

MINUTES
FOR THE REGULAR MEETING
OF THE CITY COUNCIL
FOR THE CITY OF THORNE BAY:
CITY HALL COUNCIL CHAMBERS
TUESDAY April 4, 2017, 6:30 p.m.

This meeting was preceded by a Planning & Zoning Workshop at 5:00 p.m. to review the current zoning code

1. CALL TO ORDER:

Mayor Gould called the meeting to order at 6:30 p.m.

2. PLEDGE TO FLAG:

The audience and council stood for the pledge to the flag.

3. ROLL CALL:

Gould, Carlson, Slayton, Edenfield, Hartwell and Burger were present. McDonald attended by phone.

4. APPROVAL OF AGENDA:

Gould moved to approve the agenda striking the minutes of the March 21, 2017, City Council Meeting. Edenfield seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda striking the minutes of the March 21, 2017, City Council Meeting

F/S: Gould/Edenfield

YEAS: Burger, Gould, McDonald, Carlson, Slayton, Edenfield and Hartwell

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT:

Mayor Gould reported on POWCAC and POWLAT Meetings held in March and stated the meetings had a great turn out of people.

6. ADMINISTRATIVE REPORTS: (City Administrator & City Clerk)

- POWCAC meeting ---- discussion focused around communication, update on the POWLAT and SE Conference and the dumbing down of service to TB
- POWLAT meeting ---- spent the day discussing timber proposals, stream restoration proposals, getting projects on maps, and acceptance and rejection of projects
- SEASWA meeting ---- WM, legal counsels and board members hashed out last minute details in agreements so we should see a final agreement shortly.
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- I believe we are just about finished with the general WM Agreement and now will have to work on the Thorne Bay agreement
- Discount dump day (one Day only). If the city chooses to hold the discounted dump day I think there needs to be some conditions put in place. The intent of the cleanup day is for people to cleanup. Not to bring in a year's worth of garbage or a year's worth of trash they have accumulated just waiting for the discount day as several did last year One option is a sliding scale that first load at discount price, second load 50% more and 3 third load or more at normal dump rate. Another is just give discount if everything is sorted so staff does not have to do the sorting. Another option is no discount for household trash. I also think the cost should go up on the items that need to be disposed of because of the cost to bale or bury. If it is a full load of burnable and clean scrap metal possibly free. Date has not been set as trying to work schedules as this day requires all staff to participate. Will know by next meeting.
- Establishing a liquor and tobacco tax to help fund emergency services. this has been talked about for the last three years as a means of helping fund Fire and EMS operations. It is estimated that the city could collect about \$13,000 with an additional 4 percent tax. But we would request the market separate out the sales to get a more current estimate.
- Local Improvement District is also an option to generate revenue for specific projects. This would be a means for a neighborhood or specific area to fund or help fund a specific project that benefits them. This is not a city initiated process but a public initiated process. The city is the entity that puts together and implements the project.
- Marijuana ordinance would put in place regulations that the city might want to impose on the use, sale and manufacture including taxes, locations, etc. That is if you want to implement anything more than State law stipulates. Both this and the LID ordinance you have are only examples. Other communities also have ordinances that we can look at to pick and choose what best fits Thorne Bay
- Approval of additional boat stalls for Adventure Alaska is their yearly request.
- Ordinance 17-04-18-01, amending Title 3-Revenue and Finance is amending the section on investments allowing the expenditure of Community Development Sales Tax Proceeds for funding essential services through a loan program. This added section allows the city to develop a loan short term to help business expand or repair essential services. This is done in many communities as a means to help retain and grow the economy of the community.

- Ordinance 17-03-21-01, amending Title 3 – Revenue and Finance....as stated at the last meeting these suggested changes help clarify parts of the revenue side of the code. They do not address any of the exemptions which will be discussed at a later date.
- Ordinance 17-02-07-02, amending Title 18 Harbor, Chapter 18.3-Rules for the use of the Harbor Facility adds clarification to current state and federal identifications, and since motorized vehicles are allowed on the floats removes “motorized vehicles” from being prohibited. The issue of parking and fuel have been removed and will be discussed on a later date.

Expenditures over \$2000: Every three years the city must have a Sanitary Survey completed on the utilities. Three years ago, we hired DOWL to do the study and since that time they have been working on several utility projects. Since they are currently working on the water and sewer improvements for VSW I am recommending they do the 2017 study as the two go hand in hand.

Harbors and Parks: Work has started on Davidson Landing restrooms and addition to fire hall for water storage tanks. In excavating behind the firehall an old drain field was discovered.

Streets and Roads: Our request for rental of SE Roadbuilders sweeper has been made. OVK is also selling a small dump truck with sander and plow, grader, roller, and possible other equipment. I am waiting to find out prices.

Water and Sewer: Been working on clean up, routine maintenance and providing operational information to DOWL.

