

## MINUTES

FOR THE REGULAR MEETING  
OF THE CITY COUNCIL  
FOR THE CITY OF THORNE BAY, ALASKA  
COUNCIL CHAMBERS  
CITY HALL  
Tuesday  
April 2, 2019  
6:30 p.m.

*The meeting was preceded by a workshop 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 [Edenfield, Carlson, Slayton, Burger & Hartwell](#)

Those that attended by phone: [McDonald & Williams](#)

Absent/Excused: [N/A](#)

### 4. APPROVAL OF AGENDA:

Burger moved to approve the agenda removing item 10(a) New Business.

Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda removing item 10(a) New Business

F/S: Burger/Hartwell

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

NAYS: None

STATUS: Motion Passed

## 5. MAYOR'S REPORT:

Update on removal of residential trailer and miscellaneous items from the road right-of-way on Alder Court. The individuals have not moved as directed to three months ago. The City has requested the assistance of the Kasaan VPSO issue a citation for parking within the road right of way for longer than 48-hours, but we have not heard confirmation of this happening yet. We hope to have this resolved soon.

Attended POWCAC March 26<sup>th</sup> in Craig at 1p.m. Most of the meeting was spent trying to get a quorum.

Southside Road is in great condition. Hearing positive comments from the public about this.

There will be an Easter Egg Hunt at Davidson Landing on Saturday April 20<sup>th</sup>. Eric Rhodes can comment on the event details.

Eric Rhodes commented the Easter Egg Hunt would begin at 3:00 p.m., Davidson Landing.

We do have an Executive Session on the agenda for tonight.

## 6. ADMINISTRATIVE REPORTS:

### a. City Clerk Report:

- i. Reported on the procedure of the Harbormaster issuing citations. The City Council appoints the enforcement officer and when doing so, they are given an ID that is recorded with the states court system to identify the issuing authority.

## 7. PUBLIC COMMENTS:

Jo Wendel commented on the following topics:

- a. Thanked the audience and council members who supported her lease proposal at the March 19<sup>th</sup> council meeting.
- b. Stated she agreed with the concerns that Councilman Hartwell had in regards to the language and conflicting statements.
- c. Pleased to see there will be a Planning Commission appointed to address issues with zoning, lands and leases.

Sean Kaer:

- a. Suggested a Neighborhood Watch Program be formed in the Southside of Thorne Bay due to recent home invasions.

Brad Clark

- a. Appreciate efforts towards getting a Planning Commission and a plan to enforce the City's ordinances
- b. Requested the City Website include emergency preparedness and access plans for the community. With the nice weather and little rain, there is concern for fires.

#### 8. COUNCIL COMMENTS:

Hartwell commented on the following topics:

- Roads won't stay in good shape if people driving so fast.

McDonald

- Glad to hear the talk about Law Enforcement. I will be back on Friday and will call Jason Wilson and get a fire on him to get things going.

Slayton:

- In prior years there were a number of vehicles that had out of state registrations.

Burger:

- I have offered to move any cars that need it.

#### 9. CONSENT AGENDA: **NONE**

#### 10. NEW BUSINESS:

- a. Water and Waste Water Plant Improvement Grant Updates, discussion only item:

**This item was removed from the agenda.**

#### 11. ORDINANCE FOR INTRODUCTION:

- a. Ordinance 19-04-16-01, amending Title 16-Subdivisions, of the Thorne Bay Municipal Code, allowing for the enforcement of fines for code violations, discussion and action item:

Burger moved to approve Ordinance 19-04-16-01, amending Title 16-Subdivisions, of the Thorne Bay Municipal Code, allowing for the enforcement of fines for code violations.

Hartwell seconded the motion. There was further discussion.

MOTION: Move to approve Ordinance 19-04-16-01, amending Title 16-Subdivisions, of the Thorne Bay Municipal Code, allowing for the enforcement of fines for code violations  
F/S: Burger / Hartwell  
YEAS: McDonald, Hartwell, Slayton, Williams, Edenfield, Carlson & Burger  
NAYS: None  
STATUS: Motion Passed

- b. Ordinance 19-04-16-02, amending Title 1.16.035 of the Thorne Bay Municipal Code, adding the Fine Schedule for Titles 16 and Title 17 of the Thorne Bay Municipal Code, discussion and action item:

Burger moved to approve Ordinance 19-04-16-02, amending Title 1.16.035 of the Thorne Bay Municipal Code, adding the Fine Schedule for Title 16-Subdivisions and Title 17 - Zoning to the Minor Offense Fine Schedule. Edenfield seconded the motion. There was further discussion.

MOTION: Move to approve Ordinance 19-04-16-01, amending Title 1.16.035 of the Thorne Bay Municipal Code, adding the Fine Schedule for Title 16-Subdivisions and Title 17 - Zoning to the Minor Offense Fine Schedule  
F/S: Burger/Edenfield  
YEAS: McDonald, Hartwell, Slayton, Williams, Edenfield, Carlson & Burger  
NAYS: None  
STATUS: Motion Passed

## 12. ORDINANCE FOR PUBLIC HEARING:

- a. Ordinance 19-04-02-01, amending Title 18-Harbor, adding Section 18.10.020-N-Vessel Length, Section 18.20.040 Payment and Use Fees, discussion and action item:

Burger moved to approve Ordinance 19-04-02-01, amending Title 18-Harbor, adding Section 18.10.020-N-Vessel Length, Section 18.20.040 Payment and Use Fees.

