

CONSENT AGENDA

POSSIBLE MOTION

**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 minutes of the September 14, 23, and 28 Assembly meetings.



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, September 14, 2021

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Nelson attended via videoconference.

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

Absent: 1 - Eisenbeisz

IV. CORRESPONDENCE/AGENDA CHANGES

[21-143](#)

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)

None.

VII. PERSONS TO BE HEARD

Karen Lucas stated freedoms were being challenged, reminded the Assembly they were elected to represent their constituents, and commented it was important for the City to retain the former Sitka Community Hospital building and associated properties. Richard Wein spoke to a records request he recently submitted to the Clerk's office. Justin Clark told of inefficient parking at the Airport and believed elections should be hand counted.

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, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

- A** [21-137](#) Approve the minutes of the August 24 Assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

- B** [21-138](#) Approve the following marijuana license renewal applications: 1) standard marijuana cultivation facility license for Jeremy J. Erickson dba Vern's Wicked Weed at 3872 Halibut Point Road Bay One and, 2) retail marijuana store license for Weed Dudes Inc. dba Weed Dudes at 1321 Sawmill Creek Road, Suite J & K

This item was APPROVED ON THE CONSENT AGENDA.

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

None.

X. UNFINISHED BUSINESS:

- C** [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

Richard Wein and Shirley Robards spoke in opposition. Mim McConnell told of the Sitka Community Land Trust project and voiced support.

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 - Christianson, Knox, Mosher, Himschoot, and Duncan

No: 1 - Nelson

Absent: 1 - Eisenbeisz

- D** [ORD 21-27](#) Amending Title 22 "Zoning" of the Sitka General Code by modifying

Chapter 22.16 "District Regulations" for the Recreation District

Planning Director Amy Ainslie explained the intent of the legislation.

From the public, Richard Wein spoke to the requirement of conditional use permits and relayed those went before the Planning Commission for consideration.

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

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

Absent: 1 - Eisenbeisz

E [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)

Knox hoped the lease group would keep Sitka's best interest at hand. Mosher disclosed he worked for Shee Atika, Inc. Himschoot reminded no developer had found the area to be suitable for affordable housing.

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

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

Absent: 1 - Eisenbeisz

XI. NEW BUSINESS:**New Business First Reading****F** [ORD 21-32](#)

Requiring use of a face covering in certain indoor settings and providing a penalty

Deputy Mayor Christianson imposed a time limit of two minutes per individual.

From the public, those speaking in opposition were Mary Todd Anderson, Coke Oines, Richard Wein, Laurie Lee, Gavin Holder, Justin Clark, Carin Adickes, Carrie Johnson, Julie Stroemer, Linda Marlin, Steve Bethune, Onna Hanson, Roger Hames, Shirley Robards, Roxanne Newell, Marshall Albertson, Brett Wilcox, Amy Bethune, August Bickar, Stacy Mudry, Karen Comas, Jaylene Owen, Perry Comas, Jeremy Twaddle, Richard Doland, Robert Layton, and Brad Russell. In support were Bridgette Hitchcock, Valerie Edwards, Patricia Dick, Beth Short-Rhoades, Mim McConnell, Lorraine Lil, Collauna Marley, Doug Osborne, Blossom Teal-Olsen, Louise Brady, and Fredrick Olsen, Jr.

A discussion of the Assembly ensued. Knox expressed sadness over the actions of the audience and spoke to the negative effects of COVID-19. Nelson wondered of the severability language and mentioned exceptions. Mosher also expressed disappointment in the behavior of the audience. Duncan noted the exhaustion related to COVID-19, hospital capacity, vaccination availability and those sensitive to vaccinations. Christianson told of protection offered by masks and commented on hospital capacity. Himschoot stated she had a duty to her students and constituents.

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

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

No: 2 - Nelson, and Duncan

Absent: 1 - Eisenbeisz

G [ORD 21-31](#)

Amending Title 2 “Administration” of the Sitka General Code by deleting Chapter 2.12 “City and Borough of Sitka Hospital Board”, Chapter 2.14 “Historic Trust Board” and Chapter 2.64 “Seafood Processing Economic Development Committee” and updating Chapter 2.16 “Library Commission”

Municipal Clerk Sara Peterson provided an overview of the Ordinance. She told of the inactive groups and a clerical error in the Library Commission code.