Solid Waste: After Mathew Peterson from Republic Services was on site we have some other options to review in how containers can be loaded with bales. There may be some cash outlay for equipment but make the loading easier and quicker and we can do it without major site work. The other part of baling to ship is we need to start inspecting the trash and pulling out hazardous items.

Law Enforcement: On the list for Buck is ticketing the numerous cars that have outdated vehicles registrations. One an Idaho plate with last registration in 2012.

FIRE/EMS: Appreciation Dinner.

CITY CLERK REPORT

- City Bank Balances and PL Report from July 1, 2016 through March 27th, 2017

- **First Bank Checking - \$25,968.00**

- **Tongass Federal Credit Union Total Accounts - \$407,404.56**

Checking - \$46,068.80

Sales Tax Savings - \$277,802.15

Harbor Savings - \$50,627.34

Occupancy Tax Savings - \$21,909.81

- **NON-Profit Shares Account Balance:**

Fisheries Account - \$10,996.46

- **Wells Fargo Investment Accounts TOTAL - \$1,076,833.85**

Money Market - \$776,599.25

Bonds - \$300,234.60

Bonds - \$500,000.00

Other - \$775,000.00

• Wells Fargo Investment Accounts \$775,000.00 - \$1,075,000.00

• Other Accounts - \$10,000.00

• Wells Fargo Business Accounts \$10,000.00

• Other - \$21,000.00

• Other - \$21,000.00

• Other - \$21,000.00

• Other - \$21,000.00

• Total Wells Fargo Accounts - \$775,000.00 - \$1,075,000.00

• Total Wells Fargo - \$775,000.00

• City Bank Balance and FI Report from July 1, 2016 through March 31, 2017

CITY BANK REPORT

TIME/BANK: April 2017

needed to start investing the cash and putting it in a money market fund. On the other hand, it is better to have the cash in a money market fund than in a checking account. The cash in a money market fund can be used for anything, and it is not subject to the same restrictions as cash in a checking account. The cash in a money market fund can be used for anything, and it is not subject to the same restrictions as cash in a checking account.

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7. PUBLIC COMMENTS:

Bruce Maldonado, EMS Captain, Commented on the following:

- EMS had 5 new ETT's join last month. 4 ETT's from Thorne Bay and 1 from Coffman Cove.

8. COUNCIL COMMENTS:

Slayton recommended the city continue to allow the State to utilize Davidson Landing as an Absentee Voting station.

Carlson inquired about the timeline for the public restroom project for Davidson Landing. Wayne Benner replied that there was no timeline established at this time, but the City is currently working on the project.

9. CONSENT AGENDA:

- A. Minutes for the March 21, 2017, Regular City Council Meeting, discussion and action item:

This item was removed from the agenda.

10. NEW BUSINESS:

- A. Discuss introducing an Ordinance to placing the question of establishing a Liquor and Tobacco Tax on the next Regular Municipal Election held in October of 2017, discussion and action item:

Gould moved to draft an ordinance to place the question of adding additional tax on tobacco and alcohol sales that would fund the Fire and EMS departments, on the October 2017 General Municipal Election. McDonald seconded the motion. Hartwell suggested that Thorne Bay work with Craig and Klawock to find out what they do for the Alcohol and Tobacco Tax and make sure that they do the same so Thorne Bay does not lose on revenue. Gould agreed with Hartwell. McDonald inquired if this tax would be to replace lost revenue. Gould stated the tax would help to generate revenue, Craig has a property tax, so they have more revenue sources than Thorne Bay. Gould stated the question of establishing an alcohol and tobacco tax would have to go before a vote of the people during a regular or special election. Slayton stated he supported the people voting on the question, but wanted to support local business and not drive it away. Slayton suggested finding out what the business's that sell these items thought of the tax. Gould agreed. There was further discussion.

MOTION: Move to draft an ordinance to place the question of adding additional tax on tobacco and alcohol sales that would fund the Fire and EMS departments, on the October 2017 General Municipal Election

F/S: Gould/McDonald

YEAS: Slayton, McDonald, Edenfield, Gould, Hartwell, Burger and Carlson

NAYS: None

STATUS: Motion Passed.

B. Review and discussion of introducing a Local Improvement District Ordinance, discussion and action item:

Gould moved to draft a local improvement district ordinance for review. Hartwell seconded the motion. Discussion ensued on how the ordinance would look and what the intent was. It was understood that the improvements would be made by request of home owners in the area, then brought to the City for final approval. Funding would be from either the property owners or the City depending on the specific projects. There were concerns of only a few property owners wanting improvements and others not, but still having to fund the projects anyway. There was a suggestion that the ordinance include that a certain percentage of property owners would have to agree to the improvements. There was further discussion.

