

# **CONSENT AGENDA**

## **POSSIBLE MOTION**

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**I MOVE TO APPROVE THE CONSENT AGENDA  
CONSISTING OF ITEMS A, B, & C**

**I wish to remove Item(s) \_\_\_\_\_**

**REMINDER – Read aloud a portion 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  
April 10 and April 24 Assembly meetings.



# CITY AND BOROUGH OF SITKA

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

## Minutes - Draft

### City and Borough Assembly

*Mayor Matthew Hunter  
Deputy Mayor Steven Eisenbeisz,  
Vice Deputy Mayor Bob Potrzuski,  
Aaron Bean, Kevin Knox, Dr. Richard Wein,  
Benjamin Miyasato*

*Municipal Administrator: Keith Brady  
Municipal Attorney: Brian Hanson  
Municipal Clerk: Sara Peterson*

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Tuesday, April 10, 2018

6:00 PM

Assembly Chambers

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#### WORK SESSION 5:00-5:50PM Sitka Comprehensive Plan 2030

**18-079** Sitka Comprehensive Plan 2030

Staff provided a presentation on the 2030 Sitka Comprehensive Plan.

#### REGULAR MEETING

##### I. CALL TO ORDER

##### II. FLAG SALUTE

##### III. ROLL CALL

**Present:** 6 - Miyasato, Potrzuski, Hunter, Knox, Bean, and Wein

**Absent:** 1 - Eisenbeisz

##### IV. CORRESPONDENCE/AGENDA CHANGES

**18-078** Reminders, Calendars and General Correspondence

No agenda changes.

##### V. CEREMONIAL MATTERS

None.

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

**18-077 Special Report - Jeff Ankerfelt, Police Chief**

Chief of Police Jeff Ankerfelt provided an update on happenings at the Police Department, spoke to the police reserve program and commended staff for their dedication and hard work.

**VII. PERSONS TO BE HEARD**

Libby Stortz stated she was disturbed by the recent removal of art from the William Stortz Gallery.

Michelle Mahoney, Executive Director of Sitkans Against Family Violence, and Martina Kurzer, Community Coordinator at Sitkans Against Family Violence, announced April was Sexual Assault Awareness Month. The two read facts about the crime in Sitka, the state, and the nation.

Theresa Weiser spoke to the Chinook by-catch limits.

Kevin Knox speaking as an Assembly Member and citizen, expressed sadness by the events that had transpired leading up to, and after, the removal of an art exhibition at City Hall. He encouraged citizens to seek out information before coming to a conclusion.

**VIII. REPORTS**

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

Mayor - Hunter mentioned he had received a letter from a human rights commission requesting staff to complete a survey grading the community on its welcoming of minority populations. Unless the Assembly felt otherwise staff would not be participating.

Administrator - Brady shared his reasons for removing the art exhibition from the William Stortz Gallery, spoke to the delivery of bulk water, thanked those who had participated in the mass casualty drill, announced the Philippine Consulate General of San Francisco would be in Juneau at the end of April, spoke to his participation in the Economic Summit April 5, announced Spring Clean-up was scheduled for April 14-22, and reported a presentation on earthquake and tsunami awareness would be presented at Harrigan Centennial Hall April 23.

Liaison Representatives - Miyasato reported on the Police and Fire Commission, Wein on the Sitka Community Hospital Board meetings and Gary Paxton Industrial Park Board of Directors, Bean on the Planning commission.

Clerk - Peterson reminded of upcoming meetings and work sessions.

Other - Wein spoke to the William Stortz art gallery show and noted he and Assembly member Bean had directed the Administrator to rehang the artwork.

**IX. CONSENT AGENDA**

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

Yes: 6 - Miyasato, Potrzuski, Hunter, Knox, Bean, and Wein

Absent: 1 - Eisenbeisz

**A 18-075** Approve the minutes of the March 22 Assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

**B 18-074** Approve liquor license renewal applications for Teal West dba Homeport Eatery and Sitka Moose Lodge #1350 dba Loyal Order of Moose #1350

This item was APPROVED ON THE CONSENT AGENDA.

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

None.

