

City of Edna Bay - Regular Meeting

1 — Meeting Date, Place and Call to order:

This Regular meeting was held on Monday, July 11th, 2016 at Edna Bay School.
Mayor Richter called the meeting to order at 6:10 PM.

2 — Roll Call:

Heather Richter	- Mayor / Presiding Officer	(Present)
Karen Williams	- Vice Mayor / City Council	(Present)
Tyler Poelstra	- Clerk / City Council	(Present)
Myla Poelstra	- Treasurer / City Council	(Present)
Carleigh Fairchild	- City Council	(Absent)
Doris Greif	- City Council	(Present)
Paul Haag	- City Council	(Present - Telephonic)

2.1 — Public Participants:

Sue Crew	Pat Richter	Joe Wargi	Maureen Viera	Richard Stockdale
Lee Greif	James Cramer	Sharon Wargi		

3 — Consent Agenda:

A: Approval of Meeting Agenda:

The current agenda was read by Councilor (Mr.) Poelstra.

Consensus of the public attendants was taken in favor, and no objections were noted.

B: Approval of Prior Meeting Minutes:

The following minutes were presented for review:

1: Regular Meeting Minutes of June 13th, 2016 - No objections

Consensus of the public attendants was taken in favor, and no objections were noted.

Motion:

Mayor Richter moved to pass the consent agenda.

- *Seconded by Councilor (Mr.) Poelstra*

- **Approved by unanimous vote of the council**

3.1 — Business:

Old Business:

- a: *West Edna Bay DNR Public Use Area and Dock Facility Purchase or Public and Charitable Lease Resolution.*
- b: Personnel Handbook Revision(s).

New Business:

- a: AML Membership in Perpetuity Discussion and Decision.
- b: Southeast Conference Introduction for Bulk Fuel Earthwork.
- c: Passthrough Grant for Bulk Fuel Earthwork Discussion and Decision.
- d: Draft Contract Introduction for Bulk Fuel Earthwork.
- e: First Reading of Budget Amendment for Bulk Fuel Earthwork Ordinance 16-07NCO.
- f: Discussion and Adoption of Misc. Municipal Forms..

4 — Council Teleconferencing Initiation Decision:

Mayor Richter asked if anyone had any questions or comments about the item before moving to vote.

Pat Richter asked how teleconferencing would be initiated and what steps needed to happen. Mayor Richter explained potential hardware and service fees previously discussed, and noted that calling cards to cover long distance for the teleconferencing host are difficult to find these days.

She explained that also as previously discussed and agreed, Council members are not expected to participate to the same level telephonically as those physically present due to technical and logistical limits, and therefor would not be voting on items being discussed while attending over the phone. The intent of initiating teleconferencing is to allow absent council members a means of being better informed, or to allow other agencies (i.e., USFS) to call in if they cannot fly in to attend a meeting if needed.

The teleconferencing service will be reserved for council members and government officials.

Consensus of the public attendants was taken unanimously in favor, and no objections were noted.

Motion:

Councilor (Mr.) Poelstra moved to initiate City teleconferencing.

- *Seconded by Councilor Williams*
- **Approved by unanimous vote of the council**

5 — Mayor's Report:

Mayor Richter reported that she spoke with DNR (Lee Cole) and that they will be wrapping up two cases that are in line ahead of our municipal entitlement, and then the City's projects waiting in DNR's queue will begin moving forward. They anticipate starting on our projects within 30 days.

She also noted that the FY '17 PILT amount will be \$11,765.25.

6 — Clerk's Report:

No report.

7 — Treasurer's Report:

Myla Poelstra read back the treasurer's report. All numbers reported are for the end of the current '16 Fiscal Year. The new encumbrance system will be shown on next months report.

8 — *Committee Reports*

8.1 — Dock Committee:

Tyler Poelstra (Dock Chairman) stated that a Dock Committee meeting will be held Saturday at 6:00PM at the School notices will be posted for a general/maintenance item discussion.

