



CITY AND BOROUGH OF SITKA

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

Minutes - Final

City and Borough Assembly

Mayor Steven Eisenbeisz
Deputy Mayor Thor Christianson,
Vice Deputy Mayor Valorie Nelson,
Kevin Knox, Kevin Mosher, Crystal Duncan, Rebecca
Himschoot

Municipal Administrator: John Leach
Municipal Attorney: Brian Hanson
Municipal Clerk: Sara Peterson

Tuesday, September 14, 2021

6:00 PM

Assembly Chambers

REGULAR MEETING

I. CALL TO ORDER

II. FLAG SALUTE

III. ROLL CALL

Nelson attended via videoconference.

Present: 6 - Christianson, Knox, Mosher, Nelson, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

IV. CORRESPONDENCE/AGENDA CHANGES

[21-143](#)

Reminders, Calendars, and General Correspondence

No agenda changes.

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)

None.

VII. PERSONS TO BE HEARD

Karen Lucas stated freedoms were being challenged, reminded the Assembly they were elected to represent their constituents, and commented it was important for the City to retain the former Sitka Community Hospital building and associated properties. Richard Wein spoke to a records request he recently submitted to the Clerk's office. Justin Clark told of inefficient parking at the Airport and believed elections should be hand counted.

VIII. CONSENT AGENDA

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

- A** [21-137](#) Approve the minutes of the August 24 Assembly meeting

This item was APPROVED ON THE CONSENT AGENDA.

- B** [21-138](#) Approve the following marijuana license renewal applications: 1) standard marijuana cultivation facility license for Jeremy J. Erickson dba Vern's Wicked Weed at 3872 Halibut Point Road Bay One and, 2) retail marijuana store license for Weed Dudes Inc. dba Weed Dudes at 1321 Sawmill Creek Road, Suite J & K

This item was APPROVED ON THE CONSENT AGENDA.

IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS

None.

X. UNFINISHED BUSINESS:

- C** [ORD 21-30](#) Authorizing the transfer/sale of a portion of City and Borough of Sitka's "Old City Shops" property located at 1410 and 1414 Halibut Point Road to the Sitka Community Land Trust (SCLT) for an affordable housing project that is not subject to competitive bid and is available to all regardless of ethnicity

Richard Wein and Shirley Robards spoke in opposition. Mim McConnell told of the Sitka Community Land Trust project and voiced support.

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 - Christianson, Knox, Mosher, Himschoot, and Duncan

No: 1 - Nelson

Absent: 1 - Eisenbeisz

- D** [ORD 21-27](#) Amending Title 22 "Zoning" of the Sitka General Code by modifying

Chapter 22.16 "District Regulations" for the Recreation District

Planning Director Amy Ainslie explained the intent of the legislation.

From the public, Richard Wein spoke to the requirement of conditional use permits and relayed those went before the Planning Commission for consideration.

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

E [ORD 21-28](#)

Amending the official Sitka Zoning Map to rezone 4951 Halibut Point Road from Single-Family and Duplex Residential (R-1) to Recreation District (R)

Knox hoped the lease group would keep Sitka's best interest at hand. Mosher disclosed he worked for Shee Atika, Inc. Himschoot reminded no developer had found the area to be suitable for affordable housing.

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

XI. NEW BUSINESS:**New Business First Reading****F** [ORD 21-32](#)

Requiring use of a face covering in certain indoor settings and providing a penalty

Deputy Mayor Christianson imposed a time limit of two minutes per individual.

From the public, those speaking in opposition were Mary Todd Anderson, Coke Oines, Richard Wein, Laurie Lee, Gavin Holder, Justin Clark, Carin Adickes, Carrie Johnson, Julie Stroemer, Linda Marlin, Steve Bethune, Onna Hanson, Roger Hames, Shirley Robards, Roxanne Newell, Marshall Albertson, Brett Wilcox, Amy Bethune, August Bickar, Stacy Mudry, Karen Comas, Jaylene Owen, Perry Comas, Jeremy Twaddle, Richard Doland, Robert Layton, and Brad Russell. In support were Bridgette Hitchcock, Valerie Edwards, Patricia Dick, Beth Short-Rhoades, Mim McConnell, Lorraine Lil, Collauna Marley, Doug Osborne, Blossom Teal-Olsen, Louise Brady, and Fredrick Olsen, Jr.

A discussion of the Assembly ensued. Knox expressed sadness over the actions of the audience and spoke to the negative effects of COVID-19. Nelson wondered of the severability language and mentioned exceptions. Mosher also expressed disappointment in the behavior of the audience. Duncan noted the exhaustion related to COVID-19, hospital capacity, vaccination availability and those sensitive to vaccinations. Christianson told of protection offered by masks and commented on hospital capacity. Himschoot stated she had a duty to her students and constituents.

