

MINUTES  
REGULAR MEETING  
OF THE CITY COUNCIL  
FOR THE CITY OF THORNE BAY:  
CITY HALL COUNCIL CHAMBERS  
TUESDAY August 1, 2017, 6:30 p.m.

There was a workshop of the City Council beginning at 6:00 p.m.

1. CALL TO ORDER:

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

2. PLEDGE TO FLAG:

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

3. ROLL CALL:

Gould, Hartwell, Burger, Edenfield, and McDonald were present. Carlson and Slayton were excused.

4. APPROVAL OF AGENDA:

Gould moved to approve the agenda removing the consent agenda. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda removing the consent agenda

F/S: Gould/Hartwell

YEAS: Burger, Gould, McDonald, Edenfield and Hartwell

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT:

There was no Mayor Report given.

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

**City Administrator, Wayne Benner, reported the following:**

**Meetings Attended and Updates:**

- A. Thorne Bay days are this Friday and Saturday, August 4<sup>th</sup> and 5<sup>th</sup>. Tee shirts, with PigNic logo created by TB Marie Taylor, are for sale at the Port, and PIGNIC tickets are on sale at the office and raffle tickets are for sale from EMS volunteers. Brochures are around town with more details on the dinner and Saturdays events. Watch for the ice cream truck cruising town on Sat. Council members get a discount on tickets. \$25 per ticket or 2 for \$50.
- B. POWCAC was a great meeting with all the discussion focused on improving data service on POW and recycling on POW.

## **Administrator Report Continued:**

### **Tasks and Projects:**

- A. Have not made much progress with the scrap cleanup project. If the city would have passed the additional vehicle registration tax there would have been a way to fund vehicle cleanup.
- B. Working on addressing the complaints that have been filed about junk along the Setter Lake Rd.
- C. Have been in discussions with a contractor from Coffman Cove that is working on numbers and a plan for the Tongass Credit Union bldg. May be getting closer to the budget. The contractor is also interested in the work at Davidson Landing and at the Library. The City will be the general contractor on the DL project.
- D. Work is being done on Heart Healthy (heart attack hill) hill trail through a trails program that OVK was awarded. City is providing crushed rock and some material to repair the steps.

### **New Business:**

- A. Teri and I have been working on how best to address the concerns for cleaning up Thorne Bay. The city does have ordinances on the books but does not address specifically some of the concerns. You do have some drafts but I think they need some more work.
- B. 17-08-01-01 this resolution is amending resolution 16-08-23-02 for having DOWL do a business plan as requested by VSW. Another step in trying to make improvements to the water treatment system.
- C. 17-08-01-02 this resolution put together by Teri is to compile all of the fees the city charges for its services and increase a couple such as the float plane landing fee.

### **Ordinances for Introduction:**

- A. 17-08-15-01 amending Title 17-Zoning is a follow up of the councils request a couple years back to make using the zoning ordinances more user friendly. This revision is not changing the intent but trying to put all zoning guidelines into the same format and make it easier to read. This also includes all the recent changes or additions to the zoning.

### **Expenditures over \$2000:**

- A. \$8000 for loader hydraulic repair may be needed if a service tech come to POW to make the repair on site.

Another expenditure that will be forth coming is \$20,000 to \$30,000 to bring a service tech to POW to try and resolve the baler issues. There may be additional costs depending on repairs. I am in contact with both Republic Services and WM to see if they can be of any help. In the meantime, we are spending \$1000/wk. to ship garbage to Klawock.

**Harbors and Parks:** Office staff is helping cover the harbor operation while Shane has been on vacation. A week ago we had three guest boats arrive to have dinner at the restaurant which was not open so Panny treated them to a Thorne Bay meal.

**Streets and Roads:** It looks like Max has finally got the correct steering parts to fix the dump truck.

**Water and Sewer:** Sam is off island with his wife waiting for a baby so Jason is covering the operations. Josh and James have been doing some infiltration work. Having the solid waste site open on Thursdays has cut into other work that either Max/or Josh were doing on Thursdays.

**Solid Waste:** Recycling is slowly taking shape and hopefully we may have a plan to present this fall.

**Law Enforcement:** We have been doing ok with having minimal VPSO coverage. However the Troopers have been around a lot.

**FIRE/EMS:** Have had some major EMS calls lately. The omni alert system has been working good to help speed up response time for volunteers.

**Library:** The Summer reading program will be wrapping up with an end of summer breakfast party on August 11th. This will take place at city hall. We will doing a waffle bar and handing out end of summer prizes. We are continuing to offer the early literacy program once a month and are also still looking for a volunteer to coordinate this program. We are still waiting on our PLA grant money. We have received the official award notification for the Inter library cooperation grant which is going to fund our garden space renovation.

**City Clerk Report: August 1, 2017, City Council Meeting**

**City Bank Balances:**

**First Bank Checking: \$128,028.65**

**Tongass Federal - Total Tongass Balances: \$ 495,016.74**

- **Checking:** \$ 149,905.04    **Fisheries:** \$ 11,000.16
- **Sales Tax:** \$ 261,540.15    **Harbor:** \$ 50,644.26
- **Occupancy:** \$ 21,917.13 + \$4801.39 ( July 1 - 31 ) = \$ 26,718.52

**NET INCOME: \$ 84,785.66**

**Wells Fargo Investment Account: Total Investment \$1,078,247.57**

**Money Market: \$ 878,560.07**

**Bonds: \$ 199,687.50**

**QuickBooks Income/Expense year-to-date:**

- **Income:** \$ 166,290.85
- **Expense:** \$ 81,505.19

**State Funding Approvals:**

1. Payment In Lieu of Taxes: \$ 137,139.74
2. Community Revenue Sharing "Community Aide Accountability" \$82,407.00
3. National Forest Receipts - Nothing Approved by State
4. Shared Fisheries Receipts - Unknown , Last year was \$3,855

**Gaming Permit Approved and Active As of July 20<sup>th</sup>:**

## Upcoming Election:

Election Date: October 3, 2017, 8:00 a.m. to 8:00 p.m.

Ballot Content: Vote on 2 Council Seats – Each 3 year terms

Seat C – 3 year term – currently held by Bob Hartwell

Seat E – 3 year term – held by James Gould

Location of Polls: City Hall Council Chambers, 120 Freeman Drive

### Declarations for City Council:

Declaration of Candidacy may not be filed earlier than 50 days before the election date and no later than 30 days before the election

First Day to file: August 14, 2017 (50 days prior to election)

Last Day to file: September 1, 2017 (32 days prior to election)

September 3<sup>rd</sup> (Sunday), is the latest date (30 days before election date) that a person can declare candidacy per the Thorne Bay Municipal Code. Declarations are not accepted on weekends or holidays, therefore the last day to file for Candidacy of the City Council will be on Friday September 1, 2017, by 4:00 p.m.

### Absentee Voting

Absentee In Person Not earlier than 30 days prior & no later close business day before Election

Earliest Date: September 5<sup>th</sup>, 2017 (27 days prior because 4<sup>th</sup> is Holiday)

Last Day: October 2<sup>nd</sup> 4:00 p.m. (Day before election close of business)

Absentee by Mail Must be received by the city clerk, no less than five days before a city election

First day to request Mail Ballot: No Date Specified in Code

Last day to request Mail Ballot: September 28<sup>th</sup> no less than five days before election

Last day to execute Mail Ballot: October 3<sup>rd</sup>, 2017 by 8:00 p.m.

Last day to receive Mail Ballot: October 6<sup>th</sup> by 4:00 p.m.

### Election Canvassing & Certification Dates

- *October 6<sup>th</sup> – Canvass Absentee Ballots from October 3<sup>rd</sup> General Election  
Canvassing begins at 5:00 p.m. in the City Hall Council Chambers.*

- *October 9<sup>th</sup> – Special Meeting of City Council to Certify Election Results  
Meeting begins at 6:30 p.m. in the City Hall Council Chambers, with a workshop beginning at 6:00 p.m.*

- *October 16<sup>th</sup> – Special Meeting to Appoint Vice Mayor  
Meeting begins at 6:30 p.m. in the Council Chambers, workshop beginning at 6:00 p.m.*

## 7. PUBLIC COMMENTS:

Thom Cunningham commented on the following:

- Thanks to Wayne for addressing the garbage concern brought to him.
- Under Municipal Code Title 15, could an RV or Trailer be considered as abandoned building?
- Thanks to Lee Burger and Risa Carlson for taking the time to meet with him on South Thorne Bay to address concerns he had.

8. COUNCIL COMMENTS:

McDonald stated the IFA was funded through the State Budget for the \$250,000 requested.

Ridership on the IFA was a banner year.

McDonald stated he witnessed an ATV speeding on Rainy Lane near the liquor store.

McDonald stated that people who do not follow the rules for use of ATV on City Streets make it bad for everyone else. It is the people braking the laws, that make the Council want to change ordinances in order to keep everyone safe, and keep the City from being liable for any incidents that may happen.

9. CONSENT AGENDA:

A. Minutes for the City Council Special July 11<sup>th</sup>, Meeting and July 18, 2017, Regular Meeting, action item:

B. Minutes for the July 18, 2017, Special P & Z Meeting, action item:

This item was removed from the agenda.

10. NEW BUSINESS:

A. Discussion of implementing an ordinance to address "blight" properties within Thorne Bay City Limits, discussion and action item:

McDonald stated this item was placed on the agenda as a discussion item to address Thom Cunningham's concern of properties becoming overrun by garbage and causing dangerous and hazardous conditions to surrounding property owners. Discussion included the Thorne Bay Municipal Code, Title 9 – Litter, addressed the concern of trash on properties.

There were other places in the code that address the concern as well, like Title 13.70 – Solid Waste, requirement for receptacles for trash. McDonald stated the City was not ready to put an ordinance together to specially address blight properties, but would continue to research how other communities handle the issue. With Thorne Bay not having a Property Tax, enforcement is an issue. A concern for adopting an ordinance to address "blight" properties, was that what one person may consider trash, would be another's treasure.

B. Resolution 17-08-01-01, amending resolution 16-08-23-01, retaining the consulting services of DOWL to draft a business plan for the utility operations, discussion and action item:

Gould moved to approve Resolution 17-08-01-01, amending Resolution 16-08-23-01, retaining DOWL Services. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve Resolution 17-08-01-01, amending Resolution 16-08-23-01, retaining DOWL Services

F/S: Gould/Hartwell

YEAS: Burger, Gould, McDonald, Edenfield and Hartwell

NAYS: None

STATUS: Motion Passed.

- C. Resolution 17-08-01-02, amending all previous fee and rate schedules for City Services and approval of the fee schedule as set forth in Resolution 17-08-01-02, discussion and action item:

Gould moved to approve Resolution 17-08-01-02. Edenfield seconded the motion. There was no further discussion.

MOTION: Move to approve Resolution 17-08-01-02

F/S: Gould/Edenfield

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

NAYS: None

STATUS: Motion Passed.

11. ORDINANCES FOR INTRODUCTION:

- A. Ordinance 17-08-15-01, amending Title 17 – Zoning, discussion and action item: The purpose of this ordinance is for cleanup purposes only.

Gould moved to approve Ordinance 17-08-15-01, amending Title 17, Thorne Bay Municipal Zoning. Hartwell seconded the motion. Wayne Benner stated the amendment did not change the intent of the zoning, just the layout to make the code easier to read. There was no further discussion.

MOTION: Move to approve Ordinance 17-08-15-01, amending Title 17-Zoning

F/S: Gould/Hartwell

YEAS: Burger, Edenfield, Gould, McDonald and Hartwell

NAYS: None

STATUS: Motion Passed.

12. EXPENDITURES EXCEEDING \$2,000.00:

- A. Approval of expenditure around \$8,500.00 for repairs to Loader, discussion and action item:

Gould moved to approve an expenditure for repairs to the Loader, with the expense not to exceed \$9,000.00, plus shipping cost. McDonald seconded the motion. There was further discussion.

MOTION: Move to approve expenditure for repairs to the Loader, with the expense not to exceed \$9,000.00, plus shipping cost

F/S: Gould/McDonald

YEAS: Edenfield, Gould, McDonald, Burger and Hartwell

NAYS: None

STATUS: Motion Passed.

13. EXECUTIVE SESSION: N/A

14. CONTINUATION OF PUBLIC COMMENT:

Thom Cunningham commented on the following:

- Update on when scrap metal barge be in town?

Benner replied there was no new information. Date is not determined.

Jason Clowar commented on the following:

- Concern regarding the Ordinance being introduced for amendments in the Zoning. Clowar commented that the items he noticed of concern was the removal of the time limit for how long an RV's could be left on private property, the amendment struck 45 days, and left no limit. Suggested the council review the ordinance carefully.
- Commented in response to Vice-Mayor McDonalds statement of ATV users speeding, and possible need to amend the ordinance for allowing use within the City if continued. Clowar stated the last time the City amended the ATV Ordinance because of people violating the laws, it only hurt the kids. Clowar stated that with the problem continuing even after the kids were removed from approved use, shows it was not them causing the problem to begin with. Clowar stated that enforcing the laws and ordinances in place would eliminate the problems that are occurring with the ATV users. Clowar stated that if the Council chose to amend the ATV ordinances again, it would punish the users that are following the law. Enforcement of the ordinances as written would address the concerns mentioned.

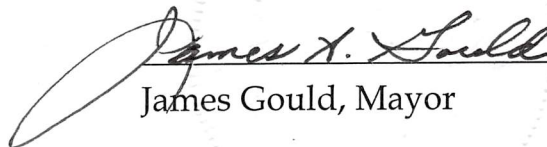
15. CONTINUATION OF COUNCIL COMMENT:

Gould stated he agreed with the comment from Jason Clowar regarding ATV user violations. Gould stated it would be hard to catch everyone violating the laws and encouraged that anyone witnessing violations inform the person of the rules so that everyone can continue to have the privilege operating ATV's on City roads.

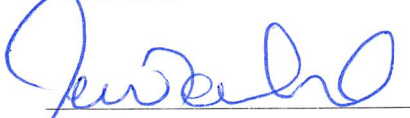
Hartwell informed the public that the reason for the City Council amending the ATV law before was to be compliant with State Laws and Regulations for ATV's.

16. ADJOURNMENT:

Gould adjourned the meeting at 7:36 p.m.

  
James Gould, Mayor

ATTEST:

  
Teri Feibel, CMC