

# CONSENT AGENDA

## POSSIBLE MOTION

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I MOVE TO APPROVE THE CONSENT AGENDA  
CONSISTING OF ITEM A.

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 December 27  
Assembly meeting minutes.



# 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 Mosher,  
Vice Deputy Mayor Crystal Duncan,  
Thor Christianson, Chris Ystad,  
Timothy Pike, JJ Carlson*

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

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Tuesday, December 27, 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:** 6 - Christianson, Mosher, Eisenbeisz, Ystad, Pike, and Carlson

**Absent:** 1 - Duncan

V. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

[22-187](#)

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)**

Tribal Council Chairman Woody Widmark provided a summary of action items from their December 7 and December 14 meetings.

**VIII. PERSONS TO BE HEARD**

Richard Wein requested a report on Blue Lake water sales, offered condolences to Ryan Silva's family, and suggested the Assembly send out ordinances for review prior to hearings.

**IX. CONSENT AGENDA**

**A**     [22-184](#)            Approved the December 13 Assembly meeting minutes

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

**Yes:** 6 - Christianson, Mosher, Eisenbeisz, Ystad, Pike, and Carlson

**Absent:** 1 - Duncan

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

**B**     [22-185](#)            Appoint Andrew Callistini to an unexpired term on the Port and Harbors Commission

Richard Wein commented.

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

**Yes:** 6 - Christianson, Mosher, Eisenbeisz, Ystad, Pike, and Carlson

**Absent:** 1 - Duncan

**C**     [22-186](#)            Reappoint: 1) Christopher Spivey to a three-year term on the Planning Commission, 2) Joseph D'Arienzo to a three-year term on the Tree and Landscape Committee, 3) Scott Wagner to a three-year term on the Local Emergency Planning Commission, and 4) Jeff Budd to a three-year term on the Library Commission

Richard Wein commented.

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

**Yes:** 6 - Christianson, Mosher, Eisenbeisz, Ystad, Pike, and Carlson

**Absent:** 1 - Duncan

**XI. UNFINISHED BUSINESS:**

None.

**XII. NEW BUSINESS:**

**New Business First Reading**

- D**     [ORD 22-31](#)     Amending Title 6 “Business Licenses and Regulations” of the Sitka General Code by updating Chapter 6.19 “Regulation of Commercial Operators Selling Organized Excursions or Renting Equipment for Organized Excursions and Loading/Unloading Commercial Vehicles” regarding the electric vehicle incentive
- Richard Wein and Neil McDermott commented.
- Members spoke about the incentive and alignment with the City's Strategic Plan.
- A motion was made by Christianson that this Ordinance be APPROVED ON FIRST READING. The motion PASSED by the following vote.**
- Yes:** 6 - Christianson, Mosher, Eisenbeisz, Ystad, Pike, and Carlson
- Absent:** 1 - Duncan
- E**     [ORD 22-32](#)     Amending Title 6 “Business Licenses and Regulations” of the Sitka General Code by updating Chapter 6.19 “Regulation of Commercial Operators Selling Organized Excursions or Renting Equipment for Organized Excursions and Loading/Unloading Commercial Vehicles” by increasing the permit fee for thirty or more passenger vehicles
- From the public, the following commented on the ordinance: Michelle Barker, Richard Wein, Don Kluting, Trudy Prewitt, Bruce Conine, Harry Lysons, Neil McDermott, and John Dunlap.
- A discussion ensued. Christianson, Pike, and Carlson speaking in support, said the ordinance was a start in the right direction for mitigating impacts to the Harrigan Centennial Hall building. Mosher suggested waiting until the end of the 2023 tourist season before making amendments. Eisenbeisz noted while one business was being targeted, other companies would be affected. Ystad reminded buses were integral to operations and could to bring many visitors to the town. He cautioned companies might look for alternative drop-off locations, thus eliminating permit revenue.
- A motion was made by Christianson that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote. (Note: Section 3.02 of the Home Rule Charter states unless an ordinance is rejected by the affirmative votes of not less than a majority, the ordinance shall move to second reading.)**
- Yes:** 3 - Christianson, Pike, and Carlson
- No:** 3 - Mosher, Eisenbeisz, and Ystad
- Absent:** 1 - Duncan
- F**     [ORD 22-33](#)     Amending Title 6 “Business Licenses and Regulations” of the Sitka General Code by updating Chapter 6.19 “Regulation of Commercial Operators Selling Organized Excursions or Renting Equipment for Organized Excursions and Loading/Unloading Commercial Vehicles”

