

## MINUTES

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

TUESDAY, March 1, 2022

TIME: 6:30 p.m.

**THERE WILL BE A WORKSHOP BEGINNING AT 6:00 PM**

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LOCATION: TELECONFERENCE/VIDEO CONFERENCING LINE

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**1) CALL TO ORDER:**

Mayor Burger called the meeting to order at 6:30 p.m.

**2) PLEDGE TO FLAG:**

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

**3) ROLL CALL:**

Those present were Burger, Oatman, Hartwell, Stram, Kerkof & Nyquest  
Jennings attended by telephone.

**4) APPROVAL OF AGENDA:**

Burger moved to approve the agenda as written. Hartwell seconded the motion.

MOTION: Move to approve the agenda

F/S: Burger/Hartwell

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

NAYS: None

STATUS: Motion Passed.

**5) MAYOR'S REPORT:**

Mayor Burger had nothing to report.

**6) ADMINISTRATIVE REPORTS:**

**City Administrator:**

John Huestis provided the following Administrative Report:

- Worked on position descriptions and posting for ARPA Funds - EMS Coordinator and Fire Chief Resolution for Council Consideration Met with Jim Silverthorn to discuss history of the VFD and his past roles and if he is interested in re-engaging and in what capacity. He may be interested in the Chief position under the right conditions and with supportive leadership. Met with City of Whale Pass Mayor and signed Bill of Sale for \$1 for old library, this transferred ownership over to them, the city has until October 1 to get it moved. Kicked off negotiations for Fire/EMS Hall Design with Jensen Yorba Wall, Inc. an Architectural Firm out of Juneau. I will be meeting with owner Wayne Jenson on Friday and doing a site visit to help finalize the scope of work and contract I met with Shane Nyquest and worked with him and our insurance company, AMLJIA, to get a bid and get a claim settlement approved to move forward with City shop repairs.

- Worked with the SISD to draft the MOA that would transfer the property at the old floating schoolhouse over to the City if approved tonight, piling, floats, ramp, etc. I'm having conversations with potential towing company's about setting up a base contract to have derelict vehicles towed and impounded. There are state laws governing this operation so I need to get a little more education but I believe we would need to establish a secure fenced area inside of our Solid waste site to store them. I will be working on getting a proposal for this to the Council going forward.

**City Clerk Report:**

Teri Feibel provided the following report:

- Very happy to be home.
- Want to acknowledge Lisa Roseland for all of the additional work she had to do in my absence. Lisa is very organized and did a wonderful job in my absence. I would encourage the City Council to take the time to thank her for all that she does for the city including Accounts receivables, payables, payroll, customer services & acting clerk duties for the past 6 weeks.

**7) PUBLIC COMMENTS:**

**Brad Clark commented on the following:**

- Thanked the City Workers and the City Administrator for all of the work done on the roads this winter keeping the snow cleared and making the roads passable.
- Excited about the upcoming funding opportunities for road work. Recently spoke to Sara Yockey and she had nothing but wonderful things to say and is very excited to work with John moving forward
- Commend council for hiring Mr. Huestis

**Gary Anderson commented on the following:**

- Regarding the possible deal with SISD on the submerged tideland area, encouraged the city to investigate what is underneath where the float house was. Anderson had done a dive survey under it before they sold it, and the city may be surprised at what he found. There were batteries, dish washers, and more.

**Tim Lindseth commented on the following:**

- Commented on the road conditions for the South Thorne Bay Road. One area is on the Kasaan Road by Earnie Eads property, there are several logs popping up through the road there that really need to be dealt with. The grader hooked one up and pull it out. Had driven over the road about three weeks ago in a water truck and felt like he was going to break through the road. Suggested that the city use their excavator to pull the logs out and then put some rock back in there to firm that back up.
- Requested that the city do some ditching on the southside roads. The ditches get filled with water and then a heavy rain comes and water starts running down the steep hills right in the middle of road. The road is washing out there are numerous places that are that are like that. Lindseth stated he had fixed two or three lately because he was working right by them.

- Commented on the need for brushing areas along the road. Lindseth offered to meet with whoever is in charge of Streets & Roads to give them some input on what he believes needs to be done. Lindseth explained that there are several places in the subdivision where there are intersections that have stop signs, and the brush is so thick that a person has to pull clear out into the road to see if anyone is coming, so it seems to be a moot point.

**8) COUNCIL COMMENTS:**

**Hartwell commented on the following:**

- Apologies for missing the last workshop on February 15<sup>th</sup>. He had fallen asleep and woke too late. First meeting he had ever missed.

**Kerkof commented on the following:**

- At the last meeting Councilmember Jennings suggested utilizing 1% of the existing sales tax funds to fund the EMS department. Kerkof commented that in Jennings research the city clerk was nu

**Oatman welcomed the Clerk back from her vacation.**

**9) CONSENTAGENDA:**

**a) MINUTES**

- i. Minutes of the February 1, 2022, Regular City Council Meeting, discussion and action item:

Burger moved to approve the consent agenda consisting of the February 1, 2022, minutes of the City Council meeting. Hartwell seconded the motion. There was no further discussion.