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

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

Absent: 1 - Eisenbeisz

H [ORD 21-33](#)

Making supplemental appropriations for Fiscal Year 2022 (IT Personnel / Approval of a New Position)

Finance Director Melissa Haley explained the amount was originally budgeted as contracted services, however, a request was being made to move the money to the IT Fund for the creation of a new position. IT Director Grant Turner noted IT needs were continuing to grow and spoke to the duties of the new position.

From the public, Richard Wein wondered if a new position would remove the need for contracted work.

Assembly Members Himschoot, Mosher, Duncan, and Christianson voiced support. Nelson stated she had consistently voted against new positions.

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, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

I [ORD 21-34](#)

Making supplemental appropriations for Fiscal Year 2021 (IT Fund Expense)

Finance Director Melissa Haley explained the IT Fund went overbudget for two reasons: 1) telephone expense was underbudgeted and 13 months were paid in FY21, and, 2) some CARES Act expenses were paid directly out of the IT Fund.

Richard Wein hoped budget predictions would improve.

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

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

Absent: 1 - Eisenbeisz

J [ORD 21-35](#)

Making supplemental appropriations for Fiscal Year 2021 (School Bond Debt Refunding Expense)

Finance Director Melissa Haley explained the City had participated in a refunding deal through Alaska Municipal Bond Bank at the end of FY21 yielding a savings of over \$650,000 over the life of the bonds. There had been an unanticipated upfront cost of \$48,200.

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, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

Additional New Business Items

K [RES 21-18](#)

Supporting the development of a new public use Seaplane Base at the preferred location, north end of Japonski Island, Sitka, Alaska

Public Works Director Michael Harmon stated this was the next phase of the long planned project. Environmental assessments had been completed and a commitment for the land had been received from the Department of Education. Harmon noted the application had been submitted and it was likely the City would receive a 0% match requirement for this stage.

David Gordon, Keith Nyitray, Richard Wein, and Kevin Mulligan spoke in support. Those in opposition to the location were Annette Becker, Fredrick Olsen Jr., John Raasch, Ryan Hill, Leann Serio, Jeremiah Craig, Christeen Thomas, Tom Gamble, and Arthur Kinnan.

Nelson wondered of the time sensitivity and thought of postponing to the September 28 meeting. Knox reminded there had been a lot of conversation on the subject, that the location had been extensively studied, and that Sitka Tribe of Alaska (STA) and SouthEast Alaska Regional Health Consortium (SEARHC) had been involved throughout the process. Harmon reminded of the risk of voting in support but then not moving forward with the project. He told of an agreement being worked on to ensure STA was involved throughout the process. He noted SEARHC had previously voiced concerns with the project.

A motion was made by Himschoot to EXTEND the meeting to completion of Item K. The motion PASSED by the following vote.

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

Absent: 1 - Eisenbeisz

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

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

No: 1 - Nelson

Absent: 1 - Eisenbeisz

A motion was made by Mosher to ADJOURN to September 16 at 6:00pm. The motion PASSED by the following vote.

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

Absent: 1 - Eisenbeisz

The meeting ended at 10:43pm.

- L** [RES 21-21](#) Urging the United States Government to advocate for a permanent ban on tailings dams and for a temporary halt to the permitting, exploration, development, and expansion of Canadian mines along Alaska-British Columbia transboundary salmon rivers until the United States-Canada Boundary Waters Treaty of 1909 and the United Nations Declaration on the Rights of Indigenous Peoples are upheld and an international agreement on watershed protections is implemented
- M** [21-139](#) Discussion / Direction / Decision on directing the Municipal Administrator to enter a funding and maintenance agreement with the Birds and Benches Work Group of the Sitka Decolonizing Dialogue for the installation and upkeep of three benches in the courtyard area of Harrigan Centennial Hall
- N** [21-140](#) Decision on whether to allow sales tax free day(s) following the Thanksgiving holiday and set date(s)
- O** [21-141](#) Consider waiving \$100 late fee penalty assessed for Siemens Industry, Inc. for the Q4 2020 sales tax filing period

XII. PERSONS TO BE HEARD:

XIII. REPORTS

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

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT



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

Thursday, September 16, 2021

6:00 PM

Assembly Chambers

Continuation of September 14, 2021 Meeting

SPECIAL MEETING

- I. CALL TO ORDER
- II. FLAG SALUTE
- III. ROLL CALL

Nelson participated by videoconference. Eisenbeisz arrived at 6:40pm.

