



CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS
1332 Seward Ave.
Room 229
Sitka, AK
(907)747-1811

Minutes - Final

City and Borough Assembly

Mayor Mim McConnell
Deputy Mayor Matt Hunter
Vice-Deputy Mayor Benjamin Miyasato
Aaron Swanson, Steven Eisenbeisz
Tristan Guevin, and Bob Potrzuski

Municipal Administrator: Mark Gorman
Municipal Attorney: Robin L. Koutchak
Municipal Clerk: Sara Peterson, CMC

Tuesday, January 26, 2016

6:00 PM

Assembly Chambers

5:00-5:50PM WORKSESSION: Citizens' Taskforce

[16-016](#)

Worksession materials

The Citizens' Taskforce met with Assembly members to provide a report on their work to date.

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Potrzuski

IV. CORRESPONDENCE/AGENDA CHANGES

[16-015](#)

Reminders, Calendars and General Correspondence

V. CEREMONIAL MATTERS

[16-014](#)

Athletic Awards for State Wrestling Champions and Service Award to Historic Preservation Commission member Peter Gorman

Mayor McConnell presented athletic awards to Mt. Edgecumbe High School and Sitka High School State wrestling champions. In addition, McConnell presented a service award to Peter Gorman for over 12 years of service on the Historic Preservation Commission.

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

General Manager of Sitka Tribe of Alaska (STA), Lawrence SpottedBird, announced the wife of Tribal Council member, Woody Widmark, had passed away. SpottedBird informed the Assembly of funeral service details.

Library Director, Robb Farmer, announced the Library move was near completion and a ribbon cutting ceremony at the new Library was scheduled for February 4th at 5:30pm.

VII. PERSONS TO BE HEARD

Margie Esquiro noted she had been attending the Marijuana Advisory Committee meetings on a regular basis to educate herself about marijuana and learn more about how the new regulations would affect Sitka. Esquiro was disappointed to learn the Assembly had approved Resolution 2016-01 requesting that the Alaska State Department of Law recommend the set-back distance required between all marijuana establishments and any schools, recreation or youth centers, religious buildings and correctional facilities be a minimum of 200 ft., she wished to see all marijuana businesses require a conditional user permit, reminded the Assembly the Marijuana Advisory Committee would sunset February 24th and hoped the Assembly would consider opening up the membership of the local regulatory authority to others. Esquiro encouraged others to come forward and share their opinions on the issue.

VIII. REPORTS

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

Administrator - Gorman shared he had recently met with the CEO's of Sitka Community Hospital and SEARHC to explore areas of possible collaboration, attended the Chamber of Commerce grand opening, reported damage had occurred to the float plane dock, noted Alaska Bulk Water Inc. had failed to make their payment and staff was looking into the possibility of an extension, and shared staff was looking into restoring power to the Castle Hill area.

Attorney - Attorney David Bruce of Seattle, participating by phone, provided an update to the Assembly on the status of the Kramer slide report. Bruce announced he and Mr. Laprade would be in Sitka February 9th to present the report to the Assembly and the public and discuss the next steps with respect to the Kramer Avenue slide. He anticipated around that time that City representatives would work with affected property owners to answer questions and discuss the implications of the report for their properties.

Liaisons - Miyasato reported on the Parks and Recreation Committee meeting, Guevin on the Tree and Landscape Committee meeting and Citizens' Taskforce meeting, and Eisenbeisz on the work of the Marijuana Advisory Committee (MAC). Eisenbeisz reminded the Assembly that the current MAC would sunset February 24.

Clerk - Peterson noted there were a number of vacancies on municipal boards, commissions and committees and also noted she had been following discussions in other communities about the use of cell phones at the Assembly table.

IX. CONSENT AGENDA

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

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Potrzuski

- A** [16-010](#) Approve the minutes of the January 12, 2016 Assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

- B** [16-013](#) Approve liquor license renewal applications for Sitka Moose Lodge #1350 and JL Sitka, Inc. dba Westmark Sitka Hotel and forward these to the Alcoholic Beverage Control Board without objection

This item was APPROVED ON THE CONSENT AGENDA.