Hartwell seconded the motion. There was further discussion.

MOTION: Move to approve Ordinance 19-04-02-01, amending Title 18-Harbor, adding Section 18.10.020-N-Vessel Length, Section 18.20.040 Payment and Use Fees  
F/S: Burger/Hartwell  
YEAS: McDonald, Hartwell, Slayton, Williams, Edenfield, Carlson & Burger  
NAYS: None  
STATUS: Motion Passed

- b. Ordinance 19-04-02-02, amending Title 13-Utilities, amending language to allow for the Courts to enforce Utility Violations, discussion and action item:

Burger moved to approve Ordinance 19-04-02-02, amending Title 13-Utilities, adding language to allow the Courts to enforce Utility Violations. Carlson seconded the motion. No public comment. There was further discussion.

MOTION: Move to approve Ordinance 19-04-02-02, amending Title 13-Utilities, adding language to allow the Courts to enforce Utility Violations  
F/S: Burger/Carlson  
YEAS: McDonald, Hartwell, Slayton, Williams, Edenfield, Carlson & Burger  
NAYS: None  
STATUS: Motion Passed

- c. Ordinance 19-04-02-03, amending Title 1-General Provisions, Section 1.16.035-Minor Offense Fine Schedule, Adding Violations for Title 13-Utilities, discussion and action item:

Burger moved to approve Ordinance 19-04-02-03, amending Title 1-General Provisions, and adding violations for Title 13-Utilities to the Minor Offense Schedule. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 19-04-02-03, amending Title 1-General Provisions, and adding violations for Title 13-Utilities to the Minor Offense Schedule  
F/S: Burger/Hartwell  
YEAS: McDonald, Hartwell, Slayton, Williams, Edenfield, Carlson & Burger  
NAYS: None  
STATUS: Motion Passed

### **13. EXPENDITURES EXCEEDING \$2,000.00:**

- a. Authorizing the expenditure of \$ 3,986.59, to CMI Machinery for repair of the Excavator, discussion and action item:

Burger moved to approve the expenditure of \$3,986.59, to CMI Machinery. Carlson seconded the motion. There was no further discussion.

MOTION: Move to approve the expenditure of \$3,986.59, to CMI Machinery  
F/S: Burger/Carlson  
YEAS: McDonald, Hartwell, Slayton, Williams, Edenfield, Carlson & Burger  
NAYS: None  
STATUS: Motion Passed

**14. EXECUTIVE SESSION:** The Council May adjourn to executive session for the purpose of discussing pending or threatened lawsuits in which the city has an interest, which are matters, the immediate knowledge of which would clearly have adverse effect upon the finances of the city.

Burger moved to adjourn to executive session to discuss matters of the immediate knowledge would clearly have an adverse effect upon the finances of the city. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to adjourn to executive session to discuss matters of the immediate knowledge would clearly have an adverse effect upon the finances of the city  
F/S: Burger/Hartwell  
YEAS: McDonald, Hartwell, Slayton, Williams, Edenfield, Carlson & Burger  
NAYS: None  
STATUS: Motion Passed

**15. CONTINUATION OF PUBLIC COMMENT:**

**Sean Kaer:**

- a. On the illegal subdivision – this does happen and there should be a harsher punishment or enforcement.

**Dan Romey:**

- a. Speeding had been going on for about 10 years on that road.
- b. Expressed concern for people and animals that walk on the road getting hurt because of the speeding.

**Eric Rhodes:**

- a. Commented on the Easter Egg Hunt... 3-6 on Saturday April 20<sup>th</sup> at Davidson Landing.
- b. After discussions with the State Elections Office, they planned to continue Absentee Voting at Davidson Landing on Election Day.

- c. Inquired if the City would consider having Absentee Voting at Davidson Landing as well.

Rodger Longbothom:

- a. Commented on other States form of Government and how there are Counties. Suggested that POW have something like that, like a Sheriff, but not necessarily a Sheriff.

#### 16. CONTINUATION OF COUNCIL COMMENT:

McDonald:

- a. Thanked the public for their comments and participation in the meetings. Stated he would follow up on some of the items upon his return to the Island.

Slayton:

- a. How will City enforce the speeding?

Hartwell:

- a. The City had discussed the VPSO getting a radar gun in the past and were told that it would cost too much, and it would need to be calibrated every year.

Slayton:


- a. Concurred with Mr. Longbothom's Idea of a borough or Island cop.

#### 17. ADJOURNMENT:

Burger adjourned the meeting at 7:33 p.m.

  
Harvey McDonald, Mayor

ATTEST:

  
Teri Feibel, CMC