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

IV. NEW BUSINESS:

- L [RES 21-21](#) Urging the United States Government to advocate for a permanent ban on tailings dams and for a temporary halt to the permitting, exploration, development, and expansion of Canadian mines along Alaska-British Columbia transboundary salmon rivers until the United States-Canada Boundary Waters Treaty of 1909 and the United Nations Declaration on the Rights of Indigenous Peoples are upheld and an international agreement on watershed protections is implemented

Richard Wein, Fredrick Olsen Jr., Mim McConnell, Marsh Skeelee, Heather Hardcastle, Breanna Walker, Linda Behken, and Eric Jordan spoke in support.

Knox told of his work with the resolution brought forward in 2017 and spoke to the importance of the proposed resolution.

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

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

Absent: 1 - Eisenbeisz

M [21-139](#)

Discussion / Direction / Decision on directing the Municipal Administrator to enter a funding and maintenance agreement with the Birds and Benches Work Group of the Sitka Decolonizing Dialogue for the installation and upkeep of three benches in the courtyard area of Harrigan Centennial Hall

Finance Director Melissa Haley noted the concept had been reviewed by a number of commissions. She told of staff concerns regarding the location of the benches and said the long term maintenance of the benches hadn't been addressed. Municipal Administrator Leach stated he was looking for direction from the Assembly. Nelson reminded of the community divide that had transpired with the removal of the Baranov statue. Assembly Members directed the Administrator to work with the Birds and Benches Group, City staff, and to develop a maintenance agreement.

N [21-140](#)

Decision on whether to allow sales tax free day(s) following the Thanksgiving holiday and set date(s)

Eisenbeisz, a business owner on Lincoln Street, asked to be recused. Deputy Mayor Christianson concurred.

Richard Wein noted sales tax free days had been a tradition for years and wondered how remote sellers would be included.

Christianson wondered if it would be possible to make effective for local stores only. Finance Director Melissa Haley answered no and said it would be considered discrimination against the remote sellers. She relayed the City was required to inform the Alaska Remote Seller Sales Tax Commission (ARSSTC) of sales tax free days. Citizens who shopped online during the sales tax free days would work through the vendor or ARSSTC to get reimbursed for tax paid.

A motion was made by Himschoot to authorize November 26 and November 27 as Sales Tax Free day(s) for 2021 noting the sales tax free day(s) will not be applicable to any sale of fuel, alcoholic beverages, tobacco products, and marijuana, nor affect any sale which is part of a continuing obligation of the buyer to pay the seller over time. The motion PASSED by the following vote.

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

Recused: 1 - Eisenbeisz

O [21-141](#)

Consider waiving \$100 late fee penalty assessed for Siemens Industry, Inc. for the Q4 2020 sales tax filing period

Municipal Attorney reviewed procedures and noted the Sitka General Code did not allow staff to eliminate the penalty thus it was taken before the Assembly. Finance Director Melissa Haley relayed there was a requirement that all registered businesses file a sales tax return, even if the amount was zero. She added the filing was an important tool to understand who was operating within Sitka. Haley said the business owner had a good history with filing on time. Nelson reminded Siemens was unaware the return didn't arrive on time.

Richard Wein spoke in opposition.

A motion was made by Mosher to grant the waiver of a \$100 late fee penalty assessed for Siemens Industry Inc. for Q4 2020 sales tax filing period. The motion FAILED by the following vote.

Yes: 2 - Mosher, and Nelson

No: 5 - Christianson, Knox, Eisenbeisz, Himschoot, and Duncan

V. PERSONS TO BE HEARD:

Gavin Holder spoke in opposition to a mask mandate. Richard Wein told of a public records request he filed and reported there was no contract for the appraiser who performed the appraisal on the former Sitka Community Hospital site. Thor Christianson relayed he had been thanked by community members for supporting a mask mandate. Valorie Nelson said she did not call people to attend Tuesday night's meeting and suggested in the future, if there was going to be a time limit on public testimony, that it be advertised.

VI. REPORTS

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

Mayor - Eisenbeisz reported a budget had been set for the Alaska Marine Highway.

Administrator - Leach told of attendance at Southeast Conference.

Attorney - Hanson reported on the virtual Alaska Bar Association Conference.

