

## AGENDA

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

TUESDAY, May 2, 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- 650-479-3208

Meeting Link:

<https://cityofthornebay.my.webex.com/cityofthornebay.my/j.php?MTID=m99f71eee7f975b71d7ee0f9f7c5e44a1>

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) ADMINISTRATOR REPORT:
- 7) PUBLIC COMMENTS:
- 8) COUNCIL COMMENTS:
- 9) PUBLIC HEARING – CONDITIONAL USE PERMIT:
  - a) [Resolution 23-05-02-01-PZ: Public Hearing on Fletcher Conditional Use Permit Application for keeping of roosters:](#)
- 10) CONSENT AGENDA:
  - a) MINUTES
    - i. [Minutes of the April 18, 2023, Regular City Council Meeting, discussion and action item:](#)
- 11) NEW BUSINESS:
- 12) ORDINANCES FOR PUBLIC HEARING:
- 13) ORDINANCES FOR INTRODUCTION:
- 14) CONTINUATION OF PUBLIC COMMENT:
- 15) CONTINUATION OF COUNCIL COMMENT:
- 16) ADJOURNMENT:

POSTED: March 28, 2023

## MINUTES

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

TUESDAY, APRIL 18, 2023

TIME: 6:30 p.m.

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1) CALL TO ORDER:

Mayor Burger 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:

Those Present were: Hartwell, Stram, Jennings, LaVoie, Burger, & Nyquest

Those Excused were: Oatman

4) APPROVAL OF AGENDA:

Burger moved to approve the agenda.

Hartwell seconded, no further discussion.

MOTION: Move to approve the agenda

F/S: Burger/Hartwell

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

NAYS: None

EXCUSED: Oatman

STATUS: Motion Passed

5) MAYOR'S REPORT:

1) Going to be gone for a few weeks for Medical Leave (eye surgery).

2) Back on the 3<sup>rd</sup> of May

6) ADMINISTRATIVE REPORTS:

a) **City Administrator: John Commented the following:**

1) Working on typical spring maintenance issues and special projects as required. We will be starting the 2023 budget amendment and 2024 budget processes soon.

2) Mick and Carol Fletcher, located at 717 Southside which is Block 7 Lot 17 in the S. subdivision, have requested a conditional use hearing to be allowed to keep a rooster on their property.

3) OVK will be starting back up on project work on the Kasaan Road this month and will be working to complete the Intersection project and the smaller project near the landfill where the logs are in the road. AP&T switched the power lines over to the new pole today.

4) I will be working on completing the grant application for the Wastewater Collection system upgrades mentioned in the PER Tech Memo we will discuss later on under the Resolutions for Considerations part of the meeting.

5) Tuesday May 2nd 8:00 to finish, there will be a POW Sawmill Operator Meeting here at City Hall to discuss pow small mill operations, what resources are needed and current and future opportunities. This meeting is being sponsored by SE Conference, Alaska

b) **City Clerk:**

- 1) Reminder of the low-cost dump coupons available to residents. Thorne Bay residents may purchase coupons at \$10.00 per 1,000# of Solid Waste Disposal (Limit of 2 per household). The coupon(s) will allow residents the ability to pick their own personal clean-up day. To purchase your coupons, stop by Thorne Bay City Hall and bring your ID, proof of residence and \$10 cash per coupon. There is a limit of 2 coupons per residence. City Hall office hours are Monday – Thursday, 9 a.m. to 4 p.m. and Friday, 8 a.m. to noon. For more information, call city hall
- 2) Still learning how to do financial reports and will have one ready for the second meeting of May.

7) **DEPARTMENT REPORTS:**

a) **Water Operator Report:**

- Flushing hydrants will start in May – make sure to sign up for texts.
- Employees are working on getting all certifications up to date.
- Starting regular maintenance at the Sewer Plant that can't be done in the winter.
- Starting May 1st, water behind the Southeast Road Builders Shop will be turned on.

b) **EMS Report:**

- John stated that Victoria is unwell and will do a report at next the scheduled meeting.
- Burger commented that the EMS boat is repaired and down in the harbor.

