

MINUTES
FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR
THE CITY OF THORNE BAY, ALASKA

TUESDAY, May 4, 2021

TIME: 6:30 p.m.

LOCATION: TELECONFERENCE/VIDEO CONFERENCING LINE

1) CALL TO ORDER:

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

2) PLEDGE TO FLAG:

The council and audience pledged to the flag.

3) ROLL CALL:

Those in attendance were:

Edenfield, Burger, Kerkof, Cunningham, Stram & Craske

Those absent: Rhodes

4) APPROVAL OF AGENDA:

Edenfield moved to approve the agenda. Kerkof seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda

F/S: Edenfield / Kerkof

YEAS: Edenfield, Craske, Cunningham, Kerkof & Burger

NAYS: None

STATUS: Motion Passed.

NOT PRESENT FOR THE VOTE: Rhodes & Stram

5) MAYOR'S REPORT:

Mayor Edenfield reported on the following:

- Council met on Saturday, May 1st for their mile cleanup. Those present were: Edenfield, Jon and Juanita Stram, Thom Cunningham, Les Carter, Sue Edson
- Low Cost Dump Day reminder – May 14th and 15th

6) ADMINISTRATIVE REPORTS:

a) City Administrator:

➤ Meetings Attended and Updates:

- A. Construction on the access roads for the Bayview Timber sale are in progress. Viking lumber remains very communicative with all loud or potentially disturbing activities.
- B. Thorne Bay Volunteer EMS unit Medic 2 is being placed into service at the Davidson Landing Firehall this week.

The radio and other communications equipment were installed this week. The unit is being stocked and our south side responders are being trained on the use and operation of the new ambulance this week. By this weekend, it should be staffed and operational.

- C. The City received a Notice of Violation from DEC regarding our wastewater DMR reporting. Through our internal review we identified that the formulas provided to our operator from the prior staff, and the State had errors in them. Those errors have been identified and corrected. The City is currently responding to DEC and their required list of deliverables, due 5/5/21, and are working towards resolving this issue. Once the deliverables are sent to DEC, we will be going back over the past 36 months and updating the DMR's with the proper calculations.

➤ **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. We are currently working with the USFS engineers to locate and mitigate some of the I&I issues on their property.
- 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.
- The Seaplane Base Transfer is in progress. The State is currently reviewing our submissions of their requested forms. Due to some technical difficulties, the State and FAA are delayed in their review. Apparently, all our emails were being routed to their "Junk Mail" folders.

➤ **Expenditures over \$2000 .**

- A. \$ 2717.84. Our CASE 580 L is overheating, leaking engine oil and hydraulic fluid from multiple cylinders. The cylinder head is warped and there is a lot of carbon getting into the cooling system. This has caused the engine to overheat. Upon inspection, it was identified that the head gasket is blown, and the head is most likely warped. As the engine would have to be removed and torn down for partial or complete repairs, it would be prudent to spend the extra \$500 to do a complete engine overhaul as the machine still has serviceable life. It is my recommendation that we do the complete repair and not a partial repair to extend the serviceable life of this valuable equipment. This is the cost for a **complete** engine rebuild kit and rebuild kits for all the leaking hydraulic cylinders. We intend to make it operational and reliable so we can take it out to the Solid Waste facility for south side road maintenance.

b) City Clerk:

➤ Request for opening to public:

I reached out to my Local Government Specialist (LGS) and requested info on what communities have opened to the public, and if they had procedures, to provide me with copies. He responded letting me know that he reached out to his communities and would get back to me.

I spoke to the wonderful City Clerk in Klawock and found that they are opening to the public but requiring PPE. I will work on a policy for opening to the public, but will be limited access, capping the number of people in the room. We will need to have sterilizing procedures for immediately following the meeting also.

➤ Continuing Business Item (A): Resolution 21-05-04-02 – Approving reduced cost, or no cost, disposal of abandoned or junked vehicles at the City Landfill

Purpose of Resolution:

To encourage cleanup and removal of junked vehicles in the Community for those who may not otherwise be able to afford to dispose of their junked vehicles.

