



# 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*

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Tuesday, September 28, 2021

6:00 PM

Assembly Chambers

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#### WORK SESSION 5:00 PM

[21-148](#)

Work Session: Sound Development LLC

Sound Development LLC met with the Assembly to inform of possible development in the Benchlands.

#### REGULAR MEETING

#### I. CALL TO ORDER

#### II. FLAG SALUTE

#### III. ROLL CALL

Nelson left meeting at 6:45pm and rejoined at 9:45pm.

**Present:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

#### IV. CORRESPONDENCE/AGENDA CHANGES

[21-149](#)

Reminders, Calendars, and General Correspondence

No agenda changes.

#### V. CEREMONIAL MATTERS

[21-144](#)

Proclamation - Indigenous Peoples' Day

Mayor Eisenbeisz read a proclamation reaffirming Indigenous Peoples' Day, the second Monday in October. Dionne Brady-Howard accepted on behalf of the Sitka

Tribe of Alaska.

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

Dionne Brady-Howard, Vice Chair of the Sitka Tribe of Alaska Tribal Council, thanked the Assembly for recognizing Indigenous Peoples' Day. Brady-Howard spoke to the mask resolution recently approved by the Council and encouraged the Assembly to do the same.

**VII. PERSONS TO BE HEARD**

Carin Adickes spoke in opposition to the low sale price of the former Sitka Community Hospital (SCH). Richard Wein commented on the price of gasoline, the potential sale of the former SCH, and told the City and Southeast Alaska Regional Health Consortium hired the same appraiser for the SCH appraisal. Mary Todd Anderson encouraged citizens to have a three month supply of food and medical supplies. Brett Wilcox spoke to deaths related to the COVID-19 vaccine. Marshall Albertson mentioned comments made by an elected official regarding unvaccinated individuals and spoke to election fraud. Nancy Yaw Davis told of historical information pertaining to the former SCH. Robert Layton expressed sadness over the divisiveness in Sitka. Ron Mears told of disrespect demonstrated at the September 14 Assembly meeting and spoke to the right to choose. Tim Bernard spoke to comments made by an elected official and wondered if it was grounds for dismissal from office. Keith Gibson encouraged citizens to stop arguing and refocus their energy towards improving their lives. Doug Osborne told of Sitka Health Summit goals. Thor Christianson, speaking as a citizen, spoke to his vote on the advisory question related to the sale of the former SCH.

**VIII. CONSENT AGENDA**

None.

**IX. BOARD, COMMISSION, COMMITTEE APPOINTMENTS**

None.

**X. UNFINISHED BUSINESS:**

**A**     [ORD 21-32](#)     Requiring use of a face covering in certain indoor settings and providing a penalty

Nelson requested Christianson be removed due to a bias regarding vaccinations and mentioned statements made about unvaccinated individuals. Eisenbeisz reminded the subject was about masking, not vaccines, and that Christianson had not disclosed a disqualifying bias. Eisenbeisz ruled Christianson could participate. Nelson left the meeting at 6:45pm and rejoined at 9:45pm.

Citizens speaking in support of the mask mandate were Michelle Putz, John DeLong, Matthew Jackson, Kate Johnson, Bonnie Cottrell, Michael Smith, Darby Osborne, Adriane Wilber, Tory O'Connell Curran, Bridgette Hitchcock, Zoe Trafton, Loyd Platson, Wendy Alderson, Emma Lackrie, Stephen Rhoades, David Kreiss-Tomkins, Marjie

Esquiro, Kelly Buxton, Lindsay Evans, Larry Garrity, Lorraine Lil, Cecilia Dumouchel, Rowan Chevalier, Willa Johnson, Leah Mason, Jeremiah Craig, and Beth Short-Rhoades.

Citizens speaking in opposition were Cedar Bethune, Justin Clark, Valorie Nelson, Richard Doland, Mary Todd Anderson, Patty Ady, Mae Dunsing, Tristan Rhoades, Jaylene Owen, Alliah Chinalski, Karen Lucas, Dollie Albertson, Marshall Albertson, Stacy Mudry, Brett Wilcox, Gavin Holder, Richard Wein, Wendy Dougan, Brad Russell, and George Paul.

A discussion of the Assembly ensued. Christianson said while the ordinance was not perfect, the intent was to adjust behavior while in the high alert status and reduce spread. Knox noted the issue of masks had been politicized, and while healthcare systems were stressed, he could not support the ordinance as written.

**A motion was made by Knox to AMEND Ordinance 2021-32 by deleting on line 8 the words "and providing a penalty", deleting on lines 109-111, "However, employers will not be subject to fines based on non-compliance by customers so long as there is a clearly posted sign informing customers that they are required to wear face coverings.", and deleting lines 117-120 section (G) Violation". The motion FAILED by the following vote.**

**Yes:** 1 - Knox

**No:** 5 - Himschoot, Mosher, Christianson, Duncan and Eisenbeisz

**Absent:** 1 - Nelson

Citizens speaking in support of the amendment were Richard Wein, Valorie Nelson, Marshall Albertson, Karen Comas, and Julie Stroemer. Those speaking in opposition were Tori O'Connell Curran, Loyd Platson, and David Kreiss-Tomkins. Mary Todd Anderson reminded no one had the right to inquire about an individual's medical reasons for not masking.

