

## AGENDA

FOR THE REGULAR MEETING  
OF THE CITY COUNCIL FOR THE  
CITY OF THORNE BAY, ALASKA  
TUESDAY, January 17, 2023

TIME: 6:30 p.m.

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THERE WILL BE A WORKSHOP BEGINNING AT 6:00PM

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

Phone Number: 1-408-418-9388

Meeting Link: <https://cityofthornebay.my.webex.com/cityofthornebay.my/j.php?MTID=mbc8920b66dc6b262b557723d050a5ae6>

Meeting number: 182 229 9375

Meeting password: D4gxVSXpz84 (34498797 from phones and video systems)

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- 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:
- 7) PUBLIC COMMENTS:
- 8) COUNCIL COMMENTS:
- 9) CONSENT AGENDA:
  - a) **MINUTES**
    - i. Minutes of the January 3, 2023, Regular City Council Meeting, discussion and action item:
- 10) **NEW BUSINESS:**
  - a) **Resolution 23-01-17-01**: Adopting An Alternative Allocation Method For The FY23 Shared Fisheries Business Tax Program, Discussion And Action Item.
  - b) **Solid Waste Low-Cost Spring Clean Up Day CY23 Discussion And Possible Action Item:**
- 11) ORDINANCES FOR PUBLIC HEARING:
  - a) **Ordinance 23-01-17-01**, amending Title 2-Administration & Personnel, Chapter 2.28-Elections, Section 2.28.015-Polling Locations, as requested through a referendum petition received December 7, 2022, from registered voters of Thorne Bay, discussion and action item:
- 12) CONTINUATION OF PUBLIC COMMENT:
- 13) CONTINUATION OF COUNCIL COMMENT:
- 14) ADJOURNMENT:

POSTED: January 13, 2023

## MINUTES

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

TUESDAY, January 3, 2023

TIME: 6:30 p.m.

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### **THERE WAS A WORKSHOP THAT BEGAN AT 6:00PM**

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

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, LaVoie and Hartwell were present.  
Nyquest was absent.

4) **APPROVAL OF AGENDA:**

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

MOTION: Move to approve the agenda

F/S: Burger / Hartwell

YEAS: Burger, LaVoie, Hartwell, Jennings, Oatman & Stram

NAYS: None

STATUS: Motion Passed.

5) **MAYOR'S REPORT:**

Mayor Burger reported the following:

- We lost Councilmember Greg Kerkof about a month ago, and I had been looking for a name to put on the new Recreation Hall. I have prepared a rough draft of a recreation hall that would be named the Greg Kerkof Memorial Hall.

6) **ADMINISTRATIVE REPORTS:**

a) **City Administrator:**

**John Huestis provided the following administrator report:**

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

- Through interim time with Kasaan Tribe and some permanent time, had been working diligently in getting funding for the Kasaan Road. Recently received notice from Federal Highways that three of the bridges on the Kasaan Road were eligible for funding. Those three bridges will be worth 15 million dollars of work going into those bridges. Those funds will boost the local economy by hiring local. The fourth bridge was funded through the Local Access Road with \$250,000.00 for realignment and design of that bridge. The

- funding for construction of the Tolstoi access bridge will be about 4 or 5 million dollars.
- The entire 17.4 mile of the Kasaan/Goose Creek Road is about seventy-two million dollars.
  - This roadwork will save the city and the tribe money. Right now, the City pays the tribe to
  - We have made a recommendation for a new City Clerk. We will be discussing this later in the meeting and have an appointing Resolution for your consideration.
  - You have a Resolution in tonight's packet to approve the cost of re-subdivision of the Business District Subdivision to better suit the potential waterfront uses of the property. Along with this Resolution request I have provided an explanation of the concept and vision for the future use of the property by the prospective lessee.
  - A short list of achievements in 2022 to acknowledge our progress
    - Got a grant for hazardous materials clean-up and demolition of the old fire hall
    - Donated old Library to Whale Pass and built a deck and ramp on new library
    - Remodeled administrator office
    - Purchased Administrative vehicle for City Business
    - Assuming council passes the resolution tonight, hired a new City Clerk
    - Cleaned up junk vehicles and the Silver Doll boat at City Hall
    - Cleanup and recycled all metals at solid waste facility
    - Held a surplus auction for surplus city property
    - Got the EMS boat in motion for repairs and got motors and controls purchased and installed
    - Purchased mini excavator – which we have been using and will get reimbursed through renting to claw trail project
    - Purchased new plow and made repairs to International 5 Yarder plow and sander
    - Purchased new Sander and plow for Solid Waste F550 to be used on the Southside Roads
    - Demolished the Bay Chalet
    - Processed two insurance claims for vehicle/shop and excavator damage that required a new cab
    - Drilled and Blasted rock in solid Waste facility - selling to projects
    - Crushed 3,500 CY of D-1 and another 1000 CY of 3" minus
    - Constructed the Port to Claw Trail RAC Project that had been on the books for 5 years
    - Begin construction on the Kasaan Road Intersection RAC Project which was on the books for the past 4-5 years
    - Did some heavy maintenance and ditching on the Kasaan Road at 3-mile hill and made nice improvements there using a small crew and minimal resources
    - Completed the design of a new Fire/EMS Hall and got permits for tideland fill from ACE and fire marshal permits
    - Completed application and permit renewal for Wastewater Treatment Plant - 5 years
    - Demolished the Seanna and disposed of it to clean up harbor as it kept trying to sink and we had no luck getting anyone to take ownership of the vessel
    - Updated Solid Waste Facility Operations and Management Plan which will clean up and provide more space for upcoming years
    - Installed additional traffic signage on Southside. Subdivision and Kasaan Road
    - Cleaned up lot 4 of the Business District subdivision and extinguished lease SISD
    - Processed new property leases to Papac, SISD & Road Builders with increased rents

- annually based on COLI, which is tied to an index so it is not static
- Improved the ball field and the track for recreational uses
  - Contracted for new EMS Management and made improvements to EMS Department
  - Made plumbing improvements at Solid Waste and at WWTP
  - Worked with AP&T/Denali Commission to get \$100,000 grant for Broadband Application which we are in the running for and stand a good chance of getting 15 million dollars to get Thorne Bay hooked up to Broadband. AP&T has done an excellent job at advocating for that which they would not have done had we not jumped up and down to get their attention
  - Transitioned away from City Mechanic to contract model for heavy diesel mechanic
  - Worked on several pieces of equipment to get them repaired (backhoe, loaders, exc.)
  - Completed a major budget Amendment
  - Revised City's Purchasing Policy and established new contracting processes & templates
  - Identified local trucking firm to provide city hauling and towing at a reasonable cost with Harata Trucking. They show up within a day and only charge \$150 vs. \$800 from others
  - Prepared for and passed a 3-year solid waste facility inspection by ADEC, we scored an 80 which they stated was good
  - Established key relationships with Alaska state officials SE Region DOT, Senators, etc. which comes in handy when we go to look for funding
  - Scanned and electronically archived a massive amount of old hard copy city records
  - Transitioned from old library to new library and hired a new Library Director
  - New planter boxes, healthy heart trail repairs and brushing, cleaned up the boat launch park, organized and help to facilitate Community Christmas dinner, Art Extravaganza, Thorne Bay Days, Top of the Dock Party & Adventure Group on Jet Skis
  - Did an Adopt-a-Road Litter pick up contract with State MP 1-18
  - Implemented Coupons for Solid Waste Spring cleanup to give more flexibility homeowners on how they can use their free dump days
  - Processed, negotiated, accepted, and managed the USFS Barge at the Harbor which has worked out really well

**Oatman commented on the following:**

- Did we get an update on the EMS Boat?
  - John, not yet they were going to park it and hoped to get it worked on this month

**Hartwell commented on the following:**

- Congratulations on getting funding for the bridges on Southside.
  - John, thank you. Large accomplishment because Kasaan had applied for this same funding years ago and were told they were not eligible. I took a different approach and was awarded it.

**7) PUBLIC COMMENTS:**

Laura Jennings commented on the following:

- Thank all of the hard-working employees who have stepped up and taken on

additional duties this last month. With Teri gone, Lisa stepped up and it has been hard. James has been plowing and taking hard of the roads over the holidays. A lot of the employees have been working hard, not just the two mentioned.

8) **COUNCIL COMMENTS:**

Hartwell commented on the following:

- The lights at the Claw were purchased and installed by the Mayor

Burger commented on the following:

- Someone stacked the two picnic tables on top of each other which were then blown over in the windstorm and destroyed them.

9) **CONSENT AGENDA:**

a) MINUTES

- i. Minutes of the December 20, 2022, Regular City Council Meeting, discussion and action item:

Burger moved to approve the minutes of the December 20, 2022, Regular City Council Meeting. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to pass the minutes of the December 20, 2022, Regular City Council Meeting  
F/S: Burger/Hartwell  
YEAS: Burger, LaVoie, Hartwell, Jennings, Oatman & Stram  
NAYS: None  
STATUS: Motion Passed.

10) **NEW BUSINESS:**

- a) Resolution 23-01-03-01, appointing a new City Clerk/Treasurer for the City of Thorne Bay, discussion and action item:

Burger moved to approve Resolution 23-01-03-01. Oatman seconded the motion. There was no further discussion.

MOTION: Move to approve Resolution 23-01-03-01, appointing a new City Clerk/Treasurer for the City of Thorne Bay  
F/S: Burger/Oatman  
YEAS: Burger, LaVoie, Hartwell, Jennings, Oatman & Stram  
NAYS: None  
STATUS: Motion Passed.

- b) Resolution 23-01-03-02, authorizing authorizes the expenditure of up to \$9,500.00 for the surveying, re-subdivision and replat of the Downtown Business District Subdivision, discussion and action item:

Burger moved to approve Resolution 23-01-03-02, authorizing authorizes the expenditure of up to \$9,500.00 for the surveying, re-subdivision and replat of the Downtown Business District Subdivision. Oatman seconded the motion.

Huestis commented that the current layout provides the road along the 50-foot access easement along the water which causes restraints to those who may be wanted to lease and develop the property. The subdivision was originally platted over 15 years ago with a few of the lots being sold, and the remaining lots have sat vacant.

With the resurvey, the utilities and waterlines will need to be addressed as they would be negotiated when the city receives the development proposals. If they need to be reconfigured it would be done in an equitable manner for the City and still allow the use of the property.

I am working with individuals who are interested in leasing lots 4 & 5, and I have provided to the council a general concept of what they are interested in doing.

I do not have preconceived outcome for this request and had already intended for the surveyor to take a look at the property and the beach access easements that is required by the state, look at the potential reconfigurations of roads to achieve the purpose that we want.

Hartwell inquired if the boat washdown station would still be there? Huestis commented that the individuals looking at leasing the property would include that into their use. Again, we have not entered into an agreement with anyone at this time.

Huestis commented the funding would be paid from the Community Economic Development Fund and not the city's operating budget.

MOTION: Move to approve Resolution 23-01-03-02, authorizing authorizes the expenditure of up to \$9,500.00 for the surveying, re-subdivision and replat of the Downtown Business District Subdivision

F/S: Burger/Oatman

YEAS: Burger, LaVoie, Hartwell, Jennings, Oatman & Stram

NAYS: None

STATUS: Motion Passed.

- c) **Resolution 23-01-03-03**, amending the authorized bank account signers for the City of Thorne Bay's Tongass Federal Credit Union and Wells Fargo Investment accounts, discussion and action item:

Burger moved to approve Resolution 23-01-03-03, amending the authorized bank account signers for the City of Thorne Bay. Oatman seconded the motion. There was no further discussion.

MOTION: Move to approve Resolution 23-01-03-03, amending the authorized bank account signers for the City of Thorne Bay's Tongass Federal Credit Union and Wells Fargo Investment accounts

F/S: Burger/Oatman

YEAS: Burger, LaVoie, Hartwell, Jennings, Oatman & Stram

NAYS: None

STATUS: Motion Passed.

11) **ORDINANCES FOR PUBLIC HEARING: None**

12) **ORDINANCES FOR INTRODUCTION:**

- a) Ordinance 23-01-17-01, amending Title 2-Administration & Personnel, Chapter 2.28-Elections, Section 2.28.015-Polling Locations, as requested through a referendum petition received December 7, 2022, from registered voters of Thorne Bay, discussion and action item:

Burger moved to approve Ordinance 23-01-17-01. Hartwell seconded the motion. Hartwell commented that there will be residents that will be upset about an ordinance change, however, there were about 30 residents that came into City Hall this last election and were upset when they were told they could not vote at City Hall, that they had to go to Davidson Landing.

Burger commented that part of the objections were from residents that boat into town who were told they had to vote at Davidson Landing among others, and suggested that if this passes, the information be shared with all of those residents within the Southside because they may still be upset.

Oatman commented that he has heard a lot of complaints from residents.

**MOTION:** Move to approve Ordinance 23-01-17-01, amending Title 2-Administration & Personnel, Chapter 2.28-Elections, Section 2.28.015-Polling Locations, as requested through a referendum petition received December 7, 2022, from registered voters of Thorne Bay

**F/S:** Burger/Hartwell

**YEAS:** Burger, LaVoie, Hartwell, Jennings & Oatman

**NAYS:** Stram

**STATUS:** Motion Passed.

13) **CONTINUATION OF PUBLIC COMMENT:**

Tim Lindseth commented on the following:

- Inquired if the two polling locations was a result of redistricting?
- In favor of one polling location

Sam Sawyer commented on the following:

- In favor of one polling location. We all travel into town and a lot of people were upset when they were told they had to vote at Davidson Landing.

Laura Jennings commented on the following:

- In favor of one polling location, many people that reside in Southside prefer to vote at City Hall

14) **CONTINUATION OF COUNCIL COMMENT:**

Stram commented on the following:

- The Island Guide recently published that the turnout for the island was less than 30%. The initial intent to have voting at Davidson Landing was to encourage

increased voter turnout. If that is not the case, then would be in favor of a change. However, I am a resident of Southside and have also worked at the polls and have heard a lot of positive feedback from the residents who were very grateful to have the polls over there. This was the first he had heard of a petition being circulated, so wouldn't be surprised if most of the residents were not aware of it.

15) **ADJOURNMENT:**

Mayor Burger adjourned the meeting at 7:25 pm

ATTEST:

\_\_\_\_\_  
Lee Burger, Mayor

\_\_\_\_\_  
Caitlyn Sawyer, City Clerk/Treasurer





Hearing:	<u>January 17, 2023</u>
Sponsor:	<u>Mayor Lee Burger</u>
Vote:	<u>   </u> Yeas, <u>   </u> Nays, <u>   </u> Absent

**RESOLUTION 23-01-17-01  
CITY OF THORNE BAY**

A RESOLUTION ADOPTING AN ALTERNATIVE ALLOCATION METHOD FOR THE FY23 SHARED FISHERIES BUSINESS TAX PROGRAM AND CERTIFYING THAT THIS ALLOCATION METHOD FAIRLY REPRESENTS THE DISTRIBUTION OF SIGNIFICANT EFFECTS OF FISHERIES BUSINESS ACTIVITY IN FMA 19: SOUTHERN SOUTHEAST AREA

**WHEREAS**, AS 29.60.450 requires that for a municipality to participate in the FY 23 Shared Fisheries Business Tax Program, the municipality must demonstrate to the Department of Commerce, Community, and Economic Development that the municipality suffered significant effects during calendar year 2019 from fisheries business activities; and,

**WHEREAS**, 3 AAC 134.060 provides for the allocation of available program funding to eligible municipalities located within fisheries management areas specified by the Department of Commerce, Community, and Economic Development; and,

**WHEREAS**, 3 AAC 134.070 provides for the use, at the discretion of the Department of Commerce, Community, and Economic Development, of alternative allocation methods which may be used within fisheries management areas if all eligible municipalities within the area FMA 19: Southern Southeast Area agree to use the method, and the method incorporates some measure of the relative significant effect of fisheries business activity on the respective municipalities in the area; and,

**WHEREAS**, The City of Thorne Bay proposes to use an alternative allocation method for allocation of FY23 funding available within the FMA 19: Southern Southeast Area in agreement with all other municipalities in this area participating in the FY23 Shared Fisheries Business Tax Program;

**NOW THEREFORE BE IT RESOLVED THAT:** The Thorne Bay City Council by this resolution certifies that the following alternative allocation method fairly represents the distribution of significant effects during 2021 of fisheries business activity in FMA 19, Southern Southeast:

- All municipalities share equally 50% of allocation; all municipalities share remaining 50% on a per capita basis.
- Ketchikan Gateway Borough population is reduced by the Resolution of the Cities of Ketchikan and Saxman

**PASSED AND APPROVED** by a duly constituted quorum of the City Council, for the City of Thorne Bay on this 17<sup>th</sup> day of January 2023.

ATTEST

\_\_\_\_\_  
Lee Burger, Mayor

\_\_\_\_\_  
Caitlyn Sawyer, City Clerk/Treasurer

**From:** [Lisa Roseland, Finance Director](#)  
**To:** [City Clerk](#); [John Huestis, City Administrator](#)  
**Subject:** Solid Waste Coupon - Council Discussion  
**Date:** Thursday, January 12, 2023 12:53:27 PM  
**Attachments:** [Solid Waste Coupons.pdf](#)  
[SOLID WASTE COUPON TALLY 22.xlsx](#)

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## **Solid Waste Coupons**

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In 2022, City Council tried a new approach to Low Cost Spring Clean Up Day. Rather than having the dump open for one day at a reduced cost, coupons were offered for purchase. Each residence could purchase up to TWO coupons at \$10.00 each and each coupon was good for 1, 000 lbs. on ONE day. We allowed multiple trips on the same day. The coupons expired on 12/31/2022.

Below is the tally:

160 Coupons were issued: \$ 10.00 each – good for 1, 000 lbs. on ONE DAY.  
(160 x 10.00 \$1600.00)

95 Coupons were used for a total weight of 58,882 brought to Solid Waste (If brought with no coupon 58882 x .10 cents = \$ 5888.20)

65 Coupons were UNUSED.

Would the City Council like to offer a Clean Up coupons again in 2023 ? If so, any changes ??

# THORNE BAY RESIDENTS .....It is *Spring* Clean Up time!

For calendar year 2022 we are trying something [REDACTED] Thorne Bay residents may purchase coupons at \$10.00 per 1,000# of Solid Waste Disposal. The coupon(s) will allow residents the ability to [REDACTED]

[REDACTED] and bring your ID, proof of residence and \$10 cash per coupon. (There is a limit of 2 coupons per residence)

- Sales for 2022 coupons will begin on **Monday, March 21, 2022** at Thorne Bay City Hall,
- City Hall is OPEN Mon-Thurs 9am-4pm & Friday 9-noon
- Coupons are non-refundable and non-transferrable.
- There is a limit of 2 coupons per residence.
- Coupons will EXPIRE 12/31/2022. No exception.
- Each coupon is good for 1000# on one calendar day.
- **Multiple loads** which total up to 1000# per coupon/**per calendar day are acceptable.**
- Anything over the coupon limit of 1000# will be charged regular rates.
- The resident purchasing the coupons, or their pre-authorized designee **MUST** be present when dropping off their load(s) at the landfill.

We do request that each load be sorted into the following:

- WHITE GOODS AND SCRAP METAL (Washer, Dryers, Ranges, etc.)
- CLEAN BURNABLE MATERIAL (Wood, Paper, etc.)
- NON BURNABLE MATERIAL (Plastics, Styrofoam, Sheetrock, Rope, etc.)
- HOUSEHOLD WASTE (Garbage that is normally picked up in a garbage can.
- Up to 4 residential tires ARE allowed.

**Coupons cannot be used for vehicles of any type, commercial tires, or hazardous materials.**

## Simple Process

## Landfill Hours of Operation

Thursday – Friday 9:00 a.m. – 4:00 p.m.

Saturdays

Beginning April 1<sup>st</sup> 9:00 a.m. – 4:00 p.m.

Spring Clean Up Time – Pick Your Own Day with Solid Waste Coupons

COUPON NUMBER	Date Bought	TOTAL WEIGHT	DATE USED
1	03/22/22	410	08/08/22
2	03/22/22	320	04/29/22
3	03/22/22	960	09/29/22
4	03/22/22	126	07/23/22
5	03/22/22	830	09/30/22
6	03/22/22	540	12/16/22
7	03/23/22	560	06/29/22
8	03/23/22	800	07/30/22
9	03/23/22	280	05/27/22
10	03/23/22		
11	03/23/22		
12	03/23/22		
13	03/24/22	170	12/02/22
14	03/24/22		
15	03/24/22		
16	03/24/22	900	03/26/22
17	03/24/22	1000	03/26/22
18	03/24/22	1000	04/29/22
19	03/24/22		
20	03/24/22	990	05/12/22
21	03/24/22	700	06/09/22
22	03/24/22	536	08/20/22
23	03/24/22	560	09/09/22
24	03/24/22	250	12/29/22
25	03/29/22		
26	03/29/22		
27	03/29/22	990	05/26/22
28	03/29/22	830	12/15/22
29	03/29/22		
30	03/29/22	690	05/20/22
31	03/29/22	830	06/11/22
32	03/30/22	200	04/15/22
33	03/30/22		
34	03/30/22	700	06/04/22
35	03/30/22	440	05/13/22
36	03/30/22	600	09/02/22
37	04/01/22		
38	04/04/22	500	08/27/22
39	04/05/22	250	04/30/22
40	04/05/22		
41	04/05/22		
42	04/05/22	240	04/29/22
43	04/05/22		
44	04/05/22		

ALSO 47-10 & 49-10

ALSO 47-10 & 49-11

Michael S Lineker owner

Michael S Lineker owner

45	04/05/22		
46	04/06/22	300	06/17/22
47	04/06/22	910	04/13/22
48	04/06/22		
49	04/06/22		
50	04/06/22	870	12/22/22
51	04/06/22	950	10/08/22
52	04/07/22	300	10/20/22
53	04/07/22	380	12/16/22
54	04/07/22	620	07/23/22
55	04/07/22		
56	04/07/22		
57	04/07/22	840	07/15/22
58	04/07/22	500	12/31/22
59	04/07/22	560	12/03/22
60	04/07/22		
61	04/07/22		
62	04/07/22	1000	04/08/22
63	04/07/22	590	05/13/22
64	04/11/22		
65	04/11/22	1000	06/04/22
66	04/11/22	420	05/13/22
67	04/11/22	620	07/07/22
68	04/13/22	460	04/23/22
69	04/14/22	360	11/18/22
70	04/14/22		
71	04/14/22	990	12/15/22
72	04/14/22	610	12/01/22
73	04/14/22	370	04/29/22
74	04/18/22	610	09/29/22
75	04/18/22		
76	04/18/22	700	12/30/22
77	04/19/22	350	12/29/22
78	04/19/22	1000	05/07/22
79	04/18/22		
80	04/18/22		
81	04/20/22	900	08/05/22
82	04/20/22	800	07/30/22
83	04/21/22		
84	04/21/22	740	07/22/22
85	04/21/22		
86	04/21/22	390	05/12/22
87	04/21/22		
88	04/21/22		
89	04/21/22		
90	04/21/22		
91	04/25/22	550	05/05/22

92	04/25/22		
93	04/25/22		
94	04/25/22		
95	04/25/22	340	07/15/22
96	04/25/22		
97	04/26/22	350	11/18/22
98	04/26/22	300	04/30/22
99	04/26/22	990	08/18/22
100	04/27/22		
101	04/27/22		
102	04/27/22		
103	04/28/22	50	12/30/22
104	04/28/22	800	04/30/22
105	04/28/22		
106	04/28/22	1000	07/23/22
107	04/28/22		
108	04/28/22		
109	05/03/22		
110	05/04/22	540	06/11/22
111	05/05/22	400	12/30/22
112	05/05/22	330	05/05/22
113	05/05/22	600	05/05/22
114	05/05/22	1000	06/30/22
115	05/09/22		
116	05/09/22		
117	05/09/22		
118	05/09/22		
119	05/09/22		
120	05/09/22		
121	05/09/22		
122	05/09/22	500	05/27/22
123	05/11/22		
124	05/11/22	240	07/28/22
125	05/16/22	850	05/19/22
126	05/16/22		
127	05/16/22		
128	05/16/22		
129	05/19/22	940	05/19/22
130	05/19/22		
131	05/19/22		
132	05/19/22	800	06/17/22
133	05/23/22	400	08/05/22
134	05/23/22	900	10/22/22
135	05/25/22		6/11/22
136	05/27/22	500	12/31/22
137	06/15/22		
138	06/15/22	400	08/26/22

139	06/23/22	1000	08/05/22
140	06/23/22	1000	08/12/22
141	06/29/22	680	07/02/22
142	07/01/22	390	11/04/22
143	07/06/22	310	12/03/22
144	07/07/22		
145	07/07/22		
146	07/07/22	300	11/05/22
147	07/11/22	300	07/14/22
148	08/03/22		
149	08/03/22		
150	08/04/22	840	08/10/22
151	08/10/22	300	08/11/22
152	08/31/22	980	09/30/22
153	08/31/22	680	11/04/22
154	09/08/22	800	09/08/22
155	09/14/22	380	09/17/22
156	09/26/22	1000	09/26/22
157	10/19/22	500	10/27/22
158	10/20/22	500	11/03/22
159	12/27/22	800	12/31/22
160	12/27/22		

**58882 Total WT**



Introduction: January 3, 2023  
Public Hearing: January 17, 2023  
Sponsor: Referendum Petition  
Vote: \_\_\_ Yeas, \_\_\_ Nays, \_\_\_ Absent

CITY OF THORNE BAY  
ORDINANCE 23-01-17-01

AN ORDINANCE OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, AMENDING TITLE 2-ADMINISTRATION & PERSONNEL, CHAPTER 2.28-ELECTIONS, SECTION 2.28.015-POLLING LOCATIONS, AS REQUESTED THROUGH A REFERENDUM PETITION RECEIVED DECEMBER 7, 2022 FROM REGISTERED VOTERS OF THORNE BAY

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.** A referendum petition to repeal Ordinance 21-02-02-01, creating Section 2.28.015-Polling Locations was filed in the City Clerks Office on December 7, 2022, and certified on December 19, 2022. The Alaska Statutes Title 29. Municipal Government, Chapter 26. Elections, Article 2. Initiative and Referendum, Sec. 29.26.180. Referendum Election sets out the procedures for processing Initiative and Referendum Petitions. The City Council must determine whether they want to adopt this ordinance to repeal section 2.28.015, Polling Locations, from the Municipal Code, or if they want the issue to go to the voters at the next Regular Elections to be held October 3, 2023, or a Special Election if ordered by ordinance of the City Council.

Alaska Statutes Title 29. Municipal Government, Chapter 26. Elections, Article 2. Initiative and Referendum, Sec. 29.26.180. Referendum Election,

- a) Unless the ordinance or resolution is repealed, when a petition seeks a referendum vote, the clerk shall submit the matter to the voters at the next regular election or, if already scheduled, special election occurring not sooner than 60 days after certification of the petition. If no election is scheduled to occur within 75 days after certification of a petition and the governing body determines it is in the best interest of the municipality, the governing body may by ordinance order a special election to be held on the matter before the next election that is already scheduled, but not sooner than 60 days after certification of the petition.
- b) If a petition is certified before the effective date of the matter referred, the ordinance or resolution against which the petition is filed shall be suspended pending the referendum vote. During the period of suspension, the governing body may not enact an ordinance or resolution substantially similar to the suspended measure.
- c) If the governing body repeals the ordinance or resolution before the referendum election, the petition is void and the matter referred shall not be placed before the voters.

- d) If a majority vote favors the repeal of the matter referred, it is repealed. Otherwise, the matter referred remains in effect or, if it has been suspended, becomes effective on certification of the election.

**Section 3.** **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.** **Amendment of Section.** The title and chapter of Title 2-Administration and Personnel, Chapter 2.28-Elections, Section 2.28.015-Polling Locations, is hereby amended and shall be removed from the Thorne Bay City Code and shall read as shown on page 3 of this ordinance.

**Section 5.** **Effective Date.** This ordinance shall become effective upon adoption.

PASSED AND APPROVED January 17, 2023

\_\_\_\_\_  
Lee Burger, Mayor

ATTEST:

\_\_\_\_\_  
Teri Feibel

[Introduction: January 3, 2023]  
[Public Hearing: January 17, 2023]  
[Sponsored: Referendum Petition December 7, 2022]

Ordinance 23-01-17-01

Additions are BLUE and CAPITAL

~~Deletions are RED and Stricken~~

#### ~~2.28.015 POLLING LOCATIONS~~

~~THERE SHALL BE TWO POLLING PLACES ESTABLISHED WITHIN THE MUNICIPAL BOUNDARIES OF THORNE BAY.~~

- ~~1. THORNE BAY CITY HALL~~
- ~~2. DAVIDSON LANDING~~