

**Minutes of Regular Assembly Meeting  
Held June 12, 2012**

Mayor Jeremy Maxand called the regular Assembly meeting to order at 7:00 p.m., June 12, 2012, in the Council Chambers. Assembly Members Jack, Privett, McCloskey, Symons and Stokes were present. Assembly Member McConachie was absent. Borough Manager Timothy Rooney and Borough Clerks Christie Jamieson and Kim Flores were also in attendance.

Pledge of Allegiance was led by the Assembly Member Mike Symons.

Invocation given by Nettie Covalt with the Presbyterian Church.

Community Presentation – None.

**AMENDMENTS TO THE AGENDA**

***Moved by Jack, seconded by Privett, to table item 13f, Approval of Wrangell Medical Center Budget for FYE 2013 and scheduling a Work Session to meet with Olinda White, WMC CFO, to explain the hospital budget.***

Assembly Member Jack expressed that the WMC budget is not clear and does not show a break down for each item.

Mayor Maxand asked Assembly Member Jack if he wanted clarification for the items in the budget.

Assembly Member Jack said "yes".

***Motion approved unanimously by polled vote.***

**CONFLICT OF INTEREST**

None.

**CONSENT AGENDA**

***Moved by McCloskey, seconded by Symons, to approve Consent Agenda Items marked with an (\*) asterisk, 6a, 7a. Motion approved unanimously by polled vote.***

**APPROVAL OF MINUTES**

\*6a Minutes of Board of Equalization meeting held May 7, 2012; Minutes of Public Hearing and Regular Assembly meeting held May 8, 2012; minutes of Budget Public Hearing and Regular Assembly meeting held May 22, 2012; Special Assembly meeting held

May 29, 2012; and Special Assembly meeting held June 1, 2012 were approved as presented.

### **COMMUNICATIONS**

\*7a Minutes of Special School Board meeting held April 30, 2012; and Board Action from regular meeting held May 21, 2012 were approved as presented.

### **BOROUGH MANAGER'S REPORT**

Borough Manager Rooney said that he received a grant for \$6000 from the Native American Services of the Institute of Museum and Library Services. \$4500 was used for additional staff for the Summer Reading Program during the summer. The remaining \$1500 would be used for a subscription for downloadable audio books and e-books for the public. He expressed that the grant was the result of joint effort between Wrangell Library Staff and the Wrangell Cooperative Association. He also stated that this was the third year that we had received grant funds for this program.

Assembly Member McCloskey said she appreciated the Fathers Day quote in the Manager's Report.

Assembly Member Privett commented that he had heard rumors that Southeast Earthmovers still had sub-contractors that had not been paid. He also expressed that if Southeast Earthmovers had been paid in full by the City of Wrangell, there should be no Southeast Earthmovers sub-contractors that have not been paid.

Borough Manager Rooney stated that he would look into the matter brought forth by Assembly Member Privett.

### **BOROUGH CLERK'S FILE**

- Upcoming Dates to Remember
- Special Election Calendar
- Code Review Committee
- New Borough Clerk

Borough Clerk Jamieson read a letter into the record from Borough Attorney Bob Blasco regarding inquiries to the Borough with hypothetical questions depending on various results of the Special Election to be held June 19, 2012.

### **MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS**

#### **10a Reports by Assembly Members**

Assembly Member Jack read a statement into the record to make his position clear on the matter of the Special Election to recall the Wrangell Medical Center Board Members.

Assembly Member Jack said that comments by certain individuals had been placed in the Wrangell Sentinel implying that if the new hospital was not built, the existing hospital would need to be remodeled to comply with ADA requirements or face closure by the State

Fire Marshall. In reading the American Disabilities Act, he found no basis for this assertion. He asked Borough Manager Rooney to obtain a letter from the State Fire Marshall clarifying this issue.

Mayor Maxand reported that today he had the pleasure of participating in a dedication ceremony at the Wrangell Library for a Video Conferencing System. Eleven librarians from around the state, the State Librarians Office, and Senator Begich's office participated in the dedication using the Video Conferencing System. Senator Begich used the Video Conferencing System to read "Blueberry Shoe" to kids around the state who were also participating.

Mayor Maxand encouraged the use of the Video Conferencing System for business, government, and education. He further encouraged residents who were interested in using the program to go down to library and talk to staff. He stated that this system would be a valuable tool and save taxpayer money because staff would not have to travel to meetings where the Video Conferencing System is available.

Mayor Maxand announced that he would be absent for the next Regular Assembly Meeting, June 26, 2012. He stated Vice-Mayor McCloskey would be filling in as the Chairperson for that meeting.

