



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 Kevin Mosher,
Kevin Knox, Dr. Richard Wein, Valorie Nelson, Thor
Christianson*

*Interim Municipal Administrator: Hugh Bevan
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson*

Tuesday, February 25, 2020

6:00 PM

Assembly Chambers

WORK SESSION 5:00 P.M.

[20-055](#)

Greater Sitka Chamber of Commerce / Visit Sitka

Rachel Roy and Laurie Booyse of the Greater Sitka Chamber of Commerce and Visit Sitka presented to the Assembly.

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Mayor Paxton and the Assembly thanked Interim Administrator Hugh Bevan for his service.

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

IV. CORRESPONDENCE/AGENDA CHANGES

No agenda changes.

[20-056](#)

Reminders, Calendars, and General Correspondence

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)

[20-047](#)

Special Report: Planning Director Amy Ainslie - Municipal Land at 4951 Halibut Point Road, A Portion of Lot 1 USS 3670

Interim Municipal Administrator Hugh Bevan reminded a work session scheduled on this topic in January had been cancelled due to winter weather. Planning Director, Amy Ainslie, provided an overview and description of the area, history and patent restrictions, the current zoning, and utilities.

VII. PERSONS TO BE HEARD

Harvey Brandt stated the coronavirus was on the minds of many and urged the Assembly and City to prepare.

VIII. REPORTS

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

Mayor - Paxton provided a report on his attendance at the Winter AML Conference.

Interim Administrator - Bevan stated his last day was February 28, a utility director candidate would visit Sitka in the next couple of weeks, and budget books would be distributed February 27.

Attorney - Hanson stated he had just returned from vacation.

Liaison Representatives - Wein reported on the following meetings: Port and Harbors Commission, SEDA, Health Needs and Human Services Commission, and Planning Commission.

Clerk - Peterson spoke of upcoming meetings and the importance of participating in the 2020 Census.

Other - Eisenbeisz spoke to the importance of being proactive about the Coronavirus and Wein read a paragraph from the quarterly financial reporting package regarding the General Fund.

IX. CONSENT AGENDA

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

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

A [20-048](#)

Approve the minutes of the February 6 and February 11 Assembly meetings

This item was APPROVED ON THE CONSENT AGENDA.

B [20-049](#)

Approve a liquor license renewal application for Dove Island Lodge & Sitka

Sportfishing Charters, LLC dba Dove Island Lodge at Dove Island

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

X. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

- C** [20-050](#) Appoint 1) Justin Mullenix to a three-year term on the Local Emergency Planning Committee under Category 4 (Community Groups), and, 2) Joel Hanson to a three year-term on the Local Emergency Planning Committee under Category 6 (Members of the Public)

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

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

XI. UNFINISHED BUSINESS:

- D** [ORD 20-02S\(A\)](#) Amending Title 6 “Business Licenses And Regulations”, Title 19 “Building and Construction”, and Title 22 “Zoning” of the Sitka General Code by modifying Chapter 6.12 “Mobile and Manufactured Homes and Mobile and Manufactured Home Parks”, Chapter 19.09 “Residential Code”, Chapter 22.08 “Definitions”, Chapter 22.16 “District Regulations”, Chapter 22.24 “Special Use Permits” and adding Sections 6.12.205 “Construction Requirements For Tiny Houses and Tiny Houses On Chassis”, Section 22.08.798 “Tiny House”, and Section 22.08.799 “Tiny Houses On Chassis” *(2nd and final reading)*

Planning Director Amy Ainslie and Planning Department Special Projects Manager Scott Brylinsky addressed the Assembly. They told of the interest generated by the topic and spoke to misinformation that had circulated. Ainslie thanked Brylinsky for his work and noted the department had received an unsolicited phone call from the Tiny Home Industry Association complimenting the department on a well-written ordinance and that it could possibly be used as a nationwide model.

Speaking from the public, Connor Nelson reminded tiny homes had always been allowed and expressed concern the proposed ordinance would wipe out previously adopted code regarding HUD building standards. Andrew Thoms and Tamara Kyle spoke in support of the proposed ordinance.

A discussion of the Assembly ensued. Wein wondered of liability issues. Municipal Attorney Brian Hanson stated he had no liability concerns, was satisfied and pleased with the research Brylinsky had done, and noted the subject was in the hands of the Assembly as policy makers. Nelson spoke in opposition; stating the capability of tiny homes already existed.

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

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

No: 1 - Nelson

- E** [ORD 20-04](#) Making supplemental appropriations for Fiscal Year 2020 *(Pet Adoption Fund /*

GPIP Dock Expense / Permanent Fund Fees)

Wein mentioned he had inquired to the reason for the budget adjustment and had discovered there had been an abnormally high increase of abandoned litters of kittens in Sitka.

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

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

F [ORD 20-05](#)

Amending appropriations for Fiscal Year 2020 (*Removing Subsidies for Harbor / School Bond Debt*)

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, Eisenbeisz, Knox, Wein, Paxton, Mosher, and Nelson

XII. NEW BUSINESS:**G** [20-051](#)

Award the 2020 / 2021 Cruise Ship Passenger Transit Service contract to Halibut Point Marine Services

Members discussed the contract and offered opinions. Wein believed the money could be repurposed instead of being used to subsidize Halibut Point Marine's (HPM) bus service. Knox, Mosher, and Nelson spoke in support. Eisenbeisz spoke to the wear and tear of the buses on roads and environmental damage. Interim Administrator Hugh Bevan reminded each cruise ship passenger paid the state approximately \$30 in tax. Over the past few years about \$450,000 per year had been remitted from the state to the city based on the number of passengers coming through. Bevan stated the contract passed \$1 per passenger (of the money they had paid in tax) to HPM.

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

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

No: 1 - Wein

H [RES 20-03](#)

Declaring a climate emergency and mobilization effort to adapt to a changing climate

Speaking in support of the resolution: Eric Jordan, Jon Martin, Esther Burdick, Fiona Ferguson, Joel Hanson, Lauren Bell, Tava Guillory, Kate Zaczkowski, Linda Behnken, Sam Skaggs, Cora Dow, Darby Osborne, Francis Brown, Chandler O'Connell, Abby Fish, Blake LaPerriere, Erik Jong, Harvey Brandt, Katie Riley, Andrew Thoms, and Amy Voles.

Speaking in opposition: Mike Svenson, Shirley Robards, Gary Oines, and Connor Nelson.

The Assembly discussed the resolution. Christianson spoke to the importance of the city doing their part and noted potential cost savings. Knox stated it was time to stop kicking the issue down the road and the actions written in the resolution were something the city could do to encourage a positive change. Nelson spoke in

opposition to the last page of the resolution noting the money and significant staff time involved. Paxton while concerned about climate change was opposed to the tasks associated with the resolution. Wein stated the problem driving the carbon footprint was human behavior. Nelson, Mosher, and Wein spoke in support of taking the issue to the next election.

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

Yes: 3 - Christianson, Eisenbeisz, and Knox

No: 4 - Wein, Paxton, Mosher, and Nelson

I [RES 20-02](#)

Increasing cruise ship tender fees, implementing cruise ship security fees, and increasing float plane tenant rate

Christianson spoke to the float plane facility rate, the poor condition of the facility, and wondered if rates should be raised. Knox relayed comments at a recent Port and Harbors Commission meeting were supportive and understanding of the increase. Wein reminded the current condition was one reason the city was moving forward with a new facility. Eisenbeisz spoke to the need for a comparable rate to that of a skiff user.

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

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

J [20-052](#)

Approve reallocating existing Electric Department capital project appropriations to supplement the "Green Lake Power Plant 40 Year Overhaul Phase 1 of 3" project by \$1,519,605.30

Interim Administrator Hugh Bevan noted staff had tightened up the management of projects in an effort to reduce the amount of debt for Green Lake Phase 1.

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

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

K [RES 20-04](#)

Authorizing the Municipal Administrator to apply for and execute a loan with the U.S. Department Of Agriculture Rural Development for \$3,000,000 to fund the Sitka Green Lake Hydroelectric Rehabilitation Phase 1 Project ("The Project") for the completion of the design and construction of the project in accordance with the FY2021 budget

Interim Administrator Hugh Bevan clarified the intent was to apply for the loan, not apply and execute. Once the details were known, the loan would be brought back to the Assembly for approval to execute the loan.

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

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

XIII. PERSONS TO BE HEARD:

Justin Mullenix spoke to the Assembly about affordable housing and climate change.

Michael Harmon and Brian Hanson thanked Interim Administrator Hugh Bevan for his service to the city.

XIV. EXECUTIVE SESSION

- L [20-054](#) Subjects that tend to prejudice reputation and character / Grievance over misrepresentation of Resolution 2019-26 (Roadless Rule) document submitted

Mayor Paxton stated the executive session was about him and it was his desire to hold the conversation in public. Paxton said he made mistakes related to the correspondence included with Resolution 2019-26 and had not intended to diminish the resolution. Members believed Paxton's explanation adequately addressed concerns. Deputy Mayor Eisenbeisz reminded the grievance had been addressed to him, spoke to his research and communications with the Municipal Attorney, and believed there was a default that needed to be cured. Eisenbeisz stated the resolution should have been sent on its own merit without additional comments from an outside organization. Eisenbeisz stated he met with Senator Murkowski on her recent trip to Sitka and presented a new copy of the resolution and reminded it was the Assembly's official position on the Roadless Rule. This action he believed to cure the default. Eisenbeisz stated he had reported back to Larry Edwards, the submitter of the grievance, and Edwards had additionally requested a copy of the resolution be resent to the city lobbyist noting it was the Assembly's official position. The Clerk was asked to contact the lobbyist.

XV. ADJOURNMENT

A motion was made by Mosher to ADJOURN. Hearing no objections, the meeting ADJOURNED at 9:12 p.m.

ATTEST: _____
Sara Peterson, MMC
Municipal Clerk