the same and stressed the importance of elected officials being present. Eisenbeisz called attention to the requirement of videoconference participation as opposed to telephonic participation allowed in the current code.
- A motion was made by Knox 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
- I**     [ORD 22-12](#)           Amending Title 4 “Revenue and Finance” of the Sitka General Code by adding a new subsection to Chapter 4.09 “Sales Tax” to establish a consumer’s sale tax on marijuana and marijuana products, in place of the existing consumer’s sales tax; and amending Chapter 4.25 “Student Activities Dedicated Travel Fund” such that the tax proceeds will be deposited into and disbursed from that fund for extracurricular student activities; and submitting the question of such amendment to the qualified voters at the regular election on October 4, 2022
- From the public, Michelle Cleaver spoke in opposition. Those speaking in support of the ordinance were Rich Krupa, Jeremy Strong, Amy Ainslie, and Mindy Bartolaba.
- Mayor Eisenbeisz referenced testimony comments regarding business donations and fundraising. He felt he should mention he’s a business owner. Deputy Mayor Knox ruled no conflict.
- Sponsors Knox, Mosher, and Himschoot spoke to the ordinance and identified key differences from the ballot proposition brought forward in 2021: elimination of standard city sales tax, dedicated single marijuana and marijuana products point of sale consumer tax, graduated rate structure over a three-year period of 6%, 8%, and 10%.

additional language clarifying that the senior sales tax exemption would not apply, and further clarification of dedicated revenue to the Sitka School District Student Activities Fund. Municipal Attorney Hanson reminded the Student Activities Fund was not exclusive to travel but rather an extracurricular fund. Members discussed ways in which the monies may be used and reiterated the importance of activities. Himschoot stated the overarching goal was to reduce costs associated with participating in activities and added, that in an ideal world, activities would be free to students. Many members expressed a desire to ensure the funds would be used in addition to, and not in replacement of, funds the School District had already allocated for student activities. Knox indicated further clarification could be made by way of an amendment if that was the desire of the body.

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

**Yes:** 6 - Christianson, Knox, Mosher, Himschoot, Duncan, and Miller

**No:** 1 - Eisenbeisz

- J**     [ORD 22-10](#)     Adopting budgets and capital improvement plan for the General Fund, Internal Service Funds, and Special Revenue Funds for the fiscal year July 1, 2022 through June 30, 2023

Administrator Leach provided a summary. Assembly members thanked Leach and the staff for their work.

**A motion was made by Knox 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

- K**     [ORD 22-11](#)     Adopting the budget and capital improvement plan for Enterprise Funds for the fiscal year July 1, 2022 through June 30, 2023, amending rates in Title 15 "Public Utilities" of the Sitka General Code and adopting moorage rates and other harbor fees

**A motion was made by Mosher 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**

- L**     [RES 22-14](#)     Supporting the Alaska State Legislature House Bill 149 "an act relating to allowing certain child day care providers to organize for the purpose of collective bargaining; and establishing the Child Day Care Provider Fund"

Sponsors Knox and Himschoot spoke to the resolution. Knox stated lack of childcare availability was not only a local issue but state and nationwide adding HB149 could bring great benefit to a sector of the community. Eisenbeisz spoke to the childcare need and wondered how the collective bargaining piece would affect providers in Sitka. Himschoot explained the term was sectoral bargaining - daycare providers bargaining with the state.

Speaking in support of the resolution were Kari Sagel and Annette Evans.

**A motion was made by Himschoot 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

**M**     [RES 22-11](#)

Authorizing the Municipal Administrator to apply for a Denali Commission Grant under the Transportation Program Area for \$870,000 with an in-house staff time and resource match of \$99,480 to support haulout infrastructure at the Gary Paxton Industrial Park (GPIP)

Administrator Leach and Garry White, Gary Paxton Industrial Park Board Director, told of the continued grant work for a haulout solution in Sitka.

From the public, Linda Behnken and Jeremy Serka spoke in support.

**A motion was made by Duncan 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

**N**     [RES 22-12](#)

Authorizing the Municipal Administrator to apply for a Denali Commission Grant under the Infrastructure Program Area for \$870,000 with an in-house staff time and resource match of \$99,480 to support haulout infrastructure at the Gary Paxton Industrial Park (GPIP)

Administrator Leach noted this was the same grant program, however, a different program area than the previous grant.

**A motion was made by Duncan 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

**O**     [RES 22-15](#)

Authorizing the Municipal Administrator to apply for a Maritime Administration, Department of Transportation (DOT) Port Infrastructure Development Program (PIDP) Grant for \$7,842,488 with a 20% match commitment to support the reconstruction of the sheet pile wall and crane at the Marine Service Center (MSC)

Linda Behnken and Jeremy Serka spoke in support.

**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

**XIII. PERSONS TO BE HEARD:**

None.

**XIV. REPORTS**

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

Mayor - Eisenbeisz told of attendance at the Seatrade Cruise Global event and Washington DC lobbying trip.

Administrator - Leach reported on the Washington DC lobbying trip, stated Coffee with the Administrator was scheduled for May 17, told of financial transparency features on the City website, and announced Environmental Superintendent Shilo Williams had received the System Manager of the Year Award.

Attorney - Hanson reviewed projects and thanked staff for their work.

Liaison Representatives - Mosher reported on the Climate Action Task Force, Miller on the Library Commission, Knox on the Parks and Recreation Committee, Duncan on the Police and Fire Commission and Sitka Bear Task Force, and Himschoot on the School Board and Tree and Landscape Committee.

Clerk - Peterson told of vacancies on boards/commissions and reviewed the seats to be filled in the upcoming 2022 regular municipal election.

**XV. EXECUTIVE SESSION**

None.

**XVI. ADJOURNMENT**

**A motion was made by Knox to ADJOURN. Hearing no objections, the meeting ADJOURNED at 9:12p.m.**

**ATTEST: \_\_\_\_\_**

**Sara Peterson, MMC  
Municipal Clerk**