



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, April 26, 2016

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Assembly Member Potrzuski participated by Skype.

Present: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

IV. CORRESPONDENCE/AGENDA CHANGES

[16-083](#)

Reminders, Calendars and General Correspondence

Mayor McConnell noted Item M had been pulled from the agenda.

V. CEREMONIAL MATTERS

[16-076](#)

Service Awards - Citizens' Taskforce Members

Awards were read and presented to the Citizens' Taskforce Members. The Assembly thanked them for their work.

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

School Board President, Tim Fulton, provided an update to the Assembly.

[16-082](#)

Convention and Visitor Services Update - Rachel Roy

Rachel Roy, Executive Director of the Greater Sitka Chamber of Commerce, summarized Convention and Visitor Services activities, specifically the 3-year Strategic Marketing Plan, the Branding and Wayfinding Project, and the work of the Convention and Visitor Services Committee. Rich Riggs, Chamber President, announced the first cruise ship was scheduled to arrive May 9 and a "Welcome to Sitka" event was planned.

VII. PERSONS TO BE HEARD

Garry White, Executive Director of the Southeast Economic Development Association, announced the Sitka Economic Forum would be held May 17 at the Sheet'ka Kwaan Naa Kahidi.

VIII. REPORTS

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

Mayor - reported on the April 15th ceremony at the Fire Hall honoring the U.S. Coast Guard for their response efforts in the August 2015 Sitka area landslides and announced she was attending the AML Board meeting May 17th.

Administrator - Gorman reported union negotiations had begun and asked Public Works Director, Michael Harmon, to come forward and provide an update on the water main break in the 4100 to 5300 block of Halibut Point Road.

Attorney - Schmid reported on ongoing negotiations with Silver Bay's attorney in an effort to develop language to protect the City's interests for a couple of leases at the Gary Paxton Industrial Park. Schmid also informed the Assembly she was working closely with the Library Director to develop a code of conduct for Library users. Schmid reported parents were leaving their children unsupervised at the Library.

Liaisons - Miyasato reported on recent topics of the Parks and Recreation Committee, Guevin recognized the Sitka Youth Leadership Committee and their efforts in organizing the Hands Across Sitka event, and Hunter relayed the Port and Harbors Commission would be discussing goals at their May 11th meeting.

IX. CONSENT AGENDA

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

A [16-074](#) Approve the minutes of the April 7 and April 12 Assembly meetings

This item was APPROVED ON THE CONSENT AGENDA.

B [16-069](#) Approve a liquor license application for a transfer of location (from 326 Lincoln Street to 321-B Lincoln Street) for House of Liquors, Inc. dba Salty Sal's Liquor Cabinet

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

- C** [16-073](#) Approve Amendment No. 1 to the Northern Southeast Regional Aquaculture Association lease agreement as recommended by the Gary Paxton Industrial Park Board and authorize the Municipal Administrator to execute the document

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

- D** [RES 16-08](#) Supporting the City's application to the Alaska Federal Lands Access Program (FLAP) grant program for \$2,000,000 for construction of phase 6 of the Cross Trail Multimodal Pathway in 2019

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

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- E** [16-075](#) Reappoint Tamie (Harkins) Parker Song to a term on the Planning Commission and Appoint: 1) Scott Saline to a term on the Historic Preservation Commission, and, 2) Allison Massey to a term on the Parks and Recreation Committee

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

XI. UNFINISHED 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"

Speaking in support of the ordinance were: Loyd Platson, Don Jones, Carin Adickes, Matthew Jackson, Alene Henning, Tamie Parker Song, Doug Osborne, and Eric Jordan.

Testifying in opposition to the ordinance were: Sigurd Rutter and Michael Peters.

Assembly Members asked clarifying questions. Police Chief, Sheldon Schmitt, noted there would be a public education period.

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

Yes: 5 - McConnell, Hunter, Miyasato, Guevin, and Potrzuski

No: 2 - Swanson, and Eisenbeisz

- G** [ORD 16-09](#) Adjusting the FY16 Budget

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

H [ORD 16-10](#)

Amending the City and Borough of Sitka Personnel Policies Handbook to allow the Municipal Administrator, for budgetary reasons, to change daily hours of work and the workweek and establish furlough days

Reber Stein spoke in opposition to the ordinance and noted furloughs were a poor management tool.

Administrator Gorman recognized concerns and stated this was a tool to be used judiciously and equitably. He noted workplace moral was low and stated furloughs was a gentler approach as opposed to layoffs. Guevin believed furloughs were not the best mechanism to balance a budget and wished to see what resulted from pending union negotiations and allow the collective voice of the workforce to be heard. Hunter expressed appreciation for the City and Borough of Sitka staff and their work. He stated reductions were difficult, and if necessary, would prefer to have furloughs rather than layoffs. McConnell reminded the Administrator would need approval from the Assembly to impose furloughs or a reduced workweek. The changes to the ordinance simply allowed for the flexibility of furloughs or a reduced workweek. Gorman noted the Assembly had previously approved General Fund reductions of approximately \$804,000 which included \$200,000 in workforce wages. Assembly members sympathized with staff and recognized the challenges of the fiscal situation. Gorman acknowledged these were not easy or comfortable decisions for anyone involved to make. He reiterated that furloughs or a reduced workweek would ultimately require Assembly approval. He concluded by saying, if approved, they would be used judiciously and equitably.

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

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Potrzuski

No: 1 - Guevin

I [ORD 16-11](#)

Amending Sitka General Code Title 22 "Zoning" by amending Chapter 22.08 "Definitions" by adding Section 22.08.587 "Marijuana", amending Section 22.16.015 "Permitted, Conditional and Prohibited Uses", and amending Chapter 22.24 "Special Use Permits" by adding Section 22.24.026 "Marijuana Conditional Use Permits"

Potrzuski spoke in support of the conditional use process and noted the process would be a good way for the community and City to monitor marijuana activities.

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

J [ORD 16-12](#)

Amending Chapter 3.16 "Procurement Policy" of the Sitka General Code to allow the Municipal Administrator to create detailed purchasing procedures for municipal staff based on and subject to these policies. Further, this revised policy will allow the Municipal Administrator to update

municipal procurement procedures on a regular basis

Guevin shared concern that this ordinance would eliminate the public process of contracts coming before the Assembly. Eisenbeisz echoed the same concern.

Gorman stated the current contracting process significantly slowed down efficiencies for staff and put the City and Borough of Sitka (CBS) at a disadvantage for purchasing capacity.

Public Works Director, Michael Harmon, noted the policy would afford the municipality to conduct business in a more productive, modern, consistent and professional manner. Utility Director, Bryan Bertacchi, reiterated that the process would be significantly streamlined and allow staff to devote time to other work. Harmon noted the Public Works monthly report could be restructured to include progress on ongoing contracts and list awarded contracts.

Hunter spoke in support of the ordinance and stated if the project was in the budget, and below or under budget, staff could proceed with the task they'd been given. If over budget, it would need to come back before the Assembly. He stated it was a way to cut bureaucracy, increase productivity, and still respect authority for spending.

Guevin noted his biggest concern was transparency and wished to see a list of contracts available for public viewing. Gorman and staff stated this was achievable.

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

XII. NEW BUSINESS:

New Business First Reading

K [ORD 16-13](#) Adjusting the FY16 Budget

Chief Finance and Administrative Officer, Jay Sweeney, answered questions related to the two budget adjustment items: 1) a request from Sitka Community Hospital for a reappropriation of \$93,074, and 2) a \$50,000 appropriation of Commercial Passenger Excise Tax funds required to pay for the costs of bus transportation of cruise ship visitors.

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

L [ORD 16-14](#) Amending Sitka General Code Title 22.16.015 "Permitted, Conditional and Prohibited Uses" to allow short-term rentals in the public zone as a conditional use

Tim Fulton spoke in support of the ordinance and offered it could result in increased opportunities for visitors and economic development.

Guevin spoke to sanitation concerns. He also hoped that passage of this ordinance wouldn't result in liveaboards being taken off the market for year round residents.

Hunter stated this idea had come before the Port and Harbors Commission. The Commission had stressed the importance of safety, visitors being familiar with the boat, and harbor surroundings.

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

Yes: 7 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, Guevin, and Potrzuski

- M [ORD 16-15](#) Amending Title 15 of the Sitka General Code by adding a new Chapter 15.15 entitled "Community Assisted Utility Subsidization Effort" (first reading)

This item was pulled from the agenda.

Additional New Business Items

- N [16-070](#) Discussion/Direction/Decision on the recruitment for a Municipal Attorney

Human Resources Director, Mark Danielson, presented hiring schedule options. The following was decided: review of applications at a Special meeting on June 14 and Skype interviews the week of June 20 and June 27.

XIII. PERSONS TO BE HEARD:

None.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 9:40pm.

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk