

CONSENT AGENDA

POSSIBLE MOTION

**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
November 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 Thor Christianson,
Vice Deputy Mayor Valorie Nelson,
Kevin Knox, Kevin Mosher, Crystal Duncan, Rebecca Himschoot*

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

Tuesday, November 10, 2020

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Vice-Deputy Mayor Nelson presided over the meeting. Participating by videoconference were: Eisenbeisz, Christianson, Knox, and Himschoot.

Present: 6 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

IV. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

20-226 Reminders, Calendars, and General Correspondence

V. CEREMONIAL MATTERS

20-221 Ceremonial: 1) Proclamation Honoring Veteran's Day, and, 2) Citation Honoring Elaine Strelow

Municipal Administrator John Leach read and presented a proclamation honoring Veteran's day to veteran representative Ted Allio. Leach read and presented a citation honoring Elaine Strelow to Sitka Lutheran Church Pastor Sandra Rudd.

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

Municipal Administrator John Leach reported that the Emergency Operations Center (EOC) was meeting on a regular basis. He echoed what Dr. Zink said, that it was individual responsibility on how the virus spreads, to be good citizens, and watch out for each other.

School Board Vice President Eric Van Cise reported on November 11 the School Board would be conducting a superintendent evaluation for Interim Superintendent John Holst. He stated on November 18 there would be a work session with public participation to discuss a strategic plan and to lay ground work for the superintendent search. He relayed that remote learning would begin November 11 and there were plans for schools to open November 18 depending on COVID case numbers with the exception that Baranof Elementary school may open Monday. He stated the closure was guided by staff, unified command, and public health.

VII. PERSONS TO BE HEARD

Richard Wein thanked the Veterans and Ms. Strelow. He relayed this week in the news the notice from Pfizer regarding a vaccine. He stated that it would be nice to have a landslide warning and urged the Assembly to bring up the topic again to get closure. Charles Hart spoke to the recent COVID spike and asked Sitkans to wear masks, be cautious, and to be kind. Rowan Chevalier asked the Assembly to reconsider a local mask mandate stating it was for the health and safety of the community and it was a simple thing to do. Galen Paine encouraged the Assembly to implement a mask mandate.

VIII. CONSENT AGENDA

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

- A 20-219** Approve the minutes of the two October 20 assembly meetings and October 27 assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

- B 20-218** Approve the following liquor license renewal applications: 1) BPO Elks Lodge #1662 at 412 Sawmill Creek Road, 2) Pioneer Liquor Inc. dba Pioneer Bar at 212 Katlian Street, and, 3) Pioneer Liquor Inc. dba Pioneer Liquor Store at 212 Katlian Street

This item was APPROVED ON THE CONSENT AGENDA.

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C 20-220** Reappoint Doug Osborne to a three-year term on the Health Needs and Human Services Commission

Richard Wein stated Osborne was the backbone of the commission and thanked him for serving.

A motion was made by Knox that this item be APPROVED. The motion PASSED

by the following vote.

Yes: 6 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

X. UNFINISHED BUSINESS:

D 20-182 Award FY21 General Fund Non-Profit Grants (*postponed at the September 24 special assembly meeting*)

Municipal Administrator John Leach relayed the non-profit organizations that had applied and received funds through the CARES Act funding that had also applied for the General Fund grants.

Nelson was in support of funding Sitka Ham Amateur Radio Klub. Christianson stated the CARES Act funding received wouldn't change his original amounts. Eisenbeisz felt that the CARES Act funding was separate from this funding and noted the need of matched funds with this process as important for making the money go as far as possible. Knox agreed with the separation of the two different funds/grants and noted the value of these organizations. Himschoot wondered if reallocation could be made and gave context for her choices. Municipal Clerk Sara Peterson explained the process that a majority was needed in order for the organization to receive funding.

Public Comment on the amendment: Richard Wein thanked Nelson and Christianson for reconsidering funding to the Sitka Ham Amateur Radio Klub.

Assembly Deliberation on the amendment: Christianson would like to allocate funding to the Sitka Ham Amateur Radio Klub. Himschoot was in support.

