

AGENDA

FOR THE **SPECIAL** MEETING
OF THE CITY COUNCIL FOR THE
CITY OF THORNE BAY, ALASKA
MONDAY, October 13, 2025

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=m0d922989834d2585ed09a12fc3e61bf8>

Meeting number: **2557 011 7810** Password **3880** (when dialing from a phone or video system)

- 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) City Clerk:
- 7) **DEPARTMENT REPORTS:**
 - a) Water Report: NOT GIVEN
 - b) Harbor Report: Attached
 - c) VPSO Report:
 - d) EMS Report:
- 8) **PUBLIC COMMENTS:**
- 9) **COUNCIL COMMENTS:**
- 10) **CONSENT AGENDA:**
 - a) **Minutes** of the September 2, 2025, Regular City Council Meeting, action item:
- 11) **OLD BUSINESS:**
 - a) **Resolution 25-08-05-01 PZ:** Approving the Variance Application submitted by the Central Council of the Tlingit & Haida Tribes of Alaska for a Height Requirement Variance, discussion and action item;
- 12) **NEW BUSINESS:**
 - a) **Resolution 25-10-13-01,** Certifying October 7, 2025 Election Results, discussion and action item;
- 13) **CONTINUATION OF PUBLIC COMMENT:**
- 14) **CONTINUATION OF COUNCIL COMMENT:**
- 15) **ADJOURNMENT:**

POSTED: October 10, 2025

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Date

MINUTES

FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR THE
CITY OF THORNE BAY, ALASKA
TUESDAY, SEPTEMBER 2, 2025

TIME: 6:30 p.m.

THERE WAS A WORKSHOP BEGINNING AT 6:00PM

1) **CALL TO ORDER:**

Mayor called the meeting to order at 6:30pm

2) **PLEDGE TO FLAG:**

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

3) **ROLL CALL:**

Those present were:

Pesterfield, Lovell, Nyquest, Kaer

Those absent were:

Excused: Blair, Killian

Unexcused: Cunningham

4) **APPROVAL OF AGENDA:**

Mayor moved to approve the Agenda, seconded, No discussion,

MOTION: Move to approve the agenda.

F/S: Nyquest/ Pesterfield

YEAS: Pesterfield, Lovell, Nyquest

NAYS: Kaer

ABSENT: Blair

STATUS: Motion Failed

5) **MAYOR'S REPORT:** Mayor reported on the Community Center collaboration effort.

6) **ADMINISTRATIVE REPORTS:**

a) City Administrator: attached

7) **DEPARTMENT REPORTS:**

a) Water Report: Written report given

b) EMS: Attached

8) **PUBLIC COMMENTS:**

a) **David Shilts** commented on OVK's bridgework and claimed excavators are running across fish streams.

9) **COUNCIL COMMENTS:**

a) **Kaer** commented that OVK's bridgework. Suggested we support stream protection.

b) **Pesterfield** commented on the Community Center meeting – glad that it got kicked off, even with short notice. Suggested Council be thinking about what direction we would like the community to proceed in.

c) **Nyquest** added to the Community Center information: the suggestion of the Community Center being used as an emergency shelter was raised.

d) **Kaer** commented on past plans, and suggested that be researched.

e) **Lovell** thanked the Administrator for cleaning up an oil spill and grating the southside road.

10) **CONSENT AGENDA:**

a) **Minutes** of the August 5, 2025, Regular City Council Meeting, action item:

Mayor moved to approve the Consent Agenda consisting of the Minutes from the August 5th Regular City Council Meeting, Seconded;

MOTION: Move to approve the Consent Agenda.

F/S: Nyquest/ Lovell

YEAS: Pesterfield, Lovell, Kaer, Nyquest

NAYS:

ABSENT: Blair, Killian, Cunningham

STATUS: Motion Passed

11) NEW BUSINESS:

- a) **Resolution 25-09-02-01:** Approving Election Judges for the 2025 General Municipal Elections, discussion and action item;

Mayor moved to approve resolution 25-09-02-01, Approving Election Judges for the 2025 General Elections, Seconded, discussion:

Nyquest clarified the judges recommended all have experience.

No further discussion.

MOTION: Move to approve the Consent Agenda.

F/S: Nyquest/ Lovell

YEAS: Pesterfield, Lovell, Kaer, Nyquest

NAYS:

ABSENT: Blair, Killian, Cunningham

STATUS: Motion Passed

- b) **Resolution 25-08-05-01 PZ:** Approving the Variance Application submitted by the Central Council of the Tlingit & Haida Tribes of Alaska for a Height Requirement Variance, discussion and action item;

Mayor moved to approve Resolution 25-08-05-01 PZ, Approving the Variance Application Seconded, Discussion as follows:

- **Kaer** requested more community exposure to the Variance before Council votes.
- **Lovell** questioned if due diligence has been done. If the City has posted the past two times, it's been brought forward this would make the third notice.
- **Huestis** commented that the Clerk sent notices to adjacent properties as is consistent with Variance procedures and only received a response from one person, who claimed to not own that property.
- **Nyquest** commented on concerns that have been raised previously and would like to give the opportunity to the community members on Southside to have alternative internet opportunities.
- **Kaer** commented that he would like to see a light. Suggested that we should have had AT&T instead. Suggested that the towers elsewhere are giant and ugly. Would like to get something out of it.
- **Pesterfield** commented that the FAA requirements are only at 200ft and marked on a map. Suggested that the tower be built without the Variance. Commented that the community members would not like to see a tower built in their area. Pointed out on the Variance request should be without monetary gain reasons.
- **Lovell** commented that they do not need a variance to build a tower, they can build it regardless. We are asking them for a light and for access for our EMS/Fire repeater.
- **Nyquest** commented that it could supply better services potentially, or not. Hate to turn down

people who want to do business here.