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

Yes: 4 - Christianson, Mosher, Himschoot, and Duncan

No: 2 - Knox, and Nelson

Absent: 1 - Eisenbeisz

G [ORD 21-31](#)

Amending Title 2 “Administration” of the Sitka General Code by deleting Chapter 2.12 “City and Borough of Sitka Hospital Board”, Chapter 2.14 “Historic Trust Board” and Chapter 2.64 “Seafood Processing Economic Development Committee” and updating Chapter 2.16 “Library Commission”

Municipal Clerk Sara Peterson provided an overview of the Ordinance. She told of the inactive groups and a clerical error in the Library Commission code.

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

H [ORD 21-33](#)

Making supplemental appropriations for Fiscal Year 2022 (IT Personnel / Approval of a New Position)

Finance Director Melissa Haley explained the amount was originally budgeted as contracted services, however, a request was being made to move the money to the IT Fund for the creation of a new position. IT Director Grant Turner noted IT needs were continuing to grow and spoke to the duties of the new position.

From the public, Richard Wein wondered if a new position would remove the need for contracted work.

Assembly Members Himschoot, Mosher, Duncan, and Christianson voiced support. Nelson stated she had consistently voted against new positions.

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

I [ORD 21-34](#)

Making supplemental appropriations for Fiscal Year 2021 (IT Fund Expense)

Finance Director Melissa Haley explained the IT Fund went overbudget for two reasons: 1) telephone expense was underbudgeted and 13 months were paid in FY21, and, 2) some CARES Act expenses were paid directly out of the IT Fund.

Richard Wein hoped budget predictions would improve.

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

J [ORD 21-35](#)

Making supplemental appropriations for Fiscal Year 2021 (School Bond Debt Refunding Expense)

Finance Director Melissa Haley explained the City had participated in a refunding deal through Alaska Municipal Bond Bank at the end of FY21 yielding a savings of over \$650,000 over the life of the bonds. There had been an unanticipated upfront cost of \$48,200.

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

Yes: 6 - Christianson, Knox, Mosher, Nelson, Himschoot, and Duncan

Absent: 1 - Eisenbeisz

Additional New Business Items

K [RES 21-18](#)

Supporting the development of a new public use Seaplane Base at the preferred location, north end of Japonski Island, Sitka, Alaska

Public Works Director Michael Harmon stated this was the next phase of the long planned project. Environmental assessments had been completed and a commitment for the land had been received from the Department of Education. Harmon noted the application had been submitted and it was likely the City would receive a 0% match requirement for this stage.

David Gordon, Keith Nyitray, Richard Wein, and Kevin Mulligan spoke in support. Those in opposition to the location were Annette Becker, Fredrick Olsen Jr., John Raasch, Ryan Hill, Leann Serio, Jeremiah Craig, Christeen Thomas, Tom Gamble, and Arthur Kinnan.

Nelson wondered of the time sensitivity and thought of postponing to the September 28 meeting. Knox reminded there had been a lot of conversation on the subject, that the location had been extensively studied, and that Sitka Tribe of Alaska (STA) and SouthEast Alaska Regional Health Consortium (SEARHC) had been involved throughout the process. Harmon reminded of the risk of voting in support but then not moving forward with the project. He told of an agreement being worked on to ensure STA was involved throughout the process. He noted SEARHC had previously voiced concerns with the project.

A motion was made by Himschoot to EXTEND the meeting to completion of Item K. The motion PASSED by the following vote.

Yes: 6 - Nelson, Mosher, Duncan, Himschoot, Christianson, and Knox

Absent: 1 - Eisenbeisz

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

Yes: 5 - Christianson, Knox, Mosher, Himschoot, and Duncan

No: 1 - Nelson

Absent: 1 - Eisenbeisz

A motion was made by Mosher to ADJOURN to September 16 at 6:00pm. The motion PASSED by the following vote.

Yes: 6 - Mosher, Nelson, Knox, Christianson, Duncan, and Himschoot

Absent: 1 - Eisenbeisz

The meeting ended at 10:43pm.

- L** [RES 21-21](#) Urging the United States Government to advocate for a permanent ban on tailings dams and for a temporary halt to the permitting, exploration, development, and expansion of Canadian mines along Alaska-British Columbia transboundary salmon rivers until the United States-Canada Boundary Waters Treaty of 1909 and the United Nations Declaration on the Rights of Indigenous Peoples are upheld and an international agreement on watershed protections is implemented
- M** [21-139](#) Discussion / Direction / Decision on directing the Municipal Administrator to enter a funding and maintenance agreement with the Birds and Benches Work Group of the Sitka Decolonizing Dialogue for the installation and upkeep of three benches in the courtyard area of Harrigan Centennial Hall
- N** [21-140](#) Decision on whether to allow sales tax free day(s) following the Thanksgiving holiday and set date(s)
- O** [21-141](#) Consider waiving \$100 late fee penalty assessed for Siemens Industry, Inc. for the Q4 2020 sales tax filing period

XII. PERSONS TO BE HEARD:

XIII. REPORTS

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

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT