

MINUTES
FOR THE REGULAR
CITY COUNCIL MEETING
FOR THE CITY OF THORNE BAY
CITY HALL COUNCIL CHAMBERS,
TUESDAY, March 6, 2018
AT 6:30 P.M.

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

1. CALL TO ORDER:

Hartwell 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:

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

4. APPROVAL OF AGENDA:

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

MOTION: Move to approve the agenda

F/S: Hartwell/McDonald

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

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT:

Bob Hartwell stated he discussed with Kasaan the Mining Symposium that would be held in Klawock and stated he wanted the City to sponsor an item at the symposium. Hartwell suggested the City provide small door prizes or nick knacks.

6. CITY ADMINISTRATOR REPORT:

Meetings Attended and Updates:

- A. I do not have an update from SE Conference as for the 2nd time in 3 years planes were grounded due to weather
- B. Attended a POWLAT meeting on Feb 24th. The purpose of the meeting was to describe the POW LAT work to Senator Lisa Murkowski, Forest Service Chief Tony Tooke, Associate Deputy Chief Chris French, Regional Forester Beth Pendleton, Forest Supervisor Earl Stewart, and other federal officials. It was also a chance for these guests to ask about the process and outcome.
- C. Sure glad Teri is back.....

Tasks and Projects:

- A. RAC. Working on providing the Forest Service project details
- B. Have a layout for the clinic that would provide room for Tongass Credit Union and rooms for clinic use.
- C. Much of my last couple weeks has been focused on dealing with EMS issues, harbormaster interviews and a slew of broke town equipment.
- D. Parking change ideas have been submitted to the council and I would like to have them on the next meeting or the April meeting for discussion and action.

New Business:

- A. Renewal of SISD lease of City Property that is next to the school that is being used for parking.
- B. Authorizing Linda Currie to continue to rent a space at the RV Park through May 2018. Have not been able to get much work done on her house this winter.
- C. Request from SISD to reduce the lease payment for the Restaurant from the current \$1,000.00 a month to \$300 a month for the remainder to this year's lease.
- D. Jason Clowar easement request for access to Lot 6A-1 of the Clowar Subdivision.

Executive Session: Yes, I suggest the city council go into executive session to discuss the EMS Director issues.

Harbors and Parks: Interviews were conducted and the interviewees have concluded that Ron Wendell was the choice for the new Harbormaster and Parks Supervisor. It is anticipated that Ron will start next Monday and shadow Shane until the end of March when Shane will focus totally on projects and let Ron take over the harbor and parks

Streets and Roads: Pushing snow and sanding the best we can with broken down equipment.

Water and Sewer: Signed the latest amendment with VSW setting the stage for going to bid for work at the sewage treatment plan. This also includes having DOWL finish the drawing for the Water upgrades and submit the plans to DEC for their review.

Solid Waste: WM is on their way to collect scrap. The barge should arrive in Craig around the end of March. WM is using Craig as they have dock facilities available and a majority of the scrap is on the west side. They will truck all scrap on the east side to Craig.

Law Enforcement: Buck has been busy chasing numerous Issues.

FIRE/EMS: I have been working on an updated MOU with Klawock. The Draft has been presented to the city council. Klawock City Administrator and Mayor would like to present their proposal and answer questions at either a special meeting or at the next regular council meeting.

Library: Shane is preparing a cost to replace the flooring in the bathroom and make some minor changes to open up more space.

City Clerk Report:

- **Fisheries Association Meeting** on Monday April 30, 2018, beginning at 1:00 p.m., in the Thorne Bay City Hall Council Chambers. The Public is invited and encouraged to attend. They will be reviewing the Charter Halibut Permit Applications submitted (3 submitted to date, 1 available).
- **New Business RV Park Extension (Ord allows 6-Month stay, adopted Resolution 16-10-10-01,** placed limit on new tenants at 21-day maximum stay until the City had a chance to was the needed repairs to the RV Park, and review of the current RV Park use.
 - a. On September 19, 2017- Council directed Administrator to retain quote for the cost to repair electric at the RV Park with the intention to keep as is with permanent living allowed.

Administrator received approval from council to get quote on repair

- I received the Scholarship from Alaska Association of Municipal Clerks to Attend the Professional Development IV class in Tacoma this June. This will allow me to work towards obtaining my Master Municipal Clerks Title. Big thanks to Dana for applying for the scholarship on my behalf while I was on vacation.
- **Financial Disclosure Statements** All POFD statements received.
- **Bank**

Total Balance of City Banking Accounts: \$1,675,531.04

TFCU ACCOUNT TOTALS	\$522,095.46	\$522,145.46
FIRST BANK ACCT TOTALS	\$69,899.94	\$69,899.94
WELLS FARGO INVESTMENT:	\$1,083,536.58	\$1,083,536.58

QB Profit and Loss FY18 – July 1, 2017 through March 15, 18

Income: \$1,022,468.25

Expense: \$812,965.80

NET INCOME: \$ 209,502.45

7. PUBLIC COMMENTS:

Nick Higson commented on the following:

- Thanked the City Council for assisting the School District with winter snow removal when they were unable to
- Appreciated the City changing their code to have sales tax on school tenants rent be deducted from their checks and paid by the school. Higson continued that this helped the teachers since they would no longer have to remember to submit the tax quarterly
- Appreciated the City providing the school parking next to the Bay Chalet, it helps provide more parking for visitors and students
- Looked forward to a continued great relationship between the School District and the City of Thorne Bay.

Jim McFarland commented on the following:

- Fundraiser dinner at the School for the Girls Basketball Team, Thursday March 8th at 5:30 p.m., dinner menu was lasagna, Caesar salad, dessert auction

8. COUNCIL COMMENTS:

McDonald stated the IFA would hold their quarterly meeting in Craig City Hall at 10:00 a.m., in March. McDonald stated he would not be able to attend the council meetings in April because he would be on a cruise.

9. CONSENT AGENDA:

A. Minutes of February 6, 2018, Regular Council Meeting, discussion and action item:

Hartwell moved to approve the consent agenda, consisting of the Minutes from the February 6, 2018, Regular City Council Meeting. Slayton seconded the motion. There was no further discussion.

MOTION: Move to approve the consent agenda, consisting of the Minutes from the February 6, 2018, Regular City Council Meeting.

F/S: Hartwell/Slayton

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

NAYS: None

STATUS: Motion Passed.

10. NEW BUSINESS:

A. Renewal of SISD lease of City Property located next to Bay Chalet, Sandy Beach Road: discussion and action item:

Hartwell moved to Renewal of SISD Lease of City Property, property located next to Bay Chalet. Carlson seconded the motion. There was no further discussion.

MOTION: Move to Renewal of SISD Lease of City Property, property located next to Bay Chalet

F/S: Hartwell/Carlson

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

NAYS: None

STATUS: Motion Passed.

B. Authorizing Linda Currie to continue to rent a space at the City of Thorne Bay RV Park through May 2018; discussion and action item:

Hartwell moved to approve the request from Linda Currie to rent a space at the City of Thorne Bay RV Park through May 2018. Edenfield seconded the motion. There was no further discussion.

MOTION: Moved to approve the request from Linda Currie to rent a space at the City of Thorne Bay RV Park through May 2018

F/S: Hartwell/Edenfield

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

NAYS: None

STATUS: Motion Passed.

C. Request from SISD to reduce the lease payment for the Restaurant from the current \$1000.00 a month to \$300.00 a month for the remainder of the lease which is October 31, 2018; discussion and action item:

Hartwell moved to approve the Request from SISD to reduce the lease payment for the Restaurant from the current \$1000.00 a month to \$300.00 a month for the remainder of the lease which is October 31, 2018. Carlson seconded the motion. Discussion included the following statements:

Hartwell commented that after stating his motion, he had a counter proposal to offer, reducing the rent to \$500, for the remainder of the lease, which would then bring the total purchase price to \$28,000.

Carlson inquired if the School owned the Restaurant Building or if they were still making payments towards the purchase.

City Clerk stated that SISD was the current owner of the restaurant building, and that they had paid for the purchase of the restaurant building for a total sum of \$15,000.00, prior to entering into the lease with the City for the use of City land for operating the restaurant. In 2014 the City Council and SISD entered into a lease agreement for the amount of \$1,000.00 per month, with the understanding that they would pay the higher rate of lease, because the City initially wanted to recoup their costs for the purchase of the restaurant of \$30,000.00. SISD has paid the \$1,000.00, per lease agreement with the exception of two years where they had approached the City Council requesting temporary reduction in lease payments for winter months. The City Council Approved those requests. The most recent reduction request was put before the Council in September of 2017, where it was tabled until the SISD Board could meet and decide what their plans were for the future of the restaurant operations.

MOTION: Move to approve the Request from SISD to reduce the lease payment for the Restaurant from the current \$1000.00 a month to \$300.00 a month for the remainder of the lease which is October 31, 2018

F/S: Hartwell/Edenfield

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

NAYS: None

STATUS: Motion Passed.

D. Jason Clowar easement request for Lot 6A-1 of Clowar Subdivision; discussion item:

Jason Clowar provided the City Council with a letter and attachments, requesting access over, or purchase of, the City's Utility Easement (letter and attachments on pages 4-7).

Hartwell stated he would be in favor of leasing or granting access over the easement, but not to sell it.

Slayton commented that he thought there was a Greenbelt in the area Clowar is requesting access to.

Hartwell inquired if Wayne the City had still intended on using the lands in question as stated in the reply to Mr. Clowar dated November 9, 2016?

City Administrator stated the lands were part of the Waterfront Zoning Masterplan project that was being worked on, since then the plan has been completed.

Clowar responded there were currently no trees where he is requesting, and he did not intend to or need to cut trees for the access.

McDonald inquired if the grade was too steep for a driveway. Clowar stated he would not need to change the gradient.

Trisha Clowar encouraged the City Council visit the site to see that the land they are requesting access through was a very short distance.

Carlson and Edenfield both spoke in favor of granting the access to help relieve the congested parking up on Hemlock Loop.

Hartwell requested the Administrator look into the process required for the City to grant access over easements.

There was no further discussion.

Adventure Alaska would like to be granted access over an easement or purchase the easement

Introduction: Hemlock Loop is small and pretty steadily congested due to most residences and businesses having no off-street parking. I believe access to my business from the main road (Shoreline Drive) would be beneficial to everyone currently using Hemlock Loop for business or residence. Fortunately, there is a solution to this problem. I would like to use the utility easement either through permission granted or purchase to access Adventure Alaska. This easement currently goes from Shoreline Drive to the City RV Park. It is on city property, as well as Adventure Alaska property. The city-owned portion that I am proposing to buy is roughly 20' x 120' (2400 sq. ft.) The utilities in the ground are sewer, the same that are under most streets in Thorne Bay, so vehicle traffic should not be a concern.

History....

I tried to purchase this same piece of land in 2005 and had the support of the Council and P&Z until one person in the crowd stood up and said, "What if Durette wants to buy that ground?" The person was asked, "Do you speak for Durette?" to which he replied, "No." After those statements, it was voted down to allow more time to discuss. I had invested a lot of time into this pursuit and chose not to invest any more at that point.

Currently....

I decided to try again and took my original 2005 proposal to Wayne. I told him I would like to purchase or at least get access over the easement (two separate ideas and sizes of land). I told him I would like to know what he thought of my ideas and what he would support. I figured if I had his support, I might also have the council's support. I thought this would lead to discussion. Wayne reciprocated with a letter stating in a nutshell, "The City will not be selling or leasing this property except for city purposes." I have attached Wayne's complete letter for your review so this quote won't be out of context in any way. I don't want this to be perceived as an attack on Wayne. Wayne is simply stating the city's current views on these matters, so I want to go to the council to see if these views can be changed.

Conclusion:

I understand that the city has planners being paid through a grant for an overall CTB plan, but I don't fully agree with where they are taking Thorne Bay. I also understand that there is a trail slated to be put in the same vicinity and I don't believe this would be a conflict. Please remember that Adventure Alaska employs locals, brings people to Thorne Bay who purchase food, gas, and liquor. Adventure Alaska pays taxes and purchases many services from the City of Thorne Bay. I appreciate the good relationship we have had with the City over these 20+ years and I think this could prove to be mutually beneficial to us, the City and the residents of Hemlock Loop. I hope you feel the same.

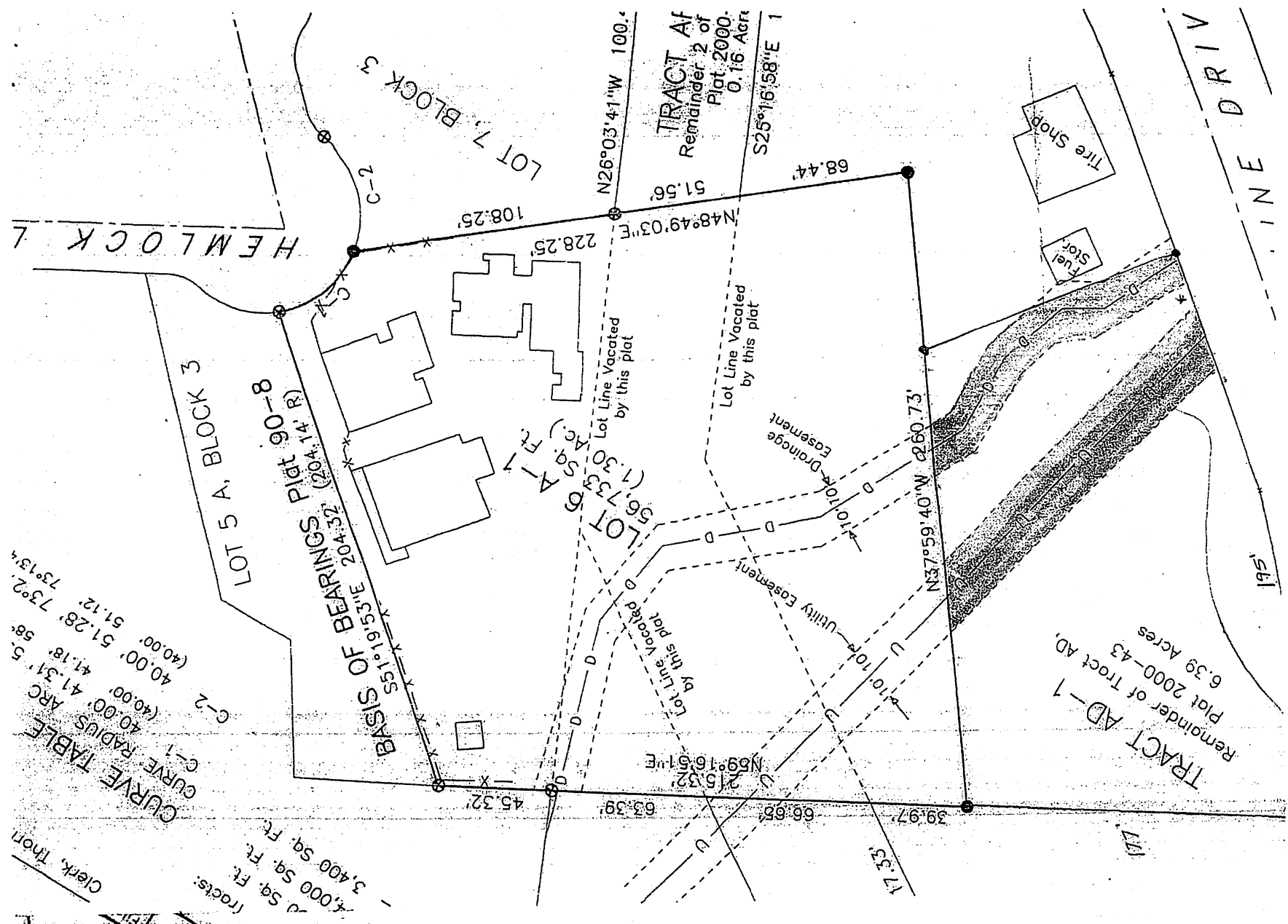
Thank you again for your time,

Jason Clowar

Attachments

- Wayne's Letter
- Overall plat map
- Highlighted plat map showing tract AD-1
 - YELLOW highlighted area was ORIGINALLY BEING SOUGHT FOR PURCHASE with the utility & drainage easement running through the center of it
 - PINK highlighted area is the DRAINAGE EASEMENT
 - ORANGE highlighted area is the UTILITY EASEMENT

***I have other documents as well, but the attached are the most pertinent. Please ask if you would like to see more~

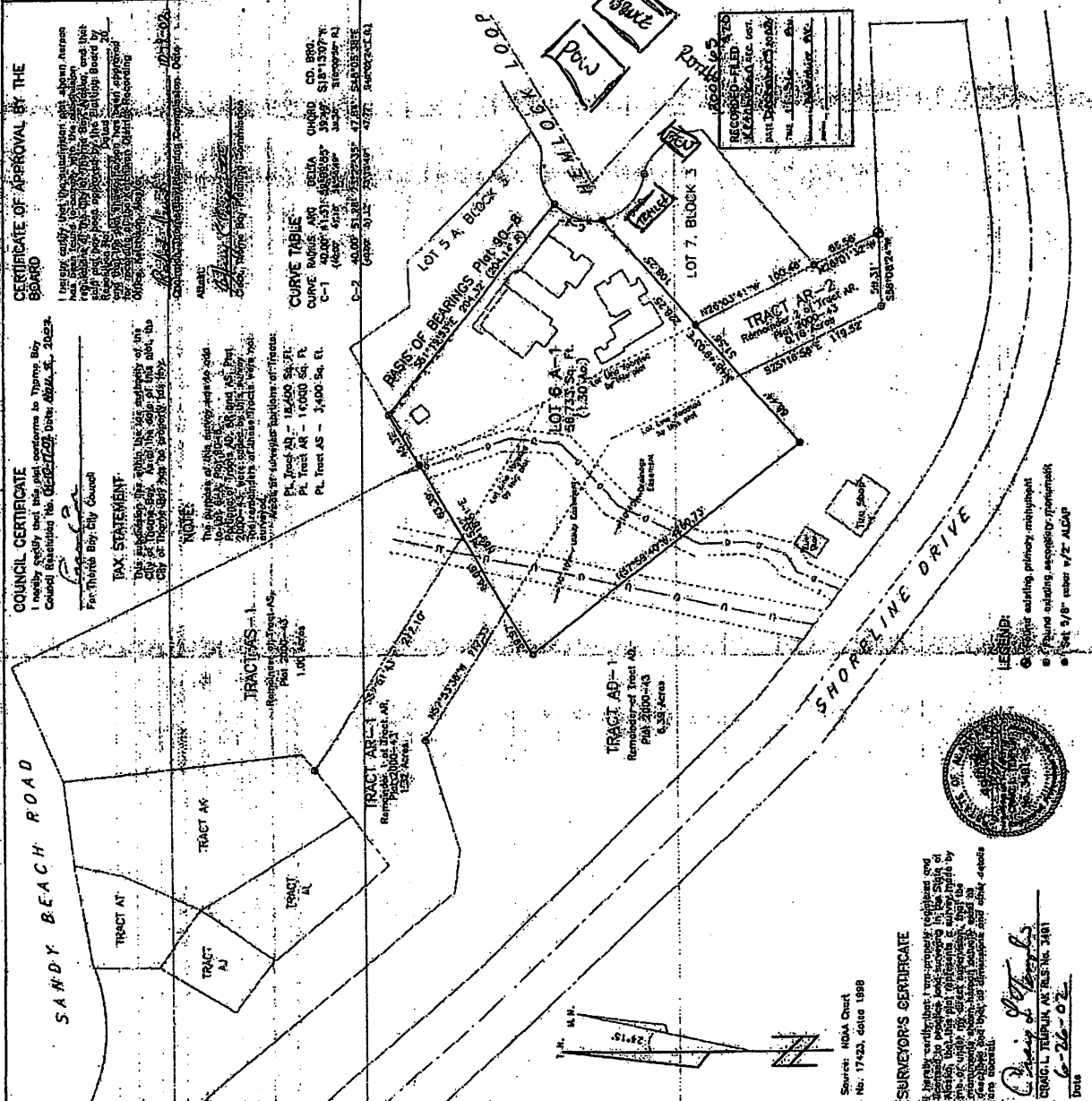
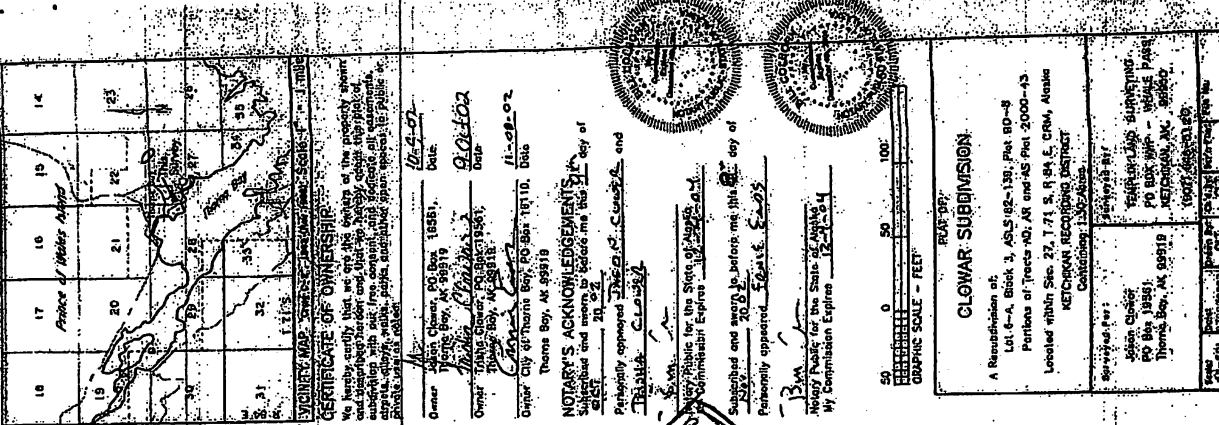