**XI. UNFINISHED BUSINESS:**

**C ORD 18-08** Adjusting the FY18 Budget (*Thomsen Harbor Lift Station Rehabilitation Project*)

Assembly members noted the importance of the repairs. Potrzuski shared the pump station had been in service since 1984, operating 24 hours per day 7 days per week, and pumped an average of 1 million gallons per day.

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 - Miyasato, Potrzuski, Hunter, Knox, Bean, and Wein

Absent: 1 - Eisenbeisz

**XII. NEW BUSINESS:****New Business First Reading**

**D ORD 18-15** Amending Sitka General Code Title 19 "Building and Construction"

Chris Duguay, Building Official, explained the intent of the proposed adoption was to mirror the State of Alaska Administrative Code Statutes, provide continuity within the industry, and allow architects, engineers, builders and the general public to be provide with the same "rules of the road" as the rest of the state. Duguay by adopting the

codes, the City would remain in compliance with the State Fire Marshal's Office as a deferred community, maintain a good insurance rating, and be acceptable to the Fire Department. The City would also maintain its approved-city status by Alaska Housing Finance Corporation. Duguay reviewed the amendments.

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

**Yes:** 5 - Miyasato, Potrzuski, Hunter, Knox, and Wein

**No:** 1 - Bean

**Absent:** 1 - Eisenbeisz

**E      ORD 18-09      Adjusting the FY18 Budget (Landslide Study Project)**

Public Works Director Michael Harmon and Municipal Engineer Dan Tadic explained there was information suggesting Keet Gooshi Heen Elementary School was built over slide material. Harmon stated the City had a responsibility to ensure the safety of the children and staff at schools; and a responsibility to protect City facilities. Harmon noted the State was conducting a study but staff didn't feel it would be accurate and could possibly create additional fear. He reiterated that Shannon & Wilson, Inc., was an experienced firm and the findings would help determine risk factors. Municipal Attorney Brian Hanson had followed the issue closely and recommended moving forward with the study. Some members spoke in support of the study and determining the risk factors, others reminded action taken would not eliminate a natural disaster from happening and wondered what remediation efforts would look like if these areas were determined to be in a significant risk areas.

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

**Yes:** 5 - Miyasato, Potrzuski, Hunter, Knox, and Wein

**No:** 1 - Bean

**Absent:** 1 - Eisenbeisz

**F      ORD 18-10      Adjusting the FY18 Budget (Raw Water Infrastructure Enhancement Project)  
*possible executive session***

Members expressed a desire to receive regular updates on the project.

**A motion was made by Wein to direct staff to lift the veil of executive session from the bulk water issue. The motion FAILED by the following vote.**

**Yes:** 1- Wein

**No:** 5- Miyasato, Potrzuski, Hunter, Bean, and Knox

Municipal Attorney Brian Hanson suggested "lifting the veil" had a negative connotation and offered the intent of executive session was to protect the liabilities of the city.

Brady stated the intent was to explore the possibilities to enhance water deliverability.

**A motion was made by Miyasato that this Ordinance be APPROVED on FIRST**

**READING. The motion PASSED by the following vote.**

**Yes:** 6 - Miyasato, Potrzuski, Hunter, Knox, Bean, and Wein

**Absent:** 1 - Eisenbeisz

**G     ORD 18-11     Adjusting the FY18 Budget (SEACAD-JAG Grant)**

Acting Finance Director Melissa Haley confirmed, for clarification, that the date of April 30, 2018 was correct.

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

**Yes:** 6 - Miyasato, Potrzuski, Hunter, Knox, Bean, and Wein

**Absent:** 1 - Eisenbeisz

**H     ORD 18-12     Adjusting the FY18 Budget (TWIC Reader/Software)**

Harbormaster Stan Eliason explained the TWIC program was an important component of the US Coast Guard's multi-layered system of access control requirements designed to enhance maritime security. While the City had received a waiver to delay implementation until March 2019, staff felt it prudent to begin implementation this summer. Eliason clarified anyone could apply for a TWIC card.

