



MINUTES

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

TUESDAY, June 15, 2021

TIME: 6:30 p.m.

1) **CALL TO ORDER:**

Mayor Edenfield called the meeting to order at 6:30 pm

2) **PLEDGE TO FLAG:**

The audience and council pledged to the flag.

3) **ROLL CALL:**

Those present were:

Edenfield, Kerkof, Stram, Cunningham & Burger

Craske was excused.

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 as written.

F/S: Edenfield / Kerkof

YEAS: Edenfield, Kerkof, Cunningham, Stram & Burger

NAYS: None

STATUS: Motion Passed.

5) **MAYOR'S REPORT:**

No report was given

6) **ADMINISTRATIVE REPORTS:**

City Clerk:

Upcoming Events & General Public Notices

- FLAP GRANT AWARDED \$1,500,000.00
- CDBG GRANT – NEXT STEPS:
- Employees will get FREE Hazwoper Training June 21-25
- Brad worked on cleaning up the Sort Yard and mapping out lots to advertise
- Will be working on fixing the road near harbor – will be placing boulders in, checking on legality of permitting needs to do this.
- Ordinances for introduction tonight will have three readings

Library Report:

- The NEW Library is coming right along, check out the “Friends of the Thorne Bay Library Face Book page” for updates and pictures.
- We really encourage the community to check out being a volunteer. Even during Covid we are filling as many needs as we can for our community. We have slots open for as little as 2 hours a week! Training is provided, and it's an easy process!
- We have a fun children's reading log to share for summer! Come by and pick up a log, then get reading!
- Even though we are not completely open we are doing our best to get books and movies out the door to the community. Last year we spent a lot of our grant money to buy middle school and high school level multibook series! It makes it easy for kids to just exchange the book they finished for the next book in the series. Hours are posted, come by and ask!
- Computer time is still available! If you need copies or printing from email or the internet, we can help. Need help with a resume, or filling out forms on the internet, we can help!
- The Digital Library is a wonderful free service. You will access to the entire Alaska State Library for FREE! This is a wonderful solution to keeping kids reading during the summer! It is simple process, and we will help!

Email is the best way to contact, or you can come by during open hours. We look forward to seeing you!

TBPLALASKA@gmail.com

Thorne Bay Public Library Alaska at gmail.com

907-828-3303 Library Phone

7) PUBLIC COMMENTS:

Bob Hartwell commented on the following:

- Commented that the anonymous letter that was sent out claiming that the mayor lied about informing the city attorney of an unsigned letter received about the City's Administrator was not true. Hartwell stated that he seen proof that the mayor had notified the attorney.

8) COUNCIL COMMENTS:

Cunningham commented on the following:

- Commented that he made an error in judgement when voting in favor of providing severance pay for employment separation of the City Administrator.
- Spoke with Tim Lindseth about the work he is doing and concerns that others have had based on the history they experienced. Commented that he felt Lindseth was sincere and would comply with the laws and regulations required. Concluded that in order to move forward as a community, people needed to keep the past in the past and move on.

9) CONSENT AGENDA:

a) APPROVAL OF MEETING MINUTES:

- i. Approving the Minutes for the May 4th, 18th & 25th, 2021, City Council Meetings, discussion and action item:

Edenfield moved to approve consent agenda consisting of the Minutes of the May 4, 18 & 25, City Council meeting. Cunningham seconded the motion. There was no further discussion.

MOTION: Move to approve the consent agenda consisting of the Minutes from the May 25, May 18 & May 4th, City Council Meetings

F/S: Edenfield/Cunningham

YEAS: Edenfield, Burger, Cunningham, Kerkof & Stram

NAYS: None

STATUS: Motion Passed

10) CONTINUING BUSINESS:

- a) Resolution 21-06-15-01, authorizing the mayor to sign the Sales Tax Collection Service Agreement on behalf of the City of Thorne Bay ("City") with Alaska Municipal League ("AML") for the collection of sales tax revenues for the City of Thorne Bay, discussion and action item:

Edenfield moved to approve Resolution 21-06-15-01. Burger seconded the motion. Cunningham inquired if the revenues from the new sales tax collection method would cover the initial fee expenses to AML of \$4,000.00. The City Clerk responded that she believed it would. The new collection would be managed by AML and they will be able to follow up on those who do not pay, where currently the city is understaffed.

MOTION: Move to approve Resolution 21-06-15-01, authorizing the mayor to sign the Sales Tax Collection Service Agreement on behalf of the City of Thorne Bay ("City") with Alaska Municipal League ("AML") for the collection of sales tax revenues for the City of Thorne Bay

F/S: Edenfield/ Cunningham

YEAS: Kerkof, Stram, Edenfield, Burger & Cunningham

NAYS: None

STATUS: Motion Passed

11) NEW BUSINESS:

- a) Review of Conditional Use Permit #14-01-08-01-PZ, South Thorne Bay, Block 4, Lot 20, Seaford, discussion, and possible action item:

Cunningham explained that the CUP has been investigated and the city has been trying to enforce as recently as 2018.

Stram commented that he lives near that area and can see that it has not been taken care of, they have not lived up to the conditional use permit that was issued in 2014.

Cunningham stated that Mike Steel recently drug a bus to Seaford's pit, even after he was told that it was a violation of the CUP. Kerkof inquired if the city had begun to charge fines and placed liens on the property for noncompliance? The City Clerk explained that the City could only place a lien once the fine amount exceeded \$300.00. Edenfield commented that the City needed to be sure that they were enforcing codes equally and are citing other properties that are in violation of the same laws. Cunningham stated that he had filed anonymous complaints on both Martins and Kaer. Martin was pushed by wayside due to issue with Administration. Within 2 days of the VPSO tagging Kaer's property, it was moved. The city needs to begin enforcing their codes. Edenfield stated that she would investigate the issue and see what we can do. Cunningham suggested the city adopt an ordinance that would allow for the city, in rare cases, to go onto a person's property and clean it and then charge the landowner for those expenses. There was no further discussion.

b) Resolution 21-06-15-02, appointing one person to fill Vacated City Council Seat B, discussion and action item:

Edenfield moved to approve Resolution 21-06-15-02, appointing one person to fill Vacated City Council Seat B. Kerkof seconded the motion. Mayor invited the candidates to give a brief introduction.

Brad Clark commented on the following:

- Would be honored to serve and finish off Eric Rhodes seat. He did a wonderful job and I know the people who voted for him. I understand the issues that are being worked on, and familiar with process. I have the educations, attorney licensed in two states, work for OVK, run two businesses, a lot of experience as appointed position. Appointed in California to serve multiple positions, appointed to serve as a Law Library, served as nonprofit boards, used to leadership role, and honored to serve this great city.

Charlie Jennings commented on the following:

- Been a resident since 1995. Watched the community go up, watched it go down. I have no political experience, but I am a concerned citizen and I want to see the people in the community work as a community together and stop bickering and fighting all of the time.

Edenfield commented on the following

- Charles Jennings is a longtime resident owned multiple businesses, tons of knowledge in Thorne Bay and the community.

Stram commented on the following:

- Glad to have people interested in serving on the City Council.
- I have known Brad for the past couple of years and know Charlie for many years. Charles is an honest man and been honest in all dealings. Believe Charles would be beneficial as his experience is directed in this community. Fishing standpoint, business owner, property owner, worked on all water/sewer installations in the City.

MOTION: Move to approve Resolution 21-06-15-02
F/S: Edenfield / Kerkof
YEAS: Kerkof, Stram, Edenfield, Burger & Cunningham
NAYS: None
STATUS: Motion Passed

- c) Resolution 21-06-15-03, affirming the Equal Employment Opportunity/Affirmative Policy
Edenfield moved to approve Resolution 21-06-15-03. Burger seconded the motion. There was further discussion.

Edenfield moved to approve Resolution 21-06-15-03. Burger seconded the motion. There was further discussion.

MOTION: Move to approve Resolution 21-06-15-03
F/S: Edenfield / Burger
YEAS: Kerkof, Cunningham, Edenfield & Burger
NAYS: Stram
STATUS: Motion Passed

- d) Resolution 21-06-15-04, Fair Housing Resolution, requiring the city to assist in the publicizing and distribution of the Fair Housing Law, discussion and action item:

Edenfield moved to approve Resolution 21-05-15-04. Kerkof seconded the motion. There was further discussion.

MOTION: Move to approve Resolution 21-05-15-04
F/S: Edenfield / Kerkof
YEAS: Kerkof, Cunningham, Edenfield & Burger
NAYS: Stram
STATUS: Motion Passed

e) Authorizing expense of approximately \$900.00 from the Davidson Landing Development Fund to HughesNet for installation of Wi-Fi at Davidson Landing, discussion and action item:

Edenfield moved to authorize the expense of \$900.00 from the Davidson Landing Development Fund for installation of HughesNet for free Wi-Fi. Cunningham seconded the motion. Stram commented that it was a long way to drive from South Thorne Bay to get Wi-Fi at Library. If I did not have Wi-Fi at home, I would not drive to town. Edenfield commented that in the next couple of years Starlink internet would be available and HughesNet would be phasing out. Kerkof commented that he was curious how many people would use that internet. There are three of us in the harbor that pay for HughesNet that have gotten together and pay the bill and all get the same service. Suggest that if there are individuals who would use this at DL and willing to pay for it together for reduced cost, that would be beneficial.

Stram commented until we have it available, we won't know how many would be using it. Cunningham commented that he was "Wi-Fi ignorant", but he was for Wi-Fi over there until he got more facts on how it operated. Cunningham stated that if it had to be paid for using the Davidson Landing Community Center fund, he would not be for it. And he thought the city paid for a portion of the library internet, but since they don't, he understood not doing it.

MOTION: Move to authorize the expense of \$900.00 from the Davidson Landing Development Fund for installation of HughesNet for free Wi-Fi
F/S: Edenfield / Cunningham
YEAS: None
NAYS: Kerkof Stram Cunningham Edenfield & Burger
STATUS: Motion Failed

12) ORDINANCE FOR PUBLIC HEARING:

a) Ordinance 21-06-15-01, amending Title 2 – Administration and Personnel adding, Chapters 2.06-Conflict of Interest & 2.07 – Code of Ethics, discussion and action item:

Edenfield moved to approve Ordinance 21-06-15-01. Cunningham seconded the motion. Stram stated he would prefer fewer rules and not more. Seems that we fill with more ordinances we do not get a lot done.

Cunningham stated that considering recent events going back to October, I feel this is needed. Making accusations without proof is ludicrous. If we all showed respect and consideration for neighbors, we wouldn't need laws and codes. There always seems to be someone somewhere that brings the worst out of one. I agree less codes, but in some

McDonald commented on the following:

- Because of what has happened in the recent past, it seems we need something like this. When we grow up and learn to act as adults, we can do away with it at a different time.

MOTION: Move to approve Ordinance 21-06-15-01
F/S: Edenfield / Cunningham
YEAS: Kerkof, Cunningham, Stram, Edenfield & Burger
NAYS: None
STATUS: Motion Passed

b) Ordinance 21-06-15-02, Providing For The Establishment Of The Budget For The City of Thorne Bay, Fiscal Year 2022, July 1, 2021 - June 30, 2022, Anticipated Revenues And Expenditures, discussion and action item:

Edenfield moved to approve Ordinance 21-06-15-01. Kerkof seconded the motion. Discussion for Public Hearing included the following comments:

Lindseth commented on the following

- When they put the RV park in they found there were underground cedar trees buried in there. They had to dig for days when they did that.

Jennings commented on the following:

- Suggest the City go up with hoe and see how far down the logs are. If they are down more than 4 ft. may not be a problem

Stram thanked both Tim and Charles for that information. That was something the city did not know. Appreciate the public that is here tonight.

McDonald commented on the following:

- With the budget being a moving document, if there is an issue found for higher expense, the council can vote to amend it.

MOTION: Move to approve Ordinance 21-06-15-02, adopting the FY22 Budget
F/S: Edenfield / Kerkof
YEAS: Kerkof, Cunningham, Stram, Edenfield & Burger
NAYS: None
STATUS: Motion Passed

13) ORDINANCE FOR INTRODUCTION:

- a) Ordinance 21-07-20-01, amending Title 15-Buildings and Construction, adding Section- Requiring that owner is responsible for the costs incurred for cleanup of property by the City for failure to comply with order, discussion and action item:

Edenfield moved to approve Ordinance 21-07-20-01. Cunningham seconded the motion. Cunningham stated that he would like the council and public to review the ordinance and consider it. The ordinance Teri spoke of was the blight ordinance. We do want public input so this can fit the community.

Clowar commented on the following:

- This is the first I have seen it, so I would like to have time to review this ordinance as property owner. Some items addressed include storing derelict vessels and the City is actively participating some of these things. So we need to take time to review and make sure it can be implemented.

Cunningham commented on the following:

- This is more directed to those who are storing junk and hazards, not just clutter or messy properties

Stram commented on the following:

- Concerned that my wife will turn me in almost every year.

Hartwell commented on the following:

- Almost every place is in the road right of way. The road is 30 ft from the center for a total of 60 ft. Many people have their places or vehicles on city right-of-way.

Cunningham commented on the following:

- The ordinance is for those who are in violation of city code and continue to thumb their nose at the city.

Stram commented on the following:

- The city could harm some people who were building homes on their land based on where the roads are and not where they are platted. Because many bought lands years ago and did not know this was an issue.

Cunningham commented on the following:

- He has been accused of his home being built in the road right of way, but when he built his house, he made sure to find the property pins and built within the required setbacks.

MOTION: Move to approve Ordinance 21-07-20-01, amending Title 15-Buildings and Construction
F/S: Edenfield / Cunningham
YEAS: Kerkof, Cunningham, Stram, Edenfield & Burger
NAYS: None
STATUS: Motion Passed

- b) Ordinance 21-07-20-02, amending Title 2-Administration and Personnel, Chapter 2.04-City Council, Section 2.04.160-Executive Session, adding that all councilmembers must be present to participate in executive sessions, discussion and action item:

Edenfield moved to approve Ordinance 21-07-20-02. Cunningham seconded the motion. Cunningham commented that he agrees that this should be implemented. With more participation on WebEx or phone, we don't know who is on the phone or who is in the room. Hartwell commented that Executive Sessions are private and not supposed to come out.

MOTION: Move to approve Ordinance 21-07-20-02
F/S: Edenfield / Cunningham
YEAS: Kerkof, Cunningham, Stram, Edenfield & Burger
NAYS: None
STATUS: Motion Passed

14) EXECUTIVE SESSION: - NONE

15) CONTINUATION OF PUBLIC COMMENT:

Jason Clowar commented on the following:

- Appreciate the professionalism the council has. The council hasn't agreed on everything tonight, but still professional.
- Appreciate that Cunningham apologized when he felt he voted the wrong way.
- Appreciates the Council

Brad Clark commented on the following:

- Congratulations to Jennings and thank you for consideration.

Jennings commented on the following:

- The lots at Business District area has a cement slab around the water left over from LP. This happened at Sortyard and they had Delanie come out and it took him two weeks. This is noted in the as-builts in the water and sewer project for that area

16) CONTINUATION OF COUNCIL COMMENT:

Edenfield thanked the council for the productive meeting tonight. Also encouraged the public to talk with the residents and get folks interested in participating. Especially the younger generation who have families here and children growing up here.


Kerkof commented on the possibility of moving the RV park to another location that would be more attractive, then the City could offer the current space for sale.

Cunningham commented on the following:

Discussed if move RV to sort yard, then cannot store cars at Sort Yard.

17) ADJOURNMENT:

Mayor Edenfield adjourned the meeting at 8:51


Cindy Edenfield, Mayor

ATTEST:


Teri Feibel, CMC