

MINUTES
REGULAR MEETING
OF THE CITY COUNCIL
FOR THE CITY OF THORNE BAY:
CITY HALL COUNCIL CHAMBERS
TUESDAY May 2, 2017, 6:30 p.m.

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

3. ROLL CALL:

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

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

/S: Gould/Hartwell

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

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT: Council Adopt-a-Highway Cleanup

Mayor Gould requested the City Council get together and plan a date for their mile highway to clean.

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

Wayne Benner gave an administrative report.

- Meeting with the Administrators from Craig and Klawock tomorrow to discuss budgets. Sounds like Klawock is going to be rewriting their entire finance code.
- Discount dump day (one Day only) is scheduled for Saturday May 6 from 9 to 3.
- WM will be on POW on and after the last weekend of May to visit communities and look at scrap metal sites.
- About half way through the re-write of the zoning ordinances that hopefully makes the document more user friendly
- Ordinance 17-05-16-01, Amending Title 17, Chapter 17.04.040 adds language for communications-telecommunications facilities to be inserted in the code.

- 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.
- Ordinance 17-05-16-03, 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.
- 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.
- Ordinance 17-06-06-01, Amending Title 17 Zoning to add definitions for Marijuana establishments, cultivation processing, testing and selling and establishes the approval of any of these steps through a special use permit.
- Ordinance 17-06-06-02, Amending Title 9-Public Peace Morals and Welfare to add enforcement and regulations for Marijuana consumption and licensing.
- Both these ordinances are based on the Sitka Ordinance per the council request and set up for at least 3 readings.
- Ordinance 17-05-02-01, amending Title 2 – Administration and Personnel adding as subsection to address short hour employee sick leave accrual. The code addressed short hour employee annual leave accrual but did not carry forward the sick leave portion. Something that was overlooked when the ordinance was created and until recently was never an issue.
- Ordinance 17-05-02-02 Amending the FY17 Budget is the last quarterly amendment prior to setting the FY 18 Budget. The numbers on this amendment have already changed (for the good) since this was introduced.

Expenditures over \$2000: We have a freeze on expenditures unless absolutely necessary. Same steps we do each spring as I do not believe in spending all the money in you budget just because we budgeted the money.

Harbors and Parks: Shane has replaced a section of bull rail on the guest dock and is working on replacing the skirting around the float plane dock.

Streets and Roads: Streets have been swept. Shoulders have been peeled back and will be doing the clean up as time permits. Max and OVK have managed to do some good on the Kasaan and Southside roads.

Water and Sewer: Sam has been off having knee surgery and taking the time to do last minute studying for his water certification exam this month. The tree removal has slowed a little so we can sort through the logs and see if any may be usable for the picnic shelter at the park.

Solid Waste: Busy day coming up Saturday and most employees will be taking a turn helping out as this program takes a lot of labor.

Law Enforcement: Buck is out and about.

FIRE/EMS: The fire truck we received from Haines is being taken to Tracy to have him look at some seals that should be replaced. The ambulance also needs to have some seals looked at when he is done with the fire truck.

Library: Ashely Richardson, Marks replacement, is here and rapidly trying to understand Thorne Bay.

7. PUBLIC COMMENTS:

Shane Nyquest commented on the following:

- Suggested a possible discount for anyone who collects the garbage bags along the road that the school kids fill.

Mark Lisowski commented on the following:

- Expressed gratitude to the community members and City Council for making him feel so welcome in the community during his time as a VISTA volunteer.
- Introduced Ashly Richardson, the new VISTA for Thorne Bay and added that he believed she would do a wonderful job.

8. COUNCIL COMMENTS:

There were no council comments.

9. ORDINANCE FOR INTRODUCTION:

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

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:

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

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

F/S: Carlson/Hartwell

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

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. Edenfield seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-05-16-03
F/S: Gould/Edenfield
YEAS: Hartwell, Carlson, Burger, Slayton, McDonald, Edenfield and Gould
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. Hartwell seconded the motion. Gould explained that the ordinance would no longer exempt tax on Alcohol and Tobacco sales and increased the fee of senior tax exempt cards from \$10.00 to \$15.00 bi-annually.. This would affect the seniors currently holding a senior tax exempt card with the City of Thorne Bay, as they will now be required to pay tax on the alcohol. There was further discussion.

MOTION: Move to approve Ordinance 17-05-16-04
F/S: Gould/Hartwell
YEAS: McDonald, Burger, Carlson, Gould, Hartwell, Slayton and Edenfield
NAYS: None
STATUS: Motion Passed.

- E. 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. Carlson seconded the motion. Gould explained that this ordinance was adopting the State Statutes on Marijuana Laws. There was further discussion.

MOTION: Move to approve Ordinance 17-05-16-04
F/S: Gould/Carlson
YEAS: McDonald, Burger, Edenfield, Carlson, Slayton and Gould
NAYS: Hartwell
STATUS: Motion Passed.

- F. 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. Edenfield seconded the motion. Gould explained that this ordinance was mirrored from Sitka's Marijuana Ordinance and outlines the law enforcement part of the Marijuana Law. There was further discussion.

MOTION: Move to approve Ordinance 17-06-06-02
F/S: Gould/Edenfield
YEAS: Burger, Carlson, Edenfield, McDonald, Gould and Slayton
NAYS: Hartwell
STATUS: Motion Passed.

10. ORDINANCE FOR PUBLIC HEARING:

- A. Ordinance 17-05-02-01, amending Title 2 Administration and Personnel, Section 2.24.070 – Sick Leave, discussion and action item:

Gould moved to approve Ordinance 17-05-02-01. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve Ordinance 17-05-02-01

F/S: Gould/Hartwell

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

NAYS: None

STATUS: Motion Passed.

- B. Ordinance 17-05-02-02, amending the FY17 Budget for the City of Thorne Bay authorized revenues and expenditures, discussion and action item:

Gould moved to approve Ordinance 17-05-02-02. Edenfield seconded the motion. There was further discussion.

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

F/S: Gould/Edenfield

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

NAYS: None

STATUS: Motion Passed.

11. EXECUTIVE SESSION:

No executive session was held.

12. CONTINUATION OF PUBLIC COMMENT:

There were no public comments.

13. CONTINUATION OF COUNCIL COMMENT:

There were no council comments.

14. ADJOURNMENT:

Mayor Gould adjourned the meeting at 7:12 p.m.

for
Harvey McDonald Vice Mayor
James Gould, Mayor

ATTEST:

Teri Feibel
Teri Feibel, CMC