

MINUTES
FOR THE REGULAR MEETING
OF THE CITY COUNCIL
FOR THE CITY OF THORNE BAY:
CITY HALL COUNCIL CHAMBERS
TUESDAY May 16, 2017, 6:30 p.m.

1. CALL TO ORDER:

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

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, Hartwell

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT:

Mayor Gould reported on the upcoming POWLAT and POWCAC meetings.

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

Wayne Benner, City Administrator's Report:

- Met with the Administrators from Craig and Klawock to discuss taxes, see email sent to counsel.
- Discount dump day was busy with just about the same number of loads but not as big of loads equating to about \$75 dollars less than last year which at this point hardly covers wages. We did have one moment of excitement provided by Mike Steele (excused if this offends anyone) when Mike shared his limited 5-word vocabulary yelling at me and grabbing his crouch yelling F you like he was trying to pull his pants down for all at the site.

- This coupled with the same day having a sail boat on its side on the grid and having the windshield and another window broken out of the backhoes along with some roof damage. Not a good week as can be verified by staff.
- POWLAT meeting at VOTEC center in Klawock Thursday the 18th and possible some time on the 19th. Last meeting until fall.
- POWCAC meeting at VOTEC center in Klawock Tue the 23rd.
- Do not know as of yet, but I may be in Ketchikan first of next week as I have been subpoenaed for a court case that is scheduled to start on the 22nd.
- And on a sad note, Sadie who so pleasantly greets you at city hall when you walk in the door, will be leaving the city May 26th to start a new adventure down south. We all wish Sadie the best of luck and will thoroughly miss her and Payton. Lisa Roseland will be trying to fill Sadie's shoes.
- WM will be on POW the last week of May to visit communities and look at scrap metal sites and put together the specifics for the exhibit in the signed agreement. Will know more after this Thursday's SEASWA meeting.
- The re-write of the zoning ordinances is complete and waiting until budget is done to walk through the re-write with Teri plus need to make sure that the correct working is included from the zoning requirements for communication / telecommunication facilities
- The shelter at the park has become an issue. The city is trying to help but the aggressive schedule being imposed by the church does not work with city operations. We do not have staff or equipment to dedicate to the project. Especially now after having had the windows in the backhoe broken while it was being used as a skidder. Not appropriate use of backhoe. On top of that using the excavator just after we put \$5000 repairing the machine. We were trying to be nice but the damaged backhoe has us in a real bind with projects that were scheduled this month. From this point forward no city equipment will be operated by other than city employees and equipment will only be available when city projects are done and not on city time. And no crushed rock or fill material taken without approval at time that it is needed.
- Steve Seley's Tongass building proposal came in with an estimate of \$125,000 for a building delivered to the site. With infrastructure work that will make the project around \$150,000. Way too much since Tongass can only afford payments on a \$50,000 loan. So back to square one with this project.

New Business:

- A. July 4th is on Tue this year so if you are going to have a council meeting end it before dark.

Ordinances for Introduction:

- A. Ordinance 17-06-06-01 is the introduction of the Marijuana ordinance that pertains to Zoning where definitions and special uses are established. Both this and the next ordinance on laws for marijuana are being reviewed by legal counsel.
- B. Ordinance 17-06-06-02 is the introduction of the Marijuana ordinance that pertains to the laws which relates all aspects back to the State of Alaska laws.
- C. Ordinance 17-06-06-03 is the introduction to the FY 18 budget. See Teri for any questions.

Ordinances for Public Hearing:

- A. Ordinance 17-05-16-01, Amending Title 17, Chapter 17.04.040 adds language for communications-telecommunications facilities to be inserted in the code.
- B. Ordinance 17-05-16-02, Amending Title 17, Chapters 17-04 Zoning to allow for communications-telecommunications facilities outright or through the conditional use process in the various zones.
- C. Ordinance 17-05-16-03, Amending Title 16 Subdivisions, Chapter 16.12.020 Waiver Provisions which clarifies Waivers for lots over 5 acres which are regulated by state law and waivers from the full subdivision process for lots under 5 acres which specific criteria.
- D. Ordinance 17-05-16-04, Amending title 3-revenue and finance, Section 3.17.110 raises the fee for sales tax exemption from \$10 to \$15 for Sales tax and eliminate Sales tax exemptions for all types of Alcoholic Beverages and all types of Tobacco products.

Expenditures over \$2000: The expenditures of \$4035 were to Kasaan for assistance with work on the Kasaan Road and in Southside Subdivision. This help had been request back in early April.

Harbors and Parks: It appears that the contractor selected for the work at Davidson Landing is no longer interested in the project as he will not respond to e-mails. As a result, I am soliciting for new contractors.

Streets and Roads: Been busy on other projects and working on the trucks

Water and Sewer: Sam is back so now Jason can have a weekend off, cutting back on the overtime. DOWL is scheduling a site visit toward end of month to discuss the final design with the regulatory agencies. Work on the water leaks is on hold due to backhoe damage.

Solid Waste: Josh has reconstructed some parts for the baler. This year's dump day sorting process was much better. However, need to educate people Styrofoam and plastic are not burnable items.

Law Enforcement: Buck is out and about.

FIRE/EMS: The Emergency Services needs to start working at reinstating their gaming permit so they can start doing raffles in conjunction with the events they do for fundraising.

Library: Meeting Fri with Lana and Ashley to discuss Ashley's role in some projects.

7. PUBLIC COMMENTS:

There were no public comments.

8. COUNCIL COMMENTS:

Vice Mayor McDonald stated he was glad to be home.

