

## Minutes of Regular Assembly Meeting Held on February 25, 2014

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., February 25, 2014, in the Borough Assembly Chambers. Assembly Members Stough, Decker, Wiederspohn, and McCloskey were present. Assembly Members Stokes and Blake were absent. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

Pledge of Allegiance was led by Assembly Member Julie Decker.

Invocation was given by Donald McConachie.

### **CEREMONIAL MATTERS** – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

A presentation was given by Steve Helgeson on the 2013 Path to Prosperity award that he had received. His presentation focused on the community benefits for his business.

### **AMENDMENTS TO THE AGENDA**

There were no Amendments to the Agenda.

### **CONFLICT OF INTEREST**

There were no Conflicts of Interest declared.

### **CONSENT AGENDA**

***M/S: McCloskey /Wiederspohn, to approve Consent Agenda Items marked with an (\*) asterisk; 6a, 7a, 7b, 7c, 7d, & 7e. Motion approved unanimously by polled vote.***

### **APPROVAL OF MINUTES**

The Minutes of the Public Hearing and Regular Assembly meetings held February 11, 2014 were approved as presented.

### **COMMUNICATIONS**

- \*a. Notice of Permit Application (POA-2014-29) submitted by Todd White to the Dept. of the Army Corps of Engineers and the Preliminary Determination form submitted by U.S. Dept. of the Army Corps of Engineers to Todd White
- \*b. 2014 Alaska Gaming Permit Application renewal from Alaska Native Sisterhood
- \*c. Travel Summary for the month of January, 2014
- \*d. Expenditure report from Southeast Senior Services covering the second quarter period from Oct. 1, 2013 through Dec. 31, 2013
- \*e. Board Action from the Regular School Board meeting held February 17, 2014

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

Borough Manager Jabusch summarized the points in his Manager's Report.

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

Borough Clerk Lane's report was provided.

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

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

Assembly Member Decker reported that she and Mayor Jack had met with Senator Stedman while attending the AML Winter Legislative meetings in Juneau.

- Senator Stedman is actively involved in the Governors education bill;
- He is really interested in finishing up with the Marine Service Center project.

Decker attended the United Fisherman of Alaska Board of Directors meeting and met with people from the Homer Marine Trades Association; they have quite a large boat yard in Homer; have developed a large workforce and demand for that sort of work; they have created their own association to deal primarily with the workforce; interesting how it related back to Wrangell and what we are trying to do.

Mayor Jack reported on his meeting with Senator Stedman and Representative Wilson.

- New projects were probably not going to be funded;
- Ongoing projects had a chance of funding.

### **PERSONS TO BE HEARD**

There were no Persons to be heard.

### **UNFINISHED BUSINESS**

**12a PROPOSED ORDINANCE No. 874: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 2, ELECTIONS, OF THE WRANGELL MUNICIPAL CODE TO CLARIFY SECTION 2.04.050 ON WHO IS DECLARED ELECTED TO OFFICE AND SECTION 2.20.060 ON THE BALLOT FORM FOR OFFICES AND CANDIDATES** (*second reading*)

***M/S: McCloskey/Stough, to approve Ordinance No. 874.***

Assembly Member Decker stated that this change was a good thing. She commented on the proposed layout; suggested combining the seats that were up for re-election with the unexpired term seats and have the top high votes go to the re-elected seats and have the next highest vote go to the unexpired term seat.

Clerk Lane said that she had worked closely with an attorney in Attorney Blasco's office on this; there were a couple of municipalities that formatted their ballot the way that Assembly Member Decker was suggesting; if the Assembly wanted to change the proposed layout, to be consistent, the Port, School Board, and Hospital Board would also need to be changed; she suggested that there be another Public Hearing since it would be a considerable change to the proposed ordinance.

Assembly Member Stough stated that he preferred the suggested layout that Lane had brought forward. He further stated that it used to be that the seat would go to the highest vote getter and then it changed. He said that he would like to see it changed to the proposed layout.

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

**12b** Approval to provide the TBPA Commission with a letter that commits to the future

There was no action taken on this item.

#### **NEW BUSINESS**

**13a** PROPOSED ORDINANCE No. 875: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 3, ADMINISTRATION AND PERSONNEL, OF THE WRANGELL MUNICIPAL CODE BY REPEALING CHAPTER 3.50, CEMETERY ADVISORY COMMITTEE, IN ITS ENTIRETY (first reading) *(first reading)*

***M/S: Stough/Wiederspohn, to approve first reading and move to a second with a public hearing to be held on March 11, 2014.***

Assembly Member Stough explained that there was lack of interest in serving on the board.

