



CITY AND BOROUGH OF SITKA

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

Minutes - Final

City and Borough Assembly

Mayor Gary Paxton
Deputy Mayor Steven Eisenbeisz,
Vice Deputy Mayor Valorie Nelson,
Aaron Bean, Kevin Knox, Dr. Richard Wein, Kevin Mosher

Municipal Administrator: Keith Brady
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson

Tuesday, November 27, 2018

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Present: 7 - Eisenbeisz, Knox, Bean, Wein, Paxton, Mosher, and Nelson

IV. CORRESPONDENCE/AGENDA CHANGES

[18-223](#)

Reminders, Calenders and General Correspondence

None.

V. CEREMONIAL MATTERS

None.

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

Sitka Tribal Council Representatives KathyHope Erickson and Woody Widmark provided an update to the Assembly and noted ongoing work on federal, state, and local priorities.

Sitka Community Hospital Chief Executive Officer Rob Allen reported on cash levels, current census, audit report, and staffing levels.

[18-217](#)

Special Report: SCH/SEARCH Strategic Affiliation Process - Sarah Cave, Steve Huebner, Sandy Johnson

Sarah Cave provided a progress report on the Sitka Community Hospital / SEARHC strategic affiliation process.

VII. PERSONS TO BE HEARD

Becky Meiers, new General Manager at KCAW introduced herself. KCAW Reporter Emily Kwong announced she was leaving Sitka in mid-December to pursue a reporting opportunity with NPR in Mongolia.

VIII. REPORTS

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

Administrator - Brady announced the long-term parking at the airport, farthest from the terminal, would be going away due to construction of a State project; reported on a conversation with Camille Ferguson regarding a grant list for transportation infrastructure; met with Sitka Tribe of Alaska General Manager Lisa Gassman to discuss the recent Assembly visioning session and planned legislative priorities; spoke with Mt. Edgecumbe High School Superintendent Janelle Vanasse to further discuss plans for the seaplane base location; and reported on his trip to Anchorage for the Alaska Municipal League Conference.

Attorney - Hanson reported on the Legal Department's attendance at the Alaska Association of Municipal Attorney's Conference in Anchorage.

Liaison Representatives - Wein reported on the recent Tree and Landscape Committee meeting.

Clerk - Peterson reminded of commission vacancies, the December 4 work session and December 8 visioning session.

IX. CONSENT AGENDA

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

Yes: 7 - Eisenbeisz, Knox, Bean, Wein, Paxton, Mosher, and Nelson

A [18-218](#) Approve the minutes of the November 8 Assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

B [18-219](#) Approve liquor license renewal applications for: 1) The Channel LLC dba Channel Club at 2906 Halibut Point Road, 2) Pioneer Liquor, Inc. dba Pioneer Bar and Pioneer Liquor Store at 212 Katlian Street

This item was APPROVED ON THE CONSENT AGENDA.

- C [RES 18-24](#) Supporting the application request to name the newly formed lake created by the May 12, 2013 landslide at the head of Redoubt Lake as Luna Lake

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

X. **BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

- D [18-220](#) Appoint Victor Weaver to an unexpired term on the Planning Commission

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

Yes: 7 - Eisenbeisz, Knox, Bean, Wein, Paxton, Mosher, and Nelson

XI. **UNFINISHED BUSINESS:**

- E [ORD 18-52S](#) Amending Title 13 "Port and Harbors" of the Sitka General Code by adding Chapter 13.16 "Commercial Marine Trade Permit" and amending Chapter 13.04 "Definitions"

Due to an amendment made November 8 on the original ordinance, it was noted this was a substitute ordinance for first reading.

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

Yes: 6 - Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

No: 1 - Bean

- F [ORD 18-53](#) Making supplemental appropriations for Fiscal Year 2019 (Sitka Community Hospital Sale)

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 - Eisenbeisz, Knox, Bean, Paxton, and Mosher

No: 2 - Wein, and Nelson

XII. **NEW BUSINESS:**

New Business First Reading

- G [ORD 18-54](#) Making supplemental appropriations for Fiscal Year 2019 (City Hall Customer Service Counter)

Wein referenced the packet memo. He shared that in recent months staff working in the Utility Office on the first floor of City Hall had reported multiple instances of feeling

threatened by members of the public. Assembly members were supportive and expressed concerns over citizen behavior.

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

Yes: 7 - Eisenbeisz, Knox, Bean, Wein, Paxton, Mosher, and Nelson

Additional New Business Items

- H** [18-221](#) Update / Discussion on the November 17, 2018 Assembly Visioning Session and scheduling of next Visioning Session
- Mayor Paxton provided an overview of the November 17 visioning session. Two priorities of the Assembly were sustainable infrastructure and economic development. Municipal Administrator Brady was currently working on action plans for each priority for Assembly review at the December 8 visioning session.

XIII. PERSONS TO BE HEARD:

James Neilsen Jr. suggested a crosswalk be placed on Harbor Drive with direct access to the Sitka Public Library.

XIV. EXECUTIVE SESSION

- I** [18-222](#) Executive Sessions: 1) Financial / Legal Matters - Silva vs. CBS and Ferguson vs. CBS 2) Financial / Legal Matters - Phase 3b of the CBS / SCH-SEARHC Affiliation Process
- A motion was made by Mosher to go into Executive Session to receive and discuss an update from Municipal Attorney and outside legal counsel, Michael Gatti and Megan Sandone, regarding financial and legal matters affecting the Municipality as a result of the lawsuits filed by Ryan Silva on August 23, 2018 and Mary Ferguson on October 11, 2018, and, exclude the Municipal Administrator initially with the possibility of an invite later, if and when ready. The motion PASSED by the following vote:**
- Yes:** 4- Bean, Mosher, Wein, and Nelson
No: 3- Paxton, Knox, and Eisenbeisz
- Mosher and Nelson wished to have the opportunity to ask frank questions to legal counsel and were unsure if it was appropriate to have Municipal Administrator Keith Brady in the room as he was named in the lawsuit. Municipal Attorney Hanson discouraged the Assembly from excluding Brady and clarified that Brady was not named in the lawsuit.
- The Assembly was in executive session from 7:30pm to 9:15pm. Brady was invited in at 8:05pm.
- A break was taken from 9:15pm to 9:20pm.
- A motion was made by Nelson to go into Executive Session to discuss communications with the Municipal Attorney and Municipal Administrator regarding phase 3b of the CBS/SCH-SEARHC affiliation process, matters the**

immediate knowledge of which would adversely affect the finances of the municipality and invite in outside legal counsel Sandy Johnson, consultants Sarah Cave and Steve Huebner and Chief Finance and Administrative Officer, Jay Sweeney. The motion **PASSED** by the following vote:

Yes: 5- Knox, Paxton, Mosher, Nelson, and Eisenbeisz

No: 2- Wein and Bean

The Assembly was in executive session from 9:20pm to 10:25pm at which time a break was taken to make a motion to extend the meeting.

A motion was made by Bean to extend the meeting to 11:00pm. The motion PASSED by a unanimous voice vote.

The Assembly was in executive session from 10:28pm to 10:53pm.

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

XV. ADJOURNMENT

A motion was made by Wein to ADJOURN. Hearing no objections, the meeting ADJOURNED at 10:54pm.

ATTEST: _____
Sara Peterson, MMC
Municipal Clerk