**10b.** Letter of Resignation from Paul Southland, Thomas Bay Power Authority Commission

***Moved by Privett, seconded by Symons, to accept Paul G. Southland's Letter of Resignation from the Thomas Bay Power Authority Commission.***

Assembly Member Privett stated that Paul had done a very good job and believed that he would make a fine General Manager for the Thomas Bay Power Authority.

Assembly Member Jack said he believed that it was a good move for Mr. Southland to resign because he would have had a conflict of interest if he remained on the board.

Mayor Maxand praised Mr. Southland by recognizing that it takes a lot of time and commitment to serve on the TBPA Board.

Advertisement for the TBPA Board will take place for two (2) weeks until June 26, 2012.

***Motion approved unanimously by polled vote.***

**10c.** Inter Island Ferry Authority (IFA) At-Large Board Seat – Mayor Maxand nominated Timothy Rooney, Wrangell Borough Manager to fill the seat.

Borough Manager Rooney stated that he had received an e-mail from Kathy O'Rear, City of Petersburg Clerk stated that the City of Petersburg had nominated Manager Rooney to fill the seat.

***Moved by Symons, seconded by McCloskey, to appoint Tim Rooney as Wrangell's IFA At-Large Board Seat Member.***

Assembly Member Privett stated it was critical that we stay involved in the IFA. He also said it is important to have someone from Wrangell speaking on behalf of the northern end.

Mayor Maxand agreed that until we were certain that there is not going to be a northern route, we need to be involved in the process.

***Motion approved unanimously by polled vote.***

#### **PERSONS TO BE HEARD:**

**Robert Maxand**, 319 Church Street, spoke about rumors that the hospital would be shut down by the State of Alaska Fire Marshall. He contacted State of Alaska Fire Marshall in Juneau by e-mail. Mr. Maxand provided testimony that he had investigated this matter and believed the rumors to be false.

Mr. Maxand distributed the Wrangell Medical Center Administrator's contract to the Mayor and Assembly and expressed that the contract was not in the best interest of the community of Wrangell.

**Dr. Greg Salard**, 3.5 Mile Zimovia Highway, spoke on the Wrangell Medical Center (WMC) budget. He stated that WMC budget was 300k in the red at the end of last year. He said that this year's budget should start out 300k in the red and asked the assembly to review that.

Dr. Salard stated that some hospital employees were being approached by fellow hospital employees while on duty and trying to influence their vote by means of intimidation. He appreciates the Borough Attorney looking into who will replace the WMC Board if the WMC Board is in fact recalled.

**Noel Rea**, Hospital Administrator, 203 3<sup>rd</sup> Avenue, asked for a friendly amendment to Assembly Member Jack's question about ADA; Mr. Rea clarified that the correct acronym should be AIA and not ADA; AIA 2001 guidelines are what the state uses for life safety; both had been included in the articles and documents put out; AIA is where most of the violations occur and that's where the bed-laws would occur if sited.

Mr. Rea stated that the WMC budget had been approved under its current format for over 25 years.

Mr. Rea stated that no complaints had been filed about employee intimidation. He encouraged voters to get out and vote.

### **UNFINISHED BUSINESS**

**12a PROPOSED ORDINANCE: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 15 OF THE WRANGELL MUNICIPAL CODE RELATING TO PUBLIC SERVICES, ELECTRICITY (second reading)**

Borough Clerk Jamieson stated that if this proposed ordinance is passed, the effective date would be June 13, 2012.

***Moved by Privett, seconded by Jack, to approve second reading.***

Assembly Member Privett expressed that this ordinance, if approved allows the City of Wrangell to proceed in a more professional and businesslike manner. He said that this ordinance would take the pressure away from staff to make the decision to disconnect someone or not to disconnect someone.

Assembly Member McCloskey agreed.

Assembly Member Jack commented that if the City of Wrangell were to offer Auto-Pay, it might require an ordinance revision.

***Motion approved unanimously by polled vote.***

### **NEW BUSINESS**

**13a PROPOSED ORDINANCE: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE OFFICIAL ZONING MAP OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, BY CONTRACT ZONING (first reading)**

***Moved by McCloskey, seconded by Jack, to approve first reading, and move to second with a public hearing to be held on June 26, 2012. Motion approved unanimously by polled vote.***

**13b Request to Hold Special Assembly Meeting on June 25, 2012 to Certify Election Results from Special Election to be held on June 19, 2012**

***Moved by Privett, seconded by Symons, to hold Special Assembly Meeting on June 25, 2012 to Certify Election Results from Special Election to be held on June 19, 2012.***

***Motion approved unanimously by polled vote.***

**13c Approval of a Contract Award to Johnson Construction for the Community Center Roof Replacement Project**

***Moved by Jack, seconded by McCloskey, to authorize the Borough Manager to enter into a Contract with Johnson Construction for the Construction of the Community Center Roof Replacement Project in the Contract Amount \$216,659, which is scheduled to be paid from the City & Borough of Wrangell Grant Funds provided by the U.S. Housing and Urban Development for the Community Center Renovations project.***

Assembly Member McCloskey stated that she was pleased that the funds were being spent locally for this project.

