AGENDA

FOR THE REGULAR MEETING OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA TUESDAY, February 7, 2023

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 Meeting Link:

<u>https://cityofthornebay.my.webex.com/cityofthornebay.my/j.php?MTID=m99f71eee7f975b71d7ee0f9f7c5e44a</u> <u>1</u>

Meeting number: 182 323 7632 Password MghMxgJy424 (64469459 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:
- 7) PUBLIC COMMENTS:
- 8) COUNCIL COMMENTS:
- 9) CONSENT AGENDA:
 - a) <u>MINUTES</u>
 - i. <u>Minutes of the January 17, 2023, Regular City Council Meeting, discussion and action item:</u>
- 10) NEW BUSINESS:
 - a) <u>Resolution 23-02-07-01</u>, A Resolution Of The City Council Of Thorne Bay, Alaska, Updating The Authorized Signers On The Ems Checking And Savings Account With Tongass Federal Credit Union
 - b) <u>Resolution 23-02-07-02</u>, A Resolution Of Support For An Organized Village Of Kasaan Grant Application To The Alaska Department Of Transportation And Public Facilities Community Transportation Program For The Improvement Of The First 5.4 Miles Of The Kasaan Road
 - c) <u>Resolution 23-02-07-03</u>, A Resolution Of The City Council, For The City Of Thorne Bay, Accepting A Bid And Authorizing A Budget For The Purchase Of Three New Garage Type Doors For The Solid Waste Bailer Building And Authorizing A Contract For The Repairs.
- 11) ORDINANCES FOR PUBLIC HEARING:
- 12) ORDINANCES FOR INTRODUCTION:
- 13) CONTINUATION OF PUBLIC COMMENT:
- 14) CONTINUATION OF COUNCIL COMMENT:
- 15) ADJOURNMENT:

POSTED: February 3, 2023

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Agenda – February 7, 2023 Council Meeting

J.J.W. LLC PO Box 1194 Craig, Alaska 99921 United States

(907)315-4495

BILL TO City of Thorne Bay	Estimate Number:	5
John Huestis	Estimate Date:	February 1, 2023
administrator@thornebay-ak.gov	Expires On:	February 1, 2023
	Grand Total (USD):	\$8,911.69

Services	Hours	Price	Amount
Materials Material Costs	1	\$3,611.69	\$3,611.69
Services Demo Door and Jambs	1	\$2,000.00	\$2,000.00
Services Install new door/jambs/trim/framing for rail system.	1	\$3,000.00	\$3,000.00
		Subtotal:	\$8,611.69
		City tax 6%:	\$300.00
		Total:	\$8,911.69
		Grand Total (USD):	\$8,911.69

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(907)315-4495

BILL TO City of Thorne Bay	Estimate Number:	6
John Huestis	Estimate Date:	February 1, 2023
administrator@thornebay-ak.gov	Expires On:	February 1, 2023
	Grand Total (USD):	\$28,255.20

Services	Hours	Price	Amount
Materials Doors/door jambs/garage doors	1	\$13,945.20	\$13,945.20
Services Demo doors, door jambs, install doors and new jambs.	1	\$12,000.00	\$12,000.00
Services Install siding.	1	\$1,500.00	\$1,500.00
		Subtotal:	\$27,445.20
		City tax 6%:	\$810.00
		Total:	\$28,255.20
		Grand Total (USD):	\$28,255.20



City of Thorne Bay

Thorne Bay, AK 999109

PHONE: (907) 828-3380; FAX: (907) 828-3374 E-MAIL: <u>cityclerk@thornebay-ak.gov</u>

DEPARTMENT REPORT

Subject:	Monthly Department Report
Department:	HABBOR.
Supervisor:	SIMM DAVLE
Employees:	
Date:	2-6-23

A Departmental Overview

FOLUS IS ON REPAIR AND MAINTENANCE OF HARBOR FACILITIES AND EQUIPMENT.