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

**Yes:** 6 - Miyasato, Potrzuski, Hunter, Knox, Bean, and Wein

**Absent:** 1 - Eisenbeisz

**I     ORD 18-14     Amending Chapter 4.09 "Sales Tax" of the Sitka General Code by deleting Section 4.09.100.Y "Exemption for Persons who have Reached the Age of Sixty-Five", adding new Section 4.09.130 "Annual Sales Tax Rebate for Persons who have Reached the Age of Sixty-Five" and amending Section 4.09.420 "Definitions"**

Public testimony

John Stein presented a petition asking the Assembly to eliminate the senior sales tax exemption and apply the revenue towards the School District's request for an additional \$594,000.

Those speaking in opposition to the ordinance were Shirley Robards, Harriet Beale, John Duncan, Rachel Moreno, Patricia Alexander, Blossom Twitchell, and Eric Jordan.

In support of the ordinance were Susan Padilla, Stephen Lawrie, Jennifer McNichol, Harvey Brandt, Cindy Litman, and Charles Bingham.

Assembly deliberation

Cosponsors Knox and Potrzuski told of their reasons for bringing the needs based ordinance forward. Knox stated Sitka had a rapidly growing population of those over 65. Of that demographic, there was a sizeable number of individuals who could pay for services enjoyed. He expressed concern of shifting the burden of services enjoyed to

the younger population. In addition, Knox relayed comments from business owners citing there was abuse of the current model. Potrzuski, agreed and noted 100% of the City's property tax was put towards school funding, all other funding was from sales tax. Bean commented a divisive atmosphere was being created among seniors with the introduction of this ordinance. He encouraged the Assembly to look elsewhere to raise money. Wein suggested an alternative was for seniors with the current exemption to opt out of the exemption and reevaluate revenue after a period of time. Hunter stated during his time on the Assembly he had evaluated ways to address the tax code; unfair in his eyes. He offered that Sitkans who were most in need of assistance often were not treated fairly by the tax code. Hunter reminded of the fiscal challenges facing the City and noted the current system was unsustainable.

**A motion was made by Potrzuski that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote. Note: Per the Sitka Home Rule Charter, the only way for an ordinance to die on first reading is if there are four votes in opposition.**

**Yes:** 3 - Potrzuski, Hunter, and Knox

**No:** 3 - Miyasato, Bean, and Wein

**Absent:** 1 - Eisenbeisz

## **J ORD 18-13S**

Amending Chapter 4.24 "Hotel, Motel and Bed and Breakfast Transient Room Tax" of the Sitka General Code by amending the heading to "Transient Lodging Tax" and modifying the provisions by changing structure references to "lodging", and incorporating package plans (*substitute ordinance - 1st reading*)

Mayor Hunter reminded in the summer a visitor currently paid 6% sales tax and 6% bed tax. This ordinance would remove the sales tax and create a new tax, a bed tax at 16% - a net increase of 4% from the 12% in the summers.

### Public testimony

Business owners in the audience testified and were disappointed the industry hadn't been consulted in the development of the ordinance.

Individuals testifying in opposition to the ordinance were Joseph List, Jon Martin, Robert Petrie, Theresa Weiser, and Sherry Aitken.

Those in support were Eric Jordan, Kent Barkhau, Roger Schmidt, and Charles Bingham.

### Assembly deliberation

Cosponsors Hunter and Knox spoke to their intent. They told of the need to generate revenue and explore ways that didn't rest entirely on the backs of Sitkans. Hunter and Knox noted the proposed ordinance stated all transient lodging taxes collected would be deposited into the visitor activities enhancement fund and distributed as follows: 1/8 to the harbor fund; 1/8 to the school district performing arts center special revenue fund; 3/8 to the general fund; and, 3/8 to the visitor activities enhancement fund. Bean spoke in opposition to increasing taxes and cautioned the Assembly in discouraging visitors. Wein spoke in opposition to the ordinance as written and the parsing out of money to various things. Potrzuski stated revenue generation was needed, bottom line. Miyasato was opposed to Sitka becoming the city with the highest bed tax in the state



and suggested amending the ordinance to a lower rate.

**A motion was made by Potrzuski to AMEND the bed tax to 14% and remove the allocations so the entire amount went to the General Fund. The amendment FAILED by the following vote.**

**Yes:** 3 - Potrzuski, Hunter, and Wein

**No:** 3 - Miyasato, Knox, and Bean

**Absent:** 1 - Eisenbeisz

Public testimony on the amendment

Speaking in opposition to the amendment were Jon Martin, Rachel Roy, Sherry Aitken, and Joseph List. In support of the amendment was Eric Jordan.

Assembly deliberation on the amendment

Miyasato believed the amended amount was still too high. Bean cautioned again in making Sitka an even more expensive place to visit. Knox reminded the choices were to raise revenue or cut services. Potrzuski commented things had changed since the creation of the bed tax in 1985. At that time the state was paying for virtually all of our current infrastructure.

**A motion was made by Potrzuski that this Ordinance be APPROVED on FIRST READING. The motion PASSED by the following vote. Note: Per the Sitka Home Rule Charter, the only way for an ordinance to die on first reading is if there are four votes in opposition.**

**Yes:** 3 - Potrzuski, Hunter, and Knox

**No:** 3 - Miyasato, Bean, and Wein

**Absent:** 1 - Eisenbeisz

### **XIII. PERSONS TO BE HEARD:**

Theresa Weiser suggested using a portion of the fish box funds to supply more carts at the airport.

Stephen Lawrie offered support for the senior sales tax exemption proposal and spoke to his disappointment of the artwork being removed from the William Stortz Gallery.

Richard Wein spoke in support of the artwork being rehung in the William Stortz Gallery.

John Duncan spoke to his disappointment of the Assembly not unanimously supporting the recent subsistence herring resolution. In addition, he noted by raising taxes, the Assembly would be driving people out of Sitka.

### **XIV. EXECUTIVE SESSION**

None.

### **XV. ADJOURNMENT**

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 10:28pm.

ATTEST: \_\_\_\_\_  
Sara Peterson, MMC  
Municipal Clerk



# CITY AND BOROUGH OF SITKA

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

## Minutes - Draft

### City and Borough Assembly

*Mayor Matthew Hunter  
Deputy Mayor Steven Eisenbeisz,  
Vice Deputy Mayor Bob Potrzuski,  
Aaron Bean, Kevin Knox, Dr. Richard Wein,  
Benjamin Miyasato*

*Municipal Administrator: Keith Brady  
Municipal Attorney: Brian Hanson  
Municipal Clerk: Sara Peterson*

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Tuesday, April 24, 2018

6:00 PM

Assembly Chambers

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#### WORK SESSION 5:00-5:50 PM Critical Secondary Water Supply Evaluation

**18-092** work session materials - critical secondary water source

Environmental Superintendent Shilo Williams introduced Rebecca Venot with CRW who presented the evaluation on the critical secondary water supply.

#### REGULAR MEETING

This meeting recessed at 11:28 p.m. on April 24 and reconvened on April 25 at 6:00 p.m.

#### I. CALL TO ORDER

#### II. FLAG SALUTE

#### III. ROLL CALL

**Present:** 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

#### IV. CORRESPONDENCE/AGENDA CHANGES

Mayor Hunter noted that ordinance 2018-13 transient lodging tax was not on the agenda, it was pulled by the sponsors for further legal review and that school funding would be discussed at a special meeting on May 2nd. Item K was moved prior to item E.

**18-093** Reminders, Calendars, and General Correspondence

#### V. CEREMONIAL MATTERS

None.

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

**18-087**

Special Reports: 1) Hospital RFP Consultants, Steve Huebner and Sarah Cave, and 2) Harrigan Centennial Hall Building Manager, Don Kluting

Hospital RFP Consultants Steve Huebner and Sarah Cave gave an update and a summary of the work that was facilitated from the meeting last week which included guiding principles, prioritized goals for affiliation and description, and of interested parties. Harrigan Centennial Hall Building Manager Don Kluting gave a report on accomplishments in the last year, history of operations including a comparison of the old building, and on the upcoming summer season. Representative Johnathan Kreiss-Tompkins gave an update on the Legislative Session that was starting to come to a close.

**VII. PERSONS TO BE HEARD**

Valorie Nelson told of concerns of time restrictions for the public and was opposed to time limits. Kevin Mosher had concerns with general tax and fee increases. Matt Donohoe stated concerns with time restrictions and commercial fishing specifically trolling in Sitka. Jeremy Downie encouraged the Assembly to look at budget cuts and creative ways for budgeting. Dale Bartelds had concerns of taxes on fishing. Ann Bills had concerns with roads, funding of a new fire truck, salaried employees, secondary water system, and budget cuts in general. Rachel Roy, Executive Director of Chamber of Commerce told of upcoming event, Chamber luncheon, and of the special report for the May 8th assembly meeting. Debe Brincefield gave support for senior citizens. Carol Odess stated support for the Performing Arts Center (PAC). Mike Davidson had concerns with increased utility costs and questioned the customer fee associated with it. Pat Kehoe stressed the value of the PAC. Karen Lucas requested a Town Hall meeting to help resolve issues. Benjamin Miyasato encouraged pedestrian awareness especially in crosswalks. Richard Wein told of concerns with Alaska Airline flight cuts, fishing, state funding, taxes, and fees. Linda Marlin stated concerns of utilities, garbage pickup, and costs. Jennifer Carter had concerns of a PAC closure. Roger Schmidt thanked the Assembly and spoke in support of education and the PAC.

**VIII. REPORTS**

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

Administrator - Brady reported on his presentation to Rotary and a prescription drug take back event.

Liaison Representatives - Miyasato reported on the Historic Preservation Commission meeting. Dr. Wein on a float plane dock meeting, Local Emergency Planning Commission meeting, and Health Needs and Human Services Commission meeting. Potrzuski and Dr. Wein reported on the Gary Paxton Industrial Park Board of Directors meeting.

**IX. CONSENT AGENDA**

A motion was made by Potrzuski that the Consent Agenda consisting of item A

be **APPROVED**. The motion **PASSED** by a unanimous voice vote.

- A 18-089** Approve the minutes of the March 27, 29, and April 5 Assembly meetings

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

- B 18-090** Approve Health Needs and Human Services Commission member, Jennifer Herrera, to serve as an official City and Borough of Sitka liaison to the H.O.P.E. Coalition

Knox wondered what the representation entailed and wished for more information. Wein reminded of the approval and application from when Ms. Herrera joined the Health Needs and Human Services Commission stating that she offered to be the representative and suggested inviting her back to speak since some Assembly members had questions.

A motion was made by Eisenbeisz that this Item be **POSTPONED** to the next regular assembly meeting and invited Ms. Herrera and Mr. Osborne to speak to the appointment. The motion **PASSED** by the following vote.

Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

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

- C 18-088** Appoint: 1) Wayne Unger to a two-year term on the Gary Paxton Industrial Park Board of Directors, and, 2) Stephen Morse to an unexpired term on the Library Commission

Wein pointed out that Mr. Unger was an employee of Silver Bay Seafoods who were lease holders at Gary Paxton Industrial Park, noted that there was interest in the park, and mentioned any potential conflict. Mayor Hunter thanked the applicants.

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

Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

**XI. UNFINISHED BUSINESS:**

- D ORD 18-14** Amending Chapter 4.09 "Sales Tax" of the Sitka General Code by deleting Section 4.09.100.Y "Exemption for Persons who have Reached the Age of Sixty-Five", adding new Section 4.09.130 "Annual Sales Tax Rebate for Persons who have Reached the Age of Sixty-Five" and amending Section 4.09.420 "Definitions"

Testifying in support of the ordinance were: Susan Brandt-Ferguson, Sam Skaggs, Kay Kreiss, Anders Marius, Levi Albertson, Elias Erickson, Kent Barkau, Anne Pollnow, Wendy Alderson, Pat Kehoe, John Holst, Aaron Swanson, Jennifer Carter, Jim Steffen, Darryl Rehkopf.

Testifying in opposition to the ordinance were: Carin Adicks, Matt Donohoe, Kevin Mosher, Edward Phillips, Shirley Robards, Gail Roderick, Pat Svletlack, Bonnie Richards, Valorie Nelson, Alene Henning, Grace Larsen, Verna Peterson, Patricia

Alexander, TJ Thomslandson, Beverly Brill, Debe Brincefield, Edward Young, David Sam, Karen Lucas, Blossum Twitchell, Ann Bills, Marjie Esquiro, Ralph Vigilante, Ken Creamer, Leo Evans.

Jeremy Downie asked the assembly to look at the projected cost analysis of removal of the exemption and show that to the public. Brandon Carter thought to review all different types of taxes rather than just the senior exemption.

Assembly Deliberation: Potrzuski offered history of Citizens' Taskforce and reminded the property tax increase that did not pass. He stated that the economic reality was that the exemption was unsustainable. Knox included previous Assembly history and noted that revenue was needed to fund services. He relayed of the abuse he had heard with this program. Wein was not in support and thought the ordinance was flawed along with the current records of exempt cards. He reminded of the opt out option and had concerns with the means test of the rebate. Wein thought this was a small percentage of the exemptions and others should be looked at. Bean felt there were other ways to find revenue and ways to reduce the budget. He stated that abuse of this system should not be considered in this decision. Miyasato said that the seniors spent a lot of money which supported the community and this may show a message to shop elsewhere. Mayor Hunter was trying to make Sitka sustainable and spread the economic needs across all diversity.

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

**Yes:** 4 - Eisenbeisz, Potrzuski, Hunter, and Knox

**No:** 3 - Miyasato, Bean, and Wein

Due to the amount of public in the audience for item K, the assembly changed the agenda.

**A motion was made by Miyasato to bring item K up for discussion. The motion PASSED by the following vote.**

**Yes:** 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

## **K ORD 18-19**

Amending Title 4 "Revenue and Finance" of the Sitka General Code by adding a new Chapter 4.27 "Severance Tax"

**A motion was made by Miyasato to EXTEND to 11:00 p.m. The motion PASSED by the following vote.**

**Yes:** 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

Citizens in opposition to the ordinance were: Pete Roddy, Craig Shoemaker, Tim Ryan, Matt Donohoe, Gavin Feiffer, Bert Bergman, Carolyn Nichols, Richard Riggs, Matt Stromer, Matt Kinney, Fabian Grutter, John Holst, Jeff Farvour, Jaqueline Cedar, Justin Peeler, Eric Jordan, Kent Barkau, Ed Phillips, Ralph Vigilante, Adrienne Wilber, Frank Balovich, Liz Ellingsen, Dale Bartelds, Tyler Green, Kevin Mosher, Rachel Roy, Ann Bills, Chad Winnop, Bonnie Richards, Hailey LaDuke, Wendy Alerson.

**A motion was made by Bean to EXTEND to 11:30 p.m. The motion PASSED by the following vote.**

**Yes:** 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

Miyasato was not in support and noted no positive public comment was received. Bean suggested a sunset clause. He stated the intent was to avoid harbor rate increases of 300%. Wein, Potrzuski, and Mayor Hunter were not in support and wondering of ways to sustain the harbor. Mayor Hunter stressed the need to find an equitable way for sustainability. Wein, Potrzuski, and Eisenbeisz agreed the timing of this ordinance was not good. Eisenbeisz would rather see a harbor users rate increase. Knox was not in favor and mentioned the short distance between ports where fish would be sold elsewhere to avoid this tax.

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

**Yes:** 1 - Bean

**No:** 6 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, and Wein

**E      ORD 18-15      Amending Sitka General Code Title 19 "Building and Construction"**

Wein stated the ordinance was reviewed at the last meeting and thought it was reasonable.