Clerk Comments:

Thorne Bay's standard price to dump a vehicle at the landfill in Thorne Bay is \$52.00 per vehicle. At this time there is space at the Solid Waste site for approximately 40 vehicles. The cost for a barge to come and collect scrap metal is \$100,00.00. However, they need enough metal to warrant coming.

\$52.00 per vehicle basically covers the cost of our employees handling the vehicle and making sure that all fluids are drained etc. But does not cover the charge to us for storage, crushing or removal.

➤ I reached out to Ketchikan to see how they manage their Junked Vehicle Disposal Program and they provided me with the below information.

- The Borough contracts with a vendor/crusher to store and then dispose of junked vehicles. (The Boroughs budget reflects \$80,000.00 as their cost to contract)
- The program is funded through the Vehicle Registration Tax
- The program allows each resident one free vehicle dumping per fiscal year.
- It is the owners is responsible for getting the vehicle to the crusher at their own expense, and the Borough covers the cost of disposal (included in the contract price above \$80,000).
- Their contractor is responsible for removing the crushed vehicles from the island, and the contract provides that the Borough withholds 10% the cost of disposal until shipment takes place.
- The contractor stockpiles vehicles until commodity prices are high enough to merit shipping the junked vehicles, which means that they accumulate quite a large load of vehicles before they are ever actually shipped out of Ketchikan.
- The Borough provided me the names of two businesses in town that dispose of

junked vehicles, but I don't have the costs to those businesses for shipping them. I am reaching out to them to see if they can give me more information.

7) PUBLIC COMMENTS:

Sean Kaer commented on the following:

- Inquired into a letter that was sent to the Council and Mayor regarding the City Administrator, what was done with that?
 - Mayor stated it was investigated by the attorney and complaints were unfounded

8) COUNCIL COMMENTS:

Craske commented on the following:

- Stated he had many constituents come to him concerned about what was going on in the community. Craske stated the concerns have caused him to request that the council adjourn the meeting, there is nothing on the agenda that could not wait until the council could hold an executive session to discuss concerns.
- Craske requested the council hold an executive session in 7-days to discuss claims that the Administrator had engaged in fraudulent activities
- Alleged that the Clerk had engaged in dishonesty and illegal behavior regarding the polls at Davidson Landing and election tampering by closing the polls at Davidson Landing.
- Requested letters between the Mayor and the City Attorney in the form of a records request and the City has not yet responded.

9) CONSENT AGENDA

a) MINUTES:

- 1) Approving the Minutes of the Regular City Council Meeting March 16th, 2021
- 2) Approving Minutes from the Regular April 20th, 2021 City Council Meeting

b) Resolution 21-05-04-01, updating the bank account signers for the EMS Checking account at Tongass Federal Credit Union, discussion and action item:

Edenfield moved to approve the Consent agenda. Kerkof seconded the motion. City Clerk explained that if the council wished to discuss any of the items under the consent agenda, now was the time to pull them for discussion.

MOTION: Move to approve the consent agenda

F/S: Edenfield/Kerkof

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

NAYS: None

STATUS: Motion Passed.

10) CONTINUING BUSINESS:

- a) Resolution 21-05-04-02, authorizing Low-Cost dump for Vehicles in Thorne Bay, discussion and action item:

Cunningham inquired what the minimum tonnage would be for a barge to come in and pick scrap metal up? Carter stated the contractor in Ketchikan said that the possible 30 or 40 ton we have now would not warrant the barge coming over.

Stram commented that if we only have 40 maximum space now, it wouldn't be wise to have unlimited, and suggested a first come first serve on the low-cost dump day unless we can open a space at the sort yard. No action was taken on this item

11) ORDINANCE FOR PUBLIC HEARING:

- a) Ordinance 21-05-04-01, amending Title 2-Administration and Personnel, Chapter 2.24-Officers and Employees, Section 2.24.030 EMPLOYMENT, Subsection (a)(2) Part-Time, discussion and action item:

Edenfield moved to approve Ordinance 21-05-04-01, amending Title 2-Administration and Personnel, Chapter 2.24-Officers and Employees, Section 2.24.030-Employment. Kerkof seconded the motion. There were no public comments. There were no council comments.

MOTION: Move to approve Ordinance 21-05-04-01, amending Title 2-Administration and Personnel, Chapter 2.24-Officers and Employees, Section 2.24.030-Employment

F/S: Edenfield/Kerkof

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

NAYS: None

STATUS: Motion Passed.

12) EXPENDITURES EXCEEDING \$2,000.00:

- a) Authorizing the expenditure of \$2,717.84, plus shipping costs, for a complete engine rebuild kit for the CASE 580 L Backhoe, Streets and Roads, discussion and action item:

Edenfield moved to approve the expense of \$2,717.84, plus shipping costs, for a complete engine rebuild kit for the CASE 580 L Backhoe, from the Streets and Roads department. Kerkof seconded the motion.

MOTION: Move to approve the expense of \$2,717.84, plus shipping costs, for a complete engine rebuild kit for the CASE 580 L Backhoe

F/S: Edenfield/Kerkof

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

NAYS: None

STATUS: Motion Passed.

13) CONTINUATION OF PUBLIC COMMENT:

Sean Kaer commented on the following:

- Regarding 40 vehicles space at the dump, would that be stacked or flat.
 - Administrator responded that it was stacked

- Has been a part of the set up and containment of cars previously
- Regarding the Ordinance 21-04-06-04, Craske stated he would withdrawal his ordinance if Lindseth would come into compliance. In 1991 Pat Rochester passed an ordinance that would give the residents the right to comment on what was going on in their neighborhoods
- We have an ordinance that says there shall be no livestock in Thorne Bay and I fought this ordinance. It was said it wouldn't extend to South Thorne Bay, but it did.
- We spent the last year trying to spend the CARES funding to turn around and refund it.

14) CONTINUATION OF COUNCIL COMMENT:

Kerkof commented on the following:

- Craske has yet to provide any evidence that any violation occurred to our policies.
- Requested that Craske show the policy that was violated
- Craske continues to make claims accusations while producing no evidence for the council consideration.
- Commented that Craske animosity towards the City Administrator, City Clerk and City Council constitute a conflict of interest and request that an executive session be held to remove Craske from his position on the council.

Cunningham commented on the following:

- In regard to Teri and this investigation on voter issues, she had showed me the report that the FBI dissolved her from any wrongdoing. Not sure where all of this is coming from.
- Has the city ever found who wrote the letter? And if so, then they had pole, they had information that should have only been seen by people at City Hall.

Stram commented on the following:

- Would like to see peace and quiet in the community, but there will not always be. We will not always be well liked, but we need to continue to do our job well ordered the best we are abled, unless we have a recall. Unless there is a REALLY good reason. Not agreeing with the way things are going is not a reason to remove other councilmembers.

Craske commented on the following:

- Agree with Stram. Across the board will be unbiased.
- My comments are based on evidence I have seen and investigated.
- We as councilmembers should go sit somewhere without any public

Kerkof commented on the following:

- Challenge Craske to provide the evidence of his claims, we have yet to see it
- Yeah, this is great Kirk off, Um, I have yet to see any evidence that any violation

occurred to our policies, there's, there's no show me that, show me the policy that was violated. I haven't seen that. Councilman Craske continues to make accusations while producing no evidence for council consideration. Councilman Kraske animus towards the city administrator. The city clerk and city council, constitutes a conflict of interest, owing to his comments tonight. I contend that he can no longer execute his responsibility as a city councilman in an unbiased manner. I recommend that we hold an executive session to pursue removal of Councilman Kraske from his position on the Council.

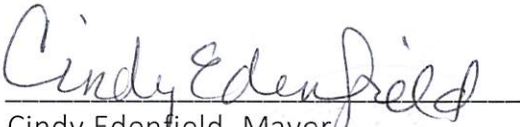
Cunningham commented on the following:

- Agreed with both Craske and Kerkof. If there is evidence, then let us get together and look at the facts.
- In my opinion, Les Carter has been doing a fine job. Appreciate Carter acting quickly to get the stop signs up.

15) ADJOURNMENT:

Mayor Edenfield adjourned the meeting at 7:23 p.m.

ATTEST:


Cindy Edenfield, Mayor


Teri Feibel, CMC