MOTION: Move to draft a local improvement district ordinance for review

F/S: Gould/Hartwell

YEAS: Hartwell, Carlson, Burger, Slayton, McDonald, Edenfield and Gould

NAYS: None

STATUS: Motion Passed.

C. Review and discussion of introducing a Marijuana Ordinance, discussion and action item:

Gould moved to introduce a draft Marijuana Ordinance and bring to the City Council for review. Hartwell seconded the motion. Gould explained that Sitka had a marijuana ordinance on their books that was adopting the State Statutes. Gould suggested the City introduce an ordinance similar to Sitka's for discussion. There was further discussion.

MOTION: Move to introduce a draft Marijuana Ordinance and bring to the City Council for review

F/S: Gould/Hartwell

YEAS: McDonald, Burger, Carlson, Gould, Hartwell, Slayton, and Edenfield

NAYS: None

STATUS: Motion Passed.

D. Approval of additional boat stalls for Adventure Alaska, discussion and action item:

Gould moved to approve 10 additional harbor stalls for Jason Clowar, Adventure Alaska. Edenfield seconded the motion. City Clerk confirmed there were stalls available to fulfill Mr. Clowar's request. There was no further discussion.

MOTION: Move to approve 10 additional harbor stalls for Jason Clowar

F/S: Gould/Edenfield

YEAS: McDonald, Burger, Carlson, Gould, Hartwell, Slayton and Edenfield

NAYS: None

STATUS: Motion Passed.

11. ORDINANCE FOR INTRODUCTION:

- A. Ordinance 17-04-18-01, amending Title 3 – Revenue and Finance, Section 3.15.030-Permissible Investments adding subsection (b) – Community Development Sales Tax Proceeds, discussion and action item:

Gould moved to approve Ordinance 17-04-18-01. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-04-18-01

F/S: Gould/Hartwell

YEAS: McDonald, Burger, Carlson, Gould, Hartwell, Slayton and Edenfield

NAYS: None

STATUS: Motion Passed.

12. ORDINANCE FOR PUBLIC HEARING:

- A. Ordinance 17-03-21-01, amending Title 3-Revenue and Finance, discussion and action item:

Gould moved to approve Ordinance 17-03-21-01, inserting the words “council approval” in sections 3.17.190 (B & E). Slayton seconded the motion. There was further discussion.

MOTION: Move to approve Ordinance 17-03-21-01, inserting the words “council approval” in sections 3.17.190 (B & E)

F/S: Gould/Slayton

YEAS: Slayton, Carlson, Burger, Edenfield, McDonald, Hartwell and Gould

NAYS: None

STATUS: Motion Passed.

- B. Ordinance 17-03-21-02, amending Title 18-Harbor, Chapter 18.30-Rules for use of the Harbor Facilities, discussion and action item:

Gould moved to approve Ordinance 17-03-21-02. Carlson seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-03-21-02

F/S: Gould/Carlson

YEAS: McDonald, Burger, Carlson, Gould, Hartwell, Slayton and Edenfield

NAYS: None

STATUS: Motion Passed.

13. EXPENDITURES EXCEEDING \$2,000.00:

- A. Expenditure exceeding \$2,000.00, to DOWL for Sanitary Survey, discussion and action item:

Gould moved to approve the expenditure of \$4,000 to DOWL for the Sanitary Survey. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the expenditure of \$4,000 to DOWL for Sanitary Survey

F/S: Gould/Hartwell

YEAS: McDonald, Burger, Carlson, Gould, Hartwell, Slayton and Edenfield

NAYS: None

STATUS: Motion Passed.

14. EXECUTIVE SESSION: The City Council may adjourn to executive session.

Gould moved to adjourn to executive session to discuss subjects that tend to prejudice the reputation and character of any person. Hartwell seconded the motion.

ADJOURNED FOR EXECUTIVE SESSION AT 7:41 p.m. RECONVENED AT 7:57 p.m.

MOTION: Move to adjourn to executive session to discuss subjects that tend to prejudice the reputation and character of any person

F/S: Gould/Hartwell

YEAS: Gould, Burger, Hartwell, Carlson, Edenfield, Slayton and McDonald

NAYS: None

STATUS: Motion Passed.

15. CONTINUATION OF PUBLIC COMMENT:

Trisha Clowar made the following comments:

- Thank you for approving additional boat stalls
- Appreciated Slayton adding the requirement of council approval in the sales tax ordinance

Brad Taylor commented on the following:

- Requested the council place a cap on LID ordinance, suggested 80% of property owners agree with maximum out of pocket for each property owner toward the improvement

16. CONTINUATION OF COUNCIL COMMENT:

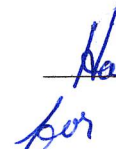
No further council comments.

17. ADJOURNMENT:

Gould adjourned the meeting at 8:05 p.m.

ATTEST:


Teri Feibel, CMC


James Gould, Mayor