

AGENDA

FOR THE SPECIAL MEETING
OF THE CITY COUNCIL FOR THE
CITY OF THORNE BAY, ALASKA
MONDAY, OCTOBER 9, 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:

<https://cityofthornebay.my.webex.com/cityofthornebay.my/j.php?MTID=mcf6d32e715c737fdd2643cc9fad9e16a>

Meeting number: 22558 131 8086 Password: 8NgKjJfAe68 (64555323) (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:
- 10) CONSENT AGENDA:
 - a) **MINUTES**
 - i. [Minutes of the September 19, 2023, Regular City Council Meeting, discussion and action item:](#)
- 11) NEW BUSINESS:
 - a) [Resolution 23-10-09-01](#), Certifying the results of the October 3, 2023, Thorne Bay Municipal Election, discussion and action item:
(last day to contest Election)
- 12) ORDINANCES FOR PUBLIC HEARING:
- 13) ORDINANCES FOR INTRODUCTION:
- 14) CONTINUATION OF PUBLIC COMMENT:
- 15) CONTINUATION OF COUNCIL COMMENT:
- 16) ADJOURNMENT:

POSTED: 9/28/23

MINUTES

FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR THE
CITY OF THORNE BAY, ALASKA
TUESDAY, SEPTEMBER 19, 2023

TIME: 6:30 p.m.

THERE WAS A WORKSHOP HELD AT 6:00PM

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 Burger, Hartwell, Stram, Oatman, & LaVoie

Those Excused were Nyquest

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, Oatman, LaVoie, & Burger

NAYS: None

EXCUSED: Nyquest

STATUS: Motion Passed

5) **MAYOR'S REPORT:**

- a) Playground is finished and we have seen 12-20 kids already out there playing.

6) **ADMINISTRATIVE REPORTS:**

- a) City Administrator: Report included in Packet
- b) City Clerk/Treasurer report included in Council Packet

7) **DEPARTMENT REPORTS:**

- a) Water Operator Report included in Council Packet
- b) EMS Report included in Council Packet

8) **PUBLIC COMMENTS:**

- a) **Sean Kaer** commented: Awesome that we got a grant for sewage, hopefully it addresses runoff and business
 - i. Voting at Davidson Landing is important, and it is needed. Every Citizen has a right to vote and be heard.
- b) **Thom Cunningham** commented: Attempted to arrange meetings with city officials and wasn't able to.
 - i. Ludacris to get rid of DL polls for a few people who don't want to drive to DL.
 - ii. Firehall (million-dollar monstrosity) If it is built, property taxes will be instituted. I submitted a floor plan that was approved and it should have stayed within those drawings. Why does it take so long to get signs up, parts are sitting there, nothing is up. Amy Jennings put up signs and elevated stop signs and that's it.
 - iii. City did not purchase playground equipment from James Stevens.

9) COUNCIL COMMENTS:

- **Oatman** commented:
 - DL voting was not intended to take away anyone’s voting right.
 - The playground got voted down because someone didn’t want the berry bushes to be removed.
- **Burger** commented: Amy was involved in the DL playground and letters were sent to Southside and there were people who opposed because of the berry picking.
- **Oatman** commented that Friends have a plan over there.
- **Burger** clarified that it was Mr. Bob Cunninghams
- **Stram** recalled that when the issue of DL came up, always in favor for voting out there and I believe that I spoke up in favor. At the meetings we had, no one spoke up in favor of continuing to have voting out there yet several people from Goose Creek did not want to have to drive to DL or vote Absentee. I was outvoted.
- **Hartwell** recollected there was a problem getting volunteers to man the place over there for the voting stations. It was easier and it was cheaper to eliminate it.
- **Burger** Requested the City Clerk read the letter received from Lavenia Sylvia into the record.

10) CONSENT AGENDA:

a) MINUTES

i. Minutes of the August 15, 2023, Regular City Council Meeting, discussion and action item:

Burger moved to approve the minutes of the August 15, 2023, regular council meeting. Hartwell seconded the motion. There was no further discussion.

MOTION: Move to approve the consent agenda, consisting of the minutes of the August 15, 2023, Regular City Council Meeting
F/S: Burger/Hartwell
YEAS: Hartwell, Oatman, Stram, LaVoie, & Burger
NAYS: None
EXCUSED: Nyquest
STATUS: Motion Passed

11) NEW BUSINESS:

- a) [Resolution 23-09-19-01](#), a resolution of the city council for the City of Thorne Bay, Alaska, approving the city administrator to negotiate and execute renewal of a short-term 24-month rental agreement (agreement) with Tim Lindseth, dba Cornerstone Excavations, for rental of city owned lands located in the Thorne Bay sort yard.

