

AGENDA
REGULAR MEETING
OF THE CITY COUNCIL
FOR THE CITY OF THORNE BAY:
CITY HALL COUNCIL CHAMBERS
TUESDAY September 19, 2017, 6:30 p.m.

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

1. CALL TO ORDER:
2. PLEDGE TO FLAG:
3. ROLL CALL:
4. APPROVAL OF AGENDA:
5. MAYOR'S REPORT:
6. ADMINISTRATIVE REPORTS: (City Administrator & City Clerk)
7. PUBLIC COMMENTS:
8. COUNCIL COMMENTS:
9. CONSENT AGENDA:
 - A. Approval of the Minutes for the August 15, 2017, and September 5, 2017, Regular City Council Meetings, discussion and action item:
10. NEW BUSINESS:
 - A. Authorizing Linda Currie to rent a space at the City of Thorne Bay RV Park for the Winter months of 2017, discussion and action item:
 - B. Review of City RV Park Uses, discussion and review of options available, discussion and action item:
 - C. Review of City Parking Ordinance proposal, discussion and action item:
 - D. Solid Waste Rate Schedule Amendment discussion and action item: This is a review of proposed Solid Waste Fees to be charged on all refuse collected or delivered to Solid Waste Site.
 - E. Establishing rates for Scrap Metal Disposal, discussion and action item:
 - F. Authorizing an amendment to the SISD Lease of City Property to allow for a reduction in rental rates for the winter months, discussion and action item:
This lease is for the Restaurant building which is located on City Tideland.
11. ORDINANCE FOR PUBLIC HEARING:
 - A. Ordinance 17-09-19-01, amending Title 18-Harbor, Section 18.20.060-Priority in space assignment method, discussion and action item:
 - B. Ordinance 17-09-19-02, amending Title 3-Revenue and Finance, Chapter 3.17-Sales Tax, Sections 3.17.100-Sales Tax Exemptions, and 3.17.110-Senior Sales Tax Exemption, discussion and action item:
12. EXPENDITURES EXCEEDING \$2,000.00:
 - A. Approval of \$50,000.00 for Sidewalk Projects, discussion and action item:
 - B. Approval of \$14,000.00, for trail to the Port, discussion and action item:
 - C. Authorizing the expense of Community Development Sales Tax Funds for the construction of a building that the City would lease to companies that provide essential or public services to the community of Thorne Bay, discussion and action item:
13. EXECUTIVE SESSION:
14. CONTINUATION OF PUBLIC COMMENT:
15. CONTINUATION OF COUNCIL COMMENT:

Posted: September 15, 2017—City Hall (2) & City Website @ www.thornebay-ak.gov; Posted by fax: September 11, 2017 - City Hall (2), A&P, SISD, USFS, The Port, Thorne Bay School

September 19, 2017 – Regular City Council Meeting Agenda

MINUTES
REGULAR MEETING
OF THE CITY COUNCIL
FOR THE CITY OF THORNE BAY:
CITY HALL COUNCIL CHAMBERS
TUESDAY August 15, 2017, 6:30 p.m.

There will was 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 audience and council stood for the pledge to the flag.

3. ROLL CALL:

Gould, Carlson, Slayton, Edenfield, Hartwell, McDonald, and Burger.

4. APPROVAL OF AGENDA:

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

MOTION: Move to approve the agenda

F/S: Gould/Hartwell

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

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT:

No Mayor report given.

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

ADMINISTRATOR'S REPORT Wayne Benner

Meetings Attended and Updates:

- A. Thorne Bay again was a huge success with a great dinner, desert, music, parade, kayaking, lunch, and games. Especially the human foosball. Thanks goes out to all the city staff, Emergency Services volunteers, SISD, Church of Thorne Bay, Band, Kim Redmond, Tongass Credit Union, and others that helped make Thorne Bay Days a success. Sun and warm temperatures does help, especially for the ice cream truck.
- B. I will be out of town August 24 thru August 31.

Tasks and Projects:

- A. Work continues 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.
- B. Staff is working on auditing all city operations as we continue to find issues from when quick books was updated to sales tax reporting, to using of old senior tax cards, to approved fees. For some reason quick books has a difficult time dealing with harbor accounting. Teri can share the office frustrations.
- C. We will be buying some more security cameras to mount at DL and the Solid Waste site in hopes that they will help prosecute those stealing.

New Business:

- A. Resolution 17-08-15-01, in 2013 the City sold Nick and Wendy Gefre some land around their property across the road from the Barge facility. Part of the sale was, the Gefre's were responsible for any survey work. This plat is completing the survey work.
- B. Resolution 17-08-15-02- the city council approved the sale of land to the Jennings and this plat is the result of that approval. Both of these plats have been reviewed and meet the city criteria for recording.

Ordinances for Public Hearing:

- A. Ordinance 17-08-15-01 amending Title 17-Zoning was introduced at the last city council meeting and this is the public hearing for the ordinance. I have had no council members or public raise any questions since the last meeting. The one comment from last meeting about removing the 45-day limit on guests living in a motor home or travel trailer. Who is going to be out checking how many days someone is staying at a friend's house. And ever 46th day they move out they can stay all year minus 8 days. The rewrite format was recommended by DOWL when we rewrote the Water Front Code which was previously approved

Expenditures over \$2000: Expenditure of \$20,000 plus is to bring a service tech to POW to try and resolve the baler issues. There may be additional costs depending on repairs. At this point I believe this is the best alternative given the cost of a new or used baler. Even if we could ship unbaled material or work out a deal with Klawock having the bale workable just for recyclable materials would be helpful.

Harbors and Parks: Shane was successful in getting the operators of the Slow Boat program out of Seattle to visit Thorne Bay. For years they have been using Myers Chuck to stage out of. They are a program that brings novice boaters to SE Alaska plus they do a very accurate tracking of their routes both by boat and by drone. Write ups about communities they visit are very positive and truthful. We have put together the work plan for constructing improvements at DL with city crews. Final data has been submitted to DEC for drain field approval

Streets and Roads: Max was out trying to grade the Kasaan road after we got some moisture. It is either too dry or too wet. If only the bitches could be ticked for speeding. May make the grading last a few extra days. I have a tentative meeting set up with Kasaan to discuss the upcoming Flap grant work.

Water and Sewer: Sam will be back to work next Monday so Jason can have a week off with family. Between vacations and babies not a lot has been done on projects. Work on the Water leaks on both sides of Deer Creek will start in September.

Solid Waste: Roof repairs are almost complete on pole building behind the baler building. Garbage is being hauled to Klawock on a weekly basis. I am working on having a meeting with Leslie to discuss the solid waste issue as well as possibly some assistance with law enforcement.

VPSO: Buck has had his hands full with the aftermaths of parties and serving papers.

FIRE/EMS: A quiet couple weeks

Library: The kids summer reading program was a success and they will be building a planter box to be put by the bottom of the steps.

City Clerk Report: August 15, 2017, City Council Meeting

First Bank:	<u>Checking</u>	<u>\$35,392.00</u>
Tongass Federal:	August 15 th :	
• <i>Checking:</i>		\$218,693.30
• <i>Fisheries:</i>		\$11,000.16
• <i>Sales Tax:</i>		\$261,540.15
• <i>Harbor:</i>		\$50,644.26
• <i>Occupant:</i>		\$26,718.52
Total TFCU ACCOUNTS:		<u>\$563,845.00</u>

QuickBooks Income/Expense year-to-date:

• Income:	\$ 283,645.83
• Expense:	\$ 189, 827.33

NET INCOME: **\$ 92,519.91**

Wells Fargo Accounts:

Bonds:	<u>\$ 199,617.90</u>
Market:	<u>\$ 879,442.45</u>
Total City Accounts:	<u>\$1,675,226.90</u>

Sales Tax Audits:

City will be conducting a sales tax audit. Senior exemptions will be the first step, requiring business to submit their senior log showing names and card numbers with exp. date. Will determine e from their which business need to be further audited.

AML/Conference Registrations

Due October 13th, Conference November 13-17th Anchorage, Hotel Captain Cook.

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

Ballot Contents: 2 Council Seats – Each 3 year terms; Seat C held by Bob Hartwell Seat E 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 3rd (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 In Person Earliest Date: September 5th, 2017 (27 days prior since 4th is Holiday)

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

Last Day to request Mail Ballot: September 28th *no less than five days before election*

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

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

Canvass committee meets on Friday October 6th at 5:00 p.m.

Election Canvassing & Certification Dates

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

• **October 9th** – *Special Meeting of City Council to Certify Election Results
Meeting begins at 6:30 p.m. in City Council Chambers, workshop beginning at 6:00 p.m.*

• **October 16th** – *Special Meeting to Appoint Vice Mayor
Meeting begins at 6:30 p.m. City Council Chambers, workshop beginning at 6:00 p.m.*

Ordinances for Public Hearing

A. Ordinance 17-08-15-01 – Amending Title 17 – More reader friendly

7. PUBLIC COMMENTS:

No public comments.

8. COUNCIL COMMENTS:

No council comments.

9. CONSENT AGENDA:

A. Minutes for the July 11, 2017, Special City Council Meeting and July 18, 2017, Regular Meeting, discussion and action item:

B. Minutes for the July 18, 2017, Special Planning and Zoning Meeting, discussion and action item: (Public Hearing on Variance Application)

C. Minutes for the August 1, 2017, Regular City Council Meeting, discussion and action item:

Gould moved to approve the consent agenda. Hartwell seconded the motion. City Clerk pointed out a spelling error to be corrected in the July 18, 2017, minutes in Administrator Report, correcting “through” to “threw”. There was no further discussion.

MOTION: Move to approve the consent agenda

F/S: Gould/Hartwell

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

NAYS: None

STATUS: Motion Passed.

10. NEW BUSINESS:

A. Resolution 17-08-15-01, approval of Gefre Replat 2017-Creating Tract 2017 and Tract AD-1, discussion and action item:

Gould moved to approve Resolution 17-08-15-01, approval of Gefre Replat 2017. Burger seconded the motion. There was no further discussion.

MOTION: Move to approve

F/S: Gould/Burger

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

NAYS: None

STATUS: Motion Passed.

B. Resolution 17-08-15-02, approval of Jennings Replat 2017 –Creating Lot 7AA, Scenic View Court, discussion and action item:

McDonald moved to approve Resolution 17-08-15-02, Jennings Replat 2017. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve

F/S: McDonald/Hartwell

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

NAYS: None

STATUS: Motion Passed.

11. ORDINANCES FOR PUBLIC HEARING:

- A. Ordinance 17-08-15-01, amending Title 17 – Zoning, discussion and action item:

Gould moved to approve Ordinance 17-08-15-01, amending Title 17-Zoning. McDonald seconded the motion. There was no further discussion.

MOTION: Move to approve

F/S: Gould/McDonald

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

NAYS: None

STATUS: Motion Passed.

12. EXPENDITURES EXCEEDING \$2,000.00:

- A. Approval of expenditure of \$, 21,000.00, for bailer repairs at the Solid Waste Site, discussion and action item:

Gould moved to approve the expenditure of \$21,000.00, for Solid Waste Bailer repairs. McDonald seconded the motion. There was no further discussion.

MOTION: Move to approve

F/S: Gould/McDonald

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

NAYS: None

STATUS: Motion Passed.

13. EXECUTIVE SESSION: No executive session.

14. CONTINUATION OF PUBLIC COMMENT:

No public comment.

15. CONTINUATION OF COUNCIL COMMENT:

Slayton commended Wayne Benner for the lower cost of bailer repair versus the \$240,000.00, cost for complete new one.

16. ADJOURNMENT:

Mayor Gould adjourned the meeting at 6:57 p.m.

Harvey McDonald, Vice Mayor
For James Gould, Mayor

ATTEST:

Teri Feibel, CMC

MINUTES
FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR
THE CITY OF THORNE BAY:
CITY HALL COUNCIL CHAMBERS
TUESDAY September 5, 2017, 6:30 p.m.

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

1. CALL TO ORDER:

Vice Mayor McDonald 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:

Carlson, Slayton, Edenfield, Hartwell, McDonald and Burger. Gould was excused.

4. APPROVAL OF AGENDA:

McDonald moved to approve the agenda. Hartwell seconded the motion. There was no further discussion.

MOTION: Motion approve the agenda

F/S: McDonald/Hartwell

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

NAYS: None

STATUS: Motion Passed

5. MAYOR'S REPORT:

No Mayor report given.

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

Administrator's Report - Wayne Benner

Meetings Attended and Updates:

A. Trip south was successful as we came back with a lot to suture thread although some has dissolved before it should have.

B. I will be at SE Conference Sept 18-21 assuming all flights go good.

C. Met with OVK and talked about the Flag grant for road improvements on the Kasaan Road. They hope to see paper work by end of year. Also discussed the logistics of having Max operate their grader. Insurance appears to be the big issue.

Tasks and Projects:

A. New doors are on the clinic and bay chalet. The bay chalet also is getting a new deck and stairs at the back exit. On the list is to fix the lights and electrical plugs

B. Moving forward on the water and sewer grants.

New Business:

A. Approval of Lease Renewals---Crown, Cornerstone and Zeman are for leases at the sort yard with no changes. Taquan Air is a no fee lease for the harbor office as they wanted to be able to come back if the operations do not work out with the move to the Port. The RV Park Manager is the same lease as exists today and the SISD lease is for the land the restaurant and doll house sit on.

B. Resolution 17-09-05-01 is the FY 17 certified financials and Teri can answer any questions.

C. Appointment of election judges is also a Clerk request

Ordinances for Introduction:

- A. Ordinance 17-09-19-01, amending the harbor code---is clarification that one must pay in advance if they want priority in reserving a stall.
- B. Ordinance 17-09-19-02, amending the revenue and finance sales tax and senior sales tax---there two options which would allow for the use of color coded senior sales tax cards which would allow easier monitoring by city and venders. Option 2 is the cleanest. This change was suggested at a recent city council meeting. Section 3.17.100 (y) clarifies the tax exemption permits for building by giving one 120 extension free and charging one half of the permit for any future extensions.

Harbors and Parks: Davidson Landing work is starting to take place and we have a plan to set the privy vaults. Light locations for street lights and harbor lights have been marked. This will also include a couple more lights for the main harbor.

Streets and Roads: Max is back from vacation. As soon as we get the rebuild kit the hydraulic valve box will be removed from the loader and Tracy will do the rebuild. Max will be grading when conditions warrant and making sand at other times as we prepare for winter.

Water and Sewer: Materials are being orders to start patching the areas where the utility company has dug up the road. Repairs to the water leaks on both sides of Deer Creek will start the week of the 18th if all parts are here. This will amount to water being shut off two different times to those living in the Deer Creek subdivision and at least once for all those on Shoreline Drive from the harbor to Deer Creek Bridge.

Solid Waste: By next council meeting I hope to have a firm layout for hopefully at least a 30 day vehicle and scrap metal cleanup program that will coincide with WM’s program for shipping. Still trying to get some information that will help with the baler. The company is trying to work through all the possibilities before coming from Georgia to POW.

VPSO: Buck is back and his schedule looks to allow for more time around town

FIRE/EMS: A relatively quit labor day weekend.

Library: While Lana is out of town to have a baby, the library will be operated by volunteers and city staff will step in if necessary.

City Clerk Report:

First Bank Checking:	\$56,757.00
Tongass Federal Account Totals:	\$45,8321.02
<u>QuickBooks Income/Expense year-to-date:</u>	
• Income:	\$312,013.05
• Expense:	\$262,148.06
<u>NET INCOME:</u>	<u>\$49,864.99</u>
<u>Wells Fargo Accounts:</u>	
Bonds:	\$ 199,617.90
Market:	\$ 879,442.45
TOTAL Wells Fargo ACCT:	\$1,079,060.35
<u>City Total Net Income All Accounts:</u>	<u>\$1,643,953.36</u>

Sales Tax Audits:

Sales tax audit is underway. We have gotten a lot of attention so far.

AML/Conference Registrations

Due October 13th, Conference November 13-17th Anchorage, Hotel Captain Cook.

Fisheries Association:

Non Payment Sonny Martin – Permit has been revoked.

Elections Upcoming:

- 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
- Robert Hartwell
 - Abbey Cook
- Seat E – 3 year term – held by James Gould
- James Gould
 - Everett Cook

Absentee Voting

Absentee In Person

- Earliest Date: September 5th, 2017 (27 days prior because 4th is Holiday)
Last Day: October 2nd 4:00 p.m. (Day before election close of business)
First Day to Request Mail Ballot: No Date Specified in Code
Last Day to request Mail Ballot: September 28th *no less than five days before election*
Last day to execute Mail Ballot: October 3rd, 2017 by 8:00 p.m.
Last day to receive Mail Ballot: October 6th by 4:00 p.m.

Canvass committee meets on Friday October 6th at 5:00 p.m.

Election Canvassing & Certification Dates

- **October 9th** – *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 16th** – *Special Meeting to Appoint Mayor & Vice Mayor*
Meeting begins at 6:30 p.m. in the City Hall Council Chambers, with a workshop beginning at 6:00 p.m.

7. PUBLIC COMMENTS:

Lee Burger commented on the Salmon Derby success. Burger presented the City of Thorne Bay with a check for \$1,500.00 to be spent as the City sees fit. Burger continued that the Derby was such a success they were able to purchase the prize motor for the next year's derby. Slayton inquired of the make and model of the motor. Burger stated it was a 8 horse 4 stroke Yamaha.

Flo Long commented on the following:

- Extended appreciation to Dave and Cindy Egelson for all they did for the Salmon Derby. Their efforts helped make it the success it was.

8. COUNCIL COMMENTS:

Carlson inquired if the derby had sent thank you letters to those that sponsored? Burger replied they had right away.

Slayton commented on the cost of disposing burnable items at the landfill was too high. Slayton stated the City wanted to encourage people to clean up the community and not dispose of items such as burnable materials and brush alongside the road. Slayton suggested a lower fee would possibly encourage people to clean up the community.

Carlson inquired if Slayton was suggesting that burnable brush be no charge.

Slayton replied yes, either low cost or no cost. Understand the City needed to pay for services and employee time, but for items that are easily disposed of such as into the burn pile at the dump by the customer could be a lower fee. Benner commented that the cost for burnable was on the list of items to address.

9. NEW BUSINESS:

- A. Approval of Lease Renewals for Sort Yard Leased Property; Crown Alaska Inc. Cornerstone Excavation, Jeremy Zeman Taquan Air, RV Park Manager Trailer Lease Renewal SISD Lease Renewal of Municipal Land for Restaurant, discussion and action item:

McDonald moved to approve the lease renewals as presented for Crown Alaska Inc. Cornerstone Excavation, Jeremy Zeman, Taquan Air, RV Park Manager Trailer, & SISD. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the lease renewals as presented for Crown Alaska Inc. Cornerstone Excavation, Jeremy Zeman, Taquan Air, RV Park Manager Trailer, & SISD

F/S: McDonald/Hartwell

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

NAYS: None

STATUS: Motion Passed.

- B. Resolution 17-09-05-01, approving the Certified Financial Statement of income and expenditures of the City of Thorne Bay, for Fiscal Year 2017 – Beginning July 1, 2016, ending June 30, 2017, discussion and action item:

McDonald moved to approve Resolution 17-09-05-01. Edenfield seconded the motion. There was no further discussion.

MOTION: Move to approve Resolution 17-09-05-01

F/S: McDonald/Edenfield

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

NAYS: None

STATUS: Motion Passed.

- C. Appointment of Election Judges for the October 3, 2017, General Municipal Elections, setting Election Judge Wage at \$12.00 per hour, discussion and action item: Election Judges: Cindy Egelston, Cindy Edenfield, Linda Rollins, Back-up Election Judges are appointed by the City Clerk.

McDonald moved to appoint Cindy Egelston, Cindy Edenfield and Linda Rollins as Election Judges for October 3rd Municipal Elections; with the wages set at \$12.00 per hour. Carlson seconded the motion. There was no further discussion.

MOTION: Move to appoint Cindy Egelston, Cindy Edenfield and Linda Rollins as Election Judges for October 3rd Municipal Elections; with the wages set at \$12.00 per hour

F/S: McDonald/Carlson

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

NAYS: None

STATUS: Motion Passed.

10. ORDINANCES FOR INTRODUCTION:

- A. Ordinance 17-09-19-01, amending Title 18-Harbor, Section 18.20.060-Priority in space assignment method, discussion and action item:

McDonald moved to approve Ordinance 17-09-19-01. Hartwell seconded the motion. McDonald explained the ordinance allowed for priority in harbor space assignment for those paying on annual basis. There was no further discussion.

MOTION: Move to approve Ordinance 17-09-19-01
F/S: McDonald/Hartwell
YEAS: Edenfield, McDonald, Slayton, Burger, Carlson, and Hartwell
NAYS: None
STATUS: Motion Passed.

- B. Ordinance 17-09-19-02, amending Title 3-Revenue and Finance, Chapter 3.17 Sales Tax, Sections 3.17.100-Sales Tax Exemptions, and 3.17.110- Senior Sales Tax Exemption, discussion and action item:

McDonald moved to approve Ordinance 17-09-19-02, selecting Option 1 for Senior Sales Tax Cards, and amend the building tax exemption as written. Hartwell seconded the motion. There was discussion of how the amendment would effect current senior tax exemption card holders.

MOTION: Move to approve Ordinance 17-09-19-02
F/S: McDonald/Hartwell
YEAS: Edenfield, McDonald, Slayton, Burger, Carlson, and Hartwell
NAYS: None
STATUS: Motion Passed.

11. EXECUTIVE SESSION: The Council may adjourn to executive session for the purpose of discussing pending 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

McDonald moved to adjourn to executive session to discuss pending 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. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to adjourn to executive session to discuss pending 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
F/S: McDonald/Hartwell
YEAS: Edenfield, Burger, Hartwell, Carlson, Slayton and McDonald
NAYS: None
STATUS: Motion Passed.

Meeting adjourned for Executive Session at 7:17 p.m.
Meeting was reconvened at 7:29 p.m.

12. CONTINUATION OF PUBLIC COMMENT:

Yvonne Seaford commented on the following:

- Noticed that Columbia Helicopters were back at the Sort Yard, but did not see them on the agenda for lease renewals

13. CONTINUATION OF COUNCIL COMMENT:

Hartwell commented on the use of fireworks going on around town in the evening. And wanted to remind everyone there was an ordinance that prohibited the use of fireworks except specified days which are the 4th of July and New Year's Eve.

14. ADJOURNMENT:

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

Harvey McDonald, Vice Mayor
For James Gould, Mayor

ATTEST:

Teri Feibel, CMC

HERE IS YOUR CHANCE, FOR DISPOSING OF ALL THOSE UNWANTED VEHICLES, EQUIPMENT, AND SCRAP METALS

The City of Thorne Bay and other Southeast Alaska Solid Waste Authority members are finalizing details with Waste Management (WM) for a scrap metal barge service to serve several SE Alaska communities, Thorne Bay being one. In anticipation, the City of Thorne Bay will be accepting **CLEAN SCRAP METAL FREE** (vehicles, heavy equipment, cable, appliances, and any other types of ferrous materials). This offer is limited to the following dates:

SEPTEMBER 21TH, 2017 through October 27th, THE THORNE BAY SOLID WASTE FACILITY WILL BE OPEN DURING REGULAR HOURS (or by special appointment) TO RECEIVE SCRAP METALS UNDER THE FOLLOWING TERMS AND CONDITIONS:

- **CARS, TRUCKS, EQUIPMENT**----All fluids **MUST BE** drained including engine oil, transmission fluids, transfer cases fluids, rear end fluids, radiator fluids, air conditioning fluids, etc. Tires can remain on the vehicle. Absolutely No garbage inside of the vehicle.
- **APPLIANCES**---All fluids and gasses drained or recovered including compressor oil, refrigerants (Freon), etc.
- **ALL OTHER SCRAP METAL** must be free of any all liquids, non-metal parts or trash.
- **ITEMS REQUIRING THE CITY TO PREPARE FOR SHIPPING WILL BE CHARGED: \$0.10 PER POUND FOR SCRAP METAL, \$30 FOR APPLIANCES, \$50 FOR CARS/P-U, \$100 FOR TRUCKS, AND \$150 FOR HEAVY EQUIPMENT.**
- **ALL MATERIAL ENTERING THE SOLID WASTE FACILITY MUST BE WEIGHED IN FOR RECORD KEEPING AND ALL PARTICIPANTS MUST SIGN A RELEASE FORM GRANTING PERMISSION FOR THE CITY OF THORNE BAY TO DEMOLISH, RECYCLE AND DISPOSE OF THE ITEMS.**

FOR HELP WITH REMOVAL CONTACT THE CITY OF THORNE BAY (THERE MAY BE A COST FOR REMOVAL ASSISTANCE)

CITY OF THORNE BAY
ORDINANCE 17-09-19-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, AMENDING TITLE 18-HARBOR, CHAPTER 18.20-REGISTRATION AND STALL ASSIGNMENT, SECTION 18.20 -CONDUCT IN HARBOR FACILITY-RULES GENERALLY, SECTION 18.20.060-PRIORITY IN SPACE ASSIGNMENT -METHOD

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA

- Section 1. **Classification.** This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. **Severability.** If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. **Amendment of Section.** The title and chapter of Title 18-Harbor, Chapter 18.20-Registration and Stall Assignment, Section 18.20.060 -Priority in Space Assignment-Method, is hereby amended.
- Section 4. **Effective Date.** This ordinance shall become effective upon adoption.

PASSED AND APPROVED September 19, 2017

James Gould, Mayor

ATTEST:

Teri Feibel, CMC

[Introduction: September 5, 2017]
[Public Hearing: September 19, 2017]

ADDITIONS ARE CAPITALIZED AND BOLD

~~Deletions are stricken~~

Chapter 18.20

REGISTRATION AND STALL ASSIGNMENT - Sections:

18.20.060 Priority in space assignment-Method. Assignment of spaces in the city boat harbor shall be initially allocated by lottery and thereafter allocated on a first-come, first-served basis, with names at the top of the list to first be assigned to recently vacated stalls of the appropriate nature. **THOSE PAYING FOR AN ANNUAL STALL IN ADVANCE SHALL HAVE PRIORITY IN RESERVING THEIR CURRENT STALL OR ANOTHER VACANT STALL.** The city may take into consideration special requirements of vessels and make a separate list according to either vessel length or character of vessel. (Ord. 89-30 § 5(part), 1989)

CITY OF THORNE BAY
ORDINANCE 17-09-19-02

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY,
ALASKA, AMENDING TITLE 3-REVENUE AND FINANCE, CHAPTER 3.17-
SALES TAX, SECTIONS 3.17.100 – EXEMPTIONS, 3.17.110-SALES TAX
EXEMPTION FOR THE ELDERLY

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY,
ALASKA

- Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. Amendment of Section. The title and chapter of Title 3-Revenue and Finance, Section 3.17.100 – Exemptions, Section 3.17.110 Sales Tax Exemption for the elderly; is hereby amended.
- Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED September 19, 2017

James Gould, Mayor

ATTEST:

Teri Feibel, CMC

[Introduction: September 5, 2017]
[Public Hearing: September 19, 2017]

Additions are in bold

~~Deletions are stricken~~

Title 3 – Revenue and Finance

Chapter 3.17 – Sales Tax

Sections:

3.17.100 – Exemptions &

3.17.110 – Sales tax exemption for the elderly

Section: 3.17.100 Exemptions. *The following sales and services are exempt from the sales tax:*

CURRENT CODE READS:

y) Gross receipts in excess of ten thousand dollars derived from sales of material and labor for the clearing of land, excavation, or fill or placement of material on real property for construction of a facility, and sales of building construction materials and labor used in constructing a permanent building within the city, provided that the improvements are constructed pursuant to a valid sales tax exemption permit issued ~~or renewed no more than one year~~ prior to ~~the sale of~~ transaction being exempted from the tax. Construction materials shall include: all structural and finish materials for a permanent building used on the lot wherein the building is being constructed, and installation of infrastructure to said building such as water, sewer, power and phone and all parts to said infrastructure. Sales, to qualify for this exemption, shall be recorded by the seller, together with the date, the purchaser's name, and the sales tax exemption permit number. Any purchaser who attempts to avoid paying sales tax by using a sales tax exemption permit number for materials or labor not actually used in the structure for which the permit was issued shall be subject to a civil penalty up to twenty-five percent of the price of the materials or labor involved in the evasive purchase. The cost of the permit will be six hundred dollars; 3.16.050. (Ordinance 05-09-06-01)(10-03-02-01)

AMENDED CODE WILL READ:

y) Gross receipts in excess of ten thousand dollars derived from sales of material and labor for the clearing of land, excavation, or fill or placement of material on real property for construction of a facility, and sales of building construction materials and labor used in constructing a permanent building within the city, provided that the improvements are constructed pursuant to a valid sales tax exemption permit issued prior to **ANY** transaction being exempted from the tax. **TAX EXEMPTION PERMITS ARE VALID FOR ONE YEAR AND FOR GOOD CAUSE MAY BE GRANTED 120 DAY EXTENSION. ANY ADDITIONAL EXTENSION REQUESTS SHALL BE CHARGED ONE HALF THE TAX EXEMPTION PERMIT FEE.** Construction materials shall include: all structural and finish materials for a permanent building used on the lot wherein the building is being constructed, and installation of infrastructure to said building such as water, sewer, power and phone and all parts to said infrastructure. Sales, to qualify for this exemption, shall be recorded by the seller, together with the date, the purchaser's name, and the sales tax exemption permit number. Any purchaser who attempts to avoid paying sales tax by using a sales tax exemption permit number for materials or labor not actually used in the structure for which the permit was issued shall be subject to a civil penalty up to twenty-five percent of the price of the materials or labor involved in the evasive purchase. The cost of the permit will be six hundred dollars; 3.16.050. (Ordinance 05-09-06-01)(10-03-02-01)

Additions are in bold

~~Deletions are stricken~~

Section: 3.17.110 Sales tax exemption for the elderly. *The following sales and services are exempt from the sales tax:*

CURRENT CODE READS:

(a) Anyone sixty-five years of age or older may apply for and be issued by the City Administrator or designee a senior citizens sales tax exemption card, for fifteen dollars ~~to be renewed bi-annually~~. This card entitles the person to be exempted from the operation of the city's consumer's sales taxes on purchases of all types of property, rentals and services, except alcoholic beverages of all types and all types of tobacco products, not for use in any trade or business. No seller within the city shall charge or collect the sales tax on exempted purchases from any person who displays such a valid sales tax exempt card. All sellers within the city shall keep records of such exempt sales and submit quarterly totals of such sales to the revenue collector, together with any other information required by law. To qualify for a tax exempt card a person must provide a copy of their Alaska ID or driver's license, and proof they have resided in Alaska, as a permanent resident for the past 12 months, received an Alaska Permanent

submitted to show proof of residency.

AMENDED CODE WILL READ:

(a) Anyone sixty-five years of age or older may apply for and be issued by the City Administrator or designee a senior citizens sales tax exemption card, for fifteen dollars. **CARDS ARE VALID FOR TWO YEARS BEGINNING THE FIRST OF EVEN CALENDAR YEARS AND VALID THROUGH THE END OF THE FOLLOWING ODD CALENDAR YEARS. THERE SHALL BE NO PRORATING OF FEES ISSUED BETWEEN BEGINNING AND END DATES.** This card entitles the person to be exempted from the operation of the city's consumer's sales taxes on purchases of all types of property, rentals and services, except alcoholic beverages of all types and all types of tobacco products, not for use in any trade or business. No seller within the city shall charge or collect the sales tax on exempted purchases from any person who displays such a valid sales tax exempt card. All sellers within the city shall keep records of such exempt sales and submit quarterly totals of such sales to the revenue collector, together with any other information required by law. To qualify for a tax exempt card a person must provide a copy of their Alaska ID or driver's license, and proof they have resided in Alaska, as a permanent resident for the past 12 months, received an Alaska Permanent Fund Dividend, documentation required as part of a permanent fund application or other documentation that verifies a person has established permanent residency in Alaska must be submitted to show proof of residency.