Liaison Representatives - Nelson told of the Library Commission, Planning Commission, and Local Emergency Planning Committee meetings. Knox reported on the Port and Harbors Commission. Himschoot reported on the Tree and Landscape Committee.

Clerk - Peterson told of upcoming dates pertinent to the October 5 Municipal Election and reviewed voting options.

VII. EXECUTIVE SESSION

None.

VIII. ADJOURNMENT

A motion was made by Knox to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:42pm.

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 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

Thursday, September 23, 2021

6:00 PM

Assembly Chambers

SPECIAL MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 5 - Christianson, Mosher, Nelson, Himschoot, and Duncan

Absent: 2 - Knox, and Eisenbeisz

IV. PERSONS TO BE HEARD

None.

V. NEW BUSINESS:

A [21-142](#) Award FY22 Annual General Fund Non-Profit Grants

The Municipal Clerk displayed the allocations from each Assembly Member.

A motion was made by Himschoot to award the following FY22 General Fund Non-Profit Grants in the category of Human Services:

- *Brave Heart Volunteers \$8,060**
- *Sitka Counseling and Prevention Services \$5,845**
- *Sitka Homeless Coalition \$4,536**
- *Southeast Alaska Independent Living \$8,179**

The motion PASSED by the following vote.

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

Absent: 2 - Eisenbeisz and Knox

Tony Jackson, a recipient of the services Southeast Alaska Independent Living provides, thanked the Assembly for offering the grant money.

A motion was made by Duncan to award the following FY22 General Fund Non-Profit Grants in the category of Cultural & Educational Services:

***Alaska Arts Southeast (Sitka Fine Arts Camp) \$7,500**

The motion PASSED by the following vote.

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

Absent: 2 - Eisenbeisz and Knox

A motion was made by Mosher to award the following FY22 General Fund Non-Profit Grants in the category of Community Development:

***Baranof Bruins Youth Wrestling Club \$4,464**

***Sitka Trail Works \$5,750**

The motion PASSED by the following vote.

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

Absent: 2 - Eisenbeisz and Knox

Jackie O'Jala, Mike Kimber, and Lynne Brandon spoke in support.

VI. PERSONS TO BE HEARD:

Nicholas McGraw spoke in opposition to a mask mandate. Valorie Nelson wondered how citizens could testify at the September 28 Assembly meeting if they had a medical exemption for the mask mandate, announced she was unvaccinated, spoke in opposition to a mask mandate, and told of the divisiveness within the community.

VII. EXECUTIVE SESSION

None.

VIII. ADJOURNMENT

A motion was made by Mosher to ADJOURN. Hearing no objections, the meeting ADJOURNED at 6:23pm.

ATTEST: _____
Sara Peterson, MMC
Municipal Clerk



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
330 Harbor Drive
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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, September 28, 2021

6:00 PM

Assembly Chambers

WORK SESSION 5:00 PM

[21-148](#)

Work Session: Sound Development LLC

Sound Development LLC met with the Assembly to inform of possible development in the Benchlands.

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Nelson left meeting at 6:45pm and rejoined at 9:45pm.

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

IV. CORRESPONDENCE/AGENDA CHANGES

[21-149](#)

Reminders, Calendars, and General Correspondence

No agenda changes.

V. CEREMONIAL MATTERS

[21-144](#)

Proclamation - Indigenous Peoples' Day

Mayor Eisenbeisz read a proclamation reaffirming Indigenous Peoples' Day, the second Monday in October. Dionne Brady-Howard accepted on behalf of the Sitka

Tribe of Alaska.

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

Dionne Brady-Howard, Vice Chair of the Sitka Tribe of Alaska Tribal Council, thanked the Assembly for recognizing Indigenous Peoples' Day. Brady-Howard spoke to the mask resolution recently approved by the Council and encouraged the Assembly to do the same.

VII. PERSONS TO BE HEARD

Carin Adickes spoke in opposition to the low sale price of the former Sitka Community Hospital (SCH). Richard Wein commented on the price of gasoline, the potential sale of the former SCH, and told the City and Southeast Alaska Regional Health Consortium hired the same appraiser for the SCH appraisal. Mary Todd Anderson encouraged citizens to have a three month supply of food and medical supplies. Brett Wilcox spoke to deaths related to the COVID-19 vaccine. Marshall Albertson mentioned comments made by an elected official regarding unvaccinated individuals and spoke to election fraud. Nancy Yaw Davis told of historical information pertaining to the former SCH. Robert Layton expressed sadness over the divisiveness in Sitka. Ron Mears told of disrespect demonstrated at the September 14 Assembly meeting and spoke to the right to choose. Tim Bernard spoke to comments made by an elected official and wondered if it was grounds for dismissal from office. Keith Gibson encouraged citizens to stop arguing and refocus their energy towards improving their lives. Doug Osborne told of Sitka Health Summit goals. Thor Christianson, speaking as a citizen, spoke to his vote on the advisory question related to the sale of the former SCH.

VIII. CONSENT AGENDA

None.

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

None.

X. UNFINISHED BUSINESS:

A [ORD 21-32](#) Requiring use of a face covering in certain indoor settings and providing a penalty

Nelson requested Christianson be removed due to a bias regarding vaccinations and mentioned statements made about unvaccinated individuals. Eisenbeisz reminded the subject was about masking, not vaccines, and that Christianson had not disclosed a disqualifying bias. Eisenbeisz ruled Christianson could participate. Nelson left the meeting at 6:45pm and rejoined at 9:45pm.

Citizens speaking in support of the mask mandate were Michelle Putz, John DeLong, Matthew Jackson, Kate Johnson, Bonnie Cottrell, Michael Smith, Darby Osborne, Adriane Wilber, Tory O'Connell Curran, Bridgette Hitchcock, Zoe Trafton, Loyd Platson, Wendy Alderson, Emma Lackrie, Stephen Rhoades, David Kreiss-Tomkins, Marjie

Esquiro, Kelly Buxton, Lindsay Evans, Larry Garrity, Lorraine Lil, Cecilia Dumouchel, Rowan Chevalier, Willa Johnson, Leah Mason, Jeremiah Craig, and Beth Short-Rhoades.

Citizens speaking in opposition were Cedar Bethune, Justin Clark, Valorie Nelson, Richard Doland, Mary Todd Anderson, Patty Ady, Mae Dunsing, Tristan Rhoades, Jaylene Owen, Alliah Chinalski, Karen Lucas, Dollie Albertson, Marshall Albertson, Stacy Mudry, Brett Wilcox, Gavin Holder, Richard Wein, Wendy Dougan, Brad Russell, and George Paul.

A discussion of the Assembly ensued. Christianson said while the ordinance was not perfect, the intent was to adjust behavior while in the high alert status and reduce spread. Knox noted the issue of masks had been politicized, and while healthcare systems were stressed, he could not support the ordinance as written.

A motion was made by Knox to AMEND Ordinance 2021-32 by deleting on line 8 the words "and providing a penalty", deleting on lines 109-111, "However, employers will not be subject to fines based on non-compliance by customers so long as there is a clearly posted sign informing customers that they are required to wear face coverings.", and deleting lines 117-120 section (G) Violation". The motion FAILED by the following vote.

Yes: 1 - Knox

No: 5 - Himschoot, Mosher, Christianson, Duncan and Eisenbeisz

Absent: 1 - Nelson

Citizens speaking in support of the amendment were Richard Wein, Valorie Nelson, Marshall Albertson, Karen Comas, and Julie Stroemer. Those speaking in opposition were Tori O'Connell Curran, Loyd Platson, and David Kreiss-Tomkins. Mary Todd Anderson reminded no one had the right to inquire about an individual's medical reasons for not masking.

Christianson reminded without a fine this would be a resolution and that had been tried. Knox, while supportive of masking, said it was bothersome to leave the penalty section if it wasn't going to be utilized. He added it took away from the present and future work of the body. Duncan voiced similar concerns, however, noted she preferred to add language to strengthen it. Himschoot reminded the enforcement section had always been problematic. She hoped direction would be given from the Administrator to the Police Officers to use discretion as they'd done thus far.

A discussion ensued on the main motion. Mosher, while noting the ordinance wasn't perfect, spoke in support. Himschoot thanked citizens for their testimony, voiced support, and desired the enforcement to be no different than what it had been. Duncan told of the healthcare crisis, safeguarding the community, and acknowledged healthcare workers, first responders, teachers, essential workers, and businesses. Eisenbeisz expressed multiple concerns with the ordinance, spoke to enforcement, and told of the burden being put on business owners.