8) **PUBLIC COMMENTS:**

a) **Tim Lindseth**

- Commented that people would appreciate having the road graded after Davidson Landing.

b) **Sam Sawyer**

- Going to be having surgery will be out 4 weeks from Water/Sewer plant.
- Jennings asked Sam if he received parts for restaurant?
- Sawyer responded the guy hadn't ordered anything or reached out for information on what was needed. Sam reached out again to make sure the parts were ordered.
- Jennings offered to help Willie do labor to get the restaurant up and running.

9) **COUNCIL COMMENTS:**

10) **CONSENT AGENDA:**

a) **MINUTES**

1) **[Minutes of the April 4, 2023, Regular City Council Meeting, discussion and action item:](#)**

Burger moved to approve the Consent Agenda consisting of the Minutes of the February 21, 2023 Regular city Council meeting. Hartwell seconded, no further discussion.

MOTION: Move to approve the Minutes from April 4<sup>th</sup> Regular City Council Meeting.

F/S Burger / Hartwell

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

NAYS: None

EXCUSED: Oatman

11) NEW BUSINESS:

- a) [Resolution 23-04-18-01](#), a resolution of the city council for the City of Thorne Bay, Alaska, approving the renewal of a short-term 24-month lease with SEARHC for lease of city owned facility identified as unit “b” of the city hall building located at 120 Freeman Drive, for the purposes of operating a health clinic.

Burger moved to approve Resolution 23-04-18-01, Renewal of the SEARHC Lease. Nyquest seconded the motion. Caitlyn informed the council of the upcoming expectation for clinic use.

MOTION: Move to approve Resolution 23-04-18-01, Renewal of the SEARHC Lease  
F/S: Burger/Nyquest  
YEAS: Nyquest, LaVoie, Hartwell, Stram, Burger & Jennings  
NAYS: None  
EXCUSED: Oatman  
STATUS: Motion Passed

- b) [Resolution 23-04-18-02](#), a resolution of the city council for the city of Thorne Bay, Alaska, approving the renewal of a short-term 24-month lease with Tongass Federal Credit Union for lease of city owned facility identified as unit “a” of the city hall building located at 120 freeman drive, for the purposes of operating Financial Credit Union.

Burger moved to approve Resolution 23-04-18-02, Renewal of the TFCU Lease. Nyquest seconded the motion. Huestis commented that the income from the lease helps pay for the utilities.

MOTION: Move to approve Resolution 23-04-18-02, Renewal of the TFCU Lease  
F/S: Burger/Nyquest  
YEAS: Stram, Jennings, LaVoie, Burger, Nyquest, & Hartwell  
NAYS: None  
EXCUSED: Oatman  
STATUS: Motion Passed

- c) [Resolution 23-04-18-03](#), a Resolution of the City Council of Thorne Bay, Alaska, approving the **Wastewater Manhole and Lift Station Rehabilitation Projects**.

Burger moved to approve resolution 23-04-18-03, rehabilitation of manholes & lift stations. Jennings seconded the motion.

Huestis commented: We put in for a grant last year to rehab the wastewater system. 5 pump stations, lift stations, 80-100 manholes and most of them have leaks or damages. A lot of groundwater is getting into the collection system, and it makes the sewer plant run harder. Many issues were created. Village Safe water has many studies on it. Need to get this part of the system repaired now that we have the UV system in place. Need to update the 2010 report. Cost has increased significantly. The reports have been done, and in order to get the

grant submitted, we need the resolution passed. If the City of Thorne Bay accepts the States funds, we will accept the ownership and costs associated with the new system. If parts break, we will cover it. Will need to dig up pavement for this update and the long-term goal will be to repave roads.

Nyquest asked: Is this the city work or contracted work?

Huestis: "yes, engineering firm would come in and oversee the contracting work"

Chris Cook commented: "I would like to see the life expectancy of components. Will future repairs be costly?"

MOTION: Move to approve Resolution 23-04-18-03, Wastewater and Lift Station Rehabilitation

F/S: Burger/Hartwell

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

NAYS: None

EXCUSED: Oatman

STATUS: Motion Passed

12) **ORDINANCES FOR PUBLIC HEARING: NONE**

13) **ORDINANCES FOR INTRODUCTION: NONE**

14) **CONTINUATION OF PUBLIC COMMENT: NONE**

15) **CONTINUATION OF COUNCIL COMMENT: NONE**

➤ Nyquest: asked about Sawyers expected absence.