A motion was made by Nelson to AMEND adding \$1,000 funding to the Sitka Ham Amateur Radio Klub. The amendment PASSED by the following vote.

Yes: 5 - Christianson, Knox, Mosher, Nelson, and Himschoot

No: 1 - Eisenbeisz

Absent: 1 - Duncan

Public Comment: Richard Wein felt the funds should stay in the General Fund and wondered how to cut other services in order to fund this. He suggested the Assembly reconsider awarding funds to Sitka Ham Amateur Radio Klub. Michele Friedman stated she did not have public comment on the amounts presented when called upon to testify. Angie DeMoral thanked the Assembly for their hard work. Roger Schmidt thanked the support of the Assembly stating that these allow for matching grants and noted the importance of that. Lynne Brandon appreciated the Assembly considering awarding this funding and said the money received allowed for the city to leverage additional grants.

Assembly Deliberation: Mosher mentioned the budget shortfall and that future adjustments could be made. Nelson noted the wording of may and not shall be awarded and would like to fully fund Ham Radio Klub. Christianson noted the importance of the Ham Radio Klub.

Applicant: Sitka Ham Amateur Radio Klub Darryl Ault clarified that not all vessels had

Ham radio. This would be for the operators mobile command post that would incorporate other entities out of the title wave zone. Ham radio has been around over 100 years. He assists the police and fire department but that the unit had not been sanctioned by them.

A motion was made by Christianson as AMENDED to award the following FY21 General Fund Non-Profit Grant funding in the category of Human Services:

- *Brave Heart Volunteers \$8,167
- *Sitka Counseling and Prevention Services \$5,167
- *Sitka Ham Amateur Radio Klub \$1,000
- *Sitka Pregnancy Center \$583
- *Southeast Alaska Independent Living \$8,500

to award the following FY21 General Fund Non-Profit Grants in the category of Cultural and Educational Services:

- *Alaska Arts Southeast \$5,983
- *Civil Air Patrol \$533

to award the following FY21 General Fund Non-Profit Grants in the category of Community Development:

- *Sitka Trail Works \$8,000.

The motion PASSED by the following vote.

Yes: Christianson, Himschoot, Eisenbeisz, Knox, Mosher

No: 1 - Nelson

Absent: 1 - Duncan

XI. NEW BUSINESS:

New Business First Reading

- E ORD 20-52** Amending Title 2 "Administration" of the Sitka General Code Chapter 2.04 "City and Borough Assembly" by amending Section 2.04.040 "Committees"

Mosher spoke in support, felt the ordinance was a clean up of Code. Christianson liked the solutions. Himschoot suggested a clerical clarification.

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, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

Additional New Business Items

- F RES 20-29** Reestablishing a Climate Action Task Force to advise the Assembly on methods for planning and mitigating the impacts of climate change *(1st and*

final reading)

Eisenbeisz clarified that the Task Force needed to be staffed within 3 months.

Public Comment on the amendment: Michelle Putz wondered if the amendment was in addition to or replacement. Richard Wein told of the cost and staff time and felt the amendment was not the intent of the original resolution. He stated the task force should determine the direction. Kent Barkhau wondered what was being asked of the task force. Heather Bauscher advocated for the youth voice and stated that they had already put in a lot of work.

A motion was made by Knox to AMEND line 49 to add, "BE IT FURTHER RESOLVED that the Sitka Assembly hereby intends to pursue the establishment of a Sustainability Commission by ordinance which shall be tasked with advising the Sitka Assembly on pathways and actions necessary to create a more sustainable municipality." The motion PASSED by the following vote.