Burger moved to approve the Resolution 23-09-19-01, Oatman seconded the motion. Discussion as follows: Huestis clarified that the lease is a negotiation to continue to leave the property for the next 2 years. The rent would increase based on the value table. (\$150 to about \$256)

MOTION: Move to approve the Resolution 23-09-19-01
F/S: Burger/Oatman
YEAS: Hartwell, Oatman, Stram, LaVoie, & Burger
NAYS: None
EXCUSED: Nyquest
STATUS: Motion Passed

- b) [Resolution 23-09-19-02](#), a resolution of the City Council for the City of Thorne Bay, Appointing three registered voters to serve as election officials for the Regular Municipal Election held on October 3, 2023, discussion and action item:

Burger moved to approve Resolution 23-09-19-02. Oatman Seconded the motion. There was no further discussion.

MOTION: Move to approve Resolution 23-09-19-02
F/S: Burger/Hartwell
YEAS: Hartwell, Oatman, Stram, LaVoie, & Burger
NAYS: None
EXCUSED: Nyquest
STATUS: Motion Passed

12) ORDINANCES FOR PUBLIC HEARING: None

13) ORDINANCES FOR INTRODUCTION: None

14) CONTINUATION OF PUBLIC COMMENT:

- a) **Thom Cunningham** commented on the DL voting issue, the word was not out well enough that there was a meeting, and it was in Jan when the roads were bad. The agendas that I have picked up at DL are not always the same as the ones handed out here.
- i. There is a picture of Charlie Brown with no information on him. DOB, KIA, and location of his Vietnam memorial. Expressed displeasure of Huestis
 - ii. Goose Creek people may have been misinformed that the state was forcing them to go there.
- b) **Sean Kaer** commented that packets have not been available or updated at DL.
- c) **VPSO Mendonsa** thanked for the extra effort and does not see a divide between the sides. I offer to bring packets to DL and
- i. reported that extra effort is being made to make sure that loading and unloading of kids from the bus to ensure safety.
 - Speed limit sign for the school zones recommended – relatively cheap cost.
 - ii. We have certified 2 new drives for Ambulance drivers, many people are interested in signing up.
 - iii. Will West has taken on Fire Chief and is doing great. Several people are interested in signing up and have started training already.
 - iv. Joined the Island wide training at Votech, TB represented the majority of the involvement.
 - v. Pulled out 5,000lbs of garbage from Seaford’s Pit.
 - vi. 3 arrests, 25 incidents.
- d) **Sean Kaer** – Victoria was awesome on the call that I witnessed. Great job by EMS.
- e) **Thom Cunningham** – Individual living at Seaford’s pit who has done a great job cleaning up the garbage. City should have followed Bob Hartwell’s recommendation to push the cars to the back.

15) CONTINUATION OF COUNCIL COMMENT:

- a) **Hartwell** commented that it was mentioned that we weren't available for a meeting, and we came in early for that meeting and Mr. Cunningham was never showed.
- b) **Stram** would like to thank the City for allowing him to serve on the council, this may be the last meeting as we're having an election.
 - i. Recommended that in the future, when meetings are scheduled, have the meetings even if there is nothing on the agenda so that we can hear the community members.

16) ADJOURNMENT:

Mayor Burger adjourned the meeting at 7:22

Attest:

Lee Burger, Mayor

Caitlyn Sawyer, City Clerk



Sponsor: Lee Burger
Introduction: October 09, 2023
Vote: ___ Yeas, ___ Nays, ___ Absent

**RESOLUTION 22-10-09-01
CITY OF THORNE BAY**

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF THORNE BAY CERTIFYING THE ELECTION RESULTS AND ALL PROCEEDINGS IN THE OCTOBER 3, 2023, REGULAR MUNICIPAL ELECTION

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

WHEREAS, the City held a Regular Municipal Election on October 3, 2023, for the purpose of filling three (3) vacant council seats; and

WHEREAS, notice of the City Election was duly given per the Thorne Bay Municipal Code Chapter 2.28-Elections; and

WHEREAS, the City Council received from the City Clerk, a Canvass Report and Certificate of Results of the Regular Election ("Certificate of Election"); and

WHEREAS, there were a total of one hundred and twenty-six (126) votes cast and one hundred twenty-two votes were counted during the October 3, 2023, Regular Election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF THORNE BAY DOES HEREBY FIND, DETERMINE AND CERTIFY AS FOLLOWS:

Section 1. That the minutes of the October 9th, 2023, Council Meeting, reflect that the City Council certified the Election Results, reflecting a total of 126 votes cast, and one-hundred and twenty-two votes were counted and reflected in the Certificate of the Election.