➤ Sawyer responded: Next week, waiting on insurance.

16) **ADJOURNMENT:**

Burger Adjourned at 7:00



**CITY OF THORNE BAY  
RESOLUTION 23-05-02-01-PZ**

**A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY, ALASKA, APPROVING  
CONDITIONAL USE PERMIT APPLICATION NO 23-04-11-01, SUBMITTED BY MICK FLETCHER,  
FOR THE PURPOSE OF KEEPING ROOSTERS WITHIN THE RESIDENTIAL/COMMERCIAL III  
ZONED PROPERTY**

**WHEREAS**, the City Council acting as Planning Commission performs the city-wide functions of planning, platting and zoning for the city, and to advise the chief executive officer and city council of them; and

**WHEREAS**, Mick Fletcher submitted a Conditional Use Permit (CUP) Application to the City of Thorne Bay on April 11, 2023, for the purpose of owning and raising a rooster on his property located at 177 Thorne Bay Road, South Thorne Bay, zoned as Mixed Residential/Commercial III; and

**WHEREAS**, Mick Fletcher (hereinafter referred to as “applicant”), is property owner of 177 Thorne Bay Road, also identified by legal description as Lot 7, Block 17, South Thorne Bay Subdivision; and

**WHEREAS**, the property identified above is currently zoned as Mixed Residential/Commercial III, and allows for the keeping of roosters and other noisy livestock under a Conditional Use Permit; as per the Thorne Bay Municipal Code Sections 17.04.026 (B) & 17.04.025 (B) (3) by reference; and

**WHEREAS**, the Applicant met with the City Administrator and addressed the “Consideration in Establishing Approval” as required by the Thorne Bay Municipal Code Section 17.04.043 (A); and

**WHEREAS**, the City of Thorne Bay provided written notice to the surrounding property owners of the Conditional Use Permit Application and Public Hearing as set forth in Thorne Bay Municipal Code Title 17.04.043 (C) (2);

**WHEREAS**, the City Council acting as Planning Commission, held a public hearing on May 2, 2023, to consider the approval of Conditional Use Permit No. 23-04-11-01, submitted by Mick Fletcher, for the purpose of permitting the owning of a rooster within Residential/Commercial III Zoned property; and

**NOW, THEREFORE BE IT RESOLVED**, by the City Council acting as Planning Commission, that Conditional Use Permit Application 23-04-11-01, fully satisfies the requirements for approval as set forth in the Thorne Bay Municipal Code Section 17. 04.043-Conditional Use Permits, Section B-Criteria for Consideration in Establishing Approval or Denial as follows:

1. The City Council acting as Planning Commission, found the proposal is consistent with the Thorne Bay Municipal code and all other applicable city ordinances
2. The proposed use is an expressly permitted conditional use in the Mixed Residential/commercial III Zone
3. The use is generally compatible with other existing or proposed uses in the surrounding area
4. The proposed use would not adversely affect the health, safety or welfare of persons or property in the area neighboring the proposal and the surrounding area
5. The proposed use would not have an unfavorable or detrimental effect on property or property values in the area
6. Building height, poor or decrepit construction and incompatibility would not significantly affect the surrounding area, or the view shed in the neighborhood, the use would not require new construction
7. All utilities to the proposal are adequate. The property is not serviced by Municipal water source and does not apply to the proposed use for the Conditional Use Permit
8. Traffic volume, type and patterns are taken into consideration and access is adequate to serve any additional traffic flow, the proposed change in use will not increase traffic flow
9. Adequate off-street parking is provided
10. The proposed use would not degrade land, water, air or habitat quality
11. All other reasonable objections were taken into consideration by the City Council acting as Planning Commission, at the public hearing held May 2, 2023.

**BE IT FINALLY RESOLVED** that the City Council acting as Planning Commission, hereby approves Resolution No 23-05-02-01-PZ, approving Conditional Use Permit No. 23-04-11-01, submitted by Mick Fletcher for the use/operation of the property located at 177, Thorne Bay Road, South Thorne Bay Subdivision, for keeping of roosters.

**PASSED AND APPROVED May 2, 2023**

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Lee Burger Mayor

ATTEST:

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Caitlyn Sawyer City Clerk/Treasurer