



# CITY AND BOROUGH OF SITKA

ASSEMBLY CHAMBERS  
330 Harbor Drive  
Sitka, AK  
(907)747-1811

## Minutes - Final

### City and Borough Assembly

*Mayor Matthew Hunter*  
*Deputy Mayor Bob Potrzuski*  
*Vice-Deputy Mayor Steven Eisenbeisz*  
*Tristan Guevin, Kevin Knox*  
*Aaron Bean, and Aaron Swanson*

*Municipal Administrator: Mark Gorman*  
*Municipal Attorney: Brian Hanson*  
*Municipal Clerk: Sara Peterson*

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Monday, May 1, 2017

6:00 PM

Assembly Chambers

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#### SPECIAL MEETING

#### I. CALL TO ORDER

#### II. FLAG SALUTE

#### III. ROLL CALL

**Present:** 6 - Swanson, Guevin, Potrzuski, Hunter, Knox, and Bean

**Absent:** 1 - Eisenbeisz

#### IV. NEW BUSINESS:

##### Board of Equalization

**A motion was made by Swanson to Convene as the Board of Equalization. The motion PASSED by a unanimous voice vote.**

Municipal Attorney, Brian Hanson, stated item B had been withdrawn.

#### A. [17-086](#)

Consideration of a late-file application filed by Christine McGraw (*note: if granted, the appeal would be heard at a later date*)

Mayor Hunter requested Assessing Director, Wendy Lawrence, provide a summary of the request. Lawrence stated the Assessing Office had received a late-file appeal application from Christine McGraw after the April 14, 2017 deadline. Lawrence reminded the "unusual circumstances" requirement would need to be met. Lawrence stated McGraw informed her she had mail forwarding with the Post Office and explained it was the burden of the property tax owner to ensure the Assessing Office had the correct mailing address on file. Lawrence stated the City had met its burden and there was no way for the City to know McGraw had not received the notice until McGraw contacted the Assessing Office on April 21 - after the April 14 appeal period had closed. Lawrence asked that the Board of Equalization uphold the State Statutes and Sitka General Code and not grant the late-file appeal.

Bean noted the request before the Board was an application not a hearing. Given the circumstances of events (Kramer landslide) that had occurred on McGraw's property, he wished to see the application accepted and a hearing granted. Bean suggested there had been a communication breakdown between McGraw and the Assessing Office and spoke to the McGraw's email sent to the Assessing Office on April 28, 2017. Guevin reminded the Board was sitting as a quasi-judicial body, the circumstances were irrelevant. He stated it was the Board's duty to decide whether McGraw's late filing was due to unusual circumstances. Guevin was of the opinion that there was nothing "unusual"; notices were sent to everyone and it was each property owner's responsibility to update their mailing address with the City. In conclusion, he added it was dangerous to set a precedent with personal property. While sympathetic to McGraw, Hunter reminded that the Board was not to take into consideration anything other than what was presented and was also concerned about setting a precedent.

**A motion was made by Bean to accept Christine McGraw's late file appeal application. The motion FAILED by the following vote.**

**Yes:** 2 - Swanson, and Bean

**No:** 4 - Guevin, Potrzuski, Hunter, and Knox

**Absent:** 1 - Eisenbeisz

**A motion was made by Swanson to Reconvene as the Assembly in regular session. The motion PASSED by a unanimous voice vote.**

Municipal Administrator Mark Gorman applauded Assessing Director, Wendy Lawrence, for her work noting initially there had been 100 appeals.

**B**     [17-087](#)

Hear an appeal, and reach findings and decision, filed by Sitka Residences, LLC in regard to real property referenced within appeal packet 2017-01 by reference (Aspen Hotel)

This item was withdrawn prior to the start of the meeting. The Assessing Director informed that Aspen Hotel was signing the corrected assessment and would not be appealing.

**V.     PERSONS TO BE HEARD:**

None.

**VI.    EXECUTIVE SESSION**

None.

**VII.   ADJOURNMENT**

**A motion was made by Swanson to ADJOURN. Hearing no objections, the meeting ADJOURNED at 6:15pm.**

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