regarding term of permit

Richard Wein, Bruce Conine, Harry Lysons, Michelle Barker, Neill McDermott, and Andy Nye commented.

Municipal Attorney Hanson explained the ordinance. He reminded designation and assignment of spaces was left to the Harrigan Centennial Hall Manager as approved by the Municipal Administrator each year. The purpose was to increase the permit term from one year to three years and provide a staggered amount of years for the initial offering. Each year, only a portion of the available permits would be available to allow new vendors to bid.

Members discussed. Some preferred to forego amendments and revisit the issue after the 2023 tourist season. Eisenbeisz cautioned the amendment could open up staff to a very passionate response from vendors when that response should be directed to the Assembly.

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

**Yes:** 6 - Christianson, Mosher, Eisenbeisz, Ystad, Pike, and Carlson

**Absent:** 1 - Duncan

**G**     [ORD 22-34](#)

Amending Title 6 "Business Licenses and Regulations" of the Sitka General Code by updating Chapter 6.19 "Regulation of Commercial Operators Selling Organized Excursions or Renting Equipment for Organized Excursions and Loading/Unloading Commercial Vehicles" by changing from sealed bid to open outcry auction

From the public, Michelle Barker, Richard Wein, Bruce Conine, Neil McDermott, and Andy Nye commented.

Municipal Attorney Hanson clarified a business representative could bid, with the owner's permission, if the owner couldn't to attend the auction. For risk management reasons, Municipal Administrator Leach requested to hire a professional auctioneer if the ordinance was approved. Eisenbeisz told of feedback received from citizens expressing concern about intimidation and fear with an outcry auction. Christianson and Ystad, sponsors, reminded citizens at the last meeting voiced support for an outcry auction.

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

**Yes:** 5 - Christianson, Mosher, Ystad, Pike, and Carlson

**No:** 1 - Eisenbeisz

**Absent:** 1 - Duncan

**XIII. PERSONS TO BE HEARD:**

Don Kluting spoke about permitting at Harrigan Centennial Hall (HCH), the inequities, past funding sources for the renovation of the building, and access issues to the boat launch in the back of HCH. Bruce Conine commented on the proposed bidding process for vendors at HCH and the maximum number of vendors allowed. Karen

Lucas spoke to HCH permits, lack of Christmas lights on the downtown street posts, and solid waste issues. Richard Wein commented on HCH permitting and suggested capping tourism. Andy Nye and Neil McDermott commented on HCH permitting, urged the community to work together, and mentioned small business challenges. Speaking as a member of the public, Kevin Mosher thanked the public for their comments and spoke to the importance and reasons for a 3-minute time limit per individual for public testimony.

**XIV. REPORTS**

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

Administrator - Leach announced that quarterly reports from various departments would be included in the correspondence section of assembly packets starting the new year. He also showed photos of recent damage to the Moller Field men's restroom.

Attorney - Hanson reported on his attendance at the Alaska Municipal Attorneys conference.

Liaison Representatives - Ystad reported on the Port and Harbors Commission meeting.

Clerk - Peterson reviewed the January meeting schedule.

**XV. EXECUTIVE SESSION**

None.

**XVI. ADJOURNMENT**

**A motion was made by Mosher to ADJOURN. Hearing no objections, the meeting ADJOURNED at 8:45pm.**

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

**Sara Peterson, MMC  
Municipal Clerk**