Yes: 4 - Eisenbeisz, Knox, Mosher, and Himschoot

No: 2 - Christianson, and Nelson

Absent: 1 - Duncan

Richard Wein was in support stating it was a good idea to have in place but wondered if the Health Needs and Human Services Commission could be repurposed to include this area with a few additional members. Heather Bauscher, Chair of the local advisory committee to fish and game thanked those who had worked on it and stated the local Sitka advisory passed a resolution supporting the climate emergency. Michelle Putz encouraged the Assembly to pass it, she recognized this was not put together as the past task force but it could also be postponed to do a little revamp. Elizabeth Bagley was in support to make future generations bright/thrive. Joel Hanson felt that this should be a commission similar to the City and Borough of Juneau's commission. Darby Osborne with Youths for a Sustainable Future urged that the task force be changed to a commission as a long-term body. Mia Anderson with Youths for a Sustainable Future asked the Assembly to change to a commission rather than a task force and to emulate the City and Borough of Juneau's Commission. Kay Kreiss advocated for a commission rather than a task force. Tava Guillory with Youths for a Sustainable Future told of the needed permanence of this and urged the change to a commission rather than a task force. Kent Barkau was in support of a broad, dedicated, long-term commission to address issues to guide the Assembly.

Municipal Administrator John Leach pointed out that there were 18 existing boards/commissions with the need to become more efficient and possible consolidation. Christianson didn't feel that the title made a difference but that it was up to the dedicated members. Knox felt it was something that should be long-term and his preference to be codified as more formal. He would like some amendments and would like to see a sustainable commission. Mosher stated he and Nelson reworked this from a previous version back in the spring and was for sustainable living and energy but that being mindful of the costs to citizens was important. Nelson spoke in support, noted the cost of staff time involved, and felt that it was a good starting point.

A motion was made by Nelson to suspend the rules to allow for public comment. The motion PASSED by the following vote.

Yes: 6 - Eisenbeisz, Christianson, Knox, Mosher, Nelson, and Himschoot

Absent: 1 - Duncan

Eric Jordan advocated for a long-term task force.

A motion was made by Mosher to APPROVE the resolution as AMENDED on FIRST and FINAL READING. The motion PASSED by the following vote.

Yes: 5 - Christianson, Knox, Mosher, Eisenbeisz, and Himschoot

No: 1 - Nelson

Absent: 1 - Duncan

G RES 20-30

Encouraging people in the City and Borough of Sitka to continue COVID-19 prevention efforts for keeping Sitka Schools open *(1st and final reading)*

Christianson stated the intent of the resolution was to focus efforts and remain diligent in an attempt to bring COVID-19 case numbers down.

Charles Dean spoke in opposition to masks. Richard Wein spoke to the notion of keeping schools open and stated the schools have done a good job. Speaking in support of the resolution were: Beth Short Rhoads, Eric Jordan, Patty Dick, Cindy Westergaard, and Eric Van Cise.

Christianson encouraged those to take advantage of testing when traveling in state, to wear a mask when inside and around people, and to keeping distance. He felt that the case count could be brought back down and asked those to be mindful of others. Mosher noted this was voluntary and the need to be careful to not make decisions in fear. He stated that there was a balance in this community, asked those to set a good example, and work together. Himschoot thanked the school district and students. She felt this resolution was in line with quarantining and testing, encouraging people to take responsibility, and make good personal positive choices.

A motion was made by Christianson that this resolution be APPROVED on FIRST and FINAL READING. The motion PASSED by the following vote.

Yes: 6 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

H 20-222

Discussion / Direction / Decision on the Request for Proposal for the development of the 17 acre waterfront parcel at 4951 Halibut Point Road

Municipal Administrator John Leach reminded of the parcel RFI and asked for direction from the Assembly with requested changes, and/or additions to the RFP as written, how long it should be open, and the structure of the review team. Planning Director Amy Ainslie had kept options open as directed from the last meeting. She explained the parcel.

Eisenbeisz wondered if the RFP evaluation criteria appeared more toward commercial development rather than residential or cultural. Ainslie stated there was a wide range and adjustments and language could be made. Direction to staff was to keep the RFP as written, for the RFP to be open for 60 days, and to add a Sitka Tribe of Alaska representative or Tribal Council member to the review team.

I 20-224

Discussion / Direction on the sale of the former Sitka Community Hospital

building

Municipal Administrator John Leach stated he was approached recently by SEARHC to potentially purchase the former Sitka Community Hospital building noting that this was early stages and no negotiations had been made. Planning Director Amy Ainslie showed a chart of the decision process. First decision for the Assembly was to keep, sell, or lease the building. Next step would be to determine by competitive or not and the thresholds based on the value of the property which was unknown, and the possibility of needing to bring it to an advisory vote.

