

## Discussion / Decision on the "assembly@cityofsitka.org" group email address

### Notes:

At the March 26, 2019 Assembly meeting, the Municipal Administrator was directed to remove all department heads from the Assembly group email address. The motion passed 5-2.

At the December 23, 2019 Assembly meeting, a motion was made to add the Municipal Administrator, Municipal Attorney, and the Municipal Clerk to the [assembly@cityofsitka.org](mailto:assembly@cityofsitka.org) group email address. The motion failed 3-4.

Image below is of the Assembly email contact information displayed on the Assembly webpage.

The screenshot shows the top navigation bar of the City of Sitka website with links: Home, Departments, Business, Visitors, FAQs, and Contact. The 'Departments' link is highlighted. Below the navigation bar, on the left, is a sidebar with links: Departments, City Assembly, Municipal Clerk, and City Reports & News. The 'City Assembly' link is highlighted. The main content area is titled 'Assembly' and contains the following text:

To send an email to the Mayor and all Assembly Members, use [assembly@cityofsitka.org](mailto:assembly@cityofsitka.org).

To send an email to the Assembly and Department Heads, use [assembly.departmentheads@cityofsitka.org](mailto:assembly.departmentheads@cityofsitka.org).

To send an email to the Department Heads, use [department.heads@cityofsitka.org](mailto:department.heads@cityofsitka.org).

**Note:** Written communication with public officials generally are considered a public record and subject to disclosure (viewing and/or copying of the communication) pursuant to a public records request.

<http://www.cityofsitka.com/government/assembly/members/index.html>

While Wein was supportive of interim Police Chief Robert Baty he believed the hiring of Baty by the Administrator usurped and undermined the authority of the Assembly. Wein wished to be provided written plans from Baty on how he would approach the problem at the Police Department, prior to his arrival on April 1. In addition, Wein stated he was in support of holding off on choosing an investigator for now, however, wished to approve the appropriation in the event an investigation was warranted. Bean stated the intent was to bring forward recommendations for the body to consider and wished to proceed with the investigation. Mosher spoke in support of moving forward with the appropriation.

**No formal action was taken, however, the Assembly stated they would like this item to come back at the April 9 meeting for discussion / direction / decision.**

**L**      [ORD 19-10](#)

**Making supplemental appropriations for Fiscal Year 2019 (*Police Department Third Party Investigation*)**

Wein noted inclusion of a budget amendments report with the ordinance. Municipal Administrator Keith Brady explained the report listed what had been appropriated during the fiscal year. Chief Finance and Administrative Officer Jay Sweeney stated total supplemental appropriations to date for the General Fund in FY2019 totaled \$1,861,395 not including this supplemental appropriation.

From the public, Noah Shepard, stated the course of action was reasonable, however, expressed concern and told he had information the Assembly did not have and wished to speak with them.

Wein, appreciative of Shepard's concerns, was hopeful Baty would come in and revitalize the department or the Assembly would address the matter. Knox spoke in support of Baty's arrival, however, was not comfortable holding this over Baty. He wished to revisit at a later date.

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

**Yes:** 4 - Bean, Wein, Mosher, and Nelson

**No:** 1 - Knox

**Absent:** 2 - Eisenbeisz, and Paxton

**M**

[19-062](#)

**Discussion / Direction on the "assembly@cityofsitka.org" group email address**

Bean desired to have all department heads removed from the Assembly group email address and noted if the address was to the Assembly those members should be the only recipient. Wein believed it to be a breach of confidentiality, not transparent, and disingenuous. He offered people sending emails to that address were under the impression the only recipients were the duly elected Assembly members. Municipal Administrator Keith Brady stated department heads had been on the email group address for over a decade in an effort to possibly help answer questions. Brady noted there was a disclaimer online stating the department heads were included on the Assembly group email address. Wein reminded the Assembly should have the right to refer those emails to the Administrator or department heads at their discretion, not without their consent.

**A motion was made by Bean to direct the Administrator to remove all department heads from the Assembly group email address. The motion**

**PASSED by the following vote.**

**Yes:** 5 - Knox, Bean, Wein, Mosher, and Nelson

**Absent:** 2 - Eisenbeisz, and Paxton

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

Ken Buxton expressed the need for leadership at the Police Department.

Mary Ferguson stated the need for a new Police Chief and wondered why an interim Police Chief was being brought in before the current issues were resolved.

### **XIV. EXECUTIVE SESSION**

**N**     [19-059](#)     Update from legal counsel regarding the status of the litigation arising out of the August 18, 2015 landslide events

**A motion was made by Knox to EXTEND to 10:45pm. The motion PASSED by the following vote.**

**Yes:** 5 - Wein, Knox, Mosher, Nelson and Bean

**Absent:** 2 - Paxton and Eisenbeisz

**A motion was made by Knox to go into executive session to receive and discuss an update from legal counsel, David Bruce, regarding the status of litigation arising out of the August 18, 2015 landslide events. The motion PASSED by the following vote:**

**Yes:** 5 - Nelson, Mosher, Wein, Bean and Knox

**Absent:** 2 - Paxton and Eisenbeisz

The Assembly was in executive session from 10:15pm to 10:44pm.

### **XV. ADJOURNMENT**

**The meeting ADJOURNED at 10:45pm.**

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

haulout.

#### Assembly Discussion

Mosher spoke in support of a RFP process. Eisenbeisz understood the need for a RFP but didn't want to see it so narrowly focused that there was only one response received. Nelson suggested there be two RFPs - one for the land and one for the haulout. Wein stated it was a complex issue and believed it to be premature to move forward with a RFP. Christianson spoke in support of an RFP for review at a work session.

#### Public Testimony

The Municipal Clerk read a written statement submitted by Christian Fabian speaking to a haulout and the need to ensure such a decision would be profitable. Kelly Warren spoke in support of a marine shipyard and separating the issues into two RFPs. Chris McGraw stated Halibut Point Marine would be closing the boatyard prior to the 2021 summer season, explained the property at 4951 Halibut Point Road could be used for shore excursions with minimal development. Mike Poutney, a resident living near Old Sitka Dock, spoke in support of the marine haulout, two RFPs, and told of the impacts of living near the dock. Caven Pfeiffer commented the current shipyard was inadequate, spoke in support of a shipyard, to proceed quickly but cautiously. Jeff Farvour stated a need for a haulout and suggested a taskforce be created to explore the best facility for Sitka. Mike Nurco spoke in support of forming a workgroup to assist in identifying needs. John Murray stressed the need for a planning process and not to rush. Bonnie Richards believed the current proposal circumvented the bidding process and urged the Assembly to take their time. Cale LaDuke stressed the need for the formation of a committee to explore Sitka's shipyard needs in order to build the best facility possible. Jeremy Serka spoke in support of a haulout and said a shipyard could be more than just a place for working on boats but also a place for tradesmen to work. Eric Jordan spoke in support of a haulout, the creation of a taskforce, two RFPs, and the consideration of multiple sites. Tom Gamble while supportive of the marine industry, believed the discussion of a landtrade to be premature.

#### Assembly Consensus

Assembly direction to the Interim Administrator was to develop two RFPs - one for the land and one for the haulout and hold a work session on each issue. Final RFPs would then come back to the Assembly for discussion.

N [19-274](#)

Discussion / Decision on sending an Assembly Member to attend the Seatrade Cruise Global event in Miami, FL April 20-23

Concurrence of the Assembly was to send Valorie Nelson to Seatrade Cruise Global.

O [19-275](#)

Discussion / Decision on adding select staff to the "assembly@cityofsitka.org" group email address

Knox believed it would be helpful for the Administrator, Attorney, and Clerk to see the correspondence in order to help be prepared to speak to items and help facilitate business. Christianson agreed. Others believed the additions would create a lack of transparency.

**A motion was made by Christianson to add the Municipal Administrator, Municipal Attorney, and Municipal Clerk to the "assembly@cityofsitka.org" group email address. The motion FAILED by the following vote.**

**Yes:** 3 - Christianson, Knox, and Paxton

**No:** 4 - Eisenbeisz, Wein, Mosher, and Nelson

**XIII. PERSONS TO BE HEARD:**

None.

**XIV. EXECUTIVE SESSION**

None.

**XV. ADJOURNMENT**

A motion was made by Mosher to ADJOURN. Hearing no objections, the meeting ADJOURNED at 9:05 p.m.

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

Sara Peterson, MMC  
Municipal Clerk