

**CITY OF CRAIG
COUNCIL AGENDA
MARCH 17, 2022
COUNCIL CHAMBERS 6:30 PM**

ROLL CALL

Mayor Tim O'Connor, Hannah Bazinet, Jim See, Julie McDonald, Michael Kampnich, Chanel McKinley, Millie Schoonover

CONSENT AGENDA

Items listed below will be enacted by one motion. If separate discussion is desired on an item, that item may be removed and placed on the regular meeting agenda.

- City Council Meeting Minutes of March 3, 2022

HEARING FROM THE PUBLIC

- Open for public comment
- Ordinance No. 744: Establishing Regulations for All Purpose Vehicle Use on Craig Roadways
- Ordinance No. 745: Sale of City Owned Lot 3A, Salmonberry Subdivision

READING OF CORRESPONDENCE

- City of Fairbanks Resolution No. 5005, Opposing House Bill 55 Reestablishing a Defined Benefit Program
- Governor Dunleavy's Craig 100th Anniversary Congratulations Letter
- Frederick George Hamilton, Sr. Alaska Legislature Proclamation
- City of Craig's 100th Anniversary Alaska Legislature Proclamation

CONSIDERATION OF RESOLUTIONS AND ORDINANCES

- Ordinance No. 744: Establishing Regulations for All Purpose Vehicle Use on Craig Roadways
- Ordinance No. 745: Sale of City Owned Lot 3A, Salmonberry Subdivision

UNFINISHED BUSINESS

NEW BUSINESS

- Craig Tribal Association Request for Transit Funding Letter
- Craig Child Care Center Discussion

COUNCIL COMMENTS

ADJOURNMENT

To provide public comment to the council remotely, contact the Craig City Clerk at cityclerk@craigak.com, before 5:00 p.m. by the day of the council meeting. City council meetings may be viewed at: <https://www.youtube.com/channel/UCTou8Pn03MIEjLLb9Em0Xrg>.

CITY OF CRAIG
COUNCIL MEETING
THURSDAY MARCH 3, 2022

ROLL CALL

Mayor Timothy O'Connor called the meeting to order at 6:32 p.m. Present were Julie McDonald, Hannah Bazinet, Jim See, Millie Schoonover, Michael Kampnich, and Chanel McKinley.

Staff present: Brian Templin, City Administrator; Sheri Purser, Treasurer; Jessica Holloway, Aquatic Manager; Tracey Jensen, City Clerk; Samantha Wilson, City Planner; Hans Hjort, Harbormaster; RJ Ely, Chief of Police; Russell Dill, Public Works Director; Victoria Merritt, Recreation Director and Doug Ward, Parks and Public Facilities Director. Patricia Gardner, Library Director attended telephonically.

Audience present: Cheryl Fecko, D.J. Hansen and Chet Powell attended the meeting.

CONSENT AGENDA

1. City Council Meeting Minutes of February 3, 2022
2. Ordinance No. 745: Negotiate Sale of Lot 3A Salmonberry Subdivision to Hans Hjort SCHOONOVER/MCKINLEY
Moved to adopt the Consent Agenda.
MOTION CARRIED UNANIMOUSLY

HEARING FROM THE PUBLIC

No public comment.

REPORTS FROM CITY OFFICIALS

Administrator- Provided a written report. Brian Templin updated that the city is receiving an additional \$8,000 in American Rescue Plan Act (ARPA) funding and introduced the new City Planner, Samantha Wilson.

Treasurer- Provided a written report.

Aquatic Manager- Provided a written report. Jessica Holloway updated that the hot tub filter is at Samson's now and that the new treadmill arrived today.

Clerk- Provided a written report. Tracey Jensen said the next scheduled council meeting is March 17, 2022.

Planner- Brian Templin said that Samantha Wilson was just hired as the Planner and the next Planning Committee meeting is scheduled for March 24, 2022.

Fire/EMS Coordinator- Minnie Ellison was absent from the meeting but did provide a written report.

Harbormaster- Provided a written report. Hans Hjort relayed that the Harbor Advisory Committee meeting is scheduled for March 10, 2022. Hans explained that the Icehouse touch-screen computer wasn't working but is now and that the new computer ordered is due in on March 21st to be installed. Hans would like to send the original touch-screen computer in to possibly be refurbished and then kept for a backup.

Library- Provided a written report. Patricia Gardner said she was able to get the Shaan-Seet grant submitted.

Police Chief- Provided a written report. RJ Ely updated that the new part-time dispatcher position will be filled by Jeff Barnes and the new-hire officer position will be filled in May 2022. RJ said that Doug Ward and his crew installed the new video system. The council recognized the State of Alaska, Department of Public Safety's Director's Commendation awarded to Officer Dustin Connolly.

Public Works- Russell Dill said that in mid-February 2022 there were some issues with the Supervisory Control and Data Acquisition (SCADA) water system software and that Public Works worked with Boreal Controls to repair the problem but will also be getting quotes for the updates needed. Russell updated that the city is soliciting request for proposals for architectural and engineering services for the inspection, repair, and replacement of the Craig Wastewater Treatment Plant roof and that the new garbage truck is expected to arrive within the next 10 days.

Recreation- Provided a written report. Victoria Merritt listed the 100th centennial activity schedule, live streams, videos, and fireworks. Victoria and the council recognized and thanked everyone that helped out.

Parks and Public Facilities- Provided a written report. The council directed staff to cut the salmonberry bushes at the triangle corner of 6th & Spruce Streets and Beach Road.

Mayor- Tim O'Connor reported that Brian had stayed for the Juneau conference while he came back early for the mariculture meeting here, and that this kick-off meeting went very well. The mayor said that he and Brian spoke with the Lieutenant Governor and our representatives to request a proclamation for Fred Hamilton Sr. turning 101 years old and that they were able to get it through the House and Senate and that the acknowledgment will be sent to Craig.

READING OF CORRESPONDENCE

1. January 31, 2022, Alaska Permanent Capital Management Statement
2. Craig Tribal Association (CTA) Public Transit Request for Funding Letter
The council directed staff to add this request to the March 17, 2022, meeting agenda and requested a breakdown of the annual riders and transit costs.
3. Alaska Mental Health Trust Hollis Negotiated Timber Sale

CONSIDERATION OF RESOLUTIONS AND ORDINANCES

1. Ordinance No. 744: Establishing Regulations for All-Purpose Vehicle Use on Craig Roadways
The council, Chief Ely, Cheryl Fecko, and DJ Hansen discussed the all-purpose vehicle dangers, safety, equipment, sunset clauses, existing laws, insurance, enforcement, public notification of approved usage and muffler excessive or nuisance noise

SCHOONOVER/MCKINLEY

Moved to Adopt Amended Ordinance No. 744, Establishing Regulations for All Purpose Vehicle Use on Craig Roadways with Amendments as to Mufflers, Excessive Noise and a One-Year Sunset Expiration Clause.

MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE

DJ Hansen said that he believes that public notification is key and that he would be willing to assist in the school notifications. The council directed staff to publicly post the approved ordinance and also post in the Island Post to better inform the public.

2. Resolution 22-08, Capitalization of Craig Capital Reserve Fund, (CRF)

SCHOONOVER/KAMPNICH

Moved to Adopt Resolution 22-08, Capitalization of Craig Capital Reserve Fund, (CRF).

MOTION CARRIED UNANIMOUSLY BY ROLL CALL VOTE

UNFINISHED BUSINESS

1. Skid Steer Purchase Recommendation

Doug Ward said that the city is taking over the preparation of the Little League fields and that this recommended skid steer with the included attachments will help with this and many other Parks and Recreation projects. Brian Templin reminded the council that they had already Appropriated funding for this equipment, so this motion would be to purchase this particular Ventrac 4520Z model.

BAZINET/SCHOONOVER

Moved to Authorize the Purchase of the Ventrac 4520Z, with Purchase Funds Not to Exceed the amount of \$82,000.00.

MOTION CARRIED UNANIMOUSLY

2. 2022/2023 One-Year of Medivac Insurance Coverage

Councilwoman McDonald said that she is behind this Medivac coverage, and wants to make certain that this program is well advertised like it was last year so that Craig recipients are aware of it before they buy it themselves, and that this one-year coverage funding is only able to be provided due to American Rescue Plan Act, (ARPA) funds, for one-year. Mayor O'Connor said that a resident was unaware of the program, but AirMedCare covered them anyway.

MCDONALD/BAZINET

Moved to Approve a 2022/2023 Contract with AirMedCare to Provide One-Year of Medivac Coverage to Craig Households at a cost of \$47,000.
MOTION CARRIED UNANIMOUSLY

3. Craig Child Care Center Repairs and Premium Pay Request

The council questioned the continued requests for funding and would like to know if the problems are the employees, childcare waitlist, or not enough children enrolled and requested clarification. The council recognized the critical need for the childcare and would like to work with the center to figure out where the shortfalls are coming from to see if the city could help find solutions. The council directed staff to invite the Craig Child Care Center Board to the March 17, 2022, council meeting to help explain costs and the premium pay request.

KAMPNICH/SCHOONOVER

Moved to Approve the Appropriation of \$12,640 to Make Repairs to the Child Care Center Building.
MOTION CARRIED UNANIMOUSLY

KAMPNICH/SCHOONOVER

Moved to Set the Amended Appropriation of \$5,000 for Premium Pay for the Child Care Center to the March 17, 2022, City Council Meeting Agenda.
MOTION CARRIED UNANIMOUSLY

NEW BUSINESS

COUNCIL COMMENTS

Councilman Kampnich the city should Spruce Root, Inc. that is affiliated with Sealaska is using federal funding to work for new and existing Southeast Alaska businesses and timber operations. The council directed staff to prepare a letter of support accompanied by the city's previous resolution, supporting logging and processing of Tongass young growth timber.

Mayor O'Connor reported that Tessa Axelrod, the Executive Director of the Alaska Forest Association, (AFA) requested that the city reach out to Thorne Bay mill operators for input on what they could do with small logs. The Council directed staff to set up an island wide mill operator meeting for a possible university feasibility survey and crew for small mills and to reach out to POWCAC for assistance. Councilman Kampnich said that he would be happy to assist on facilitating the mill operator outreach.

The council directed staff to add running electricity to the Community Garden and expanding the lot on the next meeting agenda.

Councilwoman McDonald reported that there has been a noticeable turnover of the school certified staff and 18% are not returning, the principal of 14 years is leaving, and the special education teacher positions are getting jostled around and are putting in their notice of resignations. Councilman See said there had been school issues a few years back and that he and Councilman Kampnich had dealt with it then. Mayor O'Connor said he went to the school board meeting and that he is concerned about mask shutdowns, talk of cancelling sports, the loss of school staff and thinks the city needs to look into the issues. Brian Templin said that the city staff is scheduled to meet with school board on April 6, 2022, for budget discussion and suggested that may be a good time for the council to ask the school board questions.

Councilwoman Schoonover thanked the council and staff for being involved and working on community issues.

ADJOURNMENT

KAMPNICH/MCDONALD

Moved to adjourn at 8:00 p.m.
MOTION CARRIED

APPROVED on the ____ day of _____, ____.

MAYOR TIMOTHY O'CONNOR

ATTEST: _____
TRACEY JENSEN, CITY CLERK

RESOLUTION NO. 5005, AS AMENDED

**A RESOLUTION OPPOSING HB 55 REESTABLISHING A
DEFINED BENEFIT PROGRAM**

WHEREAS, in 2003, financial analysts working for the State of Alaska announced that the two largest public employee retirement systems in Alaska, the Public Employees Retirement System (PERS) and the Teachers Retirement System (TRS), had a combined \$5 billion unfunded liability; and

WHEREAS, the PERS and TRS unfunded liability reached \$12.4 billion in 2013; and

WHEREAS, the Senate Finance Committee, in 2005, attributed a number of factors leading to the unfunded liability, including inaccurate actuarial assumptions, historical understatement of system liabilities, rising health care costs, bearish periods in financial markets, declining interest rates, unfavorable demographic changes, artificially low contribution rates in good times, timing of the recognition of market losses, and legislation increasing benefits; and

WHEREAS, the average rate paid on PERS salaries to pay down the unfunded liability between FY2008 and FY2020 was 20.15%; and

WHEREAS, PERS employers paid over \$5.5 billion between FY2008 and FY2020 to pay down the unfunded liability; and

WHEREAS, the State of Alaska injected an additional \$3 billion into PERS and TRS in 2014; and

WHEREAS, the City of Fairbanks paid over \$23 million between FY2008 and FY2020 to pay down the unfunded liability; and

WHEREAS, instead of paying for current or future programs and services, current public dollars go to pay for benefits earned in the past; and

WHEREAS, the Alaska Retirement Management (ARM) Board estimates systemwide actuarial assets of \$32.19 billion at the end of FY 2021 with unfunded actuarial liabilities totaling \$3.97 billion; and

WHEREAS, the ARM Board projects systemwide pension benefit payments to total over \$1.5 billion annually between FY2022 and FY2050, with ongoing pension benefit payments running out to approximately FY2100; and

WHEREAS, AS 39.35.255 establishes a statutory non-State employer contribution rate of 22% and the actuarially determined contribution rate for the State as an employer; and

WHEREAS, AS 39.35.280 requires additional State contributions to make up the difference between 22% for non-State employers and the actuarially determined contribution rate; and

WHEREAS, every year since 2015 the City of Fairbanks has advocated that the State maintain the PERS employer contribution rate at 22% of salaries; and

WHEREAS, the ARM Board projects the need for \$1.86 billion in additional State contributions beyond the 22% employer rate between FY2023 and FY2039, assuming an actuarial earnings rate of 7.38%; and

WHEREAS, HB 55 proposes to (1) allow for the transfer of Peace Officer/Firefighter (P/F) active members from the State of Alaska PERS Defined Contribution Retirement (DCR) Plan to the PERS Defined Benefit (DB) Plan, and (2) provide that all future P/F hires automatically enter the PERS DB Plan rather than the PERS DCR Plan; and

WHEREAS, as of June 20, 2020, there were 2,228 P/F active members in the PERS DCR Plan with approximately \$159.2 million of DC account balances; and

WHEREAS, the State's actuary consultant has determined that if the contribution rate for P/F members' pension and healthcare benefits exceeds 9%, then HB 55 will lead to larger increases in additional State contributions compared to what would happen without HB 55; and

WHEREAS, by shifting active P/F members and all future P/F hires from the DCR Plan to the DB Plan, PERS employers will be taking on greater risk of higher contributions in future years; and

WHEREAS, the actuarially determined contribution rates for PERS between FY2008 and FY2020 averaged 31.30%, with a low of 25.01% and a high of 44.03%; and

WHEREAS, public funds discount future liabilities by the expected rate of return on their investment assets – the lower the earnings/discount rate, the greater the principal required to generate a given stream of income – thus, a high rate presents a low bar for success and a low rate, a high bar; and

WHEREAS, the State has control over pension plan promises, and the financial consequences with every pension benefit decision should be clearly understood; and

WHEREAS, persistent low-interest rates and greater uncertainty of future investment returns have created an environment where such pension promises have become increasingly expensive; and

WHEREAS, possibilities of sustained recessions can severely undermine projected rates of return similar to 2009 when PERS had a rate of return of -20.49%; and

WHEREAS, Article XII, Section 7 of the Alaska Constitution provides that "Membership in employee retirement systems of the State or its political subdivisions shall constitute a contractual relationship. Accrued benefits of these systems shall not be diminished or impaired"; and

WHEREAS, the Alaska Supreme Court has interpreted this provision to mean that "system benefits offered to retirees when an employee is first employed and as improved during the employee's tenure may not be 'diminished or impaired'"; and

WHEREAS, the proposed Tier 5 is only offered to certain individuals which raises a serious fairness issue and an inevitable desire by others to be included; and

WHEREAS, inclusion of overtime pay in determining an employee's wages in the past DB program was a serious problem and will continue to be so in HB 55 when determining the high five years, especially with public safety employees where annual overtime earned can actually exceed their annual base pay; and

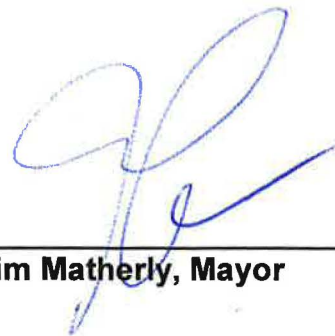
WHEREAS, the City of Fairbanks has many different tools that can be used for employee retention that do not carry the risks and costs that DB programs bring with them.

NOW, THEREFORE, BE IT RESOLVED that the Fairbanks City Council is opposed to returning to a defined benefit program where legal promises are made to retirees regardless of the ability to pay for them; and

BE IT FURTHER RESOLVED that the billions of dollars that have been lost funding DB debt over the years has greatly hurt both the State of Alaska and municipalities in providing services to residents which should be the primary focus and mission; and

BE IT FURTHER RESOLVED that the City Clerk is directed to forward copies of this Resolution to members of the Alaska State Legislature, all home-rule and first-class municipalities, and the Alaska Municipal League.

PASSED and APPROVED this 28th day of February 2022.



Jim Matherly, Mayor

AYES: Gibson, Cleworth, Marney, Clark
NAYS: Therrien, Rogers
ABSENT: None
APPROVED: February 28, 2022

ATTEST:

APPROVED AS TO FORM:



D. Danyelle Snider, MMC, City Clerk



Paul Ewers, City Attorney

STATE CAPITOL
P.O. Box 110001
Juneau, AK 99811-0001
907-465-3500



550 West Seventh Avenue, Suite 1700
Anchorage, AK 99501
907-269-7450

Governor Mike Dunleavy
STATE OF ALASKA

March 1, 2022

The Honorable Tim O'Connor
City of Craig, Mayor
P.O. Box 725
Craig, AK 99921

Dear Mayor O'Connor and Residents,

It is my pleasure to congratulate the City of Craig on achieving its historic centennial benchmark!

Craig Miller established a fish saltery in 1907 on nearby Fish Egg Island. His business promotion was the start of the community that bears his name. The City of Craig has operated as a municipal government since its incorporation on March 1, 1922.

Craig is the largest community on Prince of Wales Island and is the center of commerce, services, and government offices. Commercial fishing, dive fisheries, and other historical marine resource opportunities are a central part of Craig's economy. It is becoming an important hub for the mariculture industry in Southeast Alaska.

Congratulations as you celebrate the City of Craig's 100th Birthday!

Sincerely,

A handwritten signature in blue ink, appearing to read "Mike Dunleavy".

Mike Dunleavy
Governor

ALASKA LEGISLATURE

HONORING

FREDERICK GEORGE HAMILTON, SR.

The members of the Thirty-Second Alaska State Legislature recognize Frederick George Hamilton, Sr. for his meaningful life and contributions to Craig and congratulate him on his 101st birthday.

Mr. Frederick George Hamilton, Sr. was born in Craig on February 2, 1921, and made Craig his lifelong home. Mr. Hamilton has always shown a strong community volunteer ethic, the source of which is the profoundly simple and earnest belief that "things need doing," and that volunteering is "good for the soul." Evidence of his closely held belief in community-mindedness is shown by his time serving others as a Boy Scout leader, timekeeper at school basketball games, volunteer firefighter, school board member, and his long-serving tenure as a city council member.

In addition to his civic volunteerism, Mr. Hamilton held positions of trust as a member of the board of directors of Shaan Seet Inc., and an active member of the Alaska Native Brotherhood and of Tlingit & Haida Indian Tribes of Alaska.

Mr. Hamilton is a lifetime member of the First Presbyterian Church of Craig & Klawock and served the church in many capacities. Mr. Hamilton is still recognized from his work as the Prince of Wales Island agent for the Alaska Marine Highway System, the agent for local airlines serving Craig, and as a commercial fisherman and small business owner. The community of Craig has benefitted as detailed above, and in ways uncounted, from Mr. Hamilton's prodigious hours of service.

Mr. Hamilton reached the remarkable milestone of his 101st birthday on Wednesday, February 2, 2022. The totality of this longevity and service to the community of Craig and to Alaska is remarkable and worthy of formal recognition.

The members of the Thirty-Second Alaska State Legislature extend their heartfelt congratulations to Frederick George Hamilton, Sr. on the grand occasion of his one hundred and first birthday.



Louise Stutes
LOUISE STUTES
SPEAKER OF THE HOUSE

P. Micciche
PETER MICCICHE
PRESIDENT OF THE SENATE

JTK
REP. JONATHAN KREISS-TOMKINS
SPONSOR

Bert Stedman
SEN. BERT STEDMAN
CO-SPONSOR

Date: March 2, 2022

ALASKA LEGISLATURE

HONORING

THE CITY OF CRAIG'S 100TH ANNIVERSARY

The members of the Thirty-Second Alaska State Legislature are proud to recognize and celebrate the City of Craig's 100th anniversary of incorporation.

While Sháan Séet has been the home to many since time immemorial, the City of Craig was incorporated on March 1, 1922. The city has operated as a municipal government continuously since incorporation.

The City is named after Craig Millar, who established a fish saltery in 1907, constructed Lyndenburger Packing Company and cold storage plant shortly thereafter, and was instrumental in the community's growth. Commercial fishing, dive fisheries, and other marine resource opportunities remain a central part of Craig's economy.

The city is the largest community on Prince of Wales Island and is the center of commerce, services, and government offices for the island. Craig is a growing hub for mariculture in Southeast Alaska.

The members of the Thirty-Second Alaska State Legislature commend and congratulate the City of Craig on its 100th anniversary of incorporation on March 1, 2022, and wish the community and its members all the best on their next 100 years.



Louise Stutes
LOUISE STUTES
SPEAKER OF THE HOUSE

P. Micciche
PETER MICCICHE
PRESIDENT OF THE SENATE

J. Kreiss-Tomkins
REP. JONATHAN KREISS-TOMKINS
SPONSOR

Bert Stedman
SEN. BERT STEDMAN
CO-SPONSOR

Date: March 2, 2022

**CITY OF CRAIG
MEMORANDUM**

To: Mayor and Craig City Council

From: Brian Templin, City Administrator

Date: March 4, 2022

RE: All Purpose Vehicles on City Streets – Craig Ordinance 744

As the council is aware, the State of Alaska adopted regulations effective January 1, 2022 that allowed for the use of all purpose vehicles (APVs) on public roads in Alaska with posted speed limits of less than 45 mph.

At the March 3, 2022 meeting the council made some edits to the ordinance language and passed it for first reading with the public hearing and second reading scheduled for March 17th.

We have made a couple of minor typo corrections and added a section 10.14.045C regarding modification of sound suppression systems on APVs at the council's request.

Recommendation: Approve Ordinance 744 with an effective date of April 1, 2022.

**CITY OF CRAIG
ORDINANCE No. 744**

AMENDING TITLE 10 OF THE CRAIG MUNICIPAL CODE, ADDING SECTION 10.14
ESTABLISHING REGULATIONS FOR ALL PURPOSE VEHICLE USE ON PUBLIC
ROADWAYS WITHIN THE CITY OF CRAIG

Section 1. Classification. This ordinance is of a general and permanent nature and the code sections adopted hereby shall become a part of the code of the City of Craig, Alaska.

Section 2. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be effective April 1, 2022.

Section 4. Findings. The Craig City Council finds the following:

WHEREAS, on January 1, 2022, changes to portions of Section 13 of the Alaska Administrative Code go into effect allowing the use of all purpose vehicles on roadways in Alaska with posted speed limits of 45 miles per hour or less; and

WHEREAS, the Craig City Council has reviewed the implications and processes related to this regulation change and increased use of all purpose vehicles on Craig streets; and

WHEREAS, the City of Craig has formed a working group to discuss the issue and bring recommendations back to the city council for implementation; and

WHEREAS, the working group provided input for regulations regarding the use of all purpose vehicles on public roadways in Craig.

Section 5. Action.

1. This ordinance rescinds and removes Section 10.04.055 (previously added by Craig Ordinance 743) from the Craig Municipal Code; and,
2. Adds Section 10.14 (and all subsections) to the Craig Municipal Code as detailed in Addendum A.

Passed and approved this ___ day of _____, 2022.

Mayor Tim O'Connor

Attest _____
Tracey Jensen, City Clerk

Chapter 10.14

All Purpose Vehicles on Public Roadways

Sections:

- 10.14.005 General
- 10.14.010 Definitions.
- 10.14.015 Operators required to be licensed.
- 10.14.020 Registration required.
- 10.14.025 Insurance required.
- 10.14.030 Prohibited areas of operation.
- 10.14.035 Helmets required.
- 10.14.040 Lights.
- 10.14.045 Citation for defective or altered equipment.
- 10.14.050 Public nuisance and impoundment.
- 10.14.055 Parental responsibility.
- 10.14.060 Owner responsibility.
- 10.14.065 Penalty for violation and impoundment.
- 10.14.070 Sunset Date

10.14.005 General.

All-purpose vehicles are allowed to be used on public roadways within the City Limits of the City of Craig subject to requirements and restrictions shown in 13 AAC and the Craig Municipal Code.

10.14.010 Definitions.

When used in this section, the following words and phrases shall have the meanings set forth in this section:

“All Purpose Vehicle (APV)” as defined in 13 AAC 40.010(a)(67) means any self-propelled vehicle designed to travel on wheels or tracks in contact with the ground and is commonly used to transport persons for recreational purposes, including vehicles such as four-wheel drive units, all-terrain vehicles (APVs), or utility terrain vehicles (UVs); does not include off-highway vehicles as defined in 13 AAC 40.010(a).

“Police officer” or “peace officer” means and includes the chief of police, any officer or employee of the police department and other persons authorized by the police chief to perform the duties of a “police officer.”

10.14.015 Operators required to be licensed.

A. No person shall operate an APV on any public roadway within the Craig City Limits unless they have a valid driver’s license in their possession.

B. No person shall operate an APV in violation of any condition or limitation on the person’s driver’s license.

10.14.020 Registration required.

No person shall operate an APV on any public roadway within the Craig City Limits, or on public property within the city limits without a current state of Alaska registration as shown in AS 28.10.451 and AS 28.10.461.

10.14.025 Insurance Required

No person shall operate an APV on any public roadway within the Craig City Limits, or on public property within the city limits without proof of current insurance on their person. Operators of APVs must provide proof of insurance to law enforcement officers upon request.

10.14.030 Prohibited areas of operation.

A. No person shall operate an APV on any of the following city public properties without the prior permission of the City of Craig:

1. School grounds;
2. Parks and playgrounds;
3. Recreation areas; and
4. Walking/hiking trails.

B. No person shall operate an APV on any private properties without the prior permission of the property owner or property manager. No person shall operate an APV on private roads, including those roads within trailer courts without prior permission of the property owner or property manager.

10.14.035 Helmets required.

All APV operators who are under 18 years of age and all passengers (regardless of age), on a public roadway within the Craig City Limits must wear a helmet while operating or riding an APV.

10.14.040 Lights.

All APVs to which this section applies shall be equipped with at least one functional headlight, taillight and brake light that meet the requirements of Title 13 AAC for this equipment. The headlight and taillight must be illuminated whenever the APV is being operated.

10.14.045 Citation for defective or altered equipment.

A. A police officer may issue a “fix it” citation to the operator of an APV which is not in safe mechanical condition or properly equipped as required by AS Title 28, Title 13 AAC, or the provisions of this section. A citation issued under this section shall specify the repair or adjustment to be made.

B. An operator or owner receiving a “fix it” citation under this section shall within a time specified by the inspecting officer appear at the office of the Craig police department and present acceptable evidence of having made the repairs or adjustment or present the APV for reinspection. If the defective part or item is at that time determined to be operating in good repair, and the vehicle otherwise meets the requirements of AS Title 28, Title 13 AAC and the provisions of this section, the inspecting officer shall void the “fix it” citation. Failure to present evidence of repair or adjustment or to present the vehicle for reinspection within the time specified will result in the fine being owed and payment due as ordered on the citation.

C. All APV’s must be equipped, maintained, and operated so as to prevent excessive or unusual noise. APV must be equipped with a muffler or other effective noise-suppressing system, in good working order and in constant operation. No person may use a muffler cutout, bypass, or similar device, or modify the exhaust system of the APV in a manner which amplifies or increases the noise emitted by the engine of the APV above that emitted by the muffler originally installed on the APV.

10.14.050 Public nuisance and impoundment.

A. The purposes of this section include protecting the public, removing public nuisances, and deterring violations of this chapter, but do not include the generation of revenue for the city.

B. Any APV operated or modified in a manner that violates the Craig Municipal Code or state law is hereby declared a public nuisance.

C. Any APV that is a public nuisance may be impounded immediately by any police officer. Impoundment may be accomplished through a seizure of the APV at the time the citation is issued, or pursuant to a court order entered in the course of civil or criminal enforcement proceedings. Impoundment at the time of issuance of a citation is at the discretion of the citing officer.

D. An APV operated by, or driven by, or in the actual physical control of, an individual cited for violation of any section of this chapter is presumed to have been so operated by the owner(s) thereof or having been operated by another person with the knowledge and consent of the owner(s). An APV so operated is declared to be a public nuisance for which the owner(s) hold legal responsibility subject only to the defenses as set forth by law.

E. The owner(s) of an APV impounded by the city may obtain the release of the APV after the criminal matter has concluded or either the Chief of Police or District Attorney has authorized the release and upon providing proof of ownership, current valid insurance, and payment of a \$150.00 impound fee with an additional \$10.00 per day storage fee plus any additional costs incurred during the impoundment.

F. An APV seized for impoundment shall be held in the custody of the Craig police department. Any APV not claimed within 30 days of impound shall be considered abandoned and may be disposed of in accordance with AS 28.11.020 and AS 28.11.025.

G. The city may waive impound fees and return an impounded APV to the owner(s) if there is no requirement to maintain possession of the impounded APV for pending criminal or civil court actions and, the owner(s) can establish by a preponderance of the evidence that:

1. The owner(s) had an interest in the APV at the time of the alleged violation;
2. A person other than the owner(s) was in possession of the APV and was responsible for or caused the act which resulted in impound; and
3. That the APV was stolen and used without the owner(s)' permission.

10.14.055 Parental responsibility.

A parent or guardian of a minor under the age of 16 violates this chapter if he or she knowingly permits, or by insufficient control, allows their child or ward to operate an APV in violation of this chapter. Indifference as to the activities or whereabouts of the minor under the age of 16 shall be prima facie evidence of insufficient control.

10.14.060 Owner responsibility.

No person who owns or controls an APV shall permit a person to operate the APV if he or she knows or should reasonably know that it is likely to be operated in violation of this section.

10.14.065 Penalty for violation and impoundment.

A. Any person violating any provision of this chapter is guilty of an infraction and shall be punished by the fine established in the CMC 1.16.020, fine schedule if the offense is listed in that fine schedule or by a fine of up to \$300.00 if the offense is not listed in the CMC 1.16.040 fine schedule.

B. If a person is operating an APV in violation of the Craig Municipal Code or state law as incident to an arrest or other situation where the vehicle may require protection, the APV may be impounded immediately by a police officer or other authorized official. The APV shall be released only upon proof of ownership, proof of insurance, and payment in full of impoundment and storage charges.

10.14.070 Sunset Date.

Allowed use of APVs on Craig public roadways subject to this section will sunset on March 1, 2023. Unless the sunset date of this ordinance is extended or is replaced by ordinance, operation of APVs on public roadways within the Craig City Limits will be prohibited.

CITY OF CRAIG MEMORANDUM

To: Craig Mayor and City Council
From: Samantha Wilson, City Planner
Date: March 9, 2022
RE: Application to Sell City Property (Originally to Hans Hjort), Lot 3A, Salmonberry
Subdivision – Ordinance 745 Final Reading

The city included Lot 3A, Salmonberry Subdivision in land sales in 2013 and in 2017. The property did not sell in either land sale.

The city recently approved the sale of the adjacent lot to Maranda Hamme for \$68,020.

After the 2016/2017 appraisal and land sale, the lot was replatted to add a portion of the tideland based on a discrepancy with the original survey. This additional square footage will be included in the new appraisal.

The sale notice was published in the Island Post with the public hearing scheduled at the regular city council meeting on March 17, 2022.

Per protocol a memo was posted to inform the public of the proposed land sale with the option for other interested citizens to offer a bid before the land sale is approved. Although competitive bidding seldom occurs, Lot 3A, Salmonberry Subdivision has multiple interested parties. Moving forward, interested parties as well as the City Council will be informed that competitive bidding will be taking place. The land in question will be appraised and the City Council will establish the minimum price of the land based on appraisal results. Interested parties will be notified of the Council's decision so that bidding may commence.

Based on previous actions by the council, staff will pay for the appraisal up front and will add the cost of the appraisal to the land sale.

Funds from this sale will be placed in the city's land development fund.

Recommendation: Approve the final reading of Ordinance 745, authorizing the city administrator to negotiate the sale of city owned property to the winning bidder.

**CITY OF CRAIG
ORDINANCE No. 745**

AUTHORIZING THE CITY ADMINISTRATOR TO NEGOTIATE THE TERMS OF A
SALE OF CITY OWNED LANDS CONSISTING OF LOT 3A, SALMONBERRY
SUBDIVISION

Section 1. Classification. This is a non-code ordinance.

Section 2. Severability. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

Section 3. Effective Date. This ordinance shall be effective immediately upon adoption.

Section 4. Action. This ordinance authorizes the City Administrator to negotiate the sale of approximately 13,700 square feet of city owned land consisting of Lot 3A, Salmonberry Subdivision as shown on Plat 2018-24, Ketchikan Recording District. Final terms of said sale are subject to the approval of the Craig city council.

Passed and approved this _____ day of March, 2022.

Mayor Tim O'Connor

Attest _____
Tracey Jensen, City Clerk

**CITY OF CRAIG
MEMORANDUM**

To: Craig City Council
From: Brian Templin, City Administrator
Date: March 9, 2022
RE: CTA Request for Transportation Funding

At the March 3, 2022 council meeting the council packet contained a letter from the Craig Tribal Association (CTA) requesting \$4,500 from the city to support the CTA Transit System.

The council requested some additional information from CTA related to the Public Transit System budget and ridership.

On March 9th, CTA submitted information to the city. That information is attached.

The council should discuss the request and give direction to staff.

Recommendation: Move to provide \$4,500 in financial assistance to the CTA to support the Public Transit System.



Craig Tribal Association

P.O. Box 828

Craig, AK 99921

PH: (907)826-3996

Fax: (907)826-3997

March 9, 2022

City of Craig Mayor and Council,

Craig Tribal Association (CTA) has been operating the CTA Public Transit system since July of 2019 to provide needed transportation for the City of Craig and Klawock communities. CTA has been expending our IRR Tribal shares to subsidize this program. In 2020 CTA expended \$150,704.00 of our Tribal shares to subsidize the operating costs and supplies for the 2 cutaway buses. At that time CTA's Transit system was running a full 14 hour a day, 7 days a week schedule with 3 employees which included service to Hollis and the Klawock airport. CTA was able to run this schedule for 3 months before Covid -19 hit. Since that time CTA has steadily reduced service because of the pandemic. These expenditures include wages, fuel, insurance, and supplies.

In 2021 CTA expended \$73,255.92 of CTA's Tribal shares to maintain the reduced service which included wages, fuel, insurance, and supplies. In 2021 CTA was able to renegotiate an FTA grant which has allowed CTA to use the remaining \$94,433.58 grant funding to subsidize the wages and some minor equipment for 2022 and 2023, but not for use of fuel, insurance and sanitation supplies.

Currently CTA has a 2022 budget from our Tribal shares of \$21,000 to use for fuel, insurance and supplies. With the increase in fuel costs which have already exceeded last years prices by \$1.00 and are continually rising, CTA's budget cannot sustain the current reduced bus service. In 2022 CTA will have been operating long enough to apply for more FTA operational grants to include all expenditures for the 2023 season.

CTA has included the Public Transit Systems bus schedule and fares as well as the ridership logs for both 2020 and 2021.

Therefore, Craig Tribal Association is asking that the City Mayor and Council consider this request for donations of \$4,500 for fuel costs.

Rudy Bean
Tribal Administrator

Temporary Bus Route Schedule

Departing CTA every hour beginning 9AM all day. The last run begins at 3PM from CTA ending at 4PM. **No Runs on Saturday and Sunday**

Fares

Craig/Klawock	One Way	
Children 0 to 4 yrs.	Free	
Children 5 to 12 yrs.	\$1.00	
Adults	\$2.00	
Senior	\$1.00	
Daily Pass	\$5.00	
Monthly	\$40.00	

CASH ONLY correct change on bus only.
For one way and daily passes

Monthly Passes purchase at
CTA offices only.

Departure times

CTA-----	00:00
JS School Turn out-----	00:01
Oceanview/Sunnyside---	00:02
Craig Senior Center -----	00:03
Harbor Master Parking--	00:04
POWER-----	00:06
J.T Brown Store -----	00:08
Thompson House-----	00:10
Elizabeth Gardner SS-----	00:12
Peace Health-----	00:13
Tanner Crab Ball Park----	00:14
SEARHC-----	00:21
A&B Hall -----	00:23
KCA-----	00:25
KLW. Sr. Center -----	00:28
Black Bear Store -----	00:31
Wild Fish -----	00:33
VoTec Center -----	00:34
Klawock AC-----	00:35
SEARHC-----	00:38
Tanner Crab Ball Park----	00:45
Elizabeth Gardner SS-----	00:48
Return to CTA -----	00:50



Summary Transit Log 2020

Month	Monthly income	Monthly Ridership	Monthly Seniors
January	\$ 1,701.00	359	107 At this time CTA bus
February	\$ 1,274.00	360	108 schedule included
March	\$ 1,065.00	239	56 the IFA in Hollis
April	\$ 22.00	21	11 Covid Shut down
May	\$ 372.00	236	81 Started service back up
June	\$ 587.00	418	100 w/ reduced service no
July	\$ 637.00	366	111 IFA or airport service
August	\$ 649.50	256	76 7 days a wk
September	\$ 347.00	231	77 Reduced service more to
October	\$ 530.00	293	88 5days a week
November	\$ 467.00	231	79
December	\$ 561.50	326	97
Total	\$ 8,213.00	3336	991



Summary Transit Log 2021

Month	Monthly income	Monthly Ridership	Monthly Seniors
January	\$802.00	295	119 Operating 5
February	\$785.00	263	77 Days a wk
March	\$551.00	320	101 7 hrs per day
April	\$341.50	167	48
May	\$135.00	101	53 Covid closure
June	\$74.50	57	35 Covid closure
July	\$320.00	212	134
August	\$352.00	144	62 High Covid Count
September	\$1,342.50	218	62 Bus Rental
October	\$286.00	194	97 Reduced service
November	\$310.00	196	71 all year
December	\$409.00	231	86 Holidays/Covid
Total	\$ 5,708.50	2398	945

**CITY OF CRAIG
MEMORANDUM**

To: Craig City Council
From: Brian Templin, City Administrator
Date: March 10, 2022
RE: Craig Child Care Center

At a meeting earlier this month the Craig Child Care Center (CCCC) submitted a letter asking for a number of repairs to be made to the CCCC building and for some funding to continue the premium pay to employees.

I was visited by a CCCC board member on March 3rd who informed me that some of the board and most of the staff have resigned from the center and that they have not had any luck hiring new employees.

As it stands, I'm told that the last of the critical employees will leave about mid-April. If the center has not hired teachers/employees with the right certifications, then the center will not be able to operate.

At this point it looks like the center will close its doors sometime in April. This has an effect on the public, especially those who currently have daycare assistance. As I understand it, assistance is only available through licensed daycares and the CCCC is the only licensed entity in Craig.

It also has a significant effect on our own staff. We have a handful of staff members who use the CCCC and have been affected by the recent closures and change to hours at the center. This has had some effect on their ability to be at work. A full closure will cause some issues for those employees.

I am open to suggestions on what involvement the council would like to see the city to take, or whether to take any action at all.

We aren't looking for any formal action at this point, just a discussion and some general direction if the council is looking for staff involvement.