Section 2. Max Blair is Elected to Seat B, for a Two-year Term with a total of 90 votes, Tiana LaVoie is Elected to Seat C, for a Three-year Term, with a total of 96 votes, Sean Kaer is Elected to Seat E, for a Three-year Term, with a total of 67 votes.

Section 3. That all proceedings in connection with the Regular Municipal Election have been accomplished according to law and the City Clerk is, hereby authorized and directed to deliver, or arrange for delivery of, a copy of the Certificate of Election to each newly elected councilmember.

PASSED and ADOPTED this 9th day of October 2023, by a duly constituted quorum of the City Council for the City of Thorne Bay, Alaska.

ATTEST:

Lee Burger, Mayor

Caitlyn Sawyer, City Clerk/Treasurer



**OFFICIAL
PRELIMINARY ELECTION RESULTS
REGULAR MUNICIPAL ELECTION OCTOBER 3, 2023**

**CITY OF THORNE BAY, ALASKA
ELECTION JUDGES' REPORT OF ELECTION RESULTS**

The tally below is a true and accurate record of all votes cast at the polls in the October 3, 2023, Regular Municipal Election.

SEAT B CANDIDATE	CITY HALL THE POLLS	CANVASS VOTES	TOTAL VOTES
Max Blair	<u>85</u>	<u>5</u>	<u>90</u>
Thom Cunningham	<u>24</u>	<u>4</u>	<u>28</u>
Write In	<u>01</u>	<u>0</u>	<u>01</u>

SEAT C CANDIDATE	CITY HALL THE POLLS	CANVASS VOTES:	TOTAL VOTES
Tiana Lavoie	<u>88</u>	<u>8</u>	<u>96</u>
Write In	<u>6</u>	<u>0</u>	<u>06</u>

SEAT E CANDIDATE	CITY HALL THE POLLS	CANVASS VOTES	TOTAL VOTES
Sean Kaer	<u>58</u>	<u>9</u>	<u>67</u>
Write In	<u>26</u>	<u>1</u>	<u>27</u>



**OFFICIAL
BALLOT CANVASS REPORT
REGULAR MUNICIPAL ELECTION OCTOBER 3, 2023**

**CITY OF THORNE BAY, ALASKA
ELECTION JUDGES' REPORT OF ELECTION RESULTS**

Total Ballots Printed City Hall: One hundred and Fifty (150)

Total Ballots Cast Absentee City Hall: Eleven (11)

Absentee In Person: Ten (10)

Absentee by Mail: Zero (0)

Total Spoiled Ballots City Hall: One (1)

Subtotal Absentee City Hall: Eleven (11)

Ballots received by Election Judges from City Clerk: One Hundred & Thirty-nine (139) (at polls)

Total regular ballots cast: One-hundred & Twelve (112) (at polls)

Total questioned ballots cast: Four (4) (at polls)

Total spoiled ballots: Zero (0) (at polls)

Total unused ballots: Twenty-three (23) (from Polls)

Grand Total..... One-hundred and Thirty-nine (139)

(Grand total of all ballots should equal those received from election supervisor at the Polls at City Hall)

The tally of voters was completed between the hours of 8:00am and 8:00pm, October 3, 2023

The votes were counted between the hours of 8:00 p.m. and 9:00 p.m. October 3, 2023

SUBTOTAL BALLOT ACCOUNTABILITY REPORT:

City Hall Absentee: Ten (10)

City Polls Question: Four (4)

Ballots Cast Polls: One-hundred & twelve (112)

Spoiled Ballots: One (1)

Unused Ballots: Twenty-three (23)

TOTAL BALLOT PRINTED: One-hundred Fifty (150)

The total ballots counted at the Canvassing Meeting on October 6, 2023, were **TEN (10) ABSENTEE** Ballots.....

The total ballots **NOT** counted at the Canvassing Meeting on October 6, 2023, were **FOUR (4) QUESTIONED** Ballots, as advised by the State of Alaska Division of Elections because the voters were not registered to vote in time for the Regular Municipal Election.....