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

Yes: 4 - Christianson, Mosher, Himschoot, and Duncan

No: 2 - Knox, and Eisenbeisz

Absent: 1 - Nelson

- B** [ORD 21-31](#) Amending Title 2 “Administration” of the Sitka General Code by deleting Chapter 2.12 “City and Borough of Sitka Hospital Board”, Chapter 2.14 “Historic Trust Board” and Chapter 2.64 “Seafood Processing Economic Development Committee” and updating Chapter 2.16 “Library Commission”

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 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

- C** [ORD 21-33](#) Making supplemental appropriations for Fiscal Year 2022 (IT Personnel / Approval of a New Position)

From the public, Richard Wein spoke in opposition.

Mosher reminded there was a net zero impact; funds were being moved from the existing appropriation of \$120,000 in contract/purchased services to personnel. Christianson understood the reluctance of adding a new position, however, reminded the employee would be based locally.

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

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

No: 1 - Nelson

- D** [ORD 21-34](#) Making supplemental appropriations for Fiscal Year 2021 (IT Fund Expense)

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

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

- E** [ORD 21-35](#) Making supplemental appropriations for Fiscal Year 2021 (School Bond Debt Refunding Expense)

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

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

XI. NEW BUSINESS:

New Business First Reading

- F** **ORD 21-36** Making supplemental appropriations for Fiscal Year 2022 (FY2021 Open Purchase Orders)

Christianson disclosed a couple of the open purchase orders were with his employer, Southeast Region EMS Council. Christianson informed there was no personal gain nor had his employer pressured him to vote a certain way. Eisenbeisz ruled no conflict.

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

Additional New Business Items

G [21-146](#) Discussion / Direction / Decision of the Municipal Administrator's annual recommended transfer to the Public Infrastructure Sinking Fund

Administrator Leach explained per Sitka General Code, the Administrator was to make a recommendation on an amount of unencumbered funds to transfer to the Public Infrastructure Sinking Fund. Leach reported the undesignated fund balance as of June 30, 2021 had improved due to a number of factors - e.g. pandemic relief funding, donation from Norwegian Cruise Lines, exceeded FY21 sales tax revenue goals, and belt tightening and efforts diverted to pandemic relief. Leach said the City was in a position to once again begin to invest in Sitka's infrastructure after years of deferred maintenance. He recommended \$2.6M be transferred to the Public Infrastructure Sinking Fund. Finance Director Melissa Haley noted the memo and proposed motion spoke to the transfer being effective June 30, 2021, the fiscal year the transfer pertained to.

Assembly members commended Leach on his work.

From the public, Richard Wein spoke in support of the transfer.

A motion was made by Knox to transfer \$2.6M to the Public Infrastructure Sinking Fund to be allocated to future infrastructure projects and make this transfer effective June 30, 2021. The motion PASSED by the following vote.

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

H [21-147](#) Discussion / Direction on developing options to consolidate or sunset certain boards, commissions, and committees

A motion was made by Mosher to EXTEND the meeting to 11:00pm. The motion PASSED by the following vote.

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

No: 1 - Nelson

Knox and Himschoot told of the important work of the city boards, commissions, and committees and spoke to challenges - e.g. membership. He hoped to engage the bodies and staff to discuss how each group was functioning, possible efficiencies to be gained, and if continued service was in order or if the group could sunset. Consensus was to task Assembly Liaisons with reaching out to their respective groups and report back.

XII. PERSONS TO BE HEARD:

Richard Wein spoke to ideas for board/committee/commission efficiencies and the proper fit of masks. Gavin Holder encouraged an education drive or public outreach regarding masks. Valorie Nelson requested an investigation be initiated on allegations about statements made by Deputy Mayor Christianson regarding unvaccinated individuals.

XIII. REPORTS

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

Mayor - Eisenbeisz reported on Southeast Conference.

Administrator - Leach also spoke to Southeast Conference.

Attorney - Hanson told of his planned leave from October 5 through October 17.

Liaison Representatives - Knox reported on the Climate Action Task Force and Nelson on the Police and Fire Commission.

Clerk - Peterson reviewed Municipal Election information.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Knox to ADJOURN. Hearing no objections, the meeting ADJOURNED at 10:48pm.

ATTEST: _____

**Sara Peterson, MMC
Municipal Clerk**