Christianson reminded without a fine this would be a resolution and that had been tried. Knox, while supportive of masking, said it was bothersome to leave the penalty section if it wasn't going to be utilized. He added it took away from the present and future work of the body. Duncan voiced similar concerns, however, noted she preferred to add language to strengthen it. Himschoot reminded the enforcement section had always been problematic. She hoped direction would be given from the Administrator to the Police Officers to use discretion as they'd done thus far.

A discussion ensued on the main motion. Mosher, while noting the ordinance wasn't perfect, spoke in support. Himschoot thanked citizens for their testimony, voiced support, and desired the enforcement to be no different than what it had been. Duncan told of the healthcare crisis, safeguarding the community, and acknowledged healthcare workers, first responders, teachers, essential workers, and businesses. Eisenbeisz expressed multiple concerns with the ordinance, spoke to enforcement, and told of the burden being put on business owners.

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

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

**No:** 2 - Knox, and Eisenbeisz

**Absent:** 1 - Nelson

- B**     [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”

**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, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

- C**     [ORD 21-33](#)     Making supplemental appropriations for Fiscal Year 2022 (IT Personnel / Approval of a New Position)

From the public, Richard Wein spoke in opposition.

Mosher reminded there was a net zero impact; funds were being moved from the existing appropriation of \$120,000 in contract/purchased services to personnel. Christianson understood the reluctance of adding a new position, however, reminded the employee would be based locally.

**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, Eisenbeisz, Himschoot, and Duncan

**No:** 1 - Nelson

- D**     [ORD 21-34](#)     Making supplemental appropriations for Fiscal Year 2021 (IT Fund Expense)

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

**Yes:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

- E**     [ORD 21-35](#)     Making supplemental appropriations for Fiscal Year 2021 (School Bond Debt Refunding Expense)

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

**Yes:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

**XI. NEW BUSINESS:**

**New Business First Reading**

- F**     [ORD 21-36](#)     Making supplemental appropriations for Fiscal Year 2022 (FY2021 Open Purchase Orders)

Christianson disclosed a couple of the open purchase orders were with his employer, Southeast Region EMS Council. Christianson informed there was no personal gain nor had his employer pressured him to vote a certain way. Eisenbeisz ruled no conflict.

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

**Yes:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

### **Additional New Business Items**

**G**      [21-146](#)      Discussion / Direction / Decision of the Municipal Administrator's annual recommended transfer to the Public Infrastructure Sinking Fund

Administrator Leach explained per Sitka General Code, the Administrator was to make a recommendation on an amount of unencumbered funds to transfer to the Public Infrastructure Sinking Fund. Leach reported the undesignated fund balance as of June 30, 2021 had improved due to a number of factors - e.g. pandemic relief funding, donation from Norwegian Cruise Lines, exceeded FY21 sales tax revenue goals, and belt tightening and efforts diverted to pandemic relief. Leach said the City was in a position to once again begin to invest in Sitka's infrastructure after years of deferred maintenance. He recommended \$2.6M be transferred to the Public Infrastructure Sinking Fund. Finance Director Melissa Haley noted the memo and proposed motion spoke to the transfer being effective June 30, 2021, the fiscal year the transfer pertained to.

Assembly members commended Leach on his work.

From the public, Richard Wein spoke in support of the transfer.

**A motion was made by Knox to transfer \$2.6M to the Public Infrastructure Sinking Fund to be allocated to future infrastructure projects and make this transfer effective June 30, 2021. The motion PASSED by the following vote.**

**Yes:** 7 - Christianson, Knox, Mosher, Nelson, Eisenbeisz, Himschoot, and Duncan

**H**      [21-147](#)      Discussion / Direction on developing options to consolidate or sunset certain boards, commissions, and committees

**A motion was made by Mosher to EXTEND the meeting to 11:00pm. The motion PASSED by the following vote.**

**Yes:** 6 - Christianson, Himschoot, Duncan, Knox, Mosher, Eisenbeisz

**No:** 1 - Nelson

Knox and Himschoot told of the important work of the city boards, commissions, and committees and spoke to challenges - e.g. membership. He hoped to engage the bodies and staff to discuss how each group was functioning, possible efficiencies to be gained, and if continued service was in order or if the group could sunset. Consensus was to task Assembly Liaisons with reaching out to their respective groups and report back.

## **XII. PERSONS TO BE HEARD:**

Richard Wein spoke to ideas for board/committee/commission efficiencies and the proper fit of masks. Gavin Holder encouraged an education drive or public outreach regarding masks. Valorie Nelson requested an investigation be initiated on allegations about statements made by Deputy Mayor Christianson regarding unvaccinated individuals.

### **XIII. REPORTS**

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

Mayor - Eisenbeisz reported on Southeast Conference.

Administrator - Leach also spoke to Southeast Conference.

Attorney - Hanson told of his planned leave from October 5 through October 17.

Liaison Representatives - Knox reported on the Climate Action Task Force and Nelson on the Police and Fire Commission.

Clerk - Peterson reviewed Municipal Election information.

### **XIV. EXECUTIVE SESSION**

None.

### **XV. ADJOURNMENT**

**A motion was made by Knox to ADJOURN. Hearing no objections, the meeting ADJOURNED at 10:48pm.**

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