

## **CONSENT AGENDA**

### **POSSIBLE MOTION**

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

**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 minutes of the  
August 24 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*

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Tuesday, August 24, 2021

6:00 PM

Assembly Chambers

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#### REGULAR MEETING

#### I CALL TO ORDER

#### II. FLAG SALUTE

#### III. ROLL CALL

Nelson attended via videoconference.

**Present:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

#### IV. CORRESPONDENCE/AGENDA CHANGES

[21-133](#)

Reminders, Calendars, and General Correspondence

No agenda changes.

#### V. CEREMONIAL MATTERS

None.

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

Sitka Tribe of Alaska Council Chairman Woody Widmark provided an update on Council business.

#### VII. PERSONS TO BE HEARD

Darby Osborne reported on her recent attendance at the Conference of Young

Alaskans in Fairbanks. Mary Todd Anderson offered to serve on a committee to help with bear/garbage control. Richard Wein spoke to the FDA approval of the Pfizer COVID-19 vaccine. Carry Fenno suggested using reusable utensils at schools as opposed to single use plastic utensils. Justin Clark spoke to food shortage and security concerns.

#### VIII. CONSENT AGENDA

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

**Yes:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

- A**     [21-134](#)     Approve the minutes of the August 10 Assembly meeting

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

- B**     [21-135](#)     Approve a retail marijuana store license renewal application for AKO Farms, LLC dba AKO Farms Direct at 1210 Beardslee Way

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

#### IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C**     [21-136](#)     Appoint Catherine Mohn to an unexpired term on the Health Needs and Human Services Commission

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

**Yes:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

#### X. UNFINISHED BUSINESS:

- D**     [ORD 21-24](#)     Requiring use of a face covering in certain indoor settings and providing a penalty (extending expiration date)

From the public, Justin Clark, Richard Wein, Gavin Holder, Brett Wilcox, Mary Todd Anderson, and Linda Marlin spoke in opposition. Darby Osborne spoke in support.

A discussion of the Assembly ensued. Christianson, Mosher, Himschoot, and Duncan spoke in support. Nelson spoke in opposition noting approval of the ordinance would create more problems and added there was no science to demonstrate the efficacy of masks.

**A motion was made by Christianson that this Ordinance be APPROVED on SECOND AND FINAL READING extending the expiration date through September 28, 2021. The motion PASSED by the following vote.**

**Yes:** 5 - Christianson, Knox, Mosher, Himschoot, and Duncan

**No:** 2 - Nelson, and Eisenbeisz

- E**     [ORD 21-20](#)     Authorizing the lease of 4951 Halibut Point Road, a 17 acre portion of

**Lot 1, U.S. Survey 3670**

Richard Wein spoke in opposition. Chris McGraw and Karl Potts spoke in support.

Mosher disclosed he worked for Shee Atika, Inc. and Duncan disclosed she was a Shee Atika, Inc. shareholder. Mayor Eisenbeisz ruled no conflict for either.

Mosher stated the option would help disseminate the large volume of tourists anticipated for 2022. Knox agreed. He voiced concern of environmental impacts and encouraged the visitor industry look for best practices to ensure minimal impacts. Nelson spoke in support of the lease. Christianson believed the lease rate was too low. Himschoot wondered of sales tax remittance, preservation of beach access, the overall direction of tourism, and the review process to ensure alignment with the submitted proposal. Planning Director Amy Ainslie commented the Planning Commission's role would be in reviewing conditional use applications submitted for the development.