Curves Table

Curve	Radius	Arc
C-1	40.00'	41.31' 58"
C-2	40.00'	51.28' 73.2"
C-3	40.00'	51.12' 73.13"

Tracts:
 1. 4,000 Sq. Ft.
 2. 3,400 Sq. Ft.

Clerk, Thon



CERTIFICATE OF APPROVAL BY THE BOARD
 I hereby certify that the subdivision plan submitted to the Board of Planning and Zoning has been approved and that the subdivision is in accordance with the provisions of the City of Thomas Bay, Alaska, and the applicable laws of the State of Alaska.

COUNCIL CERTIFICATE
 I hereby certify that this plan conforms to the provisions of the City of Thomas Bay, Alaska, and the applicable laws of the State of Alaska.

TAX STATEMENT
 The property shown on this plan is subject to the following taxes:

CURVE TABLE

Curve No.	Stationing	Curve Length	Radius	Central Angle
C-1	10+00 to 10+50	50	1000	90
C-2	10+50 to 11+00	50	1000	90

NOTARY'S ACKNOWLEDGEMENTS
 I, the undersigned, a Notary Public for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as submitted to me for recording.

NOTARY'S ACKNOWLEDGEMENTS
 I, the undersigned, a Notary Public for the State of Alaska, do hereby certify that the foregoing is a true and correct copy of the original as submitted to me for recording.

OWNER'S ACKNOWLEDGEMENTS
 I, the undersigned, do hereby acknowledge that I am the owner of the property described herein and that I have executed this instrument for the purposes stated herein.

OWNER'S ACKNOWLEDGEMENTS
 I, the undersigned, do hereby acknowledge that I am the owner of the property described herein and that I have executed this instrument for the purposes stated herein.

RECORDING INFORMATION
 This instrument was recorded on this date in the office of the Registrar of Records, State of Alaska, at Anchorage, Alaska.

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 This instrument was recorded on this date in the office of the Registrar of Records, State of Alaska, at Anchorage, Alaska.

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 This instrument was recorded on this date in the office of the Registrar of Records, State of Alaska, at Anchorage, Alaska.



CITY OF THORNE BAY

P.O. BOX 19110
THORNE BAY, ALASKA 99919
(907) 828-3380
FAX (907) 828-3374
www.thornebay-ak.gov

November 9, 2016

Jason Clowar
PO Box 19561
Thorne Bay, AK 99919

RE: Sale of Property

ATTN: Jason

Thank you for your interest in purchasing some city property adjacent to your lot and Bayview Tire property. The property in question is currently zoned Waterfront and was part of the Waterfront Master Plan that was recently updated. The Plan calls for updating the Waterfront Zone which is part of several zoning updates that the city council will be addressing in the coming months.

As part of the planning process the city has discussed several options for the lands along Shoreline Drive from Bayview Tire to Nick Gefre's property. Parking, overflow parking for the boat launch, lease lots for business, or possibly lots for sale. A trail system along the upper area is already funded with details for construction underway. This trail ties into the trail to be constructed from the Point to the Clay. As part of laying out the trail we will be looking at possible uses and designs for the land between the trail and Shoreline Drive.

If the city were to decide to sell off the land the area would be developed in to usable parcels, subdivided, appraised and then auctioned off per Thorne Bay Municipal Code with restrictions placed on parcels for development. Until a plan has been developed for the use of this property, the city will not be selling or leasing this property except for city purposes.

Sincerely,

Wayne Benner, City Administrator
Cell: (907) 254-2554
Email: administrator@thornebay-ak.gov

11. ORDINANCES FOR INTRODUCTION:

There were no ordinances for introduction.

12. ORDINANCES FOR PUBLIC HEARING:

There were no ordinances for introduction.

13. EXPENDITURES EXCEEDING \$2,000.00:

14. EXECUTIVE SESSION: The Council May adjourn to executive session for the purpose of discussing the following items: Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;

Hartwell moved to adjourn to executive session, the topic to be discussed in executive session is Complaint received from the EMS Captain on February 15, 2018. The City Administrator and City Clerk are invited to attend. Slayton seconded the motion. There was no further discussion.

MOTION: Move to approve the Request from SISD to reduce the lease payment for the Restaurant from the current \$1000.00 a month to \$300.00 a month for the remainder of the lease which is October 31, 2018

F/S: Hartwell/Edenfield

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

NAYS: None

STATUS: Motion Passed.

The Council adjourned to executive session at 7:34 p.m., and reconvened at 8:29 p.m.

Slayton invited Bruce Maldonado to attend the Executive Session.

15. CONTINUATION OF PUBLIC COMMENT:

There were no further public comments.

16. CONTINUATION OF COUNCIL COMMENT:

There were no further council comments.

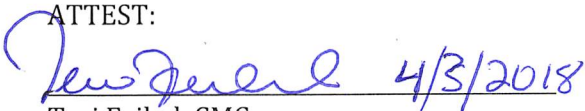
17. ADJOURNMENT:

Hartwell adjourned the meeting at 8:31 p.m.



Robert Hartwell, Mayor Pro-Tempore

ATTEST:



Teri Feibel, CMC



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