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

**Yes:** 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

**F      ORD 18-09      Adjusting the FY18 Budget (Landslide Study Project)**

Municipal Administrator Keith Brady updated that the ordinance would allow for a more detailed report than other entities that would be mapping, this would be specific areas, and there was a timeframe to completing this prior to school being back in session in the fall. Eisenbeisz wondered about other options that would cost less. He relayed the importance of a study in this area. Wein agreed and thought the study may be done in steps, first determine if it is a landslide area, then proceed with mitigation separately. He would like more information. Bean voiced his opposition, and wondered after the study was done, depending on what the outcome was, what steps would be put in place. Municipal Attorney Brian Hanson gave his recommendation to funding this study and told of the urgency as the risk manager for the city. Knox wondered the potential risk if the study was not completed and an event took place given the indicators of risk in the area. He worried about slowing down the process and thought staff looked at this thoroughly. Mayor Hunter noted the critical infrastructure and evacuation areas and thought it was important to protect with the possible legal liability that it should be acted on.

**A motion was made by Bean to POSTPONE this item to the May 8, 2018 assembly meeting. The motion PASSED by the following vote.**

**Yes:** 6 - Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

**No:** 1 - Miyasato

**G      ORD 18-10      Adjusting the FY18 Budget (Raw Water Infrastructure Enhancement Project)  
*possible executive session***

Kevin Mosher wondered if this item had to do with the work session on Critical

Secondary Water Source.

A motion was made by Potrzuski to go into executive session to discuss with the Municipal Attorney legal matters affecting the municipality regarding bulk water sales and invite in if desired, and when ready, Utility Director Bryan Bertacchi, Public Works Director Michael Harmon and Director of the Gary Paxton Industrial Park Garry White. The motion PASSED by the following vote.

Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

The Assembly was in executive session from 6:39 p.m. to 7:03 p.m.

A motion was made by Potrzuski to reconvene as the Assembly in regular session. The motion PASSED by unanimous voice vote.

Mayor Hunter was in support of these funds from the Bulk Water Fund to investigate ways to enhance the delivery system. Knox agreed. He and Bean thanked the Gary Paxton Industrial Park Board of Directors and Executive Director. Wein was hopeful to get answers from the investigation and stated he did not like the veil.

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

Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

**H     ORD 18-11     Adjusting the FY18 Budget (SEACAD-JAG Grant)**

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

Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

**I     ORD 18-12     Adjusting the FY18 Budget (TWIC Reader/Software)**

Bean explained the Federal requirement of a Transportation Worker Identification Credential (TWIC) card. Harbormaster Stan Eliason clarified that these readers were portable, however, were coming out of the CPET funds and would not be used for Gary Paxton Industrial Park.

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

Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

**XII.     NEW BUSINESS:**

**New Business First Reading**

**J     ORD 18-18     Amending Title 18 "Property Acquisition and Disposal" and Title 19 "Building and Construction" of the Sitka General Code by modifying Chapter 18.12 "Real Property Disposal", Chapter 18.16 "Tidelands Lease Procedure", and Chapter 19.07 "Demolition or Removal of Municipally Owned Buildings"**

Travis Hudson told of the importance of including citizens of selling property and offered changes.



Eisenbeisz noted this ordinance was first reading which would allow for two more weeks of public comment. Municipal Administrator Brady offered that he was given direction to sell property to have on the tax rolls and that outside council was consulted. Mayor Hunter reminded the Interim Administrator also suggested this. Municipal Attorney Brian Hanson gave background dating back to at least 2012. An analysis took place and the opinion of the code section was that required voter approval was unconstitutional. Wein thought that timing was everything and that initiatives acted as a check and balance; the citizens offered an opinion. He felt the public would be losing something. Mayor Hunter clarified with Hanson, the existing code stated that it was mandatory voter approval, whereas advisory votes could take place on any issue. Miyasato was in support and heard from citizens that the city needs to sell land that they own. He thought this may aid the need in affordable housing. Mayor Hunter and Potrzuski reminded of the oath of office each assembly member took that states they would support and defend the Constitution of the United States of America, the Constitution of the State of Alaska, and the Laws and Ordinances of the City and Borough of Sitka in that order.

**A motion was made by Potrzuski to MOVE THE PREVIOUS QUESTION. The motion PASSED by the following vote.**

**Yes:** 6 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, and Bean

**No:** 1 - Wein

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

**Yes:** 6 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, and Bean

**No:** 1 - Wein

**L     ORD 18-16     Adjusting the FY18 Budget (Safety Equipment/Dump Trailer)**

Wein, Bean, and Eisenbeisz wondered the rationale behind the type of armor and scopes, and although in support, had differing opinions on types. Police Chief Jeff Ankerfelt stated that he was worried for staff safety. He would not rather wait until next fiscal year. Eisenbeisz inquired of local vendors. Ankerfelt would research the bids submitted.

