

**Minutes of Regular Assembly Meeting
Held on May 13, 2014**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., May 13, 2014, in the Borough Assembly Chambers. Assembly Members Stough, Wiederspohn, Stokes, Blake, McCloskey, and Decker were present. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

Pledge of Allegiance was led by Assembly Member Daniel Blake.

Invocation was given by a member of the Baha'i Faith.

CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*
A Proclamation for Lemonade Day – June 7, 2014, was presented.
A Proclamation for Take 25, National Center for Missing & Exploited Children was also presented.

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: Blake/Stough, to approve Consent Agenda Items marked with an () asterisk; 6a, 7a, 7b, & 7c. Motion approved unanimously by polled vote.*

APPROVAL OF MINUTES

The minutes of the Regular Assembly meeting held April 22, 2014, the minutes of the Board of Equalization meeting held May 5, 2014, and the minutes of the Special Assembly meeting held May 7, 2014 were approved, as presented.

COMMUNICATIONS

- *a. Minutes of the School Board meetings held: Regular-March 17, 2014; Special-March 22, 2014; Special-April 14, 2014; April 16, 2014
- *b. SEAPA Board Report provided by Brian Ashton and Christie Jamieson, SEAPA Board Members
- *c. Quarterly Expenditure Report for Southeast Senior Services' Wrangell (Catholic Community Service) for the period of January 1, 2014 through March 31, 2014

BOROUGH MANAGER'S REPORT

Borough Manager Jabusch provided a verbal report.

BOROUGH CLERK'S FILE

Borough Clerk Lane's Report was provided.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members – None.

10b Appointment to fill the vacancies on the Wrangell Convention & Visitors Bureau and the Economic Development Committee

With the approval of the Borough Assembly, Mayor Jack appointed Nancy Delpero to fill the vacancy on the Wrangell Convention & Visitors Bureau for the term expiring October 2016.

As there were no letters of interest received for the vacancy on the Economic Development Committee, Mayor Jack directed the Borough Clerk to continue advertising.

PERSONS TO BE HEARD

Tracy Davidson, 936 Ash St., spoke in opposition of allowing for roosters in Single Family Residential zoned neighborhoods.

UNFINISHED BUSINESS

There was no Unfinished Business.

NEW BUSINESS

13a Discussion and possible action regarding contacting the Borough Attorney

Assembly Member Stough said that the Mayor didn't have any more authority than the Assembly Members did to contact the attorney unless the Council made the decision to have him be the spokesman; City Manager and Clerk has responsibilities under the Ordinances on what he/she does; the controversy started when I sent a letter to the borough attorney to clarify the existing ordinances; questions that have been raised by Assembly Member's Blake and Decker have nothing to do with the questions that I asked of the borough attorney; it is my responsibility to make sure that we are all operating under our own rules; the Mayor should not have the authority to talk to the attorney without the consent of the council.

Assembly Member McCloskey said that everything that was done through the Council should go through the Clerk; she in turn sends it to the Assembly so that we know what is going on; it shouldn't be just one person.

Decker asked Stough that if he was adamant about the attorney clarifying the ordinances, why he didn't bring that to the Assembly; for the Assembly to approve those questions to go to the attorney. She further stated that by not following this process, the public was left out of the process.

Stough said these are existing ordinances; wasn't asking for anything else, just clarification.

Decker requested clarification on if this had been approved by the Code Review Committee.

Clerk Lane replied that "yes" we did. She further stated that the attorney came up with the suggested language.

Lane also stated that when this item comes back to the Assembly for consideration, it would be in the form of an ordinance for WMC Section 3.04 in its entirety.

M/S: McCloskey/Wiederspohn, to remove the sentence in the proposed language that says "...regarding matters outside the scope of normal business" and that something be brought back that interprets "normal scope of business."

M/S: Stough/Stokes, to refer this item to the Code Review Committee so that they can update the language. Motion failed with McCloskey, Blake, Wiederspohn, Decker, and Mayor Jack voting nay; Stough and Stokes voted yea.

Main motion was approved with Decker, McCloskey, Stokes, Blake, Wiederspohn, and Jack voting yea; Stough voted nay.

13b Approval of the request from Vern Phillips of Sea Level Seafoods, LLC., to modify the existing City Tidelands Lease

M/S: Blake/Stough: to approve the request from Vern Phillips of Sea Level Seafoods, LLC. to modify his existing City Tidelands Lease to include a portion of A.T.S. 81, adjacent to A.T.S. 1114, Tract B, and for a Survey and an Appraisal to be ordered by the Borough Clerk.

In response to Assembly Member McCloskey, Manager Jabusch clarified the area that Sealevel was requesting.

Motion approved unanimously by polled vote.

13c Approval of the School Budget for Fiscal Year 2014-2015

M/S: Wiederspohn/Decker, to approve the Wrangell Public School Budget for the Fiscal Year 2014-2015. Motion approved unanimously by polled vote.

13d Discussion regarding Wrangell and Petersburg's Thomas Bay Power Commission and SEAPA appointments (*requested by Assembly Member Stough and Mayor Jack*)

Assembly Member Stough stated that there was a conflict of interest when a member was appointed to both the SEAPA and TBPC Board; the SEAPA and TBPC bylaws are in conflict of one another; shouldn't be putting the members in that position.

There was further discussion on this item. There was no formal action taken.

13e Acceptance of the resignation from Wilma Stokes from the Borough Assembly

M/S: Stough/Wiederspohn, to accept the resignation from Wilma Stokes from the Borough Assembly.

The Mayor and Assembly Members thanked Ms. Stokes for her dedication on the Assembly for the seven years that she served.

Motion approved unanimously by polled vote.

Mayor Jack presented Ms. Stokes with a Certificate of Service.

ATTORNEY'S FILE – None.

EXECUTIVE SESSION – None.

Meeting adjourned at: 7:48 p.m.



David L. Jack, Mayor

ATTEST: 
Kim Lane, CMC, Borough Clerk