9. CONSENT AGENDA:

- A. Minutes from the April 4TH & 18TH , 2017, Regular City Council Meeting, discussion and action item:
- B. Minutes for the May 2, 2017, Regular City Council Meeting, discussion and action item:

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

MOTION: Move to approve the consent agenda

F/S: Gould/McDonald

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

NAYS: None

STATUS: Motion Passed.

10. NEW BUSINESS:

- A. July 4th, Regular City Council meeting reschedule date, discussion and action item:

Gould moved to cancel the Regular July 4, 2017, City Council meeting. Burger seconded the motion. Gould explained if a need arose for a special meeting the City Council could schedule one. There was no further discussion.

MOTION: Move to cancel the Regular July 4, 2017, City Council meeting

F/S: Gould/Burger

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

NAYS: None

STATUS: Motion Passed.

11. ORDINANCE FOR INTRODUCTION:

- A. Ordinance 17-06-06-01, Amending Title 17-Zoning, Chapter 17.04-Planning Zoning, Adding Sections 17.04.015-Definitions "M-Marijuana" discussion and action item:

Gould moved to approve Ordinance 17-06-06-01. Edenfield seconded the motion. Hartwell expressed his strong opposition to approving a Marijuana Ordinance. There was further discussion.

MOTION: Move to approve Ordinance 17-06-06-01

F/S: Gould/Edenfield

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

NAYS: Hartwell

STATUS: Motion Passed.

- B. Ordinance 17-06-06-02, Amending Title 9-Public Peace Morals & Welfare, Adding Chapter 9.30-Marijuana, discussion and action item:

Gould moved to approve Ordinance 17-06-06-02. McDonald seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-06-06-02

F/S: Gould/McDonald

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

NAYS: Hartwell

STATUS: Motion Passed.

- C. Ordinance 17-06-06-03, establishing the authorized income and expenditures for the City of Thorne Bay Operating Budget for Fiscal Year 2018 beginning July 1, 2017 ending June 30, 2018, discussion and action item:

Gould moved to approve Ordinance 17-06-06-03, establishing FY18 Budget. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-06-06-03, establishing FY18 Budget

F/S: Gould/Hartwell

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

NAYS: None

STATUS: Motion Passed.

12. ORDINANCE FOR PUBLIC HEARING:

- A. Ordinance 17-05-16-01, Amending Title 17-Zoning, Chapter 17.04-Planning and Zoning, Adding Section 17.04.040-Communications-Telecommunications Facilities, discussion and action item:

Gould moved to approve Ordinance 17-05-16-01. Carlson seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-05-16-01

F/S: Gould/Carlson

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

NAYS: None

STATUS: Motion Passed.

- B. Ordinance 17-05-16-02, Amending Title 17-Zoning, Chapter 17.04-Planning and Zoning, Sections 17.04.022-Residential, 17.04.05-Mixed Residential/Commercial II and 17.04.027-Commercial Zone, adding Communications-Telecommunications as Permitted or Conditionally Permitted Uses within the zone, discussion and action item:

Gould moved to approve Ordinance 17-05-16-02. Slayton seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-05-16-02

F/S: Gould/Slayton

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

NAYS: None

STATUS: Motion Passed.

- C. Ordinance 17-05-16-03, Amending Title 16-Subdivisions, chapter 16.12-Platting Requirements, Sections 16.12.020-Waiver Provisions for lots over 5 acres; 16.12.025-Waiver Provisions for lots under 5 acres, and 16.12.030-Procedure for lots under 5 acres, discussion and action item:

Gould moved to approve Ordinance 17-05-16-03. Carlson seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-05-16-03

F/S: Gould/Carlson

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

NAYS: None

STATUS: Motion Passed.

D. Ordinance 17-05-16-04, Amending Title 3-Revenue and Finance, Section 3.17.110-Sales Tax Exemption for the elderly, discussion and action item:

Gould moved to approve Ordinance 17-05-16-04. Edenfield seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-05-16-04

F/S: Gould/Edenfield

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

NAYS: None

STATUS: Motion Passed.

13. EXPENDITURES EXCEEDING \$2,000.00:

A. Expenditure of \$4,035.00, to Organized Village of Kasaan for Kasaan Road Repairs and Upgrades and Southside Subdivision Grading, discussion and action item:

Gould moved to approve the expenditure of \$4,035.00 to OVK for Kasaan Road Repairs. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the expenditure of \$4,035.00 to OVK for Kasaan Road Repairs

F/S: Gould/Hartwell

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

NAYS: None

STATUS: Motion Passed.

14. EXECUTIVE SESSION:

No executive session was called.

15. CONTINUATION OF PUBLIC COMMENT:

There were no further public comments.

16. CONTINUATION OF COUNCIL COMMENT:

Slayton commented on POWLAT and encouraged people to attend the meetings to know what is being proposed in the assessment. Slayton commented that Forest Service was proposing clearing 30 billion board feet each year of timber and in doing so, they would work on other projects on the island such as recreation, watershed and more during the process. Slayton stated he was against the Forest Service proposal to clear 30 billion board feet of timber per year because of the negative affect it would have on the deer population and harvesting on the island. Slayton continued to comment on how important it was for the deer to have old growth around so they have a place to bed in the winters.


Benner stated the small mill operators wanted to prolong the logging of old growth, but the larger companies wanted to log it all at once. Discussion continued that the companies logging over the last 5 years were not hiring local. There were no further comments.

17. ADJOURNMENT:

Mayor Gould adjourned the meeting at 7:26 p.m.

Harvey McDonald Vice Mayor
for James Gould, Mayor

ATTEST:



Teri Feibel, CMC