**MOTION:** Move to approve the consent agenda consisting of the February 1, 2022, council meeting minutes.

**F/S:** Burger/Hartwell

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

**NAYS:** None

**STATUS:** Motion Passed.

**10) NEW BUSINESS:**

- a) Resolution 22-03-01-01, support entering a 3-year agreement with the Department of Transportation Adopt-A-Highway program, discussion and action item:

Burger moved to approve Resolution 22-03-01-01, supporting entering into a 3-year agreement with the Highway Department Transportation for "Adopt-A-Highway". Nyquest seconded the motion.

Burger commented that by entering into the agreement it would require it be done 3 times a year. Burger commented that the program does not currently cover the Southside Roads, Subdivision and Kasaan Road. Events Coordinator Amy Jennings suggested gathering volunteers willing to do that.

Nyquest commented that by entering into the agreement, the State would provide bags, safety gear and would provide recognition of the city.

Oatman stated he would volunteer for cleaning Southside roads. Oatman inquired if the city had a designated mile that was to be cleaned in the past years?

Burger commented the city had cleaned just past the bridge where the bumps are to Goose Creek turn-off. Hartwell stated that the council had done mile 5-6 one year, and another had a group of people and assigned each a mile. Hartwell stated one year he cleaned mile 2-3 and then did 12-13 but was not aware of the city never gone past that.

MOTION: Move to approve Resolution 22-03-01-01, supporting entering into a 3-year agreement with the Highway Department Transportation for "Adopt-A-Highway"  
F/S: Burger/Nyquest  
YEAS: Kerkof, Oatman, Hartwell, Stram, Burger, Nyquest & Jennings  
NAYS: None  
STATUS: Motion Passed.

- b) Resolution 22-03-01-02, authorizing the city to enter into an MOA with SISD for the transfer of improvements and personal property located along the waterfront of the Downtown Business District, discussion and action item:

Burger moved to approve Resolution 22-03-01-02 authorizing the city to enter into an MOA with SISD for the transfer of improvements and personal property located along the waterfront of the Downtown Business District. Hartwell seconded the motion.

**Discussion included.**

Nyquest commented that Gary Anderson had provided a comment regarding this under public comments. Nyquest added that a few years back someone had thrown a crab pot into the bay there and were unable to recover it. Nyquest suggested that the City proceed cautiously and make sure that we do not release SISD from liability relating to cleanup costs that may come up from where the float house was.

Nyquest inquired who owned the lands in question.

Huestis commented that the city owned the lands, however, the State owned the submerged tidelands.

Huestis suggested that based on the concerns expressed by the council, that they postpone action on the item until the city can talk with the district and address the concerns expressed. Burger withdrew his motion to approve Resolution 22-03-01-02. Hartwell withdrew his motion.

Burger moved to table Resolution 22-03-01-02 until further information can be obtained regarding liability of cleanup of submerged. Harwell seconded the motion. There was no further discussion.

MOTION: Move to table Resolution 22-03-01-02, until further information can be obtained regarding liability of cleanup of submerged lands  
F/S: Burger/Hartwell  
YEAS: Kerkof, Oatman, Hartwell, Stram, Burger, Nyquest & Jennings  
NAYS: None  
STATUS: Motion Passed.

c) **Resolution 22-03-01-03**, Allocating ARPA Funds to Fire and EMS Departments, discussion and action item:

Burger moved to approve Resolution 22-03-01-03, Allocating ARPA Funds to Fire and EMS Departments. Nyquest seconded the motion.

Huestis explained the purpose of the Resolution was to allocate the ARPA grant funds to rebuild the City's Fire and EMS departments. The fund would be split 50/50 to Fire and EMS with a majority of the funds that are allocated to EMS will be used for an EMS Coordinator salary. The Recovery Fund also is intended to support government services to the extent of reduced revenues due to the COVID-19 public health emergency relative to revenues in the most recent full fiscal year prior to the emergency. Kerkof commented that he had reservations about splitting the grant funding 50/50 between the EMS and Fire because there was greater need in the EMS department. Kerkof added that Fire Department was not less important, but there were more personnel needs in EMS. Huestis explained that the City Council could chose a different amount for each department if it was what they wanted to do. Huestis explained that EMS had more need for personnel and fire more fore equipment and apparatus. Oatman requested clarification on the how the wages were determined for the departments with EMS Director getting paid \$50,000.00 and the Fire Chief getting \$25,000.00. Huestis responded that the wages were not definitive and would be determined based on the applicant's education and experience. The EMS position would be for a term of two years, while the Fire Chief was set for a term of one year.

The City Clerk explained that the Council could come back later and amend the resolution to change how the funds were distributed. By approving this resolution, it provides direction for how the funds will be spent at this time, but if the needs change, the council does have the authority to bring the resolution back and make changes to how the funds were allocated.

MOTION: Move to approve Resolution 22-03-01-03, Allocating ARPA Funds to Fire and EMS Departments  
F/S: Burger/Nyquest  
YEAS: Kerkof, Oatman, Hartwell, Stram, Burger, Nyquest & Jennings  
NAYS: None  
STATUS: Motion Passed.

- d) Resolution 22-03-01-04, Accepting bids and approving contract with NEWlook Construction for insurance related repair of the City Shop, discussion an action item:

Burger moved to approve Resolution 22-03-01-04, accepting the bids and approving contract with NEWlook Construction for insurance related repair of the City Shop. Hartwell seconded the motion. Nyquest abstained from discussions and voting under the claws of conflict of interest for direct financial gain. The mayor agreed and authorized Nyquest to abstain from voting.

Huestis commented that this stemmed from two separate claims filed with the City's insurance company, AML. One claim was for damage to the city truck and the other the City Shop. The insurance company requested that the city get quotes for time, materials, freight and labor. Wanting to keep our work as local as possible, Amy and Lisa reached out to some local contractors and notified them of the project and encouraged them to submit bids. Three of the contractors we had reached out to initially were Jeff Bergman, Mike Hamme and Packer Construction. After receiving no bids, we reached out to Shane Nyquest's company NEWlook Construction. The only viable bid received was from NEWlook Construction for a total of \$26,900. The city's insurance company would pay \$21,900, and the city would pay the deductible amount of \$5,000. Hartwell inquired if NEWlook Construction was Licensed, Bonded and Insured. Nyquest responded that he was. There was further discussion.

MOTION: Move to approve Resolution 22-03-01-04, accepting bids and approving contract with NEWlook Construction for insurance related repair of the City Shop  
F/S: Burger/Hartwell  
YEAS: Kerkof, Oatman, Hartwell, Stram, Burger & Jennings  
NAYS: None  
ABSTAINED: Nyquest  
STATUS: Motion Passed.

- e) Discussion and possible action item: discussion of annual support of the ThorneBay Basketball Team Fundraising program:

Mayor Burger explained that this was submitted by the Thorne Bay School Boys Basketball Team and the City's Events Coordinator, Amy Jennings had suggested that the city get the school to commit to a cleanup program instead of a plaque.

The City Clerk requested direction from the City Council whether or not to draft a resolution that would say "yes", the council does want to donate annually, and request that the resolution be specific as to what the Council wants from the basketball team.

Discussion included that the resolution should include direction for:

- how much would be donated
- would it be reoccurring
- would it be a donation be contingent upon them providing a service

Oatman stated the written request is specific to the Boys Basketball Team and what if in later years it is a joint team of both boys and girls.

Stram inquired if the council obligated a donation every year if it would obligate the school to put together a basketball team every year?

Jennings commented that the city should be supporting the local sports teams to show that we do .

11) **ORDINANCE FOR PUBLIC HEARING:** (None)

12) **ORDINANCE FOR INTRODUCTION:** (None)

13) **EXPENDITURES EXCEEDING \$2,000.00:** (None)

14) **CONTINUATION OF PUBLIC COMMENT:**

**Sheryl Kerkof commented on the following:**

- In the past years the school used to do fundraisers such as dinners, auctions and date nights.

15) **CONTINUATION OF COUNCIL COMMENT:**

**Nyquest commented on the following**

- Part of the reason fundraisers have decreased are due to decreased players

**Oatman commented on the following:**

- Reiterated his desire for new park equipment for the children both in town and at Davidson Landing. Existing equipment is dangerous, and the Council really needs to do more for the children

**Nyquest commented on the following**

- Many years ago, there was a plan put together by DOWL, what happened with that?
- Huestis responded that he had applied for this exact funding through a CAPSIS grant, and it was created directly from the Waterfront Masterplan that Councilman Nyquest was referring to.

**Stram commented on the following:**

- Southside roads are getting in rough shape again. Potholes are very large and takes a toll on individuals' vehicles.
  - Thank you to Tony with OVK for being out there today filling in some of those potholes.

Huestis commented that he had been working with Sara Yockey on their plan for rebuilding that road and had recommended some grants that the City and OVK could go after through either a partnership or on their own.

- Huestis added that he put a proposal together to Southeast Conference to get funding for design and construction funds for the Southside roads.
- Stram suggested that the Administrator put together a memo of all the work he has been doing to get funding for upgrading and repairing the roads. This write up could be provided to the public upon request.

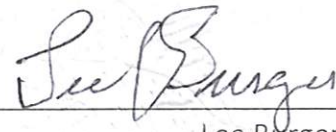
Huestis commented that he understood what Jon was saying and does want to tell

the public we are trying to get funding, but reluctant to give too much detail and set their expectations high and then it not happens as quickly as they may want.

- Stram offered to write the notice up for John from information that he has.
- The City Clerk commented that she used to do a monthly newsletter, but when we lost Wayne Benner as the City Administrator, things got extremely hectic and a lot of added duties were put on the clerk and the rest of the office staff. The clerk stated she would try to start up the newsletter again.

**16) ADJOURNMENT:**

Mayor Burger adjourned at 8:08pm



A handwritten signature in black ink that reads "Lee Burger". The signature is written in a cursive style and is positioned above a horizontal line.

Lee Burger, Mayor

ATTEST:



A handwritten signature in blue ink that reads "Teri Feibel". The signature is written in a cursive style and is positioned above the printed name.

Teri Feibel, CMC