



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. Schmid

Thursday, May 5, 2016

2:00 PM

Assembly Chambers

Meeting to be held at the Sealing Cove Business Center 601 Alice Loop

SPECIAL MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

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

Absent: 1 - Potrzuski

IV. PERSONS TO BE HEARD

None.

V. NEW BUSINESS:

- A** [16-096](#) Discussion/Direction/Decision on the employment and termination of Robin Schmid (*executive session anticipated*)
- Administrator Gorman noted that at approximately 3:40pm on May 4, 2016, City Hall received correspondence from Keene & Currall representing Municipal Attorney Robin Schmid. Gorman stated he felt the content of the correspondence necessitated a special meeting of the Assembly.
- Clay Keene, representing Robin Schmid, stated he had worked with Schmid over the past few years and at all times found Schmid to be professional and an exceptional advocate for the City and Borough of Sitka. Keene hoped this meeting would provide the Assembly an opportunity to make better what he would call a rush decision in asking Schmid for her resignation. He indicated Schmid was willing to continue through the term of her contract or at least January 5, 2017 - the date on which she

would be vested with PERS. He urged the Assembly not vote in favor of the motion and instead consider what opportunities would be available in the interim to allow Schmid to serve out the remainder of her term or until at least January 5, 2017. Keene indicated he was available to assist the Assembly in fashioning an agreement with Schmid which would benefit both parties. Keene asked that the Assembly hold conversations related to Mr. Hanson and Ms. Schmid's employment/termination in public rather than executive session to ensure transparency.

Eisenbeisz stated that based on the content of the letter the municipality would no longer be best served by having Schmid as Municipal Attorney.

A motion was made by Miyasato to appoint Brian Hanson as the Acting Municipal Attorney. The motion PASSED by the following vote.

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

Absent: 1 - Potrzuski

Mayor McConnell asked Robin Schmid to step down as Municipal Attorney. Schmid stated she hadn't received anything in writing from the City and Borough of Sitka regarding the April 19, 2016 meeting and hadn't been given a chance to speak. She noted that what was in the letter was a request for conciliation. Mayor McConnell again asked Schmid to step down.

Guevin stated the decision being made was the Assembly's legal fiduciary responsibility to the citizens of Sitka. Eisenbeisz stated it would be difficult for Schmid to act in the best interest of the City given the circumstances. Miyasato thanked Schmid for her service to the community of Sitka.

A motion was made by Miyasato to place former Municipal Attorney Robin Schmid on administrative leave with pay, not beyond May 31, 2016. The motion PASSED by the following vote.

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

Absent: 1 - Potrzuski

A motion was made by Miyasato to go into Executive Session with Acting Municipal Attorney Brian Hanson to discuss legal correspondence received from Keene & Currall, the law firm representing Robin Schmid and invite in Mark Danielson, Human Resources Director; Jay Sweeney, Chief Finance and Administrative Officer; and Maegan Bosak, serving in the capacity of Public Relations. The motion PASSED by the following vote.

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

Absent: 1 - Potrzuski

A motion was made by Miyasato to reconvene as the Assembly in regular session. The motion PASSED by a unanimous voice vote.

Mayor McConnell and the Assembly acknowledged Ms. Schmid's service to the community and looked forward to a prompt resolution regarding the concerns she had presented to the Assembly.

A motion was made by Miyasato to direct Acting Municipal Attorney, Brian Hanson to resolve the issues raised by law firm Keene & Currall on behalf of Robin Schmid. The motion PASSED by the following vote.

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

No: 1 - Eisenbeisz

Absent: 1 - Potrzuski

VI. ADJOURNMENT

A motion was made by Miyasato to ADJOURN. Hearing no objections, the meeting ADJOURNED at 3:20pm.

ATTEST: _____
Sara Peterson, CMC
Municipal Clerk