Current Department Activities:

- COMPLETED PRESSURE WASHING OF HARBOR PAVILLION, BATHROOMS,
AND SHOWER - WILL CONTINUE ON HARBOR WHEN WATER ISTURNED ON
-ORDERED PAINT AND SUPPLIES TO REPAINT FLOORS IN BATHRODINS
AND SHOWER - AND PARKING LOT LINES
-PERFORMING OIL CHANGES IN HARBOR TRUCK, PRESSURE
WASHER, SINON BLOWERS AS WELL AS OTHER MINOR MAINTENANCE
ON EQUIPMENT
-STARTED REPLACING AND SLIP NUMBERS AT BOTH HARBORS
- REPAIRING NORTH SLOF WIND SOCK THIS WEEK
-ENGAGED WITH APST TO GET ADDITIONAL SECURITY LIGHTS INSTALLED
AT DAVIDSON LANDING SCHOOL BUS STOP AND VETERANS PAVILUON
-NORTH SIDE ROAT LAUNCH HAS BROKEN PILING HOOPS AS A
RESULT OF CORRESION AND THICK ICE THIS WINTER . CURRENTLY
WE ARE GETTING PRICING INFORMATION FOR NEEDED HARDWARE
I. AND DEVELOPING A PLAN FOR REPAIRS, BOAT LANNCH IS FULLY
· IOPERATIONAL AND SECURE UNTIL ! REPAIRS CAN BE MADE
-PLANNING FOR HARBOR BOAT MAINTENANCE AFTER EMS BOAT
ZETURNS

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Department Reports are given at the Regular City Council Meeting the 1st Tuesday of every month

MINUTES

FOR THE REGULAR MEETING OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA <u>TUESDAY</u>, January 17, 2023 TIME: 6:30 p.m. THERE WAS A WORKSHOP THAT BEGAN AT 6:00PM

1) CALL TO ORDER:

Vice Mayor Hartwell called the meeting to order at 6:30 pm

2) PLEDGE TO FLAG:

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

3) ROLL CALL:

Oatman, Jennings, Stram, LaVoie and Hartwell were present. Burger and Nyquest were excused.

4) APPROVAL OF AGENDA:

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

MOTION: Move to approve

F/S: Hartwell/Jennings

YEAS: LaVoie, Hartwell, Jennings, Oatman & Stram

NAYS: None

STATUS: Motion Passed.

5) MAYOR'S REPORT:

There was no Mayor report.

6) ADMINISTRATIVE REPORTS:

i. City Administrator:

- The City's Assistant Solid Waste Operator resigned last Friday so we will have started the recruitment process for a replacement.
- Currently working on a one-time Asbestos Disposal Permit for the hazardous materials clean-up and demolition of the old fire hall.
- Working on grant application with OVK and their consultant for the Kasaan Road.
- Working on closing out CDBG Grant for Davidson Landing Fire/EMS Hall.
- Working on a reimbursement request for the Kasaan Road intersection project to the Forest Service for payment of the work done to date.
- We did get the Port to Claw Trail grant closed out and got reimbursed by the Forest Service prior to the deadline.
- We are getting estimates for the Solid Waste Baler Building repairs and expect them to be in the neighborhood of \$40,000. I will bring a recommendation to the next meeting for repairs once I have them and can see what the insurance company will pay for the one door, expected to be \$12-\$14K for that repair.
- Report from Superior Marine on the EMS boat is that it looks repairable and will be fixed before March.

7) PUBLIC COMMENTS:

Gary Anderson commented on the following:

- Expressed concerns regarding charging sales tax on fuel for charters/lodges. The concern being that charter businesses are being charged sales tax on the fuel at purchase and again when they charge taxes on a charter package because the fuel is being sold to the customer.
- Suggested the city have a fixed penny rate tax on fuel. If fuel is two dollars or six dollars a gallon, they get the same amount of tax on that gallon. This would save the customers money on fuel with the cost of inflation.
- Commented that he wanted to propose a change to the City's tax code on the following two items:
 - 1. Not charge tax on fuel to charters
 - 2. Have a fixed penny tax on fuel

8) COUNCIL COMMENTS:

There were no council comments.

9) CONSENT AGENDA:

a) <u>MINUTES</u>

ii. Minutes of the January 3, 2023, Regular City Council Meeting, discussion and action item:

Hartwell moved to approve the consent agenda consisting of the minutes of the January 3rd, 2023. Jennings seconded the motion. There was no further discussion.

MOTION: Move to approve the consent agenda consisting of the minutes of the January 3^{rd} , 2023

F/S: Hartwell/Jennings

- YEAS: LaVoie, Hartwell, Jennings, Oatman & Stram
- NAYS: None
- STATUS: Motion Passed.

10) NEW BUSINESS:

a) <u>Resolution 23-01-17-01</u>: Adopting an Alternative Allocation Method for the FY23 Shared Fisheries Business Tax Program, discussion and action item.

Hartwell moved to approve Resolution **23-01-17-01**: Adopting an Alternative Allocation Method for The FY23 Shared Fisheries Business Tax Program. Jennings seconded the motion. There was further discussion.

MOTION:	Move to approve Resolution 23-01-17-01, adopting an alternative allocation method for The FY23 Shared Fisheries Business Tax Program
F/S:	Hartwell/Jennings
YEAS:	LaVoie, Hartwell, Jennings, Oatman & Stram
NAYS:	None
STATUS:	Motion Passed.

b) <u>Solid Waste Low-Cost Spring Clean Up Day CY23 Discussion and possible action item:</u> Hartwell moved to approve spring cleanup day solid waste coupon program. Jennings seconded the motion. Hartwell commented that he was in favor of the method of coupons used for spring cleanup. Hartwell commented that the average weight of refuse averaged about 618 pounds. Jennings commented he was in favor of the coupons providing 1000 pounds of refuse per residence. Huestis commented that the reason this was being brought to the council now was to allow for the cleanup program to begin earlier in the calendar year.

MOTION:Move to approve spring cleanup day solid waste coupon programF/S:Hartwell/JenningsYEAS:LaVoie, Hartwell, Jennings, Oatman & StramNAYS:NoneSTATUS:Motion Passed.

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:

Hartwell moved 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. Oatman seconded the motion.

Public Hearing testimony included the following comments:

Tara Blair commented on the following:

- Was the sponsor of the petition that would amend this ordinance. Commented that she was not in favor or opposed to having two polling locations, but when the residents of Goose Creek were required to vote on Southside, it was a big inconvenience.
- Requesting the Council reconsider how the ordinance is written, and not require that residents of Goose Creek vote on the Southside.

Kim Redmond commented on the following:

Stated it was his opinion that all votes be counted on the same day.

Deidre Jenson commented on the following:

Inquired if getting people to work the polls had been an issue with having two separate polling locations.

Sean McCrae commented on the following:

- Commented that the original ordinance was not brought to the public when it was adopted and created the two polling locations.
- As a southside resident in not in favor of the two polling locations.

Sam Sawyer commented on the following:

- Concur with Sean McRae's comments. Not in favor of two polling locations. There were only a select few people in favor of the two polling locations when it was initially adopted, and there is one day a year that we vote.
- 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: Hartwell/OatmanYEAS: LaVoie, Hartwell, Jennings, Oatman & StramNAYS: None

STATUS: Motion Passed.

12) CONTINUATION OF PUBLIC COMMENT:

There were no public comments.

13) CONTINUATION OF COUNCIL COMMENT:

There were no council comments.

14) ADJOURNMENT:

Hartwell adjourned the meeting at 7:06 p.m.

ATTEST:

Lee Burger, Mayor

Caitlyn Sawyer, City Clerk/Treasurer



Sponsor:

Lee Burger, Mayor

Introduction: February 7, 2023

Adopted On:

CITY OF THORNE BAY RESOLUTION 23-02-07-01

A RESOLUTION OF THE CITY COUNCIL OF THORNE BAY, ALASKA, UPDATING THE AUTHORIZED SIGNERS ON THE EMS CHECKING AND SAVINGS ACCOUNT WITH TONGASS FEDERAL CREDIT UNION

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

WHEREAS, as per Thorne Bay Municipal Code 2.38, there shall be an Emergency Medical Services Department that is supervised by the Chief Administrative Officer (City Administrator); and

WHEREAS, pursuant to TBMC 2.38.030 (b), if the City is financially unable to staff the EMS with the necessary salaried employees, volunteers shall be utilized; and

WHEREAS, the Thorne Bay Volunteer EMS members (hereinafter referred to as EMS Volunteers) established a checking account with Tongass Federal Credit Union in 2006 for the purpose of depositing and withdrawing funds that were donated to EMS and raised through fundraising efforts of the EMS Volunteers; and

WHEREAS, the EMS Volunteers use their fundraising money to purchase medical and fire materials and supplies, trainings & certification classes; and

WHEREAS, the EMS Coordinator is responsible for the oversight and management of the Volunteer EMS Bank Account; and

WHEREAS, it is the policy of the City and EMS Department that there by two signers required for all expenditures of public funds including funds raised through fundraising efforts.

WHEREAS, the current authorized signers of the Volunteer EMS account have moved from Thorne Bay; and

NOW, THEREFORE BE IT RESOLVED THAT the City Council authorizes the change of account signers for the Thorne Bay Volunteer EMS Account with Tongass Federal Credit Union as follows:

- 1.) Current Authorized Signers:
 - a. Lee Burger, Mayor
 - b. John Huestis, City Administrator
 - c. Lucinda (Cindy) Edenfield, EMS Coordinator
 - d. Teri Feibel, City Clerk/Treasurer
 - e. Cherish Carter, EMS Volunteer Corporation Treasurer
- 3.) Addition of Authorized Signers:
 - a. Caitlyn Sawyer, City Clerk/Treasurer
 - b. Korissa Oatman, EMS Volunteer Corporation Treasurer
 - c. James Baichtal, EMS Volunteer Corporation President
- 2.) Removal of Authorized Signers:
 - a. Teri Feibel
 - b. Cherish Carter
 - c. Lucinda (Cindy) Edenfield

NOW, THEREFORE BE IT RESOLVED that the City Council for the City of Thorne Bay hereby approves the following named as account signers for the Tongass Federal Credit Union Checking Account of the Thorne Bay Volunteer EMS:

- James Baichtal, EMS Volunteer Corporation President
- Korissa Oatman, EMS Volunteer Corporation Treasurer
- Lee Burger, Mayor
- John Huestis, City Administrator
- Caitlyn Sawyer, City Clerk/Treasurer

PASSED AND APPROVED on 7th day of February 2023

Robert Hartwell, Vice Mayor

ATTEST:

Caitlyn Sawyer, City Clerk/Treasurer



Sponsor:Mayor Lee BurgerAdoption:February 7, 2023Vote:Yeas,Nays,Absent

CITY OF THORNE BAY RESOLUTION 23-02-07-02

A RESOLUTION OF THE CITY COUNCIL, FOR THE CITY OF THORNE BAY, DECLARING THE ELIGIBILITY OF THE ORGANIZED VILLAGE OF KASAAN (OVK) DEPARTMENT OF TRANSPORTATION (OVKDOT) TO SUBMIT AN APPLICATION TO THE ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES (AKDOT&PF) FOR THE COMMUNITY TRANSPORTATION PROGRAM (CTP) FOR THE KASAAN TO GOOSE CREEK ROAD PROJECT MP 0.0 TO MP 5.4 IN THE CITY OF THORNE BAY AND AUTHORIZING OVKDOT TO CONSTRUCT THE PROJECT AND SUPPORTING THE APPLICATION AND THE PROJECT IN THE SPIRIT OF SISTER COMMUNITY PARTNERSHIP FOR A REGIONALLY SIGNIFICANT PROJECT.

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

WHEREAS, the City of Thorne Bay (TNB) has maintenance responsibility for around 12 miles of the Kasaan Road and has been seeking every funding opportunity to make improvements to this road in close partnership with the Organized Village of Kasaan (OVK); and

WHEREAS, the OVK has final plans, specifications and estimates and permits for the reconstruction of the entire 17.3 miles of the road including the section operated and maintained by TNB and both agencies are always seeking funding to construct the project or parts of it at least; and

WHEREAS, TNB has entered into a Memorandum of Agreement with OVK for the maintenance of the 12 miles TNB is responsible for and has done so for many years now because OVK has a robust DOT with the equipment and expertise to perform this work more effectively and efficiently that TNB does and the MOA provides for reimbursement from TNB to OVK for the work performed on their behalf on a monthly and annual basis; and

WHEREAS, TNB fully supports all of OVK's applications for funding for the Kasaan Road and OVK supports TNBs applications for funding for the Kasaan Road in a close partnership for the maintenance and construction of the road to the benefit of the Tribal members, the City of Kasaan and the City of TNB; and

WHEREAS, the Kasaan Road is the sole road access to the rest of the world for half of the residents of TNB; and

WHEREAS, Federal Highway Administration transportation funds are available under a Community Transportation Program, administered by AKDOT &PF, for the purpose of creating and promoting the planning, development and construction of transportation projects in Alaska; and

WHEREAS, OVK has received a request from the ADOT&PF to nominate projects for inclusion in the Alaska Community Transportation Program funds as outlined in AKDOT & PF's application packet for the 2022 CTP; and

WHEREAS, OVK is participating as an eligible project sponsor in the AKDOT&PF Community Transportation Program; and

WHEREAS, OVK acknowledges availability of matching funds of no less than 10.03% and understands that the current overall project cost estimate being submitted with this application is \$14,754,919and TNB wishes to provide some of the matching funds in partnership with OVK; and

WHEREAS, OVK's Tribal Transportation Improvement Program lists this project as Illustrative in its FHWA approved program which is used to implement its transportation priorities and shows its further commitment to supporting this application for funding a portion of its number one priority transportation project and its intent to submit this application to AKDOT&PF and is a publicly vetted and publicly supported planning document; and

WHEREAS, if this application is successful and results in a project funding award, OVK intends to seek AKDOT&PF approval per 23 USC 202(a)(9) to transfer the approved funds from the State to OVK to be delivered under the OVK DOT Tribal Transportation Program thus providing OVK the direct control and responsibility for the delivery of the project within the funding amounts so provided and oversight will be through the FHWA Tribal Transportation Program and TNB fully supports this approach and authorizes the OVKDOT and/or their contractors control over their sections of the road for all project related purposes and for construction of the road as needed and to the extent they legally have the authority to do so ; and

WHEREAS, after the appropriate public input and due consideration, TNB fully supports OVK's application being submitted to the AKDOT&PF for the Kasaan to Goose Creek Road Project MP 0.0 to MP 5.4.

NOW THEREFORE BE IT RESOLVED, by the TNB City Council:

Section 1. That TNB does hereby authorize the OVKDOT and/or their contractors to have full access to the Kasaan Road under their jurisdiction and control for the purposes of construction of the project being submitted to the AKDOT&PF for the 2022 Community Transportation Program funds on behalf of the citizens of the City of Thorne Bay as well as fully supporting the execution of all future project agreements and other project documentation.

Section 2. That TNB hereby assures the AKDOT&PF and OVK that it will provide up to \$150,000 in TNB funding to contribute to the OVK matching funds of \$1,479,919 for the Kasaan to Goose Creek Road Project MP 0.0 to MP 5.4 and these funds are available.

Section 3. That TNB hereby assures the AKDOT&PF that TNB will commit to the on-going maintenance and operations responsibilities, in partnership with OVK, using Memorandums of Agreement, as has been done for years, to provide sufficient resources and funding for the Kasaan to Goose Creek Road Project MP 0.0 to MP 5.4 maintenance and will continue to do so for the useful life of the project.

Section 4. That TNB supports the project entitled Kasaan to Goose Creek Road Project MP 0.0 to MP 5.4 and agrees, subject to available STIP funding and programming by AKDOT&PF, to support OVK in delivering the project whether it be by a Memorandum of Agreement with the State of Alaska DOT&PF, in accordance with 17 AAC o5.175(I), for the design, construction, transfer, or maintenance of STIP project or per 23 USC 202(a)(9) where the transfer of the approved funds goes from the State to OVK to be delivered under the OVK DOT Tribal Transportation Program for the Kasaan to Goose Creek Road Project MP 0.0 to MP 5.4.

PASSED AND APPROVED February 7, 2023

ATTEST:

Lee Burger, Mayor

Caitlyn Sawyer, City Clerk



Sponsor:Mayor Lee BurgerAdoption:February 7, 2023Vote:Yeas, ____ Nays, ____ Absent

CITY OF THORNE BAY RESOLUTION 23-02-07-03

A RESOLUTION OF THE CITY COUNCIL, FOR THE CITY OF THORNE BAY, ACCEPTING A BID AND AUTHORIZING A BUDGET FOR THE PURCHASE OF THREE NEW GARAGE TYPE DOORS FOR THE SOLID WASTE BAILER BUILDING AND AUTHORIZING A CONTRACT FOR THE REPAIRS.

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

WHEREAS, the City's Solid Waste Bailer building has three garage type sliding doors and one of them was recently damaged and is being covered by an insurance claim which requires a \$5,000 deductible but the other two have failed at different times and are band-aided together, requiring much effort to keep them operational and revealing defects that show it they have reached the end of their useful service life; and

WHEREAS, the City sought bids from a garage door contractor and finally after much follow up got a quote from the contractor for both the insurance claim and the other two doors; and

WHEREAS, the quotes are for \$8,911.69 for the rear bailer door which is also cover by an insurance claim of which \$5,000 will be the City's deductible amount and the other two doors are \$27,455.20 together which includes new jambs and all new hardware and doors and repairs to the exterior of the metal building where previous damages have occurred; and

WHEREAS, the City administration feels this is a reasonable price considering the cost of materials and the extensive amount of demo work in removing all of the rusted and rotten materials needed to install the new doors and recommends the City Council accept this bid and authorize the budget for the work and for City Administrator to enter into a Contract with Jerred Heidy of J.J.W., LLC. for the repairs; and

WHEREAS, the purchase of the doors can be budgeted from the Solid Waste Equipment Repair and Replacement fund which currently has \$40,106 available to pay for these repairs and the total cost of the repairs as bid is \$36,056.89 after deducting the City taxes from the quote and after further reducing the estimate by the amount covered by insurance, the total is \$32,445.20 leaving a balance of \$7,660.80 in the R&R Account.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Thorne Bay, Alaska, hereby approves the purchase and installation of three new garage doors for the Solid Waste Bailer Building, one of which is covered by some insurance but requires a deductible, for a total not to exceed amount of \$35,000 which will be paid for out of the Solid Waste R&R account and authorizes the City Administrator to sign all required paperwork and or contracts to complete the necessary repairs.

PASSED AND APPROVED February 7, 2023

ATTEST:

Lee Burger, Mayor

Caitlyn Sawyer, City Clerk