

MINUTES
FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR
THE CITY OF THORNE BAY, ALASKA
MEETING WAS HELD IN THE
CITY HALL COUNCIL CHAMBERS &
ONLINE THROUGH CISCO WEBEX
Tuesday, December 7, 2021, TIME: 6:30 p.m.
A WORKSHOP WAS AT 6:00PM

1) CALL TO ORDER:

Mayor Burger called the meeting to order at 6:34 p.m.

2) PLEDGE TO FLAG:

The audience and council stood for the pledge to the flag.

3) ROLL CALL:

Burger, Kerkof, Oatman, Hartwell, Jennings & were present.
Stram attended by online video. Nyquest was excused.

4) APPROVAL OF AGENDA:

Burger moved to approve the agenda. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the agenda as written

F/S: Burger/Hartwell

YEAS: Kerkof, Oatman, Hartwell, Stram, Burger & Jennings

NAYS: None

STATUS: Motion Passed.

5) MAYOR'S REPORT:

Mayor Burger reported on the following:

- Community Christmas Dinner will be on December 16th
- COVID is still a risk, take all necessary precautions
- Today is Pearl Harbor Day
- We need Volunteer FIRE and EMS

6) ADMINISTRATIVE REPORTS:

a) **City Administrator & City Clerk:**

➤ **General Information:**

- a. IFA-Driver goes free will begin January through March 2022.

➤ **Public Hearing on Greentree:**

- a. Sam Grammer called December 1st and stated he was in favor of the limit removal.
- b. Karen Petersen and Jim Baichtal were in favor of the amendment.

➤ **ROADS:**

- **OVK** is interested in working with Thorne Bay to do some more repairs to the Kasaan/Goose Creek Road.
 - 1) The repairs would go from 3-mile hill to the southside turn.
 - 2) Widening the ditch on 3-mile hill and creating a super to take the water to the ditch and installing a new culvert,
 - 3) replacing other culverts along the road,
 - 4) ditching and brushing to create better line of sight.

Sara is submitting this request to the Tribal Council on the 16th of this month and if they approve, she will submit a formal request to Thorne Bay, which will include a power point presentation that will provide a great visual of the repairs they want to do on the road.

They have already done a lot of work on the Kasaan side and will include those pictures in the presentation to give an idea of what the end product will look like.

- **Lindseth** is working on portions of the road on Setter Lake – There are two phases of the road work that will be done, one for each “camel hump” with the first being repair of the "Camel Humps" south of the Will Hemple residence on Setter Lake Road. These dips in the road are unsafe to navigate anytime of the year and especially in winter when icy. Work to be done is to fill in low area and make an acceptable road grade with a finished road surface. Second phase will be to address the dip just south of Dennis and Lavenia’s Silvia's driveway.

➤ **EMS/Fire**

- There will be a training for CPR/First Aide coming up. Zack West will be the one to provide it, and the VPSO inquired if the city was interested in having any employees take the training. I think it would be great if all of our employees could do this.

➤ **Library**

- **The Friends** are still waiting for electrical service in the new building and still hoping it will be next week.
- The carpet guy will work for expenses only and will also build the stairs. Karen and Libby are looking into getting the fiberglass treads for the stairs as well as the handicapped ramp.
- They should know this week if they got the \$50,000.00 ARPA Grant for the covered deck around the new library.

➤ **Solid Waste**

- **Testing required for our solid waste grounds.** The water department will perform the tests, but the testing and equipment will come out of the Solid waste budget
- **Department Issues with Wire tie machine** – requested on tonight’s agenda are the parts needed for repairs to the Wire tie machine. Originally agenda showed a quote of \$2,212.50, but that did not include parts to replace the Exit Track. New total \$2,623.25 requested is an increase of \$410.75

- **Water**
 - Sam and Willy are both in Klawock for Wastewater training this week (Monday through Thursday) and will be over there next week for Water training.
- **Electrical repair updates:**
 - **Basketball court lighting**
 - We have had a request to repair the lights at the basketball court as they do not work for the evening. The quarter-controlled lights system is not working. We have no way to get into the box where the money is, and AP&T looked at this and suggested it be removed.
 - Amy Jennings and I spoke with Randy from First City Electric about what we could do to get the lights up and running and the option we were in favor of was lighting on a timer.
 - Dave Price, owner of First City provided a quote at \$13,695.00
 - **Davidson Landing Harbor walkway and pavilion lighting.**
 - Randy checked out the light that shines on the flagpole and it appears the light was shot out. We will have the light replaced to shine on the pole and replace the light that shines on the DL harbor walkway.
- **Parks Report:**
 - Waiting for APT to come over and get the new Christmas Decorations up on the light poles around town. They were going to come last week, but with the power outages, they have had to deal with those.
- **Library:**
 - ❖ **Matthew Gore & Joanne Schneider provided the following comments:**
 - **Johanna Schnyder commented on the following:**
 - One of the issues faced during the COVID Pandemic was being able to provide continuing education to those students who reside on the Southside of the Bay. In our attempts at finding ways that we can bridge the gap in connectivity, the Thorne Bay School came together with the Thorne Bay Library and the City to apply for the Emergency Connectivity Grant to provide Wi-Fi at Davidson Landing. The FCC Emergency Connectivity Fund which is known as the ECF as a 7.17-billion-dollar program that helps schools and libraries to provide the tools and services their communities need for remote learning during the COVID-19 pandemic.
 - **Matthew Gore commented on the following:**
 - Thorne Bay was one of the 8 communities in Alaska that were awarded the ECF grant, which is an attestation to the combined efforts of our organizations. And we hope to continue growing our partnership between the Southeast Island School District, Thorne Bay School, City of Thorne Bay and the Thorne Bay Library.
 - The ECF grant runs from July 1st through July 1st of the next year. Right now, we are in the middle of the year because it took about four months of an approval process because due to the number of organizations working through it, and we did not want to put any of the burden onto the City.

- Our biggest goal was for this to be a perk and not a liability for the city. So, I want you to know that going into it we made sure not to be a liability as we were going in and to only bring the good things we could. The internet out at Davidson Landing, it will go about 45 megabits, and it will be there till July 1st unless we find another funding source, which I am intending to continue on with seeking funds for this. I am really passionate about providing connectivity where it's most needed. And just as a resident here in Thorne Bay, having internet connectivity at our fire hall and emergency services is very important and redundant connectivity.
- I want to give some kudos to our library and here, Laura Clark, who worked very hard on this grant, there's lots of time that went into the grant.
- The setup that's out there, we found a filter that was completely free and it was built with the help of the students at the Thorne Bay School.
- As we continue, my hope is that we build a partnership between the school district and the city to help us grab more grant money that is coming in the new infrastructure bills that are coming. There's a lot of funding for Internet in places that don't have fiber connectivity yet. And as many of you know, Thorne Bay has some room to grow in that area where we can get better connectivity. And so, one of the next projects that you're going to see coming in the future is the E-Rate Category II Funding. E-Rate is provided by USAC. It is the method that we find our hospitals, our schools and our libraries, internets. And so, the E-Rate Category II, is a bucket that comes up every five years. Our library is ready for it, it has aging equipment that is no longer safe. And we have a new library, so it's a good year to utilize the E-Rate Category II Grant. The School District is offering the city it's support and specifically, myself. Our goal is to put a good internet system that keeps our patrons and our students safe and provides good internet to the new Library.
- I really look forward to working with you as a council and members of our community to try to improve our connectivity and make hopefully a little bit better connected future. Thank you.

7) PUBLIC COMMENTS:

Tim Lindseth commented on the following:

- While Randy is over working on the lighting at Davidson Landing – the restrooms need lighting.
- The dock ramp at the bottom needs a grid on it, very slick.

8) COUNCIL COMMENTS:

Oatman commented on the following:

- Would like to see the city do more for the children in the community. One example would be to block off Freeman Drive hill for the kids to go sledding. This year, the plow truck had already gone through once before it was finally blocked.
- We need a new playground. Our current one is rotting and has holes in the equipment. While the school has a new playground, you cannot see your children from the road.

9) CONSENT AGENDA:

- a) Minutes of the November 16th, 2021, Regular City Council Meeting, discussion and action item:

Burger moved to approve the minutes of the November 16th, 2021, City Council Meeting minutes. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the minutes of the November 16th, 2021, City Council Meeting minutes

F/S: Burger/Hartwell

YEAS: Stram, Burger, Kerkof, Oatman, Hartwell & Jennings

NAYS: None

STATUS: Motion Passed.

10) NEW BUSINESS:

- a) Resolution 21-12-07-01, accepting the mayor's recommendation that Tlingit & Haida Central Council hire Thorne Bay resident Matthew Mendonsa as the second VPSO in Thorne Bay, discussion and action item:

Burger moved to approve Resolution 21-12-07-01. Oatman seconded the motion. Burger stated that Matthew Mendonsa has been a resident of Thorne Bay for a little over a year, wife works at the school, he is on the volunteer EMS department, resides in South Thorne Bay, and will be attending the VPSO academy in February that will last for 4 months. Oatman stated that Mr. Mendonsa was the ACS President at the school for a while and believes he would be a good fit. Hartwell commented that we receive comments around town wanting to know about someone, and not knowing this gentleman, so hard to vote in favor of someone you don't know.

Jennings commented that he agreed with Hartwell that he would like to know who he would be voting for. Burger commented that Thorne Bay was not hiring. Burger withdrew his motion and Oatman withdrew his second. The City Clerk will invite Mr. Mendonsa to attend the December 21st City Council meeting.

- b) Resolution 21-12-07-02, authorizing the donation of the "old library" trailer to the City of Whale Pass, discussion and action item:

Burger moved to approve Resolution 21-12-07-02. Jennings seconded the motion. Hartwell inquired where the value of it being less than \$5,000.00, came from. Clerk explained it was based on the value the city put into the building upon purchase and improvements. The building was received as donation from SISD and most of the improvements done to the place were done with volunteer labor of Jim and Libby Nieland, Karen Petersen, and other community members. There was further discussion.

MOTION: Move to approve Resolution 21-12-07-02, authorizing the donation of the "old library" trailer to the City of Whale Pass

F/S: Burger/Jennings

YEAS: Burger, Kerkof, Stram, Oatman & Jennings

NAYS: Hartwell

STATUS: Motion Passed.

11) ORDINANCE FOR PUBLIC HEARING:

- a) **Ordinance 21-11-16-02**, amending Title 13-Utilities, Chapters 13.14-Sewage Service Rates, 13.52-Discontinuance of Water Service, and 13.70-Solid Waste Services, discussion and action item:

Burger moved to approve Ordinance 21-11-16-02. Hartwell seconded the motion. City Clerk explained that the amendment establishes a fee for transfer utility services from a tenant into the landowner's name. There was further discussion.

Public Hearing on Ordinance:

There were no public comments during the Public Hearing part of this ordinance.

MOTION: Move to approve Ordinance 21-11-16-02 amending Title 13-Utilities, Chapters 13.14-Sewage Service Rates, 13.52-Discontinuance of Water Service, and 13.70-Solid Waste Services
F/S: Burger/Hartwell
YEAS: Jennings, Oatman, Stram, Burger, Kerkof & Hartwell
NAYS: None
STATUS: Motion Passed.

- b) **Ordinance 21-12-07-01**, amending Title 17-Planing & Zoning, Chapter 17.04-Zoning, Section 17.04.034-Greentree Heights Residential Zone, Subsection 17.04.034 (d) Development Standards, Section (12) Potable water supply discussion and action item:

Burger moved to approve Ordinance 21-12-07-01. Jennings seconded the motion. Hartwell commented that he would vote "NO" on this item because the code allows for people to apply for a variance for items like this and there was no need to amend the city's ordinances every time someone didn't like something. Jennings commented that he was in favor of the amendment because the code already had a stipulation that water storage tanks may not block the view of a neighboring property.

Public Hearing on Ordinance 21-12-07-01:

Tim Lindseth commented that the limit of 3,000 was not enough for the average household. Lindseth stated it was his experience through his business in development of lands, that a 10,000-gallon water storage tank was the average.

Glen Holt stated he was in favor of the amendment to remove the size limit.

MOTION: Move to approve Ordinance 21-12-07-01
F/S: Burger/Jennings
YEAS: Oatman, Hartwell, Jennings, Stram, Burger & Kerkof
NAYS: None
STATUS: Motion Passed.

12) ORDINANCE FOR INTRODUCTION:

- a) Ordinance 21-12-21-01, amending Title 2 – Administration and Personnel, Chapter 2.24-Officers and Employees, Sections 2.24.030-Employment, Subsection (i) Holidays; and 2.24.040-Travel and Per diem, updating the Holiday Calendar to include Juneteenth and Travel Mileage Reimbursement rate to be consistent with the GSA/IRS Mileage Reimbursement Rates, discussion and action item:

Burger moved to approve Ordinance 21-12-21-01. Stram seconded the motion. Discussion included concerns to whether or not the amendment to the Holiday schedule, adding Juneteenth, was required to be observed in every state. The City Clerk recommended the council approve the ordinance to move it to the public hearing on December 21st, and she would do research to determine whether or not the city had to observe the Federal Holiday “Juneteenth”. If not required, the council could strike it from the ordinance amendment at the public hearing.

MOTION: Move to approve Ordinance 21-12-21-01, amending Title 2 – Administration and Personnel, Chapter 2.24-Officers and Employees, Sections 2.24.030-Employment, Subsection (i) Holidays; and 2.24.040-Travel and Per diem
F/S: Burger/Stram
YEAS: Kerkof, Oatman, Jennings, Hartwell & Burger
NAYS: Stram
STATUS: Motion Passed.

13) EXPENDITURES EXCEEDING \$2,000.00:

- a) Authorizing the expenditure of \$2,820.53 to USA Bluebook for the purchase of testing supplies for Solid Waste Facility, discussion and action item:

Burger moved to approve the expenditure of \$2,820.53 to USA Bluebook for the purchase of testing supplies for Solid Waste Facility. Hartwell seconded the motion. The City Administrator, John Huestis, commented that there are several tests required for the surface water runoff which are required to be done annually. Some tests which are very expensive to run and have short life cycles for turn around for when they have to get to the lab. By purchasing this equipment, the city would reduce costs over the long haul, since we will be able to perform tests on site. Some of the items on the list are one-time purchases such as equipment, and some of the expense will be incurred annually such as ordering the sample bottles. The goal of the Solid Waste site is to keep the solid waste run off from getting into the ground. Goal not to leach contaminants offsite.

MOTION: Move to approve the expense of \$2,820.53, to USA Bluebook for the purchase of testing supplies for Solid Waste Facility ground water
F/S: Burger/Hartwell
YEAS: Stram, Burger, Kerkof, Oatman, Hartwell & Jennings
NAYS: None
STATUS: Motion Passed.

b) Authorizing the expense of \$2,212.50, plus shipping costs, to Pioneer Supply for Wire Tie machine replacement parts, discussion and action item:

Burger moved to approve the expenditure of \$2,623.25, plus shipping costs to Pioneer Supply for repairs to the Wire Tie Machine. Jennings seconded the motion. The City Clerk had explained that the difference in the amount listed on the agenda and the amount to be approved was the added expense to purchase the exit track, which was \$410.00. Oatman inquired if the city had ever gotten the baler at the solid waste site fixed from when the conduit had been pulled out? The Clerk responded that it had been repaired. There was no further discussion.

MOTION: Move to approve the expenditure of \$2,623.25, plus shipping costs to Pioneer Supply for repairs to the Wire Tie Machine
F/S: Burger/Jennings
YEAS: Stram, Burger, Kerkof, Oatman, Hartwell & Jennings
NAYS: None
STATUS: Motion Passed.

14) CONTINUATION OF PUBLIC COMMENT:

There were no further public comments.

15) CONTINUATION OF COUNCIL COMMENT:

Stram commented on the following:

- Expressed his appreciation to the crew plowing the roads southside and for keeping the roads in good travel condition.

Jennings commented on the following:

- Appreciated the public's participation in the council meeting. Enjoys hearing the comments from the public and encouraged continued participation.

Kerkof commented on the following:

- How is the city planning to finance Fire and EMS? The clerk had sent out a document that provided different options for funding the Fire & EMS which include options such as:
 - Alcohol and Tobacco Tax
 - EMS/Fire Insurance
 - Etc.

Oatman commented on the following:

- Requested clarification on whether the city had already raised the sales tax by 1% before their last attempt at raising it the ½%? Suggested that the increase failed because of the past 1% increase and where those funds are now.

The City Clerk explained that the 1% sales tax increase done in 2009 was dedicated to Streets and Roads & Community Development at a split of 60/40. The city places the 1% sales tax revenues into two savings accounts with Tongass Federal Credit Union at the end of every calendar quarter. All expenses from those tax accounts are approved by the City Council before expended. The current Streets & Roads Sales Tax account has a balance of \$110,060.38, and the Community Development Savings account balance is \$150,387.00. I keep detailed records of all expenses from those accounts, so anyone who wants to see what the city has purchased with those funds and see how much we have, is welcome to see me. The City Council has dedicated approximately \$68,000.00 of the Streets and Roads tax money to go towards the RAC Grant that OVK was awarded for the Kasaan Road repairs.

Hartwell commented on the following:

- Explained that the history of the 1% sales tax increase was done in 2010 because the city was getting ready to lose the National Forest Receipt funding that paid for the Streets and Roads department. The city administration at the time did not feel the public would vote for a tax that would be solely for Streets and Roads, so they split the tax revenue dedication 60/40 with 40% to go towards Community Development.

Kerkof commented on the following:

- In favor of an Alcohol and/or Tobacco Tax, to be earmarked for only Fire and EMS.
- Option for the reduction of senior tax exemption-for those who already pay the tax when a senior, they wouldn't be contributing
- Suggested with the alcohol tax it be in place for certain months of the year (tourist season)
- Expressed appreciation toward the City's Harbormaster, Simon Doyle. Commented that Simon had worked hard over the past couple of weeks to keep the snow off of the harbor and had worked over the weekend as well. Commented that he has not seen a Harbormaster work so hard to ensure the dock was kept clear from snow and to keep it from being slick with ice.

Burger commented on the following:

- All of the discussion relating to taxes is just a set of ideas and ways to begin funding our EMS and Fire services. There are many other options for generating revenues, and this is just an option.

Kerkof commented on the following:

- Another reason for taxing alcohol is because during the summer months, alcohol sales increase due to tourism. Cannot imagine that someone here on vacation would refuse to purchase alcohol because there is an alcohol tax. EMS and Fire services benefit the tourists also.

Hartwell commented on the following:

- Another option to fund EMS would be charging a road tax, where you would pay so much per foot of property on the road.

Mayor Burger permitted public comments following the Council Comment on funding for EMS/Fire. Those public comments included the following:

Rose Holt commented

- As a senior in Thorne Bay, you don't have to pay tax, however, why not change that to a smaller or reduced tax rate and not completely free.

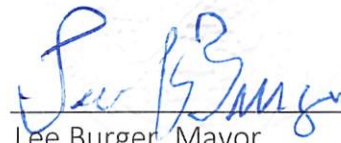
Glenn Holt commented

- More in favor of change in senior tax than in a road tax because he has about 2/10 of a mile of road frontage and some may only have 6.
- Greentree Heights also doesn't receive road service.
- In favor of restricting an existing tax break rather than adopting a new tax.

City Council directed the City Clerk to dedicate the Workshop for the December 21st meeting to funding options for Fire and EMS.

16) ADJOURNMENT:

Burger adjourned the meeting at 8:10 p.m.



Lee Burger, Mayor

ATTEST:



Teri Feibel, CMC