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

**Yes:** 5 - Knox, Mosher, Nelson, Himschoot, and Duncan

**No:** 2 - Christianson, and Eisenbeisz

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

- F**     [ORD 21-29](#)     Authorizing the sale of the former Sitka Community Hospital Site located at 209 Moller Drive, 202 Brady Street, 204 Brady Street, and 302 Gavan Street to the Southeast Alaska Regional Health Consortium (SEARHC) (possible executive session)

**A motion was made by Himschoot to go into executive session with the Municipal Attorney to discuss legal and financial matters affecting the municipality regarding the sale of the former Sitka Community Hospital Site located at 209 Moller Drive, 202 Brady Street, 204 Brady Street, and 302 Gavan Street to the Southeast Alaska Regional Health Consortium and invite in Planning Director Amy Ainslie and Finance Director Melissa Haley. The motion PASSED by the following vote.**

**Yes:** Nelson, Mosher, Eisenbeisz, Duncan, Himschoot, Christianson, and Knox

Richard Wein spoke in opposition of executive session.

Municipal Attorney Brian Hanson explained the financial and legal reasons for executive session.

The Assembly was in executive session from 7:45pm to 8:40pm.

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

**Yes:** Mosher, Nelson, Knox, Christianson, Duncan, Eisenbeisz, and Himschoot

From the public, Richard Wein and Nancy Yaw Davis spoke in opposition to the sale. Maegan Bosak, SEARHC Director of Property and Lands, spoke in support.

Himschoot said SEARHC had listed their appraiser as Julie Deneen. Himschoot wondered who the City had hired. Administrator John Leach answered the City had hired Deneen in April. SEARHC later hired Deneen.

**A motion was made by Christianson that this Ordinance be APPROVED on FIRST READING authorizing the sale of the former Sitka Community Hospital Site located at 209 Moller Drive, 202 Brady Street, 204 Brady Street, and 302 Gavan Street to the Southeast Alaska Regional Health Consortium (SEARHC) and schedule second and final reading under Unfinished Business at the October 12, 2021 Assembly meeting. The motion PASSED by the following vote.**

**Yes:** 6 - Christianson, Knox, Mosher, Eisenbeisz, Himschoot, and Duncan

**No:** 1 - Nelson

**G**     [ORD 21-30](#)

Authorizing the transfer/sale of a portion of City and Borough of Sitka's "Old City Shops" property located at 1410 and 1414 Halibut Point Road to the Sitka Community Land Trust (SCLT) for an affordable housing project that is not subject to competitive bid and is available to all regardless of ethnicity (possible executive session)

Richard Wein spoke in opposition. Randy Hughey of the Sitka Community Land Trust provided an overview of the project and requested Assembly support.

Nelson spoke against and said she had questions that hadn't been answered. Himschoot, Christianson, Knox, Duncan, and Mosher spoke in support.

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

**Yes:** 5 - Christianson, Knox, Mosher, Himschoot, and Duncan

**No:** 2 - Nelson, and Eisenbeisz

**H**     [ORD 21-27](#)

Amending Title 22 "Zoning" of the Sitka General Code by modifying Chapter 22.16 "District Regulations" for the Recreation District

From the public, Richard Wein wondered of the potentially affects on Baranof Warm Springs. Ted Laufenberg, Bridgette Kauffman, Dawn Young, and Melinda Hofstad spoke in support.

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

**Yes:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

**I**     [ORD 21-28](#)

Amending the official Sitka Zoning Map to rezone 4951 Halibut Point Road from Single-Family and Duplex Residential (R-1) to Recreation District (R)

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

**Yes:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

**XII. PERSONS TO BE HEARD:**

Richard Wein spoke to items on the agenda: lease of 4951 Halibut Point Road, the "Old City Shops" property and affordable housing, and the appraisal for the former Sitka Community Hospital site.

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

Mayor - Eisenbseisz told of Sitka Tribe of Alaska's childcare study and hoped the Assembly would receive a copy.

Administrator - Leach thanked Planning Director Amy Ainslie for her work on a majority of the evening's business items.

Liaison Representatives - Duncan reported on the Historic Preservation Commission and Health Needs and Human Services Commission.

Clerk - Peterson told of the upcoming voter registration deadline and available options for voting in the October 5 election.

**XIV. EXECUTIVE SESSION**

See item F.

**XV. ADJOURNMENT**

A motion was made by Christianson to ADJOURN. Hearing no objections, the meeting ADJOURNED at 9:42pm.

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