



# CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS  
330 Harbor Drive  
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 Michelle Putz*

*Municipal Administrator: Mark Gorman  
Municipal Attorney: Robin L. Koutchak  
Municipal Clerk: Colleen Ingman, MMC*

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Tuesday, February 24, 2015

6:00 PM

Assembly Chambers

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### REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

**Present:** 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

**Absent:** 1 - Miyasato

IV. CORRESPONDENCE/AGENDA CHANGES

Mayor mentioned that Item M had been previously pulled from tonight's agenda.

A [15-019](#) Reminders and Calendars

V. CEREMONIAL MATTERS

None.

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

None.

VII. PERSONS TO BE HEARD

None.

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

Mayor - Attended meetings in Juneau: The Alaska Municipal League (AML) board meeting, the Alaska Conference of Mayors, and the AML Legislative Fly-In. There was a lot of information shared by the AML Lobbyist, Ray Gillespie. We also heard from Senator Murkowski and key legislators from both the House and Senate. The messages were similar to what we heard during our early February trip to Juneau. We spent an afternoon at a crowded forum on the Marijuana legislation. SB 30 is the bill to watch for this issue. My main take-away from the three days was not to expect increases in state revenue this year. Instead, the focus will be on making major cuts. Next year will likely be more talk about how to find more revenue. I did not hear any hope about oil price increases saving the day in the final hour as in past years.

I enjoyed an afternoon at Blatchley Middle School watching the Discovery Week performances and viewing the project displays. This appears to be a popular annual event for both students and guest teachers.

Matt Hunter, Steven Eisenbeisz, and I met with Mark Gorman, Rob Allen and Jay Sweeney to discuss the Sitka Community Hospitals current situation, board structure and possible avenues for strengthening the Assembly's fiduciary ability in overseeing its operations.

Senator Dan Sullivan was in town Friday and I attended the Chamber lunch and then he met with us at the city office. I will be Lobbying in DC first week of March and then 3rd week in Miami with the cruise industry.

Administrator - Filled the Planner I position with Carol Gibb. Possibility of herring fishery going coop this year - that will impact sales tax collection. The Municipal Solutions recommendations will be posted on the website. Issuing an RFP for our permanent fund. Took a tour of our community jail and was pleased. The state administration plans to remove some funding support.

Attorney - Past week working on lease issues for both Delta and Alaska Airlines. The Alcoholic Beverage Control Board adopted an emergency regulation early today, defining what a "public place" is in relation to marijuana consumption. The measure gave the ABC Board authority to define a "public place," in which marijuana use is barred. The board unanimously voted to define "public place" as the same definition that exists in criminal law. That includes highways, schools, businesses, parks, playgrounds and other areas not designed for residence. The emergency regulation will remain in effect for 120 days, or until the Legislature passes a law that includes a definition of a public place. Ours is more strict than what the state came up with.

Liaisons - Putz spoke to the Tree and Landscape moving forward and are looking at Katlian Street improvements. A Tree and Landscape ordinance is coming forward soon. She participated in the Investment Advisory Committee and learned that we need to address our Permanent Fund because we are taking out more than we can afford.

Clerk - Mentioned that we are in the process of refilling the Employment Relations Board (ERB) Board. An employee election will be held this week with Mo McBride running unopposed. If John Host is appointed tonight than those two will choose the third person who will chair the board.

**IX. CONSENT AGENDA**

- B**     [15-014](#)            Approve the minutes of the February 10, 2015 Assembly meeting.
- A motion was made by Hunter to APPROVE the Consent Agenda consisting of Items B, C, E, F, & G. The motion CARRIED by a 6-0 roll call vote.**
- C**     [15-013](#)            Appointments CONSENT:  
I) Employment Relations Board Appoint One - John Holst  
II) Historic Preservation Commission (STA Appointment) - Robert Sam, Mike Miller (Alternate)
- E**     [RES 15-09](#)         Requesting the North Pacific Fishery Management Council reduce Halibut bycatch in the Gulf of Alaska and Bering Sea Trawl Fisheries by lowering Halibut prohibited species catch CAPS by not less than 50% of the current limits. And further requesting that Governor Walker make his nominations of Alaskans to serve on the North Pacific Council contingent on a mandate to reduce the quantity of Halibut bycatch in the Gulf of Alaska and Bering Sea Trawl Fisheries by not less than 50% of the current limits
- F**     [15-016](#)            Approve Professional Services Contract to LEI Engineering & Surveying for Nelson Logging Road Upgrade - Phase I and authorize the Administrator to approve future amendments to complete final design & permitting upon completion of Phase I - not to exceed \$117,360.00
- G**     [15-018](#)            Approve and enter into a Professional Services Contract with Microsoft to host the CBS email system as well as standardize Microsoft software across the City
- D**     [15-015](#)            Appointments NON-CONSENT: Planning Commission Appoint One (unexpired term): 1) John Welsh, 2) Scott K. Saline, 3) Shelia Finkenbinder, 4) Ralph K. Ash, 5) Mary-Jane (Emjay) Messinger, 6) Alexandria Jajduch, and 7) Randy Hughey
- Mayor McConnell recused herself because one of the applicants is her employer.
- Eisenbeisz noted that several applications were not complete and did not include any letters of interest, or resume etc., he cannot support an applicant that doesn't submit the required documentation or if their submittal isn't legible. Deputy Mayor Hunter added, they do have some very fine candidates. Putz encouraged candidates not appointed to apply for other commission vacancies.
- A vote was taken and Randy Hughey received four votes from Deputy Mayor Hunter, Guevin, Putz and Swanson and was appointed to the Planning Commission to serve the unexpired term.**

**X. UNFINISHED BUSINESS:**

- H**     [ORD 15-03A](#)     Plans to issue a Request for Proposal(s) for an entity(ies) to take on the responsibilities for planning, coordinating, promoting and executing all phases of conventions, tourism and marketing for Sitka. Formally dissolving the Sitka Convention and Visitor's Bureau under the City's oversight once the Request for Proposal(s) is awarded. The CBS will provide a percentage of bed tax revenues for funding purposes

Philip Ruppell, an employee of the Sitka Convention and Visitor's Bureau wanted to know whether for-profit entities could apply and if the city could use public bed taxes to fund a profitable entity. He was also curious how this might better serve the community based on what is being done now.

Hunter believes eligible entities would include for-profit businesses. Gorman added the intent was for both non and profits to apply. Bed Tax Funds are provided to the private sector currently. Eisenbeisz did not want to make it exclusive to one group. He will support whomever can market Sitka the best. Putz envisioned this route will better serve the community as we have an ordinance currently that is no longer being followed. Eisenbeisz expressed his current concerns with the lack of documentation on how the public funds are currently being spent and also expressed concern about the amount of municipal property that has been donated to the Sitka Convention and Visitor's Bureau.

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

**Yes:** 5 - McConnell, Hunter, Swanson, Guevin, and Putz

**No:** 1 - Eisenbeisz

**Absent:** 1 - Miyasato

- I**     [ORD 15-06A](#)     Adding a new title to Sitka General Code entitled "Title 7, Marijuana Regulations" to regulate and tax the use, possession, manufacture and sale of marijuana as well as provide penalties for violation as defined in Chapter 7.30, Section 7.30.010 entitled "Public Consumption"

Jere Christner had questions about the exemption it doesn't elaborate or is not clear. Hunter explained that this is the very first piece of getting legislation into code and we needed to move forward with something. This clause anticipates future legislations, regulatory board etc., it doesn't create one now because we are not ready yet. Putz wondered if a rented hotel room is considered a private space. Municipal Attorney responded only if the hotel allows smoking.

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

**Yes:** 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

**Absent:** 1 - Miyasato

- J**     [ORD 15-07](#)     Amending Sitka General Code Title 15 "Public Utilities" by adding a

new Chapter 15.07 entitled "Storm Drainage"

Eisenbeisz thought with our rainfall we would already have this in place, we don't but we are about to.

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

**Yes:** 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

**Absent:** 1 - Miyasato

## XI. NEW BUSINESS:

### New Business First Reading

- K**     [ORD 15-08](#)     Amending SGC Title 22 Zoning under Chapter 22.20 Supplemental District Regulations and Development Standards and updating Chapter 22.16 District Regulations, Table 22.16.015-1 to allow for and regulate accessory dwelling units (ADUS) as a permitted or conditional use

Hunter mentioned that no one has applied yet but this would make housing more affordable for people and he hopes making it less restrictive will get these units started. Eisenbeisz is glad to find a way to make it easier on folks and hopes they will take advantage.

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

**Yes:** 6 - McConnell, Hunter, Swanson, Eisenbeisz, Guevin, and Putz

**Absent:** 1 - Miyasato

- L**     [ORD 15-09](#)     Amending SGC Chapter 2.38 "Gary Paxton Industrial Park Board" at Section 2.38.080 (A)7(a) "General Powers"

**The motion to pass the ordinance on first reading FAILED.**

**Yes:** 2 - Guevin, and Putz

**No:** 4 - McConnell, Hunter, Swanson, and Eisenbeisz

**Absent:** 1 - Miyasato

- M**     [ORD 15-10](#)     An Ordinance of the City and Borough of Sitka Amending Title 15 of the Sitka General Code to Increase Wastewater Rates at Sections 15.05.240 A entitled "service Connection Charge, 15.05.620 entitled Rates and Fees and to increase wastewater rates at Sections 15.04.100 entitled Service Connection Charge, 15.04.320 entitled Rates and Fees

**This item was PULLED prior to the meeting and not introduced.**

### Additional New Business Items

- N**     [15-017](#)                    Discussion/Direction on assigning the Health Needs and Human Services Commission the task of organizing a town hall meeting to discuss the health aspects of marijuana and reporting their findings back to the Assembly

Mayor explained that the commission was willing and would focus on the health aspects. Putz understands it as just holding one town hall meeting with a panel talking about marijuana and whether it is good for you or not. The panel would be made up of public members with experience on the subject and facilitated by Doug Osborne. Eisenbeisz offered that the intent was to have an open forum for people to discuss health concerns or benefits then report back to us on their findings. Gorman brought up that last week the city was formally approached by a business owner who wants to establish a commercial growth area and therefore Sitka needs to have some community discussion(s). No motion was made or vote taken.

**XII.    PERSONS TO BE HEARD:**

Nancy Yaw Davis read a prepared statement and was disappointed there wasn't an out pouring of citizens opposing this. She added she doesn't support the \$100 fine, it is too small. She provided a written statement.

**XIV.    ADJOURNMENT**

**A motion was made by Hunter that this meeting be ADJOURNED. The motion PASSED without objection and the meeting adjourned at 7:10 PM.**

**ATTEST:**

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**Colleen Ingman, MMC**  
**Municipal Clerk**