- C** [RES 16-03](#) Requesting the Alaska State Legislature works with the Governor to implement policies that lead to a sustainable state budget for the foreseeable future

This item was APPROVED ON THE CONSENT AGENDA.

- D** [RES 16-04](#) Supporting the Alaska State Board of Education's proposed revised Alaska Arts Standards

This item was APPROVED ON THE CONSENT AGENDA.

- E** [ORD 16-02](#) Amending Chapter 2.60 by adding Section 2.60.060 entitled, "Municipal Employees Serving on Municipal Boards, Commissions or Committees"

Guevin voiced concern over the possibility of having too many municipal employees on boards, commissions and committees.

An amendment was made by Guevin that appointments be limited to two municipal employees (voting members) on a 7 member municipal board, commission or committee and one municipal employee (voting member) on a 5 member municipal board, commission or committee. The amendment FAILED by the following vote.

Yes: 2 - Miyasato, and Guevin

No: 4 - McConnell, Hunter, Swanson, and Eisenbeisz

Absent: 1 - Potrzuski

Hunter shared concerns of employees overseeing employees but offered that a majority of the boards, commissions, and committees were advisory in nature. Ultimately, the Assembly was responsible for appointing members and Hunter believed the Assembly could manage employee membership on a case by case basis. McConnell agreed.

Eisenbeisz understood the need to prevent a board from being made up of solely municipal employees but felt the amendment limited the Assembly.

Guevin wondered if there weren't enough citizens applying to serve that maybe the Assembly wasn't empowering boards enough to attract citizens.

A motion was made by Hunter that this Ordinance be APPROVED on first reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Potrzuski

F [ORD 16-03](#)

Adjusting the FY16 Budget

Eisenbeisz noted for the public that there were two projects included in the Ordinance that had gone over budget: the Crescent Harbor Shelter Roof project and the Eliason Flotation Upgrade project.

Eisenbeisz expressed concern over the Central Garage Fund Fixed Assets Vehicles account item to replace five vehicles. Gorman stated that although the request didn't look good, given the financial stresses of the City, the replacement vehicles were necessary. One vehicle was lost in the August landslides and another had caught fire. The remaining three needed to be replaced because of rusted chassis. Gorman emphasized these were replacement vehicles, not new additions to the fleet.

Hunter wondered if it would be beneficial to purchase an electric vehicle for one of the vehicle replacements. Gorman stated he would take the idea back to the Public Works Department.

Guevin felt comfortable with the Ordinance and confident staff was looking for cost saving measures when possible.

Hunter explained the reason the Eliason Flotation Upgrade project went over budget was because the original flotation was inadequate and replacement was necessary. He added replacing Eliason Harbor would cost \$20-\$30 million and maintaining it now would save money over the long run.

A motion was made by Miyasato that this Ordinance be APPROVED on first reading. The motion PASSED by the following vote.

Yes: 5 - McConnell, Hunter, Swanson, Miyasato, and Guevin

No: 1 - Eisenbeisz

Absent: 1 - Potrzuski

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

G [16-012](#) Reappoint Barbara Bingham to the Library Commission

Assembly members thanked Bingham for 10 years of service on the Commission.

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

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Potrzuski

XI. UNFINISHED BUSINESS:

H [ORD 16-01](#) Authorizing the sale of a portion of Lot 1 Dodson-Holzman Subdivision

A motion was made by Swanson that this Ordinance be APPROVED on second and final reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Potrzuski

XII. NEW BUSINESS:

I [16-011](#) Brief update from the Sitka Community Playground volunteer group on the status of the community playground project- possible discussion/direction by the Assembly

David Nuetzel, Program Director of Southeast Alaska Independent Living and member of the Sitka Community Playground Committee, updated the Assembly on the work of the Committee. Nuetzel stated the Committee was researching design firms and actively applying for grants. To date the group had raised \$35,000 of their \$450,000 goal. He mentioned the ADA accessible playground had been a goal of the Parks and Recreation Committee for years and was a new goal of the Sitka Health Summit. Nuetzel believed there was \$40,000 allocated in the current municipal budget for playground resurfacing. The Committee wished to see the money transferred into a fund that they could then use to resurface the new playground.

Miyasato wondered if the request for \$40,000 had been reviewed by the Parks and Recreation Committee. Lynne Brandon, a Playground Committee member, offered that during her tenure as the City and Borough of Sitka (CBS) Parks and Recreation Manager, the idea had been brought to the Parks and Recreation Committee. She recalled the Committee felt the use of that money would be well utilized to leverage additional grant money for the Community Playground.

Hunter, supportive of the project, reiterated that the playground had been a goal of the Parks and Recreation Committee since 2008 and believed the Parks and Recreation Committee was supportive of the playground concept although unsure of their support for the transfer of funds. Hunter wondered of the possibility for the Public Works Department to find a way to be judicious in spending so that some monies could be forwarded to the next fiscal year.

Nuetzel clarified that the \$40,000 was needed for phase 3 of the project and if set aside now, or in the future, for the playground project the group could include it when they applied for grants that required large matching grants in order to demonstrate community support. Nuetzel hoped to start breaking ground next spring on the playground.

Eisenbeisz asked for clarification on the availability of the \$40,000 for resurfacing. Administrator Gorman stated there was an amount set aside in the budget for resurfacing but it was important to note the amount was for addressing the needs of all CBS playgrounds. Gorman recommended these types of requests be reviewed during the budget process. He noted if the subject funds weren't spent during FY16, those monies would end up in a fund balance which for the last three years had gone into the sinking fund. The Assembly would then decide the priorities for those monies. Eisenbeisz agreed with considering funding for the project during the FY17 budget process.

Guevin spoke in support of the playground project and wished to have the project included in the FY17 budget process. He also believed it would be beneficial for the Parks and Recreation Committee to weigh in on the matter. Guevin stated a discussion needed to occur on whether the City maintain the existing playgrounds or invest the money into a new playground.

In response to Assembly discussion, Gorman confirmed a placeholder could be included in the FY17 budget process for the community playground.

McConnell wondered what the plan would be for the other CBS playgrounds if the \$40,000 was used for a new community playground. Public Works Director, Michael Harmon, stated the City playgrounds were out of compliance. The \$40,000 budgeted for resurfacing was the only funding available for basic maintenance and to keep them in compliance. He wondered if this money was used for the new playground would the Assembly be comfortable closing the other playgrounds until the new community playground was complete? He ended by stating if the current playgrounds did not meet compliance they shouldn't be open.

A motion was made by Eisenbeisz to REFER this issue back to the Parks and Recreation Committee for further review and study. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Potrzuski

J [RES 16-02](#)

Requesting the Alaska Department of Revenue remit 50 percent of the excise tax levied on all marijuana products produced by cultivators back to

municipalities

Chairman of the Marijuana Advisory Committee (MAC), Levi Albertson, spoke in support of the resolution and stated there was the potential for a large amount of money to be injected back into communities.

Jay Stelzenmuller, a member of the MAC but speaking as a citizen, spoke in support of the resolution. Stelzenmuller wished to see local control of the money and have it used for educating youth on the damaging effects of marijuana - e.g. brain development.

Eisenbeisz had mixed feelings about the ordinance and felt a discussion amongst the Assembly was worthy.

Guevin spoke in support of the resolution and believed it was the City's obligation to ask as a municipal government. McConnell also spoke in support of the resolution. McConnell feared a local tax in addition to a state tax would be detrimental.

A motion was made by Hunter that this Resolution be APPROVED on first and final reading. The motion PASSED by the following vote.

Yes: 6 - McConnell, Hunter, Swanson, Miyasato, Eisenbeisz, and Guevin

Absent: 1 - Potrzuski

XIII. PERSONS TO BE HEARD:

Pamela Ash, a member of the Marijuana Advisory Committee but speaking as a citizen, encouraged citizens to educate themselves about marijuana types and uses rather than being fear based.

XIV. EXECUTIVE SESSION

None.

XV. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 7:38pm.

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk