

MINUTES  
FOR THE REGULAR MEETING  
OF THE CITY COUNCIL  
FOR THE CITY OF THORNE BAY, ALASKA  
COUNCIL CHAMBERS  
CITY HALL  
February 5, 2019  
6:30 p.m.

The meeting was preceded by a workshop beginning at 6:00 p.m.

**1. CALL TO ORDER:**

Burger 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:**

Those present were: **Burger, Slayton, Williams & Hartwell**

Those who attended telephonically: **McDonald & Carlson**

Those Excused: **Edenfield** (Requested to be excused – traveling on the ferry and unable to call in).

**4. APPROVAL OF AGENDA:**

Burger moved to approve the agenda as written. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda as written  
F/S: Burger / Hartwell  
YEAS: Hartwell, Burger, McDonald, Carlson, Williams, Slayton,  
NAYS: None  
STATUS: Motion Passed.

**5. MAYOR'S REPORT:**

Vice Mayor Burger commented on the following:

- a) Informed the public that the process to get the landslide cleanup and repaired was moving forward. There are some concerns and we will try to address them as we can.

## 6. ADMINISTRATIVE REPORTS:

### a. City Administrator:

ADMINISTRATOR'S REPORT 2-5-19 Wayne Benner

#### Meetings Attended and Updates:

- A. I will be leaving February 17th to go south to for prepping to have a hip replacement March 4th.
- B. SE Conference is Feb 12-13 but with all going on and leaving Feb 17 does not look like I will attend the winter session.

#### Tasks and Projects:

- A. On a not so good note the water and sewer improvements have been delayed due to not receiving any bids on the construction project. VSW will be re-advertising through February with the hope of having a bid opening in March. If we get a bidder, it should not delay project much.
- B. The wire tie parts for the baler have been ordered and found out there are additional parts that need to be added to the list.

#### Continuing Business

- As of today, we have received official notification that the Federal Highway Administration has committed Emergency Relief Funds to help clean up and repair the landslide. There is \$400,000.00 available for immediate relief with \$300,000 plus also earmarked for the work. The applicant for the funding was the BIA, hence the project will be run through them. The BIA has 90 days to submit a detailed description and estimated costs of the proposed permanent repairs. But we hope that it will not take them that long. Jim Baichtal has been very instrumental in this whole process and the City needs to recognize and thank Jim for all his efforts in helping us.
- There is still the ongoing discussion with the Forest Service as to who really owns the Road through the parcel of Forest Service land where the slide occurred. Sounds like the determination is headed for the Forest Service Legal group. From what I can tell based on the maps and deeds, it appears that the Forest Service does own this road and the land.
- Thorne Bay, OVK and the Forest Service have been working on disposal sites and sources of rock for both fill and surfacing.
- The maintenance of the bypass road will continue through the City's MOU with OVK for road maintenance. Questions regarding the road should be directed to Sara Yockey, with the OVK.

## **New Business:**

- A. Resolution 19-02-05-01, Approving the POWCAC Transportation Priorities for 2019. This is the list that POWCAC membership has voted to support. Kasaan Road is still Number One (#1).
- B. Resolution 19-02-05-02, Approving the State of Alaska to continue providing financial assistance to help support the IFA operations. This is of concern again this year with all the budget cuts or elimination.
- C. Resolution 19-02-05-03, Endorsing HOPE'S application to purchase a transitional housing facility on POW. This would reduce the need to send people to Ketchikan, keeping them closer to family members.

**Ordinances for Public Hearing:** NONE

**Ordinances for Introduction:** NONE

**Expenditures over \$2000:** \$2,602.70 is for water meters and bugs for reading the meters. The current water meters have been in the ground well over the 20-year life span, so we are constantly dealing with failing meters. They operate using magnets and over the years they lose their magnetism and stop spinning or spin erotetically. The one part of the meter that is a sealed system and cannot be rebuilt.

**Executive Session:** NO

**Harbors and Parks:** Ron has made accommodations for about 10 boats to use the harbor facilities due to the slide. The free slip moorage ends March 31 to make room for the start of summer.

**Streets and Roads:** Looks like we are back into winter and all of our equipment is operational.

**Water and Sewer:** Sam is doing good to keep up with daily operations, got some water meters repaired (before the freeze) and was able to get caught up on paperwork now that the federal government is open for business. All monitoring is being done electronically and when the government is shut down so are the websites. Sewage treatment has been shut down for a couple of days due to the extreme cold weather.

**Solid Waste:** The cameras have come in handy again as we caught another couple removing items for the site as they walked right past the No Trespassing signs.

**Law Enforcement:** Still no word on if or when we might see a VPSO for Thorne Bay. Sounds like there is some budget battles in the legislature over VPSO funding.

**FIRE/EMS:** Nothing to report.

**Special Projects:** Nothing to report

**Library:** Again, this year, even with heat tape on the water lines, the water has frozen.



b. City Clerk:

- Lavenia Sylvia has requested and the City has approved the use of the Davidson Landing Fire Hall for Election Registrar Training. This is scheduled for Thursday, February 7<sup>th</sup> at 10:00 a.m. I am not sure if this is open to the public or if there is a set number of registered individuals taking the training. I would encourage those interested to contact Lavenia for more information.
- March City Council Meeting – March 5<sup>th</sup> and 19<sup>th</sup> . Will need to have someone available to run the meeting in the absence of the Mayor and Vice Mayor. Carlson was appointed to run the meetings in their absence, but she too will not be available.
  - Hartwell volunteered to run the March meetings in the absence of the Mayor and Vice Mayor.

• Finance Reports:

QuickBooks Income/Expense: FY19 Profit and Loss (July 1, 2018 – Jan 31, 2019)

|                   |                      |
|-------------------|----------------------|
| Total Income      | \$ 1,147,571.67      |
| Total Expense     | \$ 971,420.43        |
| <b>Net Income</b> | <b>\$ 176,151.24</b> |

First Bank \$20,358.19

Tongass Federal Credit Union: accounts - \$ 683,331.40

| <u>Account Name</u>                 | <u>Available Balance</u> |
|-------------------------------------|--------------------------|
| Health Insure. Premium Offset Acct. | \$34,995.00              |
| <u>OCCUPANCY TAX</u>                | \$41,655.59              |
| <u>CHECKING</u>                     | \$206,728.11             |
| <u>SALES TAX SAVINGS</u>            | <u>\$311,339.66</u>      |
| Streets & Roads Bal:                | \$ 183,515.18            |
| Community Develop. Bal:             | \$ 125,125.98            |
| <u>HARBOR</u>                       | \$69,382.13              |
| <u>FISHERIES</u>                    | <u>\$19,223.08</u>       |

Wells Fargo Investment Accounts: 1,082,140.09

- Money Market \$ 594,967.69
- CD Bonds \$ 498,517.60

**TOTAL INVESTMENT ACCT: \$1,082,140.09**

**GRAND TOTAL OF CITY ACCOUNTS: \$1,785,829.68**

City Clerk is continuing to work on the following items:

- Ordinance & Policy for interest on customer deposits held
  - a. No headway on this yet. But will continue working towards getting this ordinance drafted and ready for you to review.
- Blight Ordinance Draft:
  - a. I have been working on a draft Blight Ordinance for the City Council's Review. It will be a couple of months before the ordinance is ready for the City Council or Planning Commission to consider. I just sent my drafted version to Wayne for his review as the Planning Official. This ordinance is for a very touchy subject for some, so I have tried to keep it pretty simple. I know Wayne will be able to work his magic and have a drafted version for the City Council or Planning Commission to review within the next couple of months.
- Commission Applications:
  - a. **PLANNING AND ZONING:**
    - i. We have received six (6) Planning & Zoning Member Applications. This commission should consist of at least 5, but not more than 11 members. Wayne and I are reviewing the applications now.
    - ii. We hope to have appointment of the board members on the February 19<sup>th</sup> City Council Meeting but may be towards the later part of March.
  - b. **STREETS & ROADS COMMISSION** – (7 vacancies) a 7-member advisory commission - develops and prepares a priority program for the maintenance, repair, construction and funding of roadways within the City of Thorne Bay.
    - i. Three applications have been received for the Streets and Roads Commission.  
*More information on boards and commissions can be found on our website at <http://thornebay-ak.gov/visitors/municipal-government/commission-committees/>*
- Ordinance setting fine schedules for Titles 13, 16 & 17 of the City Code
  - a) Working on this currently and hope to have it to you by the first meeting in March.
- VIOLATIONS & PENALTIES: ENFORCEMENT:
  - a) We received the updated Citation Books had Trooper Jensen in Thorne Bay on January 30<sup>th</sup> to provide some training to our Harbormaster for issuance of citations.



## 7. PUBLIC COMMENTS:

### Eric Rhodes commented on the following:

- Rhodes began his public comment by providing the City Council with a one-page document consisting of approximately 16 signatures, which was to be added to a petition submitted to the City Council during their January 15<sup>th</sup>, regular meeting.
- The petition read:

“We the undersigned residents of the Greater Bay Community Petition the City for a master plan for Davidson Landing prior to any further development of that area”
- Rhodes urged the City Council to re-open the South Thorne Bay/Kasaan Road as soon as possible. And explained the obstacles and hardships that some residents are facing due to the additional travel time and condition of current bypass road.

### Brad Clark commented on the following:

- Expressed concerns regarding how the cleanup/repair of the Landslide on the South Thorne Bay/Kasaan Road was being approached.
- Suggested that a better approach would have been for the City to spend what he heard to be otherwise “liquid funds” to begin clearing the road right away and allow the courts to determine who was responsible for paying for it later, would have been a much wiser choice and process for handling what is a very dangerous situation. There continues to be liability daily for someone.
- Clark concluded his comments by thanking those who are working on the slide cleanup, and stated he did not think there were people not trying, but added that he felt there were other avenues that should be explored to get the road opened.

### Dan Romey commented on the following:

- Introduced himself as a resident of Thorne Bay for the last 28 years and also a past City employee.
- Expressed concern regarding the South Thorne Bay/Kasaan Road not being cleared and added that there needed to be force behind actions. Romey explained that it had been his experience that a project like this, if no real force behind it will be studied to death. There needs to be teeth somewhere.
- Stated he felt the real problem to the problem not being fixed right away, was there were not enough people effected, if it was a population of 5,000 they would be right on it.

## 8. COUNCIL COMMENTS:

**Ben Williams** assured the public that the City Administration offices and City Council were doing everything they could to get the landslide cleared. Williams commented on the vehicle that was parked on the highway for over a year before it was finally removed.

**Hartwell** volunteered to pick up and deliver the wood blocks that are sold at Viking Lumber. Hartwell offered his number to anyone who was interested in him providing this service.

## 9. CONSENT AGENDA:

- a. MINUTES: Approval of the Minutes for the Regular and Special City Council Meetings in December 2018 and January 2019:
  - i. Minutes of the December 18, 2018, Regular City Council Meeting, discussion and action item:
  - ii. Minutes of the January 15, 2019, Regular City Council Meeting, discussion and action item:
  - iii. Minutes of the January 2, 2019, Emergency Special City Council Meeting, discussion and action item:

Burger moved to approve the consent agenda consisting of the minutes for the December 18, 2018, January 2<sup>nd</sup> and January 15, 2019-city council meetings. Williams seconded the motion.

|               |                                                                                                                                                             |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MOTION:       | Move to approve the consent agenda consisting of the minutes for the December 18, 2018, January 2 <sup>nd</sup> and January 15, 2019-city council meetings. |
| First/Second: | Burger / Williams_____                                                                                                                                      |
| YEAS:         | Burger, Slayton, Hartwell, McDonald, Williams & Carlson                                                                                                     |
| NAYS:         | None                                                                                                                                                        |
| STATUS:       | Motion Passed.                                                                                                                                              |

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## 10. CONTINUING BUSINESS:

### A. Thorne Bay – Kasaan Road Landslide – Update, discussion item:

This item was discussed under workshop. Continued discussions included the Administrator's Report comments under continuing business above on page two of this document.

## 11. NEW BUSINESS:

- a. Resolution 19-02-05-01 – Approving POWCAC Resolution 19-01 -Setting Transportation Priorities for Prince of Wales Island, discussion and action item:

Burger moved to approve resolution 19-02-05-01, approving POWCAC Resolution 19-01 - Setting Transportation Priorities for Prince of Wales Island. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve resolution 19-02-05-01, approving POWCAC Resolution 19-01 -Setting Transportation Priorities for Prince of Wales Island  
1<sup>st</sup>/2<sup>nd</sup>: Burger/ Hartwell  
YEAS: Hartwell, McDonald, Williams, Carlson, Burger, Slayton  
NAYS: None  
STATUS: Motion Passed.

