

MINUTES

FOR THE REGULAR MEETING
OF THE CITY COUNCIL FOR THE
CITY OF THORNE BAY, ALASKA
TUESDAY, FEBRUARY 3, 2026

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, Cunningham, Nyquest, Anderson, Kaer

Those absent were: Killian

4) **APPROVAL OF AGENDA:**

Mayor moved to approve the Agenda, Seconded, discussion:

MOTION: Move to approve Agenda.

F/S: Nyquest/Kaer

YEAS: Pesterfield, Lovell, Cunningham, Nyquest, Anderson, Kaer

NAYS:

ABSENT: Killian

STATUS: Motion Passed

5) **MAYOR'S REPORT:** None given

6) **ADMINISTRATIVE REPORTS:**

a) **City Administrator:** provided in agenda packet

Huestis commented that Senator Murkowski notified that the Southside Firehall funding was passed in the congressionally directed spending. Recommend a committee be assembled. Ready for construction. **POI Lovell:** can the intended position be changed? Huestis responded with information on ground details necessary for implementing sewer.

7) **PUBLIC COMMENTS:**

a) **Trina Pesterfield** commented that Council needs to correct error at last meeting striking the ordinance for recall, process should continue.

b) **Rhonda Houck** commented on the Salmon Derby. Suggested someone come in and talk about the manpower, time, and concerns with fisheries. Expectations are not achievable or reachable anymore. Gaming license should focus on school and community not the gaming derby.

8) **COUNCIL COMMENTS:**

a) **Pesterfield** expressed appreciation for the firehall and cemetery progress report. Suggested forming committees for future firehall and cemetery. Thank the Administrator for legwork on permitting process already.

b) **Anderson** commented that Chamber of Commerce is overwhelmed with permitting gaming activities and City should get their own.

c) **Cunningham** commented that the firehall needs to be re-evaluated and put out for bid again and suggested a committee be formed to evaluate cemetery cost effectiveness.

d) **Lovell** commented that a community member is requesting a letter from the Clerk's office to

receive a gaming permit. Discussion continued with the permit process, Chamber of Commerce role, and duties and requirements of fishing derby. Community member Rob Houck suggested

9) **CONSENT AGENDA:**

a) Minutes of January 20, 2026, Regular City Council Meeting, action item:

Mayor moved to approve the Consent agenda consisting of the Minutes of January 20, 2026 Regular City Council Meeting, Seconded

MOTION: Move to approve Consent agenda consisting of the Minutes of January 20, 2026 Regular City Council Meeting.

F/S: Nyquest/ Lovell

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

10) **UNFINISHED BUSINESS:**

a) Discussion item: Jim Seeley Lease;

- Huestis clarified that the shaded areas were only potential areas of concern for Mr. Seeley, contract is the one proposed by the attorney.
- Anderson commented areas shaded are workable

b) Discussion item: Flat rate for Seniors;

- Cunningham briefed the Council on senior rates as they used to be. 2 35-gal garbage cans were a flat rate, suggested \$7 rate for 2 cans of household garbage once per week. Also identified differences between in town pick up and Southside drop off is different. Suggested the garbage fees should be the same across the city. Proposed rate changes for seniors as well as rate change for Southside
- Lovell suggested \$10 senior rate dump tickets, Resolution for change of both rates. Huestis
- commented that there is no scale for peoples garbage in town, could weigh more than that brought in to the dump. Shilts commented that he brought this up a long time ago, was shot down. Agreed that there no weighing in town garbage pick up and it should the same rate. Lisa Roseland Public Comment: solid waste is \$6 minimum rate for 50lbs, payment is .12/lb. once per week for a year fee is \$312. In town, payment is for 2 cans is \$45.10, \$521.20. If Council wants to look at rates, all senior utility rates should be considered north and southside. Rob Houck commented \$6.36/50lbs is right.

Pesterfield moved to approve \$10 senior dump tickets, Seconded,

MOTION: Move to approve \$10 senior dump tickets.

F/S: Pesterfield/ Lovell

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

Cunningham moved to bring discussion item to the next meeting, Seconded,

Lovell requested comprehensive rates and timeline for potential Resolution

David Shilts commented that the people in town could pay for 1 can instead of 2. Possibility of addressing issue of paying for 2 cans when using 1.

MOTION: Move to bring discussion on flat rate for seniors garbage cans and to make Northside and Southside rates the same to the next meeting with rates Resolution.

F/S: Cunningham/ Pesterfield

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

- POI Pesterfield: when motion is on the floor, vote should happen, discussion can continue after.
- c) Discussion item: Amendment to Resolution 23-02-21-02 approving MOA with OVK;
 - Pesterfield commented this discussion is to amend the Resolution only to require Council to review subsequent documents in relation to the MOA.

Anderson moved to direct the Clerk to bring a Revised Resolution to the next meeting with Council amendments, Seconded;

MOTION: Move to direct the Clerk to bring a Revised Resolution to the next meeting with Council amendments.

F/S: Anderson/ Cunningham

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

- d) Discussion item; City Administrator's in-kind contribution to OVK
 - Anderson questioned what the bill from OVK will be in the future?
 - Huestis commented there are no past due bills, OVK will still treat MOA as community driven service to take care of both communities.
 - Kaer questioned what roads are on the OVK inventory? Huestis commented he would make it available to Council. Kaer requested how many times road was maintained for future budget. Huestis offered documents to Council and would work together with future.
 - Lovell commented Council and public needs to see budget of monthly expenses to see what the expenses are so future bids can be compared with past costs.
 - Huestis quoted \$10,000 for road maintenance over 3 days
 - Lovell requested a report of those numbers from OVK as well as a breakdown of all work performed for the city roads by OVK.

11) NEW BUSINESS:

- a) Resolution 26-02-03-01: Approved the purchase of CivicPlus for a term of 15month, discussion and action item;

Mayor motioned to approve Resolution 26-02-03-01, approving the purchase of CivicPlus for a term of 15 months, Seconded, discussion as follows:

Clerk briefed Council on Agreement terms, start dates, billing dates, and items included in the CivicPlus agreement. Gave an overview of possible add on later for Municode, separate subscription costs, could decided later if it is needed.

MOTION: Move to approve Resolution 26-02-03-01: Approved the purchase of CivicPlus for a term of 15months

F/S: Nyquest/ Lovell

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

- b) Resolution 26-02-03-02: Accepting the Resignation of Mayor, Shane Nyquest, discussion and action item;
- i. Anderson commented Council needs to fix recall deferral from last meeting as Mayor was being recalled and requested it be addressed. Clerk asked for clarification on what that it would look like to fix it? Lovell commented that bringing the Ordinance back wouldn't fix the issue. A statement in the meeting minutes addressing the unanimous failure of process by a motion to strike an ordinance based off of the verbal intent to resign from the Mayor, before the written resignation was given, happened and will not happen again.
- ii. Kaer commented in agreement with council members and clarified that the recall was will of the community not the council.

MOTION: Move to approve Resolution 26-02-03-02: Accepting the Resignation of Mayor, Shane Nyquest

F/S: Nyquest/ Lovell

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Anderson

RECUSED: Nyquest

NAYS:

ABSENT: Killian

STATUS: Motion Passed

- c) Resolution 26-02-03-03: Accepting the Resignation of City Administrator, John Huestis, discussion and action item;

Chair moved to approve Resolution 26-0203-03, accepting the Resignation of City Administrator John Huestis, Seconded, discussion as follows:

Lovell started off discussion addressing concerns of date stated to post for hire. Suggested that Council may hire an administrator. Pesterfield read TBMC cited in the Resolution. Discussion continued with the ideal posting dates. Lovell questioned if the Chair becomes the Executive Officer or if someone else needs to be put into the position of Administrator. Anderson suggested that conversation is not germane to the resignation of Administrator.

Pesterfield moved to amend Resolution 26-02-03-03 Section 2: Notice of position vacancy will be posted no later than February 22nd., Seconded, Discussion continues.

Nyquest suggested since this whereas clause is for posting not filling the vacancy. Cunningham agreed with advertising open position. Conversation continued with posting dates. Lovell commented that Council may choose to move forward with a different direction with the city Administrator and Council may wish to adjust duties and responsibilities and suggested an amendment to the amendment to state no sooner than February 22nd to give Council the opportunity to discuss the future of the City.

Lovell motioned to amend the amendment of Resolution to state Section 2: Notice of position vacancy will be posted no sooner than February 22nd, Seconded, discussion followed

MOTION: Move to a to amend previous amendment of Resolution 26-02-03-03 Section 2: to state, "Notice of position vacancy will be posted no sooner than February 22nd."

F/S: Lovell/ Pesterfield
YEAS: Kaer, Pesterfield, Lovell, Anderson,
NAYS: Cunningham, Nyquest
ABSENT: Killian
STATUS: Motion Passed

MOTION: Move to approve amended Resolution 26-02-03-03, Accepting the Resignation of City Administrator, John Huestis

F/S: Nyquest/ Cunningham
YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson
NAYS:
ABSENT: Killian
STATUS: Motion Passed

- d) Resolution 26-02-03-04: Amending the City Council Boards and Commissions Meeting Procedures Policy, discussion and action item;

Nyquest moved to approve Resolution 26-02-03-04, Amending the City Council Boards and Commissions Meeting Procedures Policy, Seconded, discussion follows:

Pesterfield commented on the intent of resolution is to allow public comment during action items other than appeals. Lovell suggested removal of the limiting of public comment during the first public comment period. Cunningham suggested public should be allowed to only speak about the item being discussed and the resolution doesn't say that specifically.

Chair moved to suspend rules to allow public comment, Lovell Second

MOTION: Move to suspend the rules to allow public comments on agenda items;

F/S: Nyquest/ Lovell
YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson
NAYS:
ABSENT: Killian
STATUS: Motion Passed

David Shilts Public comment: Mayor can limit time and keep comments germane; public should be allowed to comment and Mayor's job to keep meetings under control.

Lucy Aragon suggested line 2 state "allow public comments on each agenda item after it has been discussed by Council."

Lovell motioned to amend Resolution 26-02-03-04 line 1 for public comment to state as line 3 does for first public comment, line 2 to allow public comment on each specific agenda item after Council discussion, Seconded, no further discussion on amendment;

MOTION: Move to approve amendments to lines 1-3 on Resolution,

F/S: Lovell/Pesterfield

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

MOTION: Move to approve amended Resolution 26-02-03-04,

F/S: Lovell/Pesterfield

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

e) Resolution 26-02-03-05: Appointing a Mayor Pro Tempore, discussion and action item;
Chair moved to approve Resolution 26-02-03-05, Seconded, discussion as follows:

Lovell volunteered for Mayor ProTem

VOTE: Tony Lovell for Mayor Pro-Tempore

YEAS: Pesterfield, Lovell, Cunningham

NAYS: Nyquest, Anderson, Kaer

ABSENT: Killian

STATUS: Motion Failed

Pesterfield volunteered for Mayor ProTem

VOTE: Timber Pesterfield for Mayor Pro-Tempore

YEAS: Kaer, , Lovell, , Nyquest, Anderson

NAYS: Pesterfield, Cunningham

ABSENT: Killian

STATUS: Motion Passed

MOTION: Move to approve Resolution 26-02-03-05, Appointing Timber Pesterfield as Mayor Pro Tempore,

F/S: Nyquest/Pesterfield

YEAS: Kaer, Lovell, Cunningham, Nyquest, Anderson

NAYS: Pesterfield

ABSENT: Killian

STATUS: Motion Passed

12) ORDINANCE FOR INTRODUCTION:

- a) **Ordinance 26-02-17-01:** Ordinance to change TBMC 2.04.180 (L) Meetings – Order of Business, Public Hearing and Public Participation on agenda items, Discussion and action item,

Chair moved to approve Ordinance 26-02-17-01 Ordinance to change TBMC 2.04.180 (L) Meetings – Order of Business, Public Hearing and Public Participation on agenda items, Seconded, Discussion as follows:

- Pesterfield opened the discussion with information and purpose for the Ordinance change. Remove the last sentence that refers to “additional rules.” Removed redundancy.

Lovell motioned to amend the Ordinance to strike “Mayor” and add “Chair”, Seconded,

F/S: Lovell/Nyquest

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

No further discussion

MOTION: Move to approve Amended Ordinance 26-02-17-01, Ordinance to change TBMC 2.04.180 (L) Meetings – Order of Business, Public Hearing and Public Participation on agenda items

F/S: Nyquest/ Lovell

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

- b) **Ordinance 26-02-17-02:** Ordinance to amend TBMC 3.12.040-3.12.170, Purchasing Sections, discussion and action item;

Chair moved to approve Ordinance 26-02-17-02, Ordinance to amend TBMC 3.12.040-3.12.170, Purchasing Sections, Seconded, discussion as follows:

Anderson opened the discussion with clarification of why he suggested changing back to previous amounts.

Nyquest commented that costs have gone up and lowering so much will cause a lot of items to be before the Council that aren't necessary.

Kaer commented that Council should have more accountability for spending.

Cunningham questioned the amounts spending? Clarified by Anderson and Nyquest. Nyquest suggested amending 3.12.080(A) to \$5000, 3.12.130 revert back \$10,000, change 3.12.040(B) to state \$5000.

David Shilts commented that there could be a clause for emergency situations that would allow for approval before Council approval. **Anderson** pointed out Emergency spending.

Chair moved to amend Ordinance 26-02-17-02 changing sections 3.12.040(B), 3.12.080(A), 3.12.130 as discussed, Seconded,

F/S: Nyquest/ Anderson

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

MOTION: Move to approve amended Ordinance 26-02-17-02, Ordinance to amend TBMC 3.12.040-3.12.170, Purchasing Sections

F/S: Nyquest/ Lovell

YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

13) CONTINUATION OF PUBLIC COMMENT: None

14) CONTINUATION OF COUNCIL COMMENT:

- a) Lovell thanked the Administrator for the meeting.
- b) Nyquest thanked the Administrator appreciate services. Thanks to the Council and their work at the meeting.
- c) Pesterfield thanked the Mayor for his service. Thanked administrator for his dedication and professionalism as Administrator. Recognized the benefit of the OVK DOT position. Requested completion of as many open projects as possible before end date. Stated he will not be present in Thorne Bay for a few weeks, Vice Mayor will be there.

Anderson moved to cancel second meeting, Nyquest seconded,

F/S: Anderson/Nyquest

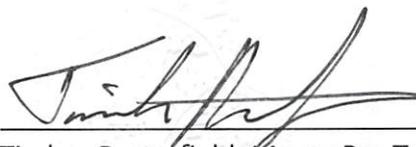
YEAS: Kaer, Pesterfield, Lovell, Cunningham, Nyquest, Anderson

NAYS:

ABSENT: Killian

STATUS: Motion Passed

15) ADJOURNMENT: Chair adjourned at 9:23pm



Timber Pesterfield, Mayor Pro Tempore

ATTEST:



Caitlyn Sawyer, City Clerk/Treasurer