

MINUTES
FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR
THE CITY OF THORNE BAY, ALASKA
TUESDAY, May 18, 2021
TIME: 6:30 p.m.

1) CALL TO ORDER:

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

2) PLEDGE TO FLAG:

The audience and council pledged to the flag.

3) ROLL CALL:

Those in attendance were:

Edenfield, Kerkof, Burger, Craske, Cunningham, Stram & Rhodes

4) APPROVAL OF AGENDA:

Edenfield moved to approve the agenda removing items 11 (c) from New Business, Item 12 (a) from Ordinance for Introduction and 13 (a) Executive Session. Cunningham seconded the motion. There was no further discussion.

MOTION: moved to approve the agenda removing items 11 (c) from New Business, Item 12 (a) from Ordinance for Introduction and 13 (a) Executive Session

F/S: Edenfield/Cunningham

YEAS: Kerkof, Rhodes, Cunningham, Stram, Burger & Edenfield

NAYS: Craske

STATUS: Motion Passed

5) MAYOR'S REPORT:

- CDBG Grant was awarded! Not in the amount we had requested, but it is a start to what we ultimately need done at DL.
- COVID – Safety and hygiene practices....
 - ❖ Due to increased numbers of active COVID cases in Ketchikan and other communities on POW. I want to remind people to be conscious of their surroundings, continue practicing proper hygiene, wear PPE when in large groups or attending public events.
- RV Park Traffic Control & Pedestrian Safety Issues:
 - ❖ There have been issues with speeding in the RV Park for the past couple of years. With the increased occupancy, this issue has also increased. In efforts to address this, under the authority provided to me in the Thorne Bay Municipal Code 10.16.080-Experimental Regulations, I had requested that the Administrator have speed bumps or trenches put in place.
 - ❖ The city staff dug trenches in the RV Park, however, due to concerns of the residents in the RV Park regarding the depth of the trenches, I had them filled in.

- ❖ There is still a small dip where the trenches were, but just enough to keep speeds down and not to cause any damage to vehicles. Just a reminder to all, the speed limit in the RV Park is 5 miles per hour.
 - ❖ Thorne Bay Municipal Code Sections 10.16.080, Experimental Regulations:
 - A. The mayor or his/her designee is empowered to make emergency and experimental regulations; such regulations are not to remain in effect for more than ninety days.
 - B. The mayor or chief of police may test traffic control devices under actual conditions of traffic. (Ord. 83-07-14 § 8, 1983)

6) ADMINISTRATIVE REPORTS:

a) City Administrator:

Meetings Attended and Updates:

- The City was notified last week that our CDBG Grant request had been reviewed again and we were granted \$194,290 for the Davidson Landing Firehall project. The city will be moving forward with a RFP and engineering soon.
- The potentially contaminated sand located at the old firehall will be inspected by DEC in the coming weeks, and a remediation plan will be completed through the DEC and the Brownfields project. Thank you to Eric Rhoades for all his effort and energy directed at this issue.

Tasks and Projects:

- The VSW I&I team was on site the week of 4/20/21, to begin the testing and develop a path forward for the city's wastewater infiltration. The testing was completed, and several areas of I&I were identified. Those areas include the USFS Office site. Unfortunately, the manholes for that area were paved over. The Sewer department worked with the USFS and identified some areas of concern in the surface water drainage throughout the area. A mitigation plan is in progress to stem the flow of this groundwater I&I.
- The FEMA / CARES funding realignment grant has been submitted. FEMA replied with a Request for information (RFI) which the city and our FEMA and State representatives responded to within 4 days. <no update as of 5/18/21>

Departmental Reports:

➤ Harbors and Parks:

Shifting focus to getting a hard number regarding weight capacity of both harbors as we have wood pilings that are near the end of their usefulness. Attempting to ascertain what direct what measures to take while at the same time, balancing harbor capacity and guest moorage.

➤ Streets and Roads:

The South Side subdivision roads are our focal point to prepare for grading, surface work, ditching and potentially some culvert work. Brad Taylor has created an inventory of the roads in the subdivision and is currently working on an implementation plan for maintenance and improvements. Some improvements are already underway at Alder Ct. with work being done in the coul-de-sac.

➤ **Water and Sewer:**

For the month of April, we had representatives from the State of Alaska fly down from Anchorage. They provided us with some new products for water infiltration of our sewer manholes and sewer lift stations. The product is performing very well so far. One of the manholes we tested the product on had extreme groundwater infiltration issues. I'm excited to report that it no longer has infiltration issues and the new product is holding up very well. During their visit, we also spent some significant time inspecting manholes and lift stations, and pinpointed which ones need the most prompt attention. We plan on using this new product to fix all the remaining infiltration problems. We also had a visitor from Alaska Rural Water Association visit us during the month of April. Their representative, Sarah Ramey, was extremely helpful. She explained procedures of how to take sewer samples, how to properly document the samples taken, and inspected the sewer treatment facility to make sure we were performing our duties correctly. She also helped clarify reporting issues we were experiencing with the Environmental Protection Agency. She was very helpful and did a great service for the community. We also continued to flush fire hydrants, completed all of our monthly sampling for both water and sewer, filed our monthly water treatment report with the Department of Environmental Conservation, and produced 629,000 gallons of water, while 447,000 gallons of water was used by the community.

➤ **Solid Waste:**

Low-cost dump days were on 5/14 and 5/15. We had over 100 residents take advantage of the low-cost dump days this weekend. Total weight of materials dumped will be tallied and reported at the next meeting, but early estimates are that over 10,000 lbs of materials were taken in from the community.

➤ **Law Enforcement:**

VPSO Bosdell provided Law Enforcement Report-However the recording did not pick up the audio.

➤ **Library:**

We are seeing more people coming out with the better weather! Welcome back, the Library has missed you! We still have free internet in front, books and movies at the door, and computer time available as a one on one service. Homeschoolers, summer readers, people of all ages, order up a box of books and we will happily have it ready for pickup. Have you heard of the Digital Library? It's like Kindle on your device, but because of a partnership between Friends of the Thorne Bay Library and the City of Thorne Bay, it's 100% free to Library Patrons! It's like having the entire State of Alaska library system at your fingertips! Just come by for info, our hours are listed on the door.

Are you ready to garden? We have beautiful garden boxes for use! Come by for information, we are happy to share tools and seeds!

Did you know that Friends of the Thorne Bay Library is raising money for a NEW Library? Check out the new Friends of the Thorne Bay Library Facebook page!!!! Lots happening! You can find instructions on how to help, even just with your regular Amazon purchases.

During the pandemic, please know that we are here to help our neighbors. Please ask if you think we can help. We will do our best to meet your needs.

Thank you everyone for your patience and support, we cant wait to be fully open!

b) City Clerk:

- Thanked the council and the public for their patience with while we work on the policy for opening meetings up to the public. We will have a meeting participation sign-up sheet for those who wish to participate in the next meeting, that way there is no concern on "first come, first serve" If you are interested in participating in person for the next meeting to be held on June 1st, please contact me by email at cityclerk@thornebay-ak.gov or call at (907) 828-3380. We will continue to have the limited participation, but may be able to increase that limit to 10 people.
- We had requests for workshop sessions to begin again, so I will work with the Mayor and Administrator on how we can facilitate that.
- Ordinance for introduction of the Ethics and Conflict of Interest is being reviewed with attorney. I had received a public comment on this ordinance which will be read under public comments, and I did attempt to address their concern with edits. The City Attorney is also reviewing this ordinance and asked for additional time before we consider introducing it. At this time I anticipate this ordinance being introduced at the June 1st meeting with public hearing June 15th.

7) PUBLIC COMMENTS:

Jo Wendel submitted the following written comments:

To the Mayor and City Council,

In reading through proposed Ordinance 21-06-01-01 adding chapters on conflict of interest and code of ethics, I am stopped by "2.08.030 Ethics Officer. A. The city attorney shall serve as the Ethics Officer for the City of Thorne Bay."

It is unfitting for an ethics ordinance to have a built-in conflict of interest so great that it throws the entire intent of the document into question. To have the judge and jury of ethical considerations be a paid contractor who is hired by those he is to judge seems to be a conflict of interest in the extreme. A City Attorney judging the ethics of those who pay him is himself already acting from an unethical position. Those who accept the services of a judge that they pay will be seen as highly questionable as well.

Please reconsider the choice of having an Ethics Officer. A Citizen Ethics Panel, Commission, Board, or Committee made up of five people seems more fitting for the intricate task of sorting out ethics considerations in a small town. Having a defined cross section of the community, including women and men equally, is important to this function.

Thank you,

Jo Wendel

Jim McFarland provided the following written comment:

PRINCE OF WALES VOCATIONAL AND TECHNICAL EDUCATION CENTER DONATION REQUEST
In your packet tonight is a request from the POW Voc Tec Center board of directors for a donation to help with the ongoing operational and maintenance expenses of the Center. The Board is looking to form a stronger and continuing partnership with the Cities, Communities, Tribes, Corporations, School Districts, Businesses, and general public at large on Prince of Wales Island.

In January of 2015 I was appointed by the Thorne Bay City Council to represent the City as a volunteer member of the Voc Tec Board. Over the years I have attended most all board meetings which have been held monthly by Zoom for the last year. There are 23 board positions held by representatives of the organizations identified in the 2nd paragraph of the letter.

As the letter says we want to learn from you what more you would like to see this facility provide to this City and the Island in the form of classes, events, meetings, trainings, etc. in addition to what we are already working on.

This facility is a very beneficial resource for all of us in many ways and is directly a resource for saving money by this and all the other Cities and Organizations on this island. The Newly Elected Officials training that some of you attended in the past is a great example. Imagine the costs of the training PLUS the cost of the travel, meals, and lodging for sending each of you to an off-island City. (Sometimes Anchorage, Fairbanks, or Juneau)
Other beneficial examples are the proctoring of tests for our communities water and waste water employees for their continuing education and certification, supporting required classes such as confined space training, Haz mat training, and other classes that the employees of all our Cities and some communities need. These are All trainings and functions that save the City money by not having to pay for off island travel, meals, and lodging.

The USFS, school districts, Cities, tribal organizations, and community groups such as EMS have been frequent renters over the years.

AND we are always looking for the opportunity to hold more classes/trainings that benefit our Island residents such as the introductory computer classes that were held in the past and the welding and First Aid/CPR classes that are currently being held monthly.

Operation of the Center is like any business --- it requires cash flow to continue operations- to pay staff – to keep up with the ongoing maintenance and do the critical repairs ---- all so that it can stay open and keep providing class, training and meeting space.

Unfortunately, over this past year we have experienced extreme loss of revenue because of the Covid-19 outbreak. This has delayed efforts to seek new classes, rental customers, and those ever-elusive grants.

The center is presently in a “no man’s land” between being out of funds for staff, lacking the seed money for the up-front costs of operations such as ordering supplies for the next classes and the funds needed for critical maintenance. Because of this current situation you have received this informational letter from the Center with a last paragraph that asks for a donation to help keep the Center moving forward.

I would respectfully ask that you consider a donation of \$1000 - or more - to the Center at this time to help keep it operational. This is probably less than what the cost would have been to send just one of our new council members off Island to the training that you attended.

I would offer that as a founding entity of the Center it would be appropriate for the City of Thorne Bay to authorize an annual donation to this facility.

The Voc Tec Center strives to be your center for Island Wide Economic Development and is now in need of your support.

Thank You !!

Jim McFarland

City of Thorne Bay Board representative

Bess Clark, Executive Director for Community Connections, provided the following written comments:

Dear Mayor and City Council of Thorne Bay,

I am writing in support of Resolution 21-05-18-01, authorizing lease renewal with Community Connections for the lease of city-owned property, which is listed under New Business on your May 18 agenda. In addition to renewing the lease, I am asking you to maintain the current \$10 per month rent. Not only does this lease benefit our agency’s presence in Thorne Bay and the city itself, it is an important part of our longstanding, cooperative relationship.

Our Thorne Bay office currently supports eight employees and one therapeutic foster care family. Having these full-time, year-round employees living and working in Thorne Bay benefits both the city and Community Connections. The city benefits through increased tax revenue from these employees and their families, while Community Connections is better able to carry out critical work that helps vulnerable Thorne Bay residents. Without affordable office space, Community Connections would be hard-pressed to provide the services currently offered.

Community Connections was established as a private 501(c)(3) nonprofit organization in 1985 and has served southern Southeast Alaska for the past 35 years. The ages of those we serve range from birth through clients’ elder years. We support children with behavioral needs; children and adults with developmental disabilities; and seniors with physical disabilities. All services are comprehensive, respectful of individual families and culturally sensitive.

Covid-19 has, as with numerous other nonprofit organizations, affected how we serve our

clients. We have increased our capacity for remote and videoconference work while continuing to provide critical services for our clients. Through the hard work of our staff, including those working in Thorne Bay, we have maintained a high level of service with minimal interruptions. Having a workspace in Thorne Bay has been a key factor in allowing us to serve your community during these times. I am respectfully requesting that you to renew the lease agreement between the City of Thorne Bay and Community Connections for 122 Freeman Drive at the current rate of \$10 per month through May 31, 2026. As Resolution 21-05-18-01 states, Community Connections has remained in good standing since the current lease went into effect on June 1, 2016, and it in the city's best interest to retain Community Connections as a renter.

Thank you for your consideration in this matter.

Sincerely, Bess Clark Executive Director

Brad Clark commented on the following:

- Asked to raise a complaint regarding trenches in the RV Park. Unfortunately, no one knew they were going to happen. Some people were hurt, thankfully no one is going to press charges that I am aware of. Request that the Mayor bring this to the Council or Planning Commission

Sean Kaer commented on the following:

- Nice to see Cindy sitting up there, I voted for you.
- Inquired if the City would provide WiFi at Davidson Landing, such as is provided in Thorne Bay at the Library.

8) COUNCIL COMMENTS:

Thom Cunningham commented on the following:

- In regard to the DL Community Center. I have met with Les and have prepared a construction supply list. At this time there is work that needs done to the current addition. Will need to go in and do some backup work. There was no ventilation for roof etc. Work on this is moving slowly, but is moving in a forward direction

Craske commented on the following:

- Requested a Special Meeting for May 25th to hold an Executive Session to discuss matters about personnel.

Cunningham commented on the following:

- Agreed for the need of the Executive Session for the purpose of addressing the many rumors and innuendos that were being thrown around.
- Investigated the point in question and when asked the Mayor, she notified that the attorney had the issue and was investigating it.
- Closed by saying that the attorney should have come back by now with recommendation on how to move forward.

Rhodes commented on the following:

- Stated that he was away working through health issues and felt that the City needed a councilmember that will be present.
- Rhodes stated he would be submitting his resignation, as it is really hard to know my

- expectations going forward and hard to perform my duties as a councilmember.
- Thank you for all who have supported him through everything.

Edenfield commented on the following:

- Inquired if Rhodes would be interested in not resigning and requesting a medical leave?

Rhodes responded that he felt someone on the ground in Thorne Bay should be here to perform the duties.

Craske commented on the following:

- Thanked Rhodes for his service on the Council and commented that he respected Eric Rhodes greatly. Since Rhodes came to Thorne Bay 3-years ago, he has put every effort possible into bettering the community.

Cunningham commented on the following:

- Thanked Rhodes for his service. Added that he had been a tremendous guiding force for him and he was very sorry to see him leave. But he did understand. Ended comment by thanking Rhodes for his service to the City of Thorne Bay and the entire community.

Burger commented on the following:

- Thanked Rhodes for his service on the City Council.

Stram commented on the following:

- It has been a joy to work with Eric Rhodes both before on the council and since, and also a joy to listen to and to watch him work.
- Continued that Rhodes is an inspiration and will continue to hold in prayers for health to improve and you to return to us.

Kerkof commented on the following:

- Thanked Rhodes for his service and commented that he respected Rhodes for resigning as he had advocated for following code in the past.

Craske requested a motion for special meeting and executive session:

Craske moved for an executive session to be held on May 25th at 6pm. Cunningham seconded the motion. There was further discussion.

MOTION: Move to hold executive session on May 25th at 6pm.
F/S: Craske/Cunningham
YEAS: Kerkof, Craske, Stram, Edenfield, Rhodes, Burger & Cunningham
NAYS: None
STATUS: Motion Passed

9) CONSENT AGENDA:

None

10) CONTINUING BUSINESS:

None

11) **NEW BUSINESS:**

- a) Resolution 21-05-18-01, authorizing Lease Renewal with Community Connections for the lease of City owned property near City Hall, discussion and action item:

Edenfield moved to approve Resolution 21-05-18-01, authorizing Lease Renewal with Community Connections for the lease of City owned property near City Hall with the rental rate at \$10.00 per month. Craske seconded the motion. There was further discussion.

MOTION: Move to approve Resolution 21-05-18-01, authorizing Lease Renewal with Community Connections for the lease of City owned property near City Hall with the rental rate at \$10.00 per month

F/S: Edenfield/Craske

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

NAYS: None

STATUS: Motion Passed

- b) Resolution 21-05-18-02, authorizing the donation of \$1,000.00, to VOTEC Educational Facility, discussion and action item:

Edenfield moved to approve Resolution 21-05-18-02, authorizing the annual donation of \$1,500.00, to VOTEC Educational Facility. Burger seconded the motion.

Edenfield explained that the amount could be reviewed and increased in the future if desired. Craske commented in favor of increasing that donation rate in the future.

Carter concurred the need for POW VOTEC and the services they provide the island.

Cunningham commented in favor of the annual donation. Kerkof commented that he would be in favor of matching funds to solicit donations from the public. Mayor Edenfield stated she would be in favor of that as a campaign for next year, matching funds up to a certain amount.

MOTION: Move to approve Resolution 21-05-18-02, authorizing the annual donation of \$1,500.00, to VOTEC Educational Facility

F/S: Edenfield / Burger

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

NAYS: None

STATUS: Motion Passed

- c) Council review of Thorne Bay Municipal Code 2.04.100 – Vacancies, discussion and possible action item:

This item was removed from the agenda.

12) **ORDINANCE FOR INTRODUCTION:**

- a) Ordinance 21-06-01-01, amending Title 2 – Administration and Personnel adding, Chapters 2.06-Conflict of Interest & 2.07 – Code of Ethics, discussion and action item:

This item was removed from the agenda.

13) **EXECUTIVE SESSION:**

- a) The Council will adjourn to an Executive Session to discuss matters that may tend to prejudice the character or reputation of any persons:

This item was removed from the agenda.

14) **CONTINUATION OF PUBLIC COMMENT:**

Brad Clark provided the following comments:

- Thank you to City Council for donating to the VOCTEC Center. I sit on the board as representative of OVK. Commented that he would donate \$100 for any matching fund program the council may put together.
- Regarding Eric Rhodes, his closest friend on the island. Wished that the community knew the hours spent putting into the idea of the community and how much he cares. So many don't know how much he cares.
It hasn't always been easy for Eric, after being fired from a job that he loved for having a strong political opinion.
So many things happened that would have made others bitter, where Eric didn't hold it against anyone. Hope that he will come back and go for a higher office.

Sean Kaer commented on the following:

- Want to be signed up for public attendance at next meeting.

15) **CONTINUATION OF COUNCIL COMMENT:**

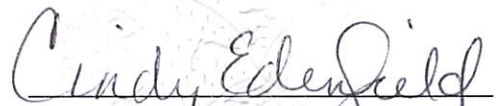
Cunningham commented on the following:

- Encouraged Eric Rhodes to run for council again once he is feeling better.

Rhodes thanked everyone for the kind words.

16) **ADJOURNMENT:**

Mayor Edenfield adjourned the meeting at 7:21 p.m.


Cindy Edenfield, Mayor

ATTEST:


Teri Feibel, CMC