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- b. **Resolution 19-02-05-02**, Requesting the State of Alaska approve Inter-Island Ferry Authority's request to continue providing financial assistance to help support Inter-Island Ferry Authority operations, discussion and action item:

Burger moved to approve Resolution 19-02-05-02, requesting the state continue to help fund the IFA operations. McDonald seconded the motion.

McDonald – stated that he was on the board of IFA, and explained that this year was critical for support to be expressed to the governor for approval of funds because there was a new group of people in office and the IFA may not have the same support that they used to. McDonald also requested that the City Clerk write a letter of support from the mayor to accompany the Resolution. There was no further discussion.

MOTION: Move to approve Resolution 19-02-05-02, requesting the state continue to help fund the IFA operations  
1<sup>st</sup>/2<sup>nd</sup>: Burger/McDonald  
YEAS: Burger, Slayton, Hartwell, McDonald, Williams & Carlson  
NAYS: None  
STATUS: Motion Passed.

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- c. **Resolution 19-02-05-03**, endorsing HOPE'S application for the *USDA Rural Development Community Facilities Guaranteed Loan And Grant Program* to purchase a transitional housing facility (HOPE House) on Prince Of Wales Island, discussion and action item:

Burger moved to approve resolution 19-02-05-03 – Endorsing HOPE'S application to USDA Rural Development Community Facilities Loan and Grant Program. Williams seconded the motion. Williams requested the Administrator explain what the HOPE program was.

The City Administrator stated HOPE worked with families and issues where some families may have to separate for a time while working on things. Before the family would be placed off island in Ketchikan due to the lack of housing, and with this grant they would be able to stay closer to home and allow them to work on things.



MOTION: Move to approve resolution 19-02-05-03, Endorsing HOPE'S application to USDA Rural Development Community Facilities Loan and Grant Program  
1<sup>st</sup>/2<sup>nd</sup>: Burger/Williams  
YEAS: Burger, Slayton, Hartwell, McDonald, Williams & Carlson  
NAYS: None  
STATUS: Motion Passed.

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d. Authorizing a donation to OVK for the Prince of Wales Mining Symposium to be held April 23<sup>rd</sup> thru 25<sup>th</sup>, discussion and action item:

Burger moved to authorize a donation of \$100.00 OVK for the Prince of Wales Mining Symposium. Williams seconded the motion. There was further discussion.

MOTION: Move to authorize a donation of \$100.00 to OVK for the Prince of Wales Mining Symposium  
1<sup>st</sup>/2<sup>nd</sup>: Burger/Williams  
YEAS: Burger, Slayton, Hartwell, McDonald, Williams & Carlson  
NAYS: None  
STATUS: Motion Passed.

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**12. EXPENDITURES EXCEEDING \$2,000.00:**

a. Authorizing the expense of \$2,602.70, plus additional shipping costs, to HD Fowler, for the purchase of Water Meters and Bugs, discussion and action item:

Burger moved to approve the expense of 2,602.70, plus additional shipping costs, to HD Fowler, for the purchase of Water Meters and Bugs. Hartwell seconded the motion. There was further discussion.

MOTION: Move to authorize a donation of \$ 2,602.70, plus additional shipping costs, to HD Fowler, for the purchase of Water Meters and Bugs  
F/S: Burger/Hartwell  
YEAS: Burger, Slayton, Hartwell, McDonald, Williams & Carlson  
NAYS: None  
STATUS: Motion Passed.

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### 13. CONTINUATION OF PUBLIC COMMENT:

Eric Rhodes commented on the following:

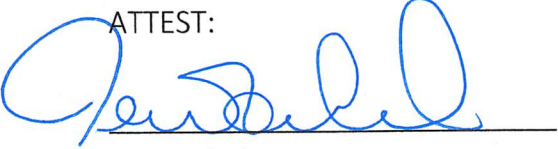
- Inquired on whether or not the City Council had a chance to consider the request for a master plan at Davidson Landing before developing any further on the property.


### 14. CONTINUATION OF COUNCIL COMMENT:

Burger, encouraged Mr. Rhodes to contact administrator regarding the request and he may find that the City already had a master plan in place

### 15. ADJOURNMENT:

Burger adjourned the meeting at 7:15 p.m.

ATTEST:  
  
Teri Feibel, CMC

  
Lee Burger, Vice Mayor