

MINUTES
FOR THE SPECIAL MEETING
OF THE CITY COUNCIL
FOR THE CITY OF THORNE BAY, ALASKA
TUESDAY, NOVEMBER 10, 2020
TIME: 6:30 p.m.

LOCATION: TELECONFERENCE/VIDEO CONFERENCING LINE

1. CALL TO ORDER:

Burger called the meeting to order at 6:30p.m.

2. PLEDGE TO FLAG:

The audience and council pledged the flag.

3. ROLL CALL:

Those in attendance were: Burger, Edenfield, Craske, Rhodes, Kerkof & Stram

4. APPROVAL OF AGENDA:

Burger moved to approve the agenda. Kerkof seconded the motion. City Clerk Feibel stated that the item on the agenda to purchase life flight memberships was not put into the form of a resolution in time for the meeting and requested that the council move to approve the expenditure to Guardian Life Flight using CARES funding.

MOTION: Move to approve the agenda.

F/S: Burger/Kerkof

YEAS: Burger, Edenfield, Craske, Stram, Rhodes, Kerkof

NAYS: None

STATUS: Motion Passed.

5. MAYOR'S REPORT:

Burger commented on the following:

- Urged the council and public continue to be cautious and practice proper hygiene. Ketchikan is experiencing a rise in COVID cases.

6. ADMINISTRATIVE REPORTS:

City Administrator reported:

- I'm currently working on receiving our ambulances purchased with cares funds, they are in route on the way. Booking numbers were provided to the seller for the one from Anchorage and the one from Seattle they are both in route is the best of my knowledge. He hasn't responded to me today.
- We are currently, ensuring that our snow winter removal equipment is in proper shape, everything is up and running with the exception of a couple of flashing amber lights which were ordered today for the large Sander inside of them. On this side of the bay south side has the Grader, Frontend loader and Sander all operational and fully functional. We actually

threw some sand out today because the roads were icy and slippery, so we're actually, again, ahead of the game.

- Stryker medical starting to show up, which includes the power gurneys the automated CPR machines the Lucas V. Threes and all the, the appropriate accessories that go along with them.
- First week of December, there will be ETT Training with approximately 12-13m signed up. That gives us at least a functional unit on the north side and on the south side of the bay.

City Clerk Report:

- Commented on the Remote Sellers Sales Tax funds coming in. Thorne Bay participates in the Remote Seller Sales Tax Commission, and that commission collects the online sales tax funds for us and then remits payment to Thorne Bay.
- There are issues with Rock Auto no longer shipping to Thorne Bay due to the requirement of Sales Tax. This has been brought up as an issue by many communities and the Commission is working on how to address this.
- CARES Grant money remaining is \$162,000.00, after purchasing the motors, guardian life flight memberships and Davidson Landing repairs. These funds are required to be expended by December 30th.

7. PUBLIC COMMENTS:

Thom Cunningham commented on the following:

- Craig purchases flight insurance for residence. (Read from the POW post)

Robert Hartwell commented on the following:

- Did the planning board say anything about the lease
- How much tidelands are in the lease
- Why do they want a 99-year lease
- How are we going to improve our harbor?

8. COUNCIL COMMENTS:

Cindy Edenfield commented on the following:

- Been volunteering at the library. We will be setting up sessions to help people with
- If need help with Medicare enrollment packets let the Library know, Wale Tail will be assisting.
- Tomorrow is Veterans Day, so please make sure to Thank a Vet.

Lee Burger commented on the following:

- There will be a takeout dinner for Veterans in Klawock tomorrow.

Eric Rhodes commented on the following:

- Big thanks to all the Veterans on the Island

Jon Stram commented on the following:

- Requested to be excused for the next City Council meeting as he will be out of town.
- At Davidson Landing helping on Election Day and when it got dark there was no exterior lighting on the building. We had few people turn out.
- Requested the City provide good exterior lighting at Davidson Landing when we start to do improvements.

9. NEW BUSINESS:

a. Certification of Mayoral Election held November 3, 2020, discussion and action item:

Burger moved to accept the results of the Mayoral Election November 3, 2020. Kerkof seconded the motion.

Craske commented on the following:

- There was concern that with the October Elections there may be issues with the November Election
- Request that we postpone certifying the election and requested that Eric Rhodes and Cindy Edenfield refrain from voting.
- Stated that both the State Director of Elections Ms. Finumi and Lauri Wilson informed him that they do not regulate municipal elections and that there is no need for the City to be voting absentee over there at Davidson Landing and it is just our choice. And so we need to rectify the situation by ordinance because it's causing a lot of burden.
- Proposed that the Council cross off certification on this agenda until next meeting and stated he wanted to see an ordinance written that that squares that away.

City Clerk Feibel commented:

- Eric and Cindy would not be permitted to refrain from voting as it is not a financial gain.
- Requested that the City Council provide ordinance in the code to specify that Davidson Landing is an Absentee Voting Station. That would eliminate any future confusions on whether absentee voting would be at Davidson Landing or not.

Stram commented on the following:

- There was no lighting at Davidson Landing after dark and it was hard for people to know that there were Elections going on.
- Commented that he had to bring a heater down to Davidson Landing Fire Hall.
- Stated he was hearing all over the nation there were challenges to the Federal Elections and that it would not shock him if they knew about our about our situation here

Edenfield commented on the following:

- By not certifying the Mayoral Election at this meeting would be a violation of the City Code

Clerk Feibel commented on the following:

The City Code does not specify when the Mayoral Election must be certified. It currently only references the Regular Election. The Regular Election Certification is required to be certified the Monday following the Election.

Rhodes commented on the following:

- The city will need to clean up the code after prop 2 passed. (Prop 2 was amending the code for how the Mayor was elected)

Craske moved to amend the certification of the Mayoral Election to the next meeting.

MOTION: Move to postpone Certification of Mayoral Election to the next meeting
F/S: Craske/Stram
YEAS: Craske, Stram & Rhodes
NAYS: Edenfield, Burger & Kerkof
MOTION: Motion Failed.

Original motion was to certify the Mayoral Election.

MOTION: Move to certify the results of the November 3, 2020, Mayoral Election
F/S: Burger/Kerkof
YEAS: Stram, Rhodes, Edenfield, Burger, Kerkof
NAYS: Craske
MOTION: Motion Passed.

b. Resolution 20-11-10-01, appointing one registered voter to fill the City Council Seat A, until the next regular election to be held in October of 2021, discussion and action item:

Burger explained there were four declarations filed for Seat A. Clerk Feibel read the candidates for the record:

- Thom Cunningham
- Deann Minnillo
- Kim Redmond
- Robert Hartwell

Burger opened the floor for nominations.

Kerkof nominated Kim Redmond

Burger seconded nomination Redmond

Stram nominated Thom Cunningham

Craske seconded the nomination

Rhodes nominated Deann Minnillo

Kerkof commented that due to the closeness of the vote for Jon Stram and Kim Redmond that we have an obligation to follow what the community voted.

Craske commented that the Davidson Landing Poll did not open until 2.15 hours and we turned away a lot of voters, so I don't know how certain that is.

Rhodes commented that while there is validity with Kerkof's comment on Redmond, all of the candidates received a large number of votes.

Kerkof stated the council has a obligation to follow what the people voted for in the last election where Redmond lost by one vote.

Craske stated the polls at Davidson Landing did not open until 2 hours into the election and many people were turned away. Therefore, not certain that Kerkhof's assertion.

Edenfield stated those who did not vote the City at Davidson did vote at City Hall Polls. Edenfield stated it was not approved for Elections to be held at Davidson Landing and it is to be voted on each time. Edenfield concurred with Kerkof's statement.

Rhodes commented that though a valid point, but Kerkof may not have the same argument if it were myself.

Stram commented that in support of his nomination of Thom Cunningham.

- Thom Cunningham was the most consistent public calling in and participating in discussions and does not recall Kim Redmond calling in. Like all 4 of the candidates we have for many reasons. Thom Cunningham has shown the most interest.

MOTION: Move to appoint Thom Cunningham to serve on Seat A until the October 2021 Election

F/S: Stram/Craske

YEAS: Craske, Stram & Rhodes

STATUS: Tie Vote between Redmond and Cunningham.

MOTION: Move to appoint Kim Redmond to serve on Seat A until the October 2021 Election

F/S: Kerkof/Burger

YEAS: Edenfield, Kerkof & Burger

STATUS: Tie Vote between Redmond and Cunningham.

Clerk Feibel explained that with a tie vote the City Code 2.28.620, requires a determination be made by lot.

TBMC 2.28.620 DETERMINATION OF TIE-VOTES.

If after a recount and appeal two or more candidates tie in having the highest number of votes for the same office, the mayor shall notify the candidates who are tied. The mayor shall notify the candidates of a reasonably suitable time and place to determine the successful candidate by lot. After the determination has been made by lot, the mayor shall so certify.

It was called by Administrator Les Carter that Redmond would be Heads and Cunningham Tails. City Administrator Les Carter flipped the challenge coin and landed on Tails. Cunningham won the lot. Clerk Feibel explained that by this lot the Council has approved Resolution 20-11-10-01, appointing Thom Cunningham to serve on Seat A until the next Regular City Election.

MOTION: Move to approve Resolution 20-11-10-01, appointing Thom Cunningham to serve on Seat A until the October 2021 Election
F/S: Stram/Craske
BY LOT: CUNNINGHAM WON BY LOT-Challenge coin landed on Tails
STATUS: Cunningham appointed to fill Seat A until next city election.

c. Resolution 20-11-10-02, amending authorized bank account signers for the City of Thorne Bay's First Bank and Tongass Federal Credit Union accounts, discussion, and action item:

Burger moved to approve Resolution 20-11-10-02. Edenfield seconded the motion.
Jon Stram will be out of town until December 5th so will not be available to sign checks until then.

MOTION: Move to approve Resolution 20-11-10-02
F/S: Burger/Edenfield
YEAS: Burger, Edenfield, Craske, Stram, Kerkof & Rhodes
NAYS: None
STATUS: Motion Passed.

d. Resolution 20-11-10-03, in support of AP&T (AP&T Wireless, Inc) running fiber optic cable through Thorne Bay through the SEALink project, discussion and action item:

Burger moved to approve Resolution 20-11-10-03. Craske seconded the motion. Rhodes commented that this is vital to the community. Craske stated this was the solution they had been looking for with communications. Craske stated he would like a special meeting for those in Goose Creek area so they can express their needs. Carter stated he had spoken with AP&T and since the equipment will reside in Thorne Bay, Thorne Bay will receive services within first quarter of 2021. Carter stated it was AP&T desire to have it to Southside and Goose Creek soon after.

MOTION: Move to approve Resolution 20-11-10-03
F/S: Burger/Craske
YEAS: Burger, Edenfield, Craske, Stram, Rhodes & Kerkof
NAYS: None
STATUS: Motion Passed.

e. Resolution 20-11-10-04, amending the CARES Grant Funding plan to include a onetime payment of one-year memberships Guardian Flight for residents of Thorne Bay, discussion and action item:

Burger moved to authorize the expense of CARES funding to purchase Guardian Life Flight Memberships for the community. Edenfield seconded the motion. Edenfield encouraged that the residents put away \$10 per month to continue purchasing memberships in the future. Burger provided a personal experience example.

MOTION: Move to approve Resolution 20-11-10-04
F/S: Burger/Edenfield
YEAS: Burger, Edenfield, Craske, Stram, Rhodes & Kerkof
NAYS: None
STATUS: Motion Passed.

f. Resolution 20-11-10-05, a resolution authorizing participation in the community development block grant program, discussion and action item:

Burger moved to approve Resolution 20-11-10-05. Stram seconded the motion. Edenfield stated she would suggest that the new building be a two-story building that would house fire trucks, ambulance and supplies on the bottom story and a caretaker facility on the top. There was further discussion.

MOTION: Move to approve ReslutioN 20-11-10-05
F/S: Burger/Stram
YEAS: Burger, Edenfield, Craske, Stram, Rhodes & Kerkof
NAYS: None
STATUS: Motion Passed.

10. ORDINANCE FOR INTRODUCTION:

Ordinance 20-11-17-01, a non-code ordinance amending the long-term 20-year lease of City Property between the City of Thorne Bay and GVA Corporation, aka Tackle Shack, to a ninety-nine-year tideland lease, discussion and action item:

Burger moved to approve the lease amendment to a 99-year lease. Kerkof seconded the motion.

MOTION: Move to approve Ordinance 20-11-17-01, Non-Code Ordinance approving a 99-year lease
F/S: Burger/Kerkof
YEAS: Burger, Edenfield, Craske, Rhodes & Kerkof
NAYS: Stram
STATUS: Motion Passed.

11. CONTINUATION OF PUBLIC COMMENT:

Thom Cunningham commented on the following:

- I Like Cindy's idea for the caretaker but may be more than needed.
- Why is the certification of the election being contested? I put up notices that we would be having the election, so people knew.

Priscilla Goulding commented on the following:

- CDBG must be received in Fairbanks by 4:30p.m.

12. CONTINUATION OF COUNCIL COMMENT:

Craske commented on the following:

- Would like to confirm the meeting on Saturday at 10am with myself (Wes Craske), Thom Cunningham, Les Carter and Eric Rhodes
- Want to find out how to introduce an ordinance to specify that we are going to normalize voting at Davidson Lading.

- Requested a light at the intersection of Kasaan and the main highway.
- Suggested that South Thorne Bay be referred to as South Shore and not South Side. Shore sounds gentler. If we put a sign for North Shore and South Shore, and over time people will begin to use those terms and stop saying "side" as if there were opposition.
- Trying to find ways to decrease the tensions that people have.

Edenfield commented on the following:

- There are many areas of Thorne Bay and these are only sections of town. We are not divided; we are all one community. South Thorne Bay is a subsection, Davidson Landing is a section, Greentree Heights, etc.

Rhodes commented on the following:

- Regarding Davidson Landing Voting, we need to get together and simply re-hash and clarify and re-write a resolution to replace the one from June 4th, 2019, that was just a little vague.
 - Craske inquired the best way to do that?
 - Rhodes suggested a resolution.

City Clerk Feibel Commented on the following:

- An ordinance would be the preferred way to address voting locations. Ordinance is law and firm, and a resolution is fluid and changes, but something the city could do.
- Informed Craske that as a Councilmember he could sponsor a resolution or an ordinance. Suggested that the council work with the clerk on preparing the ordinance or resolution.

Craske commented on the following:

- The ordinance or resolution was not urgent as there are other pressing issues at this time, and elections are another year away. We can get something together before then.


13. ADJOURNMENT:

Adjourned at 8:17p.m.



Cindy Edenfield, Mayor

ATTEST:



Teri Feibel, CMC