

AGENDA

FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR THE CITY OF
THORNE BAY, ALASKA
TUESDAY, September 20, 2022
TIME: 6:30 p.m.

THERE WILL BE A WORKSHOP BEGINNING AT 6:00PM

LOCATION: IN PERSON AT CITY HALL or TELECONFERENCE/VIDEO CONFERENCING LINE

Phone Number: 1- 650-479-3208

<https://cityofthornebay.my.webex.com/cityofthornebay/my/j.php?MTID=m42b083fd76962762fbfe73f3a84b405b>

Meeting number: 182 229 9375 Password: D4gxVSXpz84 (34498797 from phones and video systems)

- 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:
 - b) Department Reports:
- 7) PUBLIC COMMENTS:
- 8) COUNCIL COMMENTS:
- 9) CONSENT AGENDA:
 - a) MINUTES
 - i. Minutes of the August 2, 2022, Regular City Council Meeting, discussion and action item:
- 10) NEW BUSINESS:
 - a) Resolution 22-09-20-01, appointing 6 Election Officials to serve as Election Judges at the Thorne Bay City Hall and Davidson Landing Polls, for the October 4, 2022, Regular Municipal Election, discussion and action item:
- 11) ORDINANCE FOR PUBLIC HEARING:
 - a) Ordinance 22-09-20-01, amending Thorne Bay Municipal Code Title 17-Zoning, Chapter 17.04-Planning and Zoning, Section 17.04.028-Industrial Zone, Adding Residential Housing as a permitted use under the Conditional Use Permitting process, discussion and action item:
- 12) EXPENDITURES EXCEEDING \$5000.00:
 - a) Authorizing an expenditure of \$50,000.00 from Streets & Roads for crushing rock in the city's Sandy Beach rock pit, discussion and action item:
- 13) ORDINANCE FOR INTRODUCTION:
- 14) CONTINUATION OF PUBLIC COMMENT:
- 15) CONTINUATION OF COUNCIL COMMENT:
- 16) ADJOURNMENT:

POSTED: September 16, 2022



MINUTES
FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR THE
CITY OF THORNE BAY, ALASKA
TUESDAY, August 2, 2022
TIME: 6:30 p.m.

THERE WAS A WORKSHOP BEGINNING AT 6:00PM

1) **CALL TO ORDER:**

Mayor Burger called the meeting to order at 6:30pm

2) **PLEDGE TO FLAG:**

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

3) **ROLL CALL:**

Burger, Oatman, Jennings, Stram and Hartwell were present.
Nyquist and Kerkof were excused.

4) **APPROVAL OF AGENDA:**

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

MOTION: Move to approve the agenda
F/S: Burger/Jennings
YEAS: Burger, Hartwell, Oatman, Jennings & Stram
NAYS: None
STATUS: Motion Passed.

5) **MAYOR'S REPORT:**

- Still active COVID cases, so encourage the public to continue practicing proper hygiene.

6) **ADMINISTRATIVE REPORTS:**

a) **City Administrator:**

Working on typical summertime maintenance issues and special projects as required.

- Working on a recruitment for a new Library Director
- Our new mini excavator arrived last week and we had a brief training on its operation. We found a new trailer from DBARC in Oregon. Thank s Tony Lovell.
- I have been in contact with AP&T about the broadband grants that are bringing new high-speed Internet to communities on POW to discuss what can be done for the City of Thorne Bay
- OVK has had some resignations within their DOT and I have offered to help them in an

- interim capacity until they can recover, in order to maintain program continuity
- Tongsgard should be back Thursday or Friday to load up the recycled metals from the solid waste facility on their barge currently in Tolstoi
 - I have been talking with Mike Williams about drilling and shooting the rock in cell no. 2 at the landfill. We can sell the rock and also level the site for future operations

City Clerk Report:

- Newsletter is out, check that out on our website and I will post them around town as well.
- EMS Fundraiser Dinner – Friday 5:30pm
- Kids Fishing Day August 6th at 9am at Gravely Creek
- Annual Thorne Bay Days August 6th at 12pm at the Ball Field and Court. We will have vendors and many games and other fun activities for folks. We are hoping each year to grow the event more and more and eventually get it back to how the Logging Show used to be.
- Neighborhood Yard Sale on Saturday, August 13th
- Marry Cook had submitted a written request for the council to allow for a nanobrewery in Thorne Bay, this was missed for the agenda, but I did follow up and request she set a meeting with the administrative staff

7) **PUBLIC COMMENTS:**

Harvey McDonald provided the following comments:

- Commented that the IFA continues to run at full capacity without any issues.
- Thanked the City Administrator for being so proactive in the City getting fiber optic internet in Thorne Bay.
 - Huestis commented that he had been reaching out to AP&T since he was hired trying to find out about the new submarine cable that was supposed to bring high-speed internet to the Island but had troubles getting anyone to return his calls.
Since then, an article came out in the newspaper about how AP&T got a grant to provide this internet to Craig, Klawock & Hollis. Later that day Huestis received a call from a gentleman with the Governor’s Office who was reaching out to local communities to see what issues they have going on, so he mentioned that he had been trying to get ahold of someone with AP&T regarding this internet. Later that day he finally received an email from someone with AP&T and we have set up a meeting to discuss this.

Juanita Stram provided the following comments:

- The church will be holding a desert contest across the street from the Restaurant just after Pig-Nic Dinner. Invited everyone to attend.

**Glen Holt, UAF Cooperative Extension Forester, and Resident of Greentree Heights
Subdivision provided the following written report to the City Council and the Clerk read it into
the record:**

“Dear Mr. Mayor and City Council Members:

I am working with the USFS Wildfire Supervisor in the Thorne Bay Ranger District to provide you a list of Fire Cache supplies and equipment to have on hand and operable in the event of a larger than normal, multi-day wildfire event.

This “Fire Cache” equipment list should give the City a good idea what we might want to have on hand and in operable possession separate from the USFS “Fire Cache” but in addition to it and available to the City to use if needed to suppress wildfires within Thorne Bay City Limits.

A discussion is also occurring with the Forest Service and the Type, Capacity and tooling of two 3/4-ton 4-wheel drive pickup trucks outfitted with slip on 100-gallon water holding and pumping capacity, and with tools for “rapid response initial attack” (IA) of wildland fires (only).

We are scoping (with the Forest Service Fire Supervisor) what the City might purchase within City budget and grants the purchase of those two IA trucks and/or whether those trucks be upgraded to one-ton pickups have four-door and 4-wheeled drive capacity. A difference in cost should be determined. Those two trucks for instance, could be pre-positioned in Thorne Bay and on the south side at Davidson’s Landing.

Tools and apparatus the USFS might suggest could include hand tools, shovels, Pulaski’s; water pumps, hose ~ size and lengths, gated Y valves, nozzles, clamps, fedco backpack hand water pumps, chainsaws, chainsaw kits, Personal Protective Gear (i.e. helmets, fire clothing, protected toed boots, leather gloves, eye protection, hearing protection, etc.)

Much of this gear appears to be on back order at this time but when the City determines what is needed based on their priority and budget and grant cycles, orders can be placed that within grant spending parameters. I look forward to hearing from the USFS Fire Supervisor as soon as their time allows, But I also need to know when the CITY this needs the list to fit current grant cycles. The idea of having Initial Attack Wildland Fire protection equipment could be crucial to rapidly responding to wildfires during hot, dry, windy periods when wildfires are most likely to be a serious risk to people and property. Wildfires nationwide are becoming larger quicker. Prince of Wales Island too might in the near future become more prone to hotter, drier and windier weather conditions as the climate seems to be slowly changing with time. Remembering that warm, dry, windy conditions can occur on Prince of Wales Island, it is in my opinion and experience (29-years in wildfire suppression) to be operably prepared. When wildfire danger is high or worse, wildfire equipment and personnel may be tapped and otherwise assigned to other fires and even unavailable. Rapid response and Initial Attack wildfire resources,

training and personnel are essential to keeping wildfires small and manageable in order to protect our lives and property. I will keep you posted. Please give me timelines.

Respectfully,
Glen Holt
UAF Extension Forester”

8) **COUNCIL COMMENTS:**

Jon Stram commented on the following:

- Inquired if the list of fire equipment needed would also augment what they would use on a regular fire too?

Jennings commented on the following:

- Inquired what would be happening with the OVK road project we had planned now that the Kasaan Transportation Director resigned.
 - Huestis responded he was still working towards getting that completed this year. Currently needed to find another equipment operator after the loss of Bill Yockey.

9) **CONSENT AGENDA:**

a) **MINUTES**

- i. Minutes of the July 19, 2022, Regular City Council Meeting, discussion and action item:

Burger moved to approve the consent agenda consisting of the minutes for the July 19, 2022, Regular City Council Meeting. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the consent agenda adopting the July 19, 2022, City Council Minutes

F/S: Burger/Hartwell

YEAS: Burger, Hartwell, Oatman, Jennings & Stram

NAYS: None

STATUS: Motion Passed

10) **NEW BUSINESS:**

- a) **Resolution 22-08-02-01**, supporting the amendment of Industrial Zone to allow Residential Uses as a Conditionally Permitted use within the zone, discussion and action item:

Burger moved to approve Resolution 22-08-02-01. Stram seconded the motion. City Clerk explained that the intent for this resolution was to address the non-compliance of residential use that is going on within the Goose Creek Subdivision which was zoned industrial. The intent is to provide an avenue for people to live in the Industrial Zone only upon approval of a Conditional Use Permit. By requiring them to get the permit, it allows the City to provide them with the Industrial Zone regulations and explain that the uses within the zone are likely to be noisy, dusty, and increased traffic, and explain that they are knowingly choosing to live within the area and there could be no complaints. Concerns that have been brought up about this is that the residents would grow and eventually not allow

for any industrial uses. The City Clerk stated that if the Council approved the resolution, she would then draft an ordinance that would include Residential living in the Industrial Zone upon approval of a Conditional Use Permit. The Clerk would also send notice to all property owners within the Industrial Zone of the proposed amendment to allow them the opportunity to comment. There was further discussion.

MOTION: Move to approve Resolution 22-08-02-01
F/S: Burger/Stram
YEAS: Oatman, Jennings, Burger, Hartwell & Stram
NAYS: None
STATUS: Motion Passed.

b) **Authorizing a donation of \$500.00, to the Annual Thorne Bay Days Celebration, to be used for awarding Cash Prizes, discussion and action item:**

Burger moved to approve the donation of \$500.00, to Annual Thorne Bay Day's. Oatman seconded the motion. Oatman inquired if the funds were to be used for prizes? The City Clerk explained this money was intended for the cash prize awards. There was no further discussion.

MOTION: Move to approve the donation of \$500.00 to the Annual Thorne Bay's Celebration
F/S: Burger/Oatman
YEAS: Jennings, Burger, Oatman, Stram & Hartwell
NAYS: None
STATUS: Motion Passed.

c) **Authorizing a donation of \$500.00, to the Thorne Bay Fishing Derby, discussion and action item:**

Burger moved to approve the donation of \$500.00 to the Thorne Bay Fishing Derby. Oatman seconded the motion. Hartwell commented that the City Council has done this in the past and supports it this year. There were no further comments.

MOTION: Move to approve the donation of \$500.00 to the Thorne Bay Fishing
F/S: Burger/Oatman
YEAS: Jennings, Burger, Oatman, Stram & Hartwell
NAYS: None
STATUS: Motion Passed.

11) **CONTINUATION OF PUBLIC COMMENT:**

Harvey McDonald commented on the following:

- Inquired if the city was going to be purchasing the fire suppression equipment from the Forest Service or was it going to be donated?
 - City Clerk responded the City would purchase the equipment using ARPA Grant Funding that was allotted to the Fire Department of approximately \$130,000.00.
 - Administrator Huestis commented that Glenn Holt was providing the City

with bids and list to give us an idea about the availability of equipment that we might consider, which I believe is good.

- McDonald commented that he did not want to see the City get a pump truck that only holds 100 gallons of water. The USFS has gone to a 300 gallon which requires a bigger tank.

Glen Holt commented on the following:

- The 100-gallon slip tank works well with a 3/4 pickup truck or a One-ton pickup truck with 4 doors.
- A 350-gallon slip tank works with a 550 Ford and is much more of an expensive piece of equipment.
- The smaller tanks would be for initial rapid response and not intended for larger fires.

12) CONTINUATION OF COUNCIL COMMENT:

Mayor Burger thanked Glen Holt and Harvey McDonald for their input on the City's fire suppression equipment needs.

13) ADJOURNMENT:

Mayor Burger adjourned the meeting at 7:07 p.m.

ATTEST:

Lee Burger, Mayor

Teri Feibel, CMC



Introduction:	<u>September 20, 2022</u>
Approval Date:	<u>September 20, 2022</u>
Vote:	___ Yeas, ___ Nays, ___ Absent

**CITY OF THORNE BAY
RESOLUTION 22-09-20-01**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF THORNE BAY, APPOINTING SIX ELECTION WORKERS TO SERVE AS ELECTION JUDGES AT THE POLLS IN CITY HALL AND DAVIDSON LANDING FOR THE REGULAR MUNICIPAL ELECTION ON OCTOBER 4, 2022.

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

WHEREAS, in accordance with the Thorne Bay Municipal Code, Chapter 2.28-Elections, Section 2.28.090 Election Judges, before each city election, the council shall appoint three judges for each city polling place to constitute the election board for the polling place; and

WHEREAS, the election judges shall be registered voters of the City; and if the council is unable to locate a registered voter in the city who is willing and able to serve on the election board, they may appoint a qualified individual registered to vote in the state. The city clerk may appoint up to two additional election judges at any polling place when necessary to facilitate the orderly conduct of the election or to relieve the judges of undue hardship; and

WHEREAS, there is a Regular Municipal Election scheduled for Tuesday, October 4, 2022, with Polls to be open at City Hall and Davidson Landing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF THORNE BAY, ALASKA, that the following registered voters are hereby appointed to serve as Election Judges for the October 4, 2022, Regular Municipal Election:

City Hall Poll Election Judges:

1. DeAnn Minnillo
2. _____ (vacant-Clerk shall appoint)
3. _____ (vacant-Clerk shall appoint)

Davidson Landing Election Judges:

1. Kaylee Moen
2. Monica Douglas
3. _____ (vacant-Clerk shall appoint)

PASSED AND APPROVED by the City Council of the City of Thorne Bay, Alaska this 20th day of September 2022.

Attest:

Lee Burger, Mayor

Teri Feibel, CMC



Introduction: September 6, 2022
Public Hearing: September 20, 2022
Vote: ___ Yeas, ___ Nays, ___ Absent

CITY OF THORNE BAY
ORDINANCE 22-09-20-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA,
AMENDING TITLE 17-ZONING, CHAPTER 17.04-PLANNING AND ZONING, SECTION
17.04.028 – INDUSTRIAL ZONE, SUBSECTION 17.04.028 (B) & (C) ADDING RESIDENTIAL
LIVING AS A CONDITIONALLY PERMITTED USE WITHIN THE INDUSTRIAL ZONE

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. Purpose. The purpose of this ordinance is to allow for the use of Residential Living as a Conditionally Permitted use within the Industrial Zone. As the code is currently written, residential housing is only permitted as “accessory uses” to a permitted Industrial Use. The amendment would allow for property owners who are not operating a business on their lot, to use the land for residential living quarters, by applying for a Conditional Use Permit through the Planning and Zoning Commission.

Section 3. Amendment to Code. Amendments to the Thorne Bay Municipal Code are identified by the followings means: ~~(strike through)~~ indicates text to be deleted from and **(BOLD BLUE & CAPITALIZED)** indicates text added to the current code.

The Chapter and Sections of Title17-Zoning, Chapter 17.04-Planning and Zoning, Section 17.04.028-Industrial Zone, Subsections (B) & (C), are hereby amended and added to the Thorne Bay Municipal Code as written on pages 3 & 4 of this Ordinance #22-09-06-01.

Section 4. 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 4. Effective Date. This ordinance shall become effective upon adoption.

PASSED AND APPROVED: September 20, 2022

Lee Burger, Mayor

ATTEST:

Teri Feibel, CMC

ADDITIONS ARE IN BLUE AND CAPITALIZED

~~Deletions are red and stricken~~

AMENDMENT OF TITLE, CHAPTER & SECTION:

TITLE 17 – ZONING

CHAPTER 17.04 – PLANNING & ZONING

THE FOLLOWING AMENDMENTS SHALL BE ADDED TO THE THORNE BAY MUNICIPAL CODE AS PROVIDED ON PAGES 3 & 4 OF THIS ORDINANCE

SECTION 17.04.028 INDUSTRIAL ZONE.

This zoning designation is intended to provide an area that is suitable for both heavy and light industrial uses such as manufacturing, processing, repairing and assembling.

[Section 15.04.020](#) stipulates that “Development Plans” are required of all building to make the public aware of setback requirements and eliminate building encroachments into right-of-way, easements and other properties. (Ordinance 17-08-15-01; prior Ord. 16-01-05-02)

A. PERMITTED USES.

1. Solid waste disposal facilities;
2. The manufacturing, processing, repairing, assembling and disassembling, compounding, packaging treatment, fabrication and warehousing of materials or property;
3. The storage of fuels or propane in compliance with applicable fire codes;
4. Junkyards and salvage yards that are screened from view from when adjacent to a public right-of-way;
5. Mining and quarry operations;
6. Sand and gravel operations;
7. Vehicle, marine and equipment storage;
8. Heavy and light equipment repair and maintenance;
9. Commercial nurseries and greenhouses;
10. Commercial or private stabling of farm animals;
11. Commercial sawmills shake and shingle mills;
12. Commercial lumber mills and the retail sale of lumber;
13. Moving, trucking and transportation firms;
14. Accessory Uses.
 - a) Office that is accessory to the permitted use,
 - b) Watchman’s quarters, owner/operator residence, or bunkhouse if applicable.

B. CONDITIONAL USE.

1. Any ~~commercial~~ use that is not an expressly permitted use;
2. Storage and sale of explosives.

3. RESIDENTIAL USE.

C. PROHIBITED USE.

1. Uses that degrade air, water and land without effective mitigative procedures that alleviate negative impacts;

~~2. Residential subdivision.~~

D. PROPERTY DEVELOPMENT STANDARDS.

1. Minimum lot size: two acres with Alaska Department of Environmental Conservation review and approval.
2. Minimum lot width: one hundred fifty feet.
3. Setback Requirements.
 - a. Front yard: twenty feet.
 - b. Rear yard: twenty feet.
 - c. Side yard: twenty feet.
4. Maximum lot coverage by buildings: no limitations, setback requirement must be met.
5. Maximum height: no restrictions.
6. Within five years of purchase, improvements to the property must be equal to the value of the property at the time of purchase.

E. PARKING REQUIREMENTS.

All parking must be in compliance with Section 17.04.041.

F. SEWAGE SYSTEMS AND TREATMENT.

All private sewerage treatment plans and subdivisions must be approved by the Alaska Department of Environmental Conservation.

G. FENCES, WALLS AND HEDGES:

Fences, Walls and Hedges may be built up to the property line and shall not obstruct vehicular visibility. (Ordinance 17-08-15-01; prior Ord. 93-23 § 6(part), 1993)