Mayor Jack stated that anytime in the future if there was a need for a Cemetery Committee, there could be a Special Cemetery Committee formed to serve a particular purpose for a particular term.

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

**13b** PROPOSED ORDINANCE No. 876: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTIONS 5.08.005 AND 5.08.050 OF THE WRANGELL MUNICIPAL CODE RELATING TO SALES TAX TO ESTABLISH A DEFINITION OF "SINGLE-PURCHASE SALE" AND AMEND THE EXEMPTION FOR A SINGLE PURCHASE OF GOODS OR SERVICES *(first reading)*

***M/S: Decker/McCloskey, to approve first reading and move to a second with a public hearing to be held on March 11, 2014.***

Assembly Member Decker voiced concern on raising the sales tax cap from 1,200 to 1,500.

Manager Jabusch stated that the initial intent was not to raise the cap; however, while researching other communities, he had discovered that caps ranged from 1,500 to 5,000. He further stated that this was probably due in part to inflation.

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

**13c** Approval of Bid Received from Petro Marine Services to furnish petroleum products for the City & Borough of Wrangell, Wrangell Public Schools, and the Wrangell Medical Center

***M/S: McCloskey/Stough, to approve Petro Marine Services as the fuel provider for the City & Borough of Wrangell, Wrangell Public School, and the Wrangell Medical Center for the***

***period of February 1, 2014 through January 31, 2016, based on their management fee of \$0.354 per gallon. Motion approved unanimously by polled vote.***

**13d** Approval of a fourth amendment to the Wrangell Marine Service Center Facility Lease Agreement for Tyler Thompson

***M/S: McCloskey/Wiederspohn, to approve amendment number 4 of the Wrangell Marine Service Center Facility Lease Agreement, and to increase the monthly lease amount from \$188.00 to \$288.00, as per the original lease agreement. Motion approved unanimously by polled vote.***

**13e** Approval of a letter to SEAPA, requesting that they consider the transfer of the Operations and Management of the Tyee Hydroelectric Project from the Thomas Bay Power Authority (TBPA) to the Southeast Alaska Power Authority (SEAPA)

***M/S: Decker/McCloskey, to approve the letter from Manager Jeff Jabusch to SEAPA that requests that they consider transfer of the Operations and Management of the Tyee Hydroelectric Project from the Thomas Bay Power Authority (TBPA) to the Southeast Alaska Power Authority (SEAPA)***

Assembly Member Stough stated that the ordinances formed Thomas Bay; Thomas Bay had control over all of the contracts; authority was given by both communities to Thomas Bay; we are not following the proper procedures; we are overstepping our ordinances; the rules need to be followed; we would be eliminating contracts that are not held by the Borough. He said that he did not object to this letter; the letter would clarify some of the issues; if SEAPA chose to, they could send a letter to Thomas Bay as per their Rules and Procedures to give a one-year notice to Thomas Bay to terminate the contract. He stated that that would be the proper way to do things.

Assembly Member Stough stated that there was no communications with Thomas Bay; there needs to be a smooth transition.

Assembly Member Decker stated that in prior assembly discussions, it was determined that the Thomas Bay Power Commission would be put in inactive status in case there was such a need for the commission in the future. She said that she assumed that SEAPA would be communicating what was going on with Thomas Bay.

Manager Jabusch stated that if the date was extended for another year, he did not know where the funding would come from; Petersburg would not fund for a long period of time.

In response to Mayor Jack, Clerk Lane stated that in order to do away with the Thomas Bay Power Commission, WMC Section 3.40, it would have to be done by Ordinance since it was created by Ordinance.

Decker asked if the Thomas Bay employees would fully cooperate through the transition.

Stough answered that he thought that they have all along.

Manager Jabusch stated that there were a couple of things that they had refused to provide.

Assembly Member McCloskey pointed out a discrepancy in Resolution No. 12-13-1290, paragraph four; she stated that it should read "...Wrangell and believes that TBPC should go into an inactive state....."

Assembly Member Decker stated that was the intent.

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

**ATTORNEY'S FILE**


There was no Attorney's File.

**EXECUTIVE SESSION**

There was no Executive Session.

**ADJOURNMENT: 8:20 p.m.**

ATTEST:

  
Kim Lane, CMC, Borough Clerk

  
David L. Jack, Mayor