- **Huestis** commented that this is another alternative to the broadband we have been trying to get for a long time. The potential for future connections could be favorable to the community.
- **Lovell POI:** questioned if we can shelf it, or if we must vote.
- **Kaer** commented his views on how he will vote based off services.
- **Nyquest** commented that we have gone through the process and we should vote this meeting.

MOTION: Move to approve the Resolution 25-08-05-01 PZ.

F/S: Nyquest/ Lovell

YEAS: Nyquest

NAYS: Pesterfield, Lovell, Kaer

ABSENT: Blair, Killian, Cunningham

STATUS: Motion Failed due to insufficient vote

12) CONTINUATION OF PUBLIC COMMENT:

- a) **David Shilts:** commented that the issuance of the variance should be allowed with the contingencies that the City be allowed to add Fire/EMS equipment and a light be added.

13) CONTINUATION OF COUNCIL COMMENT:

- a) **Kaer** questioned if the City Administrator spoke with Atlas Towers about adding fire/EMS repeaters to the tower? If not, can we request that they do? Commented that we need better ways to communicate in emergency situations.
- b) **Nyquest** commented that Council just voted down the best option for improving communications. Open to asking Atlas about adding transponders to the Tower.
- c) **Pesterfield** commented that they may still build the tower and the City could be a paying customer to add our equipment to their tower. Thanked the Administrator for the road maintenance.

14) ADJOURNMENT: Mayor adjourned the meeting at 7:13p.m.



City of Thorne Bay

Thorne Bay, AK 999109

PHONE: (907) 828-3380; FAX: (907) 828-3374

E-MAIL: cityclerk@thornebay-ak.gov

DEPARTMENT REPORT

Subject: Monthly Department Report

Department: Water & Sewer Utility

Supervisor: Sam Sawyer, Level II Water

Employees: Sam Sawyer, Supervisor
Willy Jennings, Employee

Date: September 2025

A Departmental Overview

The Water/Sewer Department is administered by Sam Sawyer, Level II Water Operator. The Supervisor(s) and staff are responsible for the operation and maintenance of the City's four core sanitation services: Water Treatment, Water Distribution, Sewage Collection, and Sewer Treatment. Duties include maintenance, minor and major schedule and unscheduled repairs throughout all four systems, monthly reporting to the Alaska Department of Environmental Conservation as required, direct sampling as scheduled for water quality and wastewater effluent quality compliance, implementation of a preventative maintenance schedule, construction of new water distribution mains and residential /commercial service connections and wastewater collection mains and residential/commercial service connections.

Current Department Activities:

We have finished our filter maintenance on the Nanofiltration unit and our three sand filters this month. 2024 CRR Water report is out and available on the City's website, Facebook page, or in print at City Hall.



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DEPARTMENT REPORT

Subject: Monthly Department Report

Department: EMS

Supervisor: Angie Fenimore

Employees: _____

Date: AUGUST 28, 2025

A Departmental Overview:

We had 1 EMS incident and 1 EMS nonemergency call between August 1st and August 28th, when the August report was due:

- 1) 8/10/2025 - Two responders attended call. PT did not need transport to ARMC.
- 2) 8/17/2025 - Dispatcher and EMTs on-call determined the call was not an emergency and instructed patient to transport to ARMC via personal vehicle. Dispatch also informed patient to call back if symptoms changed or worsened.

Current Department Activities:

- 1) We are still working on sorting out which of our ambulances should be repaired for use on Southside. Angie Fenimore is communicating with a certified mechanic to assist in determining what is needed for repairs and which ambulance is the best and least costly to repair.
- 2) Angie Fenimore conducted a training to institute and practice protocols that conform to national EMS dispatch standards.
- 3) Angie Fenimore is continuing to work with IEMS in stocking and organizing our ambulances correctly, and in restocking pads in our AEDs in town.
- 4) EMS Starlink Backpacks have arrived for our ambulances. Working to get these picked up from city and installed.

Angie Fenimore, TB EMS Coordinator, June 26th, 2025

Employee Signature Date



**RESOLUTION 25-10-013-01
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 7, 2025, 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 7, 2025, 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 70 votes cast and 69 votes were counted during the October 7, 2025, 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 13th, 2025, Council Meeting, reflect that the City Council certified the Election Results, reflecting a total of __70__ votes cast, and __69__ votes were counted and reflected in the Certificate of the Election.

