

AGENDA

FOR THE REGULAR MEETING OF THE CITY COUNCIL

FOR THE CITY OF THORNE BAY, ALASKA

COUNCIL CHAMBERS OF CITY HALL

120 FREEMAN DRIVE

Tuesday July 16, 2019

6:30 p.m.

NOTICE OF A SPECIAL WORKSHOP TIME OF 5:30 P.M.

The meeting will be preceded by a workshop beginning at a special time of 5:30 p.m. Workshop Topic will be an update from DNR Forest Division for use of State Lands around Thorne Bay

The public is invited and encouraged to attend

1. CALL TO ORDER:

2. PLEDGE TO FLAG:

3. ROLL CALL:

4. APPROVAL OF AGENDA:

5. MAYOR'S REPORT:

6. ADMINISTRATIVE REPORTS:

a. City Administrator's Report:

b. City Clerk Report:

7. PUBLIC COMMENTS:

8. COUNCIL COMMENTS:

9. CONSENT AGENDA:

a. **MINUTES:**

10. NEW BUSINESS:

a) Resolution 19-07-16-01, a resolution supporting the continued road improvements and upgrades of the South Thorne Bay / Kasaan Road discussion and action item:

b) Resolution 19-07-16-02, updating the Organizational Chart for the City of Thorne Bay Personnel, discussion and action item:

c) Appointing Thomas Drumme to the Planning and Zoning Commission, discussion and action item:

11. ORDINANCE FOR INTRODUCTION:

- a) Ordinance 19-08-06-01, an ordinance that would place the question of increasing sales tax by one-half (1/2) of a percent to be used for Emergency Services (EMS/FIRE) Responders and Law Enforcement Officer, discussion and action item:

12. ORDINANCE FOR PUBLIC HEARING:

- a) Ordinance 19-07-16-01, Amending Title 2.48-Planning Commission, amending Section 2.48.100, Planning Commission Duties, discussion and action item:
- b) Ordinance 19-07-16-02, Amending Title 12-Streets, Sidewalks and Public Places, Chapter and Section 12.09.010-Streets and Roads Commission, discussion and action item:

13. EXPENDITURES EXCEEDING \$2,000.00:

- a) Authorizing an expenditure not to exceed \$110,000.00, for repairs the Solid Waste Baler, discussion and possible action item:

14. EXECUTIVE SESSION:

The council will adjourn to executive session for the purpose of discussing Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion;

1. Matter to be discussed is the City Administrator's Contract, discussion and action item:

15. CONTINUATION OF PUBLIC COMMENT:

16. CONTINUATION OF COUNCIL COMMENT:

17. ADJOURNMENT:

POSTED: July 12, 2019

City Hall, AP Market, The Port, USFS , SISD & Thorne Bay School, Riptide Liquor City Website: www.thornebay-ak.gov

**CITY OF THORNE BAY
RESOLUTION 19-07-16-01**

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, SUPPORTING THE ORGANIZED VILLAGE OF KASAAN IN ALL EFFORTS TO OBTAIN FUNDING FOR THE CONTINUED MAINTENANCE, REPAIRS AND UPGRADES TO THE SOUTH THORNE BAY/KASAAN ROAD

WHEREAS, the City Council is the governing body of Thorne Bay, Alaska; and

WHEREAS, the Kasaan Road is currently a single lane shot rock road connecting the City of Kasaan, the Organized Village of Kasaan, Tolstoi Bay and South Thorne Bay Residents, to the Klawock-Thorne Bay Highway system, the paved highway system that connects the East and West sides of Prince of Wales Island (POW) and all the essential services; and

WHEREAS, the Kasaan Road was built primarily to move logs and natural resources and over the years has morphed into an extremely vital transportation link serving multiple needs; and

WHEREAS, the Kasaan Road is the only land access route serving South Thorne Bay, Tolstoi and Kasaan, serving commerce, emergency services, school buses, individuals and other vital services use the Kasaan Road on a daily basis; and

WHEREAS, the Prince of Wales Community Advisory Council (POWCAC) have, through individual community resolutions and a POWCAC resolution, placed the Kasaan Road Improvement Project as the most important transportation project on POW; and

WHEREAS, the State of Alaska has placed a huge burden on the Kasaan Road by platting and selling over 250 lots used for residential, commercial and industrial purposes; and

WHEREAS, the Kasaan Road provides access to the USDA Forest Service Land, Mental Health Trust Land, State of Alaska Land, SeAlaska Land, and Salt Chuck Mine; and

WHEREAS, the USDA Forest Service, Mental Health Trust, State of Alaska and SeAlaska use the Kasaan Road for economic benefit such as moving logs and natural resources; and

WHEREAS, the State of Alaska, the Mental Health Trust and the USDA Forest Service own the lands upon which the Kasaan Road traverses; and

WHEREAS, the City of Thorne Bay was granted a Right-of-Way/ Easement for a public road by the State of Alaska and a Road Maintenance Agreement by the USDA Forest Service within the city limits of Thorne Bay; and

WHEREAS, the Organized Village of Kasaan (OVK) has spent thousands of dollars preparing plans for the Kasaan Road Improvements and OVK and the City of Thorne Bay have spent thousands of dollars maintaining the gravel road over the years; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Thorne Bay supports all efforts made to obtain funding for the continued reconstruction and road improvements to the South Thorne Bay / Kasaan Road.

PASSED AND APPROVED July 16, 2019

Harvey McDonald, Mayor

ATTEST:

Teri Feibel, CMC

CITY OF THORNE BAY
RESOLUTION 19-07-16-02

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THORNE BAY,
ALASKA, ADOPTING THE UPDATED ORGANIZATIONAL CHART FOR CITY
EMPLOYEES

WHEREAS, the City Council is the governing body of the City of Thorne Bay, Alaska;
and

WHEREAS, the City Council finds the Organizational Chart acceptable and believes it to be in the best
interest of the city and its employees.

NOW, THEREFORE, BE IT RESOLVED that the City Council of Thorne Bay, Alaska,
hereby adopts a city employee organizational chart.

PASSED AND APPROVED by a duly constituted quorum of the Thorne Bay City
Council this 16th day of July 2019

Harvey McDonald, Mayor

ATTEST:

Teri Feibel, CMC

CITY OF THORNE BAY
ORDINANCE 19-08-06-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA,
AUTHORIZING THE QUESTION OF AN INCREASE IN SALES TAX FROM 6% TO 6.5% BE
ON THE OCTOBER 1, 2019 GENERAL MUNICIPAL ELECTION BALLOT TO BE VOTED ON
BY THE VOTERS OF THORNE BAY, ALASKA

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA;

- Section 1. Classification. This is a non-code ordinance
- Section 2. Purpose of Ordinance. The purpose of this ordinance is to put the question of a sales tax increase of one-half of a percent ($\frac{1}{2}$ %) from 6% to 6.5% on the October 1, 2019, General Election Ballot.
- Section 3. Effective Date. This ordinance shall not go into effect until first approved by a majority of the qualified voters voting on the question at a municipal election to be held on October 1, 2019.

PASSED AND APPROVED August 6, 2019

Harvey McDonald, Mayor

ATTEST:

Teri Feibel, CMC

[Introduction: July 16, 2019]
[Public Hearing: August 6, 2019]

SALES TAX OPTIONS

CITY OF THORNE BAY SALES TAX RATE INCREASE FOR EMPLOYMENT OF AN
EMERGENCY SERVICES (EMS/FIRE) COORDINATOR / PUBLIC SAFETY OFFICER?

- A. SHALL THE CITY OF THORNE BAY SALES TAX BE INCREASED ONE HALF PERCENT (FROM 6% TO 6.5%)?
THE REVENUES FROM SUCH SALES TAX RATE WILL BE USED TO FUND TO BE USED FOR EMPLOYMENT OF AN EMERGENCY SERVICES COORDINATOR/PUBLIC SAFETY OFFICER.

Explanation:

This measure asks the voters if they want to raise the City of Thorne Bay's sales and use tax rate by 1/2 % (Fifty cents per \$100 purchase) with the money generated dedicated to employing an Emergency Service Coordinator/Public Safety Officer.

The City of Thorne Bay operates their emergency services through Volunteers of the Fire Department and a contract for medical services with the City of Klawock. It is our goal to fund the Emergency Services department to begin building the number of responders.

CITY OF THORNE BAY
ORDINANCE 19-07-16-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA,
AMENDING TITLE 2-ADMINISTRATION AND PERSONNEL, CHAPTER 2.48-
PLANNING COMMISSION,

BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA

- Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. Severability. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. Amendment of Chapter. The Title and Chapter of the TBMC Title 2- Administration and Personnel, Chapter 2.48-Planning Commission, is hereby amended and added to the thorne bay municipal code.
- Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED July 16, 2019

Harvey McDonald, Mayor

ATTEST:

Teri Feibel, City Clerk

[Introduction: July 2, 2019]
[Public Hearing: July 16, 2019]

ADDITIONS ARE IN BOLD AND CAPITALIZED

Deleted items are ~~stricken~~

Thorne Bay Municipal Code

CHAPTER 2.48

PLANNING COMMISSION

SECTION 2.48 2.48.100 PLANNING COMMISSION DUTIES.

2.48.100 PLANNING COMMISSION DUTIES.

The planning commission shall:

- A. Subject to Title 17 of this code, prepare and submit to the city council a proposed comprehensive plan in accordance with AS 29.40.030 for the systematic and organized development of the city. Annually the commission shall review the comprehensive plan and shall recommend appropriate amendments, if any, to the city council.
- B. Subject to the Alaska Coastal Management Act (AS 46.40) and Alaska Administrative Code; 6AAC50, 6AAC80, and 6AAC85, prepare and submit to the city council a proposed coastal management plan. Annually, the commission shall review the coastal management plan and shall recommend appropriate amendments, if any, to the city council.
- C. Prepare, review, recommend and administer measures necessary to implement the coastal management plan and comprehensive plan, including measures provided under AS 29.40.040 and such other land use control measures as the planning commission deems necessary to supplement zoning regulations, land use permit requirements and measures to further the goals and objectives of the coastal management and comprehensive plans.
- D. Prepare and recommend to the city council a subdivision ordinance and the official map of the city and any recommended modifications to these documents.
- E. Publish notice of and hold at least one public hearing before submitting the commission's recommendations under subsections A, B and C of this section to the city council.
- F. Upon adequate notice which shall be provided by the chief executive officer, review annually the capital improvements program of the city and submit the commission's recommendations thereon to the chief executive officer on or before the due date specified in the notice.

- G. Investigate and prepare, upon city council or chief executive officer request, reports and recommendations on city land acquisitions, disposals and development. The report and recommendation shall be based upon the provisions of this chapter, the coastal management plan, the comprehensive plan and the capital improvements program.
 - H. Subject to and in accordance with the provisions of Titles 15, 16 and 17 of this code, act as the platting board, act upon requests for variances and act upon requests for conditional uses. No platting request, variance or conditional use may be granted which violates the provisions of AS Section 29.40.040 or Sections 16.36.010 and 16.36.020 of this code.
 - I. IN THE ABSENCE OF A STREETS AND ROADS COMMISSION, THE PLANNING COMMISSION SHALL PERFORM ALL OF THE DUTIES OF THE STREETS AND ROADS COMMISSION AS SET FORTH IN TBMC CHAPTER 12.09-STREETS AND ROADS COMMISSION. (ORDINANCE 19-07-16-04**
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Act as an advisory commission to the chief executive officer and city council regarding planning, platting and zoning. (Ord. 92-18 § 4(part), 1992: Ord. 90-19 §§ 4(part), 5(part), 1990)

CITY OF THORNE BAY
ORDINANCE 19-07-16-02
AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA,
AMENDING TITLE 12-STREETS, SIDEWALKS AND PUBLIC PLACES, CHAPTER 12.09,
SECTION 12.09.010-STREETS AND ROADS COMMISSION
BE IT ENACTED BY THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA

- Section 1. Classification. This ordinance is of a general and permanent nature, the chapter and section hereby amended shall be added to the Thorne Bay Municipal Code.
- Section 2. Severability:. If any provisions of this ordinance or any application thereof to any person or circumstances is held invalid, the circumstances shall not be affected thereby.
- Section 3. Amendment of Chapter. Amending Title 12-Streets, Sidewalks and Public Places, Chapter 12.09, Section 12.09.010-Streets and Roads Commission, is hereby amended and added to the Thorne Bay Municipal Code.
- Section 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED July 16, 2019

Harvey McDonald, Mayor

ATTEST:

Teri Feibel, City Clerk

[Introduction: July 2, 2019]
[Public Hearing: July 16, 2019]

ADDITIONS ARE IN BOLD AND CAPITALIZED

~~Deleted items are stricken~~

Thorne Bay Municipal Code

CHAPTER 12.09 STREETS AND ROADS COMMISSION SECTION 12.09.010-STREETS AND ROADS COMMISSION

Is hereby amended and shall read as follows:

CHAPTER 12.09 STREETS AND ROADS COMMISSION

12.09.010 STREETS AND ROADS COMMISSION.

There is established the streets and roads commission for the city to assist and advise the city with respect to streets and roads maintenance and improvement projects. Chapter 2.42, "Committees, Boards, and Commissions" provides for the establishment and operation of Committees, Boards, and Commissions. Unless stated otherwise in Section 12.09.010 the establishment and operation of the Streets and Roads Commission shall comply with Chapter 2.42. The streets and roads commission shall consist of members from the community and the number of commission members shall be:

- . two (2) from the South Thorne Bay Subdivision,
- . two (2) from North Thorne Bay,
- . one (1) from the Goose Creek Subdivision,
- . one (1) from Greentree Heights Subdivision, and one
- . (1) at large,

all of who shall be property owners within their respective areas. Members shall be appointed by the chief administrative officer and confirmed by the council.

Commission members shall elect a chairperson from members, subject to confirmation by the council, to conduct the affairs of the commission. In the event that a streets and roads commission is not appointed, **THE PLANNING COMMISSION or City Council (IN THE ABSENCE OF A PLANNING COMMISSION)** will perform the duties of the streets and roads commission.