Mayor Maxand stated he was happy to see the building being repaired and sees the Community Center as a huge asset to the community. He thanked staff for their work on the project.

***Motion approved unanimously by polled vote.***

**13d** Approval of a Contract Award to CXT, Inc. for the Premanufactured Restroom Procurement for the Marine Service Center

***Moved by McCloskey, seconded by Jack, to approve the bid for the Premanufactured Restroom building from CXT, Inc. and issue a Purchase Order in the amount of \$46,321.19. Funds for this Procurement are scheduled to be paid from the Grant from the State of Alaska Department of Commerce, Community, and Economic Development (DCCED) for the Marine Service Center.***

Assembly Member Privett asked where the Premanufactured Restroom would go.

Amber Al-Haddad, Project Manager, City & Borough of Wrangell, said that the Premanufactured Restroom would replace the existing outhouse and job shack that Steve Miller currently used. She said that this structure would be both an office and a bathroom. She said that if you are looking out toward the water, this structure would be placed to the left of the Lift Station.

***Motion approved unanimously by polled vote.***

**13e** Approval of Change Order No. 1 for the Marine Service Center, Concrete Paving Project

***Moved by Symons, seconded by Privett, to authorize the Borough Manager to issue a Change Order No. 1 in the amount of \$910,040 to S&S General Contractors for Changed Conditions to the Marine Service Center Concrete Paving Construction Project. This additional work is scheduled to be paid in part from the two (2) Grants received from the State of Alaska, (DCCED) for the Marine Service Center Paving Phases 1 & 2***

Borough Manager Rooney clarified this change order amount is in addition being able to use the already bid prices and after we received the State of Alaska (DCCED) Grant additional funds we wanted to be able to utilize the bid that we already had as much as possible.

***Motion approved unanimously by polled vote.***

**13f** Approval of Wrangell Medical Center Budget for FYE 2013 as Presented

Tabled – Pending Work Session

**13g** Consideration and Appropriate Action relating to the 2012-2014 Collective Bargaining Agreement between the City and Borough of Wrangell and the International Brotherhood of Electric Workers (IBEW) Local 1547

***Moved McCloskey, seconded by Jack, to approve the Proposed Collective Bargaining Agreement between the City and Borough of Wrangell and the International Brotherhood of Electrical Workers (IBEW) Local 1547, as presented.***

Assembly Member McCloskey said she appreciated the work done by city staff.

Borough Manager Rooney stated that city staff and the IBEW team were able to reach agreement in three (3) meetings.

Mayor Maxand said he sits on a board with one of the IBEW members and in talking with that member; stated that he was pleased with city management in terms of negotiations.

Borough Manager Rooney stated that this was a two (2) year agreement.

***Motion approved unanimously by polled vote.***

**13h** Discussion and Possible Action concerning the Farm Bill Amendment

Mayor Maxand stated he was forwarded e-mail from the National Seafood Coalition regarding the Farm Bill regarding an amendment to the Farm Bill by Senator Mirkowski making the Seafood industry, including primary seafood processors eligible for low interest loan programs available by the U.S.D.A. which are currently available for traditional agricultural farming. This legislation would help our fishing community have access to some of these resources. He stated that he was looking for the assembly to make a motion asking him to draft letter of support to members of Congress for the Seafood Marketing Coalition to use.

***Moved by jack, seconded by McCloskey, to write a letter of support to Members of Congress supporting the Farm Bill. Motion approved unanimously by polled vote.***

**13i** Approval to Remove Harbor Receivable Accounts and Forward to Collection Agency  
***Moved by Symons, seconded by McCloskey, to approve Removal of Harbor Receivable Accounts and Forward to Collection Agency, as presented. Motion approved unanimously by polled vote.***


#### **14. ATTORNEY'S FILE**

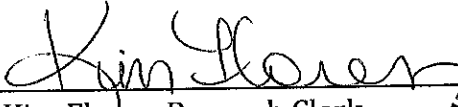
None.

15. EXECUTIVE SESSION

None.

ADJOURNMENT: 7:49 p.m.

  
\_\_\_\_\_  
Jeremy Maxand, Mayor

ATTEST:   
\_\_\_\_\_  
Kim Flores, Borough Clerk