Section 2. Timber Pesterfield is Elected to Seat A, for a Three-year Term with a total of ____ votes, Gary Anderson is Elected to Seat B, for a Three-year Term, with a total of ____ votes, Thomas Cunningham is Elected to Seat C, for a Two-year Term, with a total of ____ 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 13th day of October 2025, by a duly constituted quorum of the City Council for the City of Thorne Bay, Alaska.

ATTEST:

Shane Nyquest, Mayor

Caitlyn Sawyer, City Clerk/Treasurer



CERTIFICATE OF ELECTION

City of Thorne Bay, Alaska

THIS IS TO CERTIFY that on the 7th day of October 2025, the City of Thorne Bay, Alaska, held a Regular Municipal Election for the purpose of electing three officers to the Thorne Bay City Council (Seats A, B, & C)

As confirmed by the City Council upon Completion of the final canvass of ballots on the 10th day of October 2025, the final election results are:

Council Seat A: (3-Year Term)

Timber Pesterfield -

With a vote of _____, Timber Pesterfield is hereby elected to Seat A for a 3-Year Term

Council Seat B: (3-Year Term)

Gary Anderson -

With a vote of _____, Gary Anderson is hereby elected to Seat B for a 3-Year Term

Council Seat C: (2-Year Term)

Thom Cunningham -

With a vote of _____, Thomas Cunningham is hereby elected to Seat C for a 2-Year Term

The results of the October 7, 2025, Regular Municipal Election, are hereby Certified by a duly constituted quorum of the City Council for the City of Thorne Bay, Alaska

DATED this 10th day of October 2025, at Thorne Bay, Alaska

ATTEST:

Shane Nyquest, Mayor

Caitlyn Sawyer, City Clerk/Treasurer



**CERTIFICATE OF ELECTION
REGULAR ELECTION OCTOBER 7, 2025
TOTAL VOTES CAST: 70**

TOTAL VOTES CAST AT POLLS:	<u>39</u>
TOTAL VOTES QUESTIONED AT POLLS:	<u>1</u>
TOTAL VOTES ABSENTEE:	<u>30</u>
TOTAL VOTES ABSENTEE MAIL:	<u>0</u>
TOTAL QUESTION ABSENTEE BALLOTS:	<u>0</u>
TOTAL VOTES CAST:	<u>70</u>

TOTAL VOTES COUNTED AT THE POLLS :	<u>39</u>
October 7, 2025	

TOTAL VOTES COUNTED AT CANVASS:	<u>30</u>
October 10, 2025	

TOTAL VOTES COUNTED: 69

TOTAL VOTES NOT COUNTED: 1

1 Questioned Ballots not counted – Non-Registered Voters

0 Absentee by Mail/Special Needs not returned to City Clerk





CITY OF THORNE BAY - PLANNING COMMISSION
RESOLUTION 25-09-02-01-PZ

A RESOLUTION OF THE CITY COUNCIL ACTING AS THE THORNE BAY PLANNING COMMISSION FOR THE CITY OF THORNE BAY, ALASKA, SUPPORTING THE VARIANCE REQUEST, FILE NUMBER 25-06-26-01-PZ FOR PERMITTING A 175-FOOT TOWER WITH 111-FOOT SETBACK, WHERE CITY CODE REQUIRES A SETBACK EQUAL TO HEIGHT FROM ADJACENT PROPERTY LINES.

WHEREAS, the Planning Commission serves 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, the City Council, acting as the Thorne Bay Planning Commission, held a public hearing on August 5, 2025 at 6:30 p.m., to consider a request by Central Council of the Tlingit & Haida Indian Tribes for a Variance to permit a tower in height excess of 64 feet, where the Thorne Bay Municipal Code 17.04.040 (D(4))-Communications-Telecommunications Facilities, requires a setback of length equal to height of tower from adjacent property lines, file number 25-06-26-01-PZ; and

WHEREAS, the City Council, acting as the Thorne Bay Planning Commission, has answered the following required criteria for approval (Thorne Bay Municipal Code 17.04.044 (A) of the Variance as follows:

- 1. That there are exceptional physical conditions or circumstances on the property or that would relate to its intended use or development that make the variance necessary;**
- 2. That the particular conditions or reasons that require the variance are not caused by the person requesting the variance;**
- 3. That the strict application of the provisions of this title would result in unnecessary hardship;**
- 4. That approval of the variance would not be detrimental to the health, safety and welfare of other properties in the vicinity;**
- 5. That the variance will not allow a land use in a zone that prohibits that particular land use;**
- 6. That approval of the variance is consistent with the comprehensive plan;**

7. That the variance is not requested because of monetary considerations or inconvenience;

8. That the variance request is for work yet to be performed.

NOW, THEREFORE, BE IT RESOLVED, that the City Council acting as the Planning Commission of the City of Thorne Bay approves / denies Variance 25-06-26-01-PZ based on the findings and facts listed above.

PASSED AND ADOPTED BY A DULY CONSTITUTED QUORUM OF THE CITY COUNCIL ACTING AS THE PLANNING COMMISSION ON OCTOBER 13, 2025.

Shane Nyquest, Mayor

ATTEST:

Caitlyn Sawyer, City Clerk/Treasurer