Mosher stated he was possibly interested in selling. Christianson thought this should be a special meeting topic. He was unsure if it should be sold and was not ready to make a decision tonight. Eisenbeisz was unsure of the legalities, but wanted to make sure that the proper path was taken and that it received due diligence. Himschoot was unsure to sell or not, wondered if there was a formal condition of the building. Leach stated there was a walk through prior to the lease but that there was no recent appraisal done. Eisenbeisz stated he would work with staff to schedule a special meeting.

J 20-223

Update / Discussion on the CARES Act Working Group progress (*public comment to be taken*)

Municipal Administrator John Leach reviewed and gave details of the categories.

Richards Wein didn't feel that using the funds for testing would be a good use. He felt that there were a number of organizations that fed people in Sitka, and the funds could be distributed to them with food cards.

Assembly consensus was to use the remaining \$50,000 from the CARES Act homeless program for a subrecipient food program with Sitka Tribe of Alaska.

XII. PERSONS TO BE HEARD:

Richard Wein was disappointed that there wasn't public comment taken on some discussion and direction items. He spoke to the importance of Harbor Point and gave his opinions on the parcel.

XIII. REPORTS

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

Liaison Representatives - Mosher reported on the Parks and Recreation Committee meeting and Nelson attended the Library Commission meeting.

XIV. EXECUTIVE SESSION

K 20-225

Municipal Administrator Employment Agreement

A motion was made by Mosher to Extend the meeting to 11:00 p.m. The motion PASSED by the following vote.

Yes: 6 - Himschoot, Knox, Mosher, Eisenbeisz, Nelson, and Christianson

Absent: 1 - Duncan

A motion was made by Knox to go into executive session to consider the terms of the Municipal Administrator's employment agreement under the statutory categories of discussing subjects that (1) may tend to prejudice the reputation and character of an individual and (2) may have an adverse effect upon the finances of the City and Borough of Sitka, and invite in, when ready, Municipal Administrator John Leach, and the Municipal Attorney Brian Hanson, if desired and when ready. In addition, move to exclude the Municipal Clerk. The motion PASSED by the following vote.

Yes: 6 - Nelson, Mosher, Eisenbeisz, Himschoot, Christianson, and Knox

Absent: 1 - Duncan

The Assembly was in executive session from 10:00 p.m. to 10:15 p.m.

A motion was made by Mosher to reconvene as the Assembly in regular session. The motion PASSED by the following vote.

Yes: 6 - Mosher, Nelson, Knox, Christianson, Eisenbeisz, and Himschoot

Absent: 1 - Duncan

Knox commented that Leach was doing an outstanding job given the circumstances he walked into. He said we're all very pleased with the job he was doing overall.

A motion was made by Mosher to make the following changes to the Municipal Administrator's employment agreement:

- * A \$15,000 raise on March 1, 2021 (one-year employment anniversary) to \$140,000 per year;
- * A 1.5% annual raise with satisfactory performance;
- * Three months' pay and benefits severance package (in the event the employee is terminated by the Assembly within a term of five years from the initial date of hire, the Municipality shall give the employee three months of pay as severance. Severance pay shall be equal to the monetary value of all pay and benefits provided for the period of severance pay due. This section does not apply if employee is terminated for commission of a crime or gross misconduct as determined by the Municipal Attorney. Severance pay shall be paid in a lump sum payment, less applicable taxes. The Municipality also agrees to pay the Employee's COBRA health insurance premium coverage for three months after date of separation. Employee shall be entitled to any accrued but unused vacation as the date of separation;
- * Annual evaluations (in accordance with the Charter);
- * Leave accrual rate of an 8-year employee (16.67 hours per month).

The motion PASSED by the following vote.

Yes: 6 - Eisenbeisz, Christianson, Himschoot, Nelson, Knox, and Mosher

Absent: 1 - Duncan

XV. ADJOURNMENT

A motion was made by Himschoot to ADJOURN. Hearing no objections, the meeting ADJOURNED at 10:18 p.m.

ATTEST: _____
Melissa Henshaw, CMC
Deputy Clerk