8.2 — Road Committee:

No report.

8.3 — EMS Committee:

Myla Poelstra (EMS Squad Captain) reported that Chaundel working on Zoom class. The EMS meeting for the 4th was cancelled. The Health Fair is on schedule.

8.4 — Search & Rescue Committee:

No report.

8.5 — Fire Committee:

No report.

8.6 — Fish & Game Advisory:

No report.

8.7 — Bulk Fuel:

Mayor Richter stated discussion on this item will be held under the related business items on the agenda.

9 — *Old Business*

Item A – West Edna Bay DNR Public Use Area and Dock Facility....:

Mayor Richter noted that this item has been rolled into the ongoing Entitlement process, and further reports

are pending working being done by DNR on the project.

Item B – Personnel Handbook Revision(s)...:

Mayor Richter explained the need to modify the handbook now that the City will have its first paid employee. She recommended that the term “Volunteer” be scratched from most of the existing handbook, and reserve specific sections for volunteer employees instead.

Jim Cramer asked if there was a section that allowed employees, volunteer or paid, to be removed for failure to perform. Mayor Richter said that there are performance evaluations and means of removing employees based on performance criteria.

Mayor Richter said that the City is working on a form that non-employee volunteers can sign before doing any work on City facilities, assets, or properties making clear the separation of liability. She indicated that she will speak with the City insurance provider (AEPI) regarding insurance coverage for employees.

It was agreed to table this item until the next meeting for further discussion and consideration.

10 — New Business

Item A – AML Membership in Perpetuity...:

Mayor Richter explained that it may be better to vote once to have the AML membership auto-renewed annually until a point in the future when we choose to cancel the \$584/yr membership than to have it as a yearly agenda item and discussion topic, since the membership has been renewed yearly and acts as a strong means of supporting AML as our advocates to protect Revenue Sharing funds.

Jim Cramer and Pat Richter felt it is good to have a yearly discussion and vote to renew so that anyone who has questions about why we pay for the membership can be brought up to speed, and also because the vote to renew is simple to do.

It was agreed to renew by decision yearly.

Item B – Southeast Conference Renewal...:

Mayor Richter asked if anyone had any new thoughts since the item was last discussed. Councilor (Mrs.) Poelstra felt that the main benefit of maintaining this membership would be best realized by physically attending the conference meetings.

It was agreed that right now, there is no reason to renew this membership.

Item C – Passthrough Grant for Bulk Fuel Earthwork...:

Mayor Richter explained that discussions were held at the last meeting regarding pursuit of this process. She has had discussions with the AEA regarding the grant process and shared that it will allow us to carefully look over the agreement before signing it, pay the contractor, and submit receipts to get reimbursed in around 30 days. The last 4 Capital Matching Grants conducted locally had the same processes; the float plane float was constructed and reimbursed through a reimbursable grant. The City will be the inspectors that sign off on the work that is conducted and submit the invoice(s) in order to get reimbursed.

Pat Richter asked how everyone felt about the City doing the Earthwork regardless of reimbursement being available, since the public has been deeply involved in the bulk fuel facility process for 7+ years. Councilor (Mrs.) Poelstra shared that the Community had already voted previously to commit to site prep for the facility as an in-like-kind, but the current process now allows reimbursement. Pat felt that it would be best to move ahead no matter what and cut out any further delays.

Mayor Richter shared that all steps in this process take time, and that many of the delays have not been related to the AEA's internal process. Councilor Haag asked if there is a passthrough grant form that is available for him to read, and felt that even if the City does the site prep it doesn't ensure that the AEA will finish the project.

The grant expires in January and may be difficult to get extended. Pat Richter felt that if the City does site prep, it considerably simplifies the remaining portion of work for the AEA to complete. Mayor Richter stated that ultimately the facility is in the City's hands to complete.

Item D – Draft Contract Introduction for Bulk Fuel Earthwork...:

Mayor Richter explained that the contract is still a draft and needs more work, and will act as the template for

future City contracts once it is completed. The draft contract was projected for all to review, and questions and suggestions were discussed.

Mayor Richter shared that after reviewing Title 4, further changes will eventually be needed, such as fixing the use of "Business Days" or "Working Days" to one or the other throughout the title.

Jim Cramer asked if the City has the capacity to directly hire employees to do work itself. Mayor Richter said that, yes, it can as necessary.

Mayor Richter indicated that the current draft contract is framed off of the language of the existing Title 4, and will need to be adjusted after Title 4 is revised.

The existing draft contract was introduced and it was agreed to post the draft public first, then hold a work session or special council meeting to wrap up final changes before introducing it again.

Item E – First Reading of Budget Amendment for Bulk Fuel Earthwork...:

Mayor Richter explained that the current discussion is about being ready for work, and once we decide to move forward we will be prepared and able to quickly. Councilor (Mr.) Poelstra read back the draft ordinance to all in attendance.

Sue Crew asked why there was an extra \$10K added to the anticipated maximum \$70K site prep budget. Mayor Richter shared it was added for flexibility to, for example, install necessary security equipment such as fencing and gates for the facility.

Consensus of the public attendants was taken unanimously in favor, and no objections were noted.

Motion:

Councilor Greif moved that we accept the draft Ordinance 16-07NCO for the bulk fuel facility project.

- *Seconded by Councilor Williams*
- **Approved by unanimous vote of the council**

Item F – Discussion and Adoption of Misc. Municipal Forms...:

Mayor Richter explained that the City is working on various forms that need to be adopted. An LGS recently sent the City a draft records request form and recommended the City adopt it. Councilor (Mr.) Poelstra put the draft form up on the projector for review. There are other draft forms that were not complete in time for the meeting that will need to be adopted as they are completed in the coming months.

Sue Crew asked if the draft contract was available for release, and if the public would now have to pay to get records in advance of the meeting. She also asked if the Council receives records in advance of the meeting. Pat Richter stated that the example has already been set by the public electing a City Council to do research and individually boiler plate ideas before taking them to meetings to share and discuss in order to save the public time.

Jim Cramer felt that any document in draft form that has not been introduced publicly is not held to the legal definition of a public record, and is therefor not in the best interest of the City to set precedent by releasing, since a draft document that is constantly changing is not a record until produced and discussed publicly. He felt that the precedent would allow any news agency, for example, to request draft letters or records that are in-process to be requested before they are complete or have been released for public review. Drafts will eventually become public record once they are shared publicly otherwise.

Councilor Haag feels that there may be ways to encourage even deeper public process than the current public meeting format.

Consensus of the public attendants was taken in favor with one objection to adopting the public records request form, and no objections were noted.

Motion:

Councilor Greif moved to adopt the public records request form as presented.

- *Seconded by Councilor (Mrs.) Poelstra*
- **Approved by unanimous vote of the council**

Persons to Be Heard

Lee Greif shared his feeling that he has never been forced to make a decision without all of the info he has needed to make an informed decision.

Richard Stockade shared his experience with the record request form being a common form used in all bureaus, and that drafts are not public until adopted. Even though some drafts are adopted, he shared that parts of them are also commonly redacted as standard practice.

Councilor Haag thanked Myla for use of her cell phone to attend telephonically. He shared his question that he was unaware where the idea that council members attending telephonically could not vote, but felt that he may not be recalling correctly. He also shared his feeling that we are all trying to do what is best for the City, and that sometimes that means disagreeing, which he felt hopeful was okay to do and still preserve our relations outside of the meetings.

Adjournment

Councilor Greif moved that the meeting be adjourned.

Motion seconded by Councilor (Mrs.) Poelstra

Meeting adjourned at 8:45 PM.