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

**Yes:** 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

**M     ORD 18-17     Adjusting the FY18 Budget (Cell Service Enhancement Project)**

Utility Director Bryan Bertacchi told of this revenue opportunity. The electric department would install poles for GCI to lease in order to place cellular equipment on them.

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

**Yes:** 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein

**Additional New Business Items**

**N      RES 18-06      Increasing Grid, Eliason Harbor Load Zone and Work Float Charges and**

Jeff Farvour was in support of the resolution.

Harbormaster Stan Eliason and Deputy Harbormaster Charles Hackett identified the reason for the increase and that it should be reassessed in a year.

Wein stated the rates were reasonable. Knox noted that there were no work float or drive down float rates and the grid rate had remained the same since at least 2009.

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

**Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein**

**O      18-091      Discussion/Direction of a Sac Roe Moratorium**

A motion was made by Bean to impose a moratorium with conditions that the state of Alaska recognize and adopt herring as a forage fish and an ecosystem based management tool. No action was taken.

Eric Coonradt encouraged the assembly to obtain accurate information prior to making a decision. Charles Bingham asked the assembly to consider the economic impact outside the fishery. Speaking in opposition to taking action on a moratorium were: Wayne Unger, Tim Ryan, and Justin Peeler. Speaking in support of a moratorium was: Patricia Alexander, Roby Littlefield, Peter Bradley, Patrick Bean, Paulette Moreno (telephonic), Kitty Sopow, Patty Dick, Hope Merritt, Trista Patterson, and Katlink.

Miyasato told of concerns dating back to 2011 in which he testified at the Board of Fish. Bean asked the assembly to consider a moratorium, stated he collected 1,000 signatures that herring should be considered a forage fish and brought it to the Board of Fish. Wein noted that herring needed to be discussed. Potrzuski agreed and wondered if a resolution was needed. Mayor Hunter stated concerns of the future of herring and questioned if a committee could be put to work on the subject. Knox voiced that this topic needed more public disclosure and if it were referred to committee it could come back for a vote. Hanson answered that he didn't think the assembly could impose a moratorium, but noted that the assembly could resolve this to whomever has the authority.

Public comment on refer to committee: Jennifer Alley urged the Assembly to act on this. Kitty Sopow agreed. Charles Bingham would like to see a resolution.

Wein was in support of refer to committee to allow for more public comment. Miyasato was in support to allow the public to view, read, and discuss more thoroughly. Eisenbeisz encouraged the committee to look at all user groups and thought to include Alaska Department of Fish and Game. Bean agreed, and added the importance of input from the fleet. Mayor Hunter asked for volunteers. The committee would comprise of Potrzuski, Bean, and Wein.

**A motion was made by Eisenbeisz to REFER TO COMMITTEE. The motion PASSED by the following vote.**

**Yes: 7 - Miyasato, Eisenbeisz, Potrzuski, Hunter, Knox, Bean, and Wein**

**XIII. PERSONS TO BE HEARD:**

Kevin Mosher gave his observations regarding ordinance 2018-18 and 2018-09. Patricia Alexander thanked the assembly for listening and looking at the sac roe fishery. Charles Bingham informed that if there were concerns of walkability in Sitka, he would listen to concerns and report to his walking college fellowship program. Travis Hudson spoke to community outreach and suggested a draft ordinance that allowed more public comment. Verna Peterson thanked the assembly for serving. Jennifer Alley encouraged the assembly to support the sac roe moratorium.

**XIV. EXECUTIVE SESSION**

None.

**XV. ADJOURNMENT**

**April 25 (meeting continuation)**

**A motion was made by Miyasato to ADJOURN. Hearing no objection, the meeting ADJOURNED at 10:05 p.m.**

**ATTEST: \_\_\_\_\_**  
**Melissa Henshaw, CMC**  
**Acting Municipal Clerk**