

MINUTES
FOR THE REGULAR MEETING
OF THE CITY COUNCIL
FOR THE CITY OF KLAWOCK, ALASKA
Wednesday, February 5, 2020

CALL TO ORDER:

The regular meeting was called to order by 6:01 p.m. by Mayor Donald J. Nickerson, Jr.

PLEDGE OF ALLEGIANCE:

The audience, Mayor and Council stood for the pledge to the flag.

ROLL CALL:

Janelle Friday	Patricia Cottle
Irving Langmaid	Brenda K. Leask
Rudolph Smith, Jr.	Kimberly Nelson

ASCERTAIN QUORUM:

A quorum is present.

ADOPTION OF AGENDA:

Patricia Cottle/Rudolph Smith, Jr. move to adopt the Agenda. **Motion carried.**

ADOPTION OF MINUTES:

Patricia Cottle/Janelle Friday move to adopt the minutes of January 7, 2020
Motion carried.

REPORTS INFORMATIONAL:

Mayor, City Administrator, Public Safety, EMS , Water, Wastewater, Public Works, Budget Report, POW Voc Tech Center, Klawock LQ Store, Clerk Report.

Staff present:

Leslie Isaacs, City Administrator; Sybil Galaktianoff, City Clerk

Public Audience:

- | | |
|--|----------------------|
| 1.) John Skan | 6.) Gary Lawton |
| 2.) Roseann Demmert | 7.) Dennis Nickerson |
| 3.) Pamela Huteson | |
| 4.) Frank Peratrovich | |
| 5.) Kelly Priestly, Partner, Director of Audit, from Teuscher Walpole, LLC | |

PUBLIC PARTICIPATION:

Roseann Demmert:

- My Dad a few years back went to the title agency and he had title 8 and 7 is a restricted deed, Demmert family has 6. Much to his surprise he no longer owns it. It was eminent domain, but the City is required before you take anyone's property by eminent domain, that the property owner is notified. The property owner must agree or you go to court. You're supposed to pay them fair market value for their property. He's never gotten a dime and he didn't know it was gone. So he was horrified that he no longer owned property that was given to him by his Mother. The city knows he owns the property. He was in a lawsuit when Dave Smith was here and Sambo was mayor. It's gone, it's under eminent domain, it's in the city of Klawocks name now, he wants it back. You can't do anything with 8, we own 7, the Demmerts own part of 6. We didn't' even know.
- The other question I have is my Dad bought a property in Mary Jackson. He came from City offices and he was upset. They say I owe \$7,000 for LID. So she came up here to talk to the finance office and she said this is above my pay grade. I said how can you have more penalties and interest than he owes? He didn't even know he owed, no one told him when he bought the property that he had a bill. She asked if he was sent a bill and she said well no. He wrote a letter, Roseann brought it up so all council members could get it. Then when Nick was elected Mayor I talked to him because he needs an answer. He's willing to give you the \$3,000, he's not willing to pay another \$3,500 in penalties and interest when he didn't know about it, so I would like to see that resolved. He just turned 83. He wants to get this stuff taken care of. He don't like coming in and saying it's above your pay grade and nobody will help you. I bring letters up, they go out to you guys and I don't hear anything. My Dad doesn't hear nothing either. She doesn't think its right that you are handed a bill and its double. He had no knowledge of it and he was just kind of shocked.
- Same time frame, Sabrina was gone. She was gone for long time. We came up, we asked if you could do something, check, no garbage had been picked up, no water used for 5 months. After being up here 5 times and I know Web had called several times. To this day I get a bill in the mail, oh we can do something, get this adjusted and then you know I'll be happy to pay it. I can't get a response from anybody. It's frustrating because I didn't want to come to this point where I had to come up here and complain, but I can't come in here and ask something and never get an answer. If its no, its no. Just tell me something, you know but I don't get nothing and so the other thing is Klawock this town everybody talks and everybody says anything, true or not true I don't know, but if there has been forgiveness of people that owe back bills to the city, especially the tens of thousands of dollars, fourteen thousand, twelve thousand dollars, I want my credit. My god they hang a door hang on me if I'm one day late. If you can afford to let someone walk on a debt like that, that's pretty mind blowing to someone who has to pay theirs every month. Oh gosh, I could have waited and got away with this because unfortunately for me I turned 60 after you guys took it all away. I'm still paying and I don't have extra people living with me.

Minutes

For the Regular Meeting

For the City of Klawock

Wednesday, February 5, 2020

Page 2 of 7

Mayor Nickerson:

Nothing was forgiven. The only thing forgiven was people who did have a bill and passed on.

City Administrator Leslie Isaacs:

Can I clarify that because those bills the Mayor mentioned weren't forgiven, you don't have a legal right to collect them against their estate. It's a very important distinction. We carry that debt on our books until this body, until this council writes a resolution; approves a resolution to write it off because they are deceased, so we as the accounting staff do not make an adjustment until the city council approves it, so we cannot adjust anyone's bill down, write it off, change it, do anything without express written consent from the city council in the form of a resolution.

Dennis Nickerson:

- Good evening. I would like to thank you guys for your time. I just wanted to comment under public participation as a resident. You all know who I am, I want to try and see if I would be able to work with the city to create some kind of crew that would be able to do something to address parks and recreation in Klawock. I have some experience in getting some money and I know where some can come from to help things out around here. Like the baseball field, totem park and there are playgrounds in our town that need work. The one right down the street from where I live the children call it the broken park. To me that is a really tough thing because we have a lot of children that are coming up and we need to give them a direction that goes positive. We need to make sure our community is there to raise the children. If it means volunteer work, getting people together, we can get a list going. I want to see a community driven effort to address the parks and recreation in Klawock. There is a lot of cool funding sources. Most of my experience comes from getting grants and I only looked a little bit into philanthropy. And I know that's turning into investment especially in the Pacific Northwest. If the City is interested maybe we can do some kind of advertising thing to try to get this thing up and going. For now I think the baseball field and playgrounds would probably be a really good start on that. You have pedestrian paths that can be incorporated. You can be really innovative with what's going on in Klawock and you guys are starting something new, you guys are looking forward in ways that I've never saw before. Were at a good point now where Klawock can make some great moves based on envisioning where you see yourself in 10 years and you know I see parks and recreation being a good investment because that's something our children need. That's what I wanted to come up here for under public participation and I'll let you know how to get a hold of me. A lot of this comes from residence around and they have a willingness to volunteer. I really didn't see that being a possibility until last year close to memorial day when we were over at the old cemetery and it just so happened 15-20 people were over there you can really see how much happened in 3 hours with a community driven grasped effort. Thank you.

Irving Langmaid:

Can you submit that letter?

Dennis Nickerson:

- I will get it submitted and I'll be able to talk to people who want to commit volunteer time. And we will be able to make sure that gets documented because if we are going to be securing funds we need to make sure the city approves the volunteer list and every hour the person is out there getting volunteer time, so that's the process we have to go through.

ADJOURN FOR PUBLIC HEARING:

Marijuana Ordinance NO. 20-01

AN ORDINANCE ENACTING A NEW CHAPTER 12.05 IN THE CITY OF KLAUOCK CODE OF ORDINANCES ESTABLISHING A LOCAL REGULATORY AUTHORITY TO PROCESS APPLICATIONS SUBMITTED FOR REGISTRATION TO OPERATE A MARIJUANA ESTABLISHMENT WITHIN THE CITY, AND OTHERWISE REGULATING THE OPERATION AND LOCATION OF MARIJUANA ESTABLISHMENTS, MARIJUANA AND MARIJUANA PRODUCTS WITHIN THE CITY, AND PROHIBITING WITHIN THE CITY OF KLAUOCK (1) USE OR CONSUMPTION OF MARIJUANA IN PUBLIC, (2) USE, CONSUMPTION OR POSSESSION OF MARIJUANA BY PERSONS UNDER THE AGE OF 21, AND (3) THE FURNISHING OF MARIJUANA TO PERSONS UNDER THE AGE OF 21,

Patricia Cottle/Rudolph Smith, Jr. move to adjourn to go into public hearing. 7:25 P.M.

Motion carried.

Ordinance 20-02

AN ORDINANCE ENACTING SECTIONS 12.05.100 – 12.05.140 OF THE KLAUOCK CODE OF ORDINANCES IMPOSING AN ADDITIONAL SALES TAX OF THREE AND ONE-HALF PERCENT (3.5%) UPON RETAIL SALES OF MARIJUANA AND MARIJUANA PRODUCTS, IF SUCH TAX IS APPROVED BY THE VOTERS, AND ASKING VOTERS WHETHER MARIJUANA TESTING, MARIJUANA CULTIVATION, MARIJUANA MANUFACTURING, AND ONSITE CONSUMPTION SHOULD BE PROHIBITED IN KLAUOCK,

Kimberly Nelson/Irving Langmaid move to adjourn to go into public hearing. 7:27 P.M.

Motion carried.

UNFINISHED BUSINESS:

Ordinance 20-01,

Kimberly Nelson/Irving Langmaid move to adopt **Ordinance 20-01** a **Marijuana Ordinance NO. 20-01** AN ORDINANCE ENACTING A NEW CHAPTER 12.05 IN THE CITY OF KLAUOCK CODE OF ORDINANCES ESTABLISHING A LOCAL REGULATORY AUTHORITY TO PROCESS APPLICATIONS SUBMITTED FOR REGISTRATION TO OPERATE A MARIJUANA ESTABLISHMENT WITHIN THE CITY, AND OTHERWISE REGULATING THE OPERATION AND LOCATION OF MARIJUANA ESTABLISHMENTS, MARIJUANA AND MARIJUANA PRODUCTS WITHIN THE CITY, AND PROHIBITING WITHIN THE CITY OF KLAUOCK (1) USE OR CONSUMPTION OF MARIJUANA IN PUBLIC, (2) USE, CONSUMPTION OR POSSESSION OF MARIJUANA BY PERSONS UNDER THE AGE OF 21, AND (3) THE FURNISHING OF MARIJUANA TO PERSONS UNDER THE AGE OF 21. **Motion carried.**

Minutes

For the Regular Meeting

For the City of Klawock

Wednesday, February 5, 2020

Page 4 of 7

Ordinance 20-02,

Kimberly Nelson/Irving Langmaid move to adopt **Ordinance 20-02** AN ORDINANCE ENACTING SECTIONS 12.05.100 – 12.05.140 OF THE KLAWOCK CODE OF ORDINANCES IMPOSING AN ADDITIONAL SALES TAX OF THREE AND ONE-HALF PERCENT (3.5%) UPON RETAIL SALES OF MARIJUANA AND MARIJUANA PRODUCTS, IF SUCH TAX IS APPROVED BY THE VOTERS, AND ASKING VOTERS WHETHER MARIJUANA TESTING, MARIJUANA CULTIVATION, MARIJUANA MANUFACTURING, AND ONSITE CONSUMPTION SHOULD BE PROHIBITED IN KLAWOCK. **Motion carried.**

Evaluation form,

Brenda K. Leask handed out an Employee Progress Report she got from the City of Wrangell website.

FEMA update,

John Skan gave a verbal update and turned in a report on February 5, 2020.

Annexation update,

Mayor Donald J. Nickerson, Jr. the report from the attorney annexation is a lengthy process. Five years is a long time. When time allows us, I think we need to sit down and start mapping out 14c3 and get that resolved.

Audit update,

Kelly Priestly, Partner, Director of Audit, from **Teuscher Walpole, LLC** gave a brief update on **FY18 audit.**

Under discussion:

Kelly reported:

- **No fraudulent activity**
- **No friction between management team**
- **Similar to the report at the November meeting**
- **Infrastructure assets missing**
- **Loan covenants**
 - Timely submitting to loan provider (USDA), it was late.
 - Audits adjusting entries, minor record clean up.

NEW BUSINESS:

Resolution 20-01,

Rudolph Smith, Jr./Janelle Friday move to adopt **Resolution 20-01** A resolution closing the City of Klawock Holiday Fund Account and transferring the money into the general fund checking account. **Motion carried.**

Resolution 20-02,

Postpone to March's council meeting.

14c3,

Mayor Donald Nickerson cancelled work shop due to lack of maps. The new date for the work shop will be **February 28, 2020** to meet with Klawock Heenya Corporation. He will get in touch with Mary Edenshaw and President Teresa Fairbanks.

Minutes

For the Regular Meeting

For the City of Klawock

Wednesday, February 5, 2020

Page 5 of 7

Spring clean up,

Brenda K. Leask/Kimberly Nelson move to approve spring clean up dates:

April 20, 2020 – May 1, 2020. Motion carried.

Under discussion:

City of Klawock residents will need to haul their spring clean up during this time. We will ask that residents provide a current bill from the City with their name on it. For elders and disabled, the City of Klawock will provide the service of picking up their spring clean up pile.

APPROVAL OF VOUCHERS:

Post pone until the next meeting. Due to no voucher copies provided for Council. 26360-26398, 119581-119631, 6112-6129. \$237,542.28.

CORRESPONDANCE INFORMATION:

Klawock City School District Event Calendar for February.

COUNCIL COMMENTS:

Patricia Cottle:

- Thank you to the City Crew doing their best to keep us safe on the road.
- Appreciates EMS.
- Council needs to step up and be respectful of staff. People voted us in. The staff has come a long ways. We were years behind in audits, look where we are at now.

Brenda Leask:

- Employees need to be courteous. Not very friendly treatment. Touch base with employees. Be mindful to everyone who walks through the door.

Mayor Donald J. Nickerson, Jr.:

- Leslie meet with staff to discuss being courteous. Reflection of Mayor and Council. Be professional and courteous.

Rudolph Smith, Jr.

- We shouldn't jump to conclusions. We need to hear from the employee, stand up for employees and I realize we need to do the same for the citizens.

Janelle Friday:

- Evaluations, how much are we paying employees because I am certain we are low across the board? Compare and evaluate on money.

ADJOURNMENT:

Rudolph Smith, Jr./Patricia Cottle move to adjourn. **Motion carried.** 8:33 P.M.

March 2, 2020

Date approved

Attest:



Donald J. Nickerson, JR., Mayor



Sybil Galaktianoff, City Clerk