

**Minutes of Regular Assembly Meeting
Held on October 14, 2014**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., October 14, 2014, in the Borough Assembly Chambers. Assembly Members Mitchell, Wiederspohn, Rooney, Decker, and Blake were present. Assembly Member Decker McCloskey arrived at 7:43 p.m. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane was also in attendance.

Pledge of Allegiance was led by Assembly Member Julie Decker.

Invocation was given by Lynne Olgren with the Island of Faith Lutheran Church.

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

Mayor Jack presented a Certificate of Service for Kimmy (Krissy) Smith for her service on the School Board.

AMENDMENTS TO THE AGENDA

Mayor Jack requested that, due to a possible Conflict of Interest of multiple Assembly Members, Item 13a be moved down below Item 13g on the Agenda. He stated that we were awaiting a call from the Borough Attorney and that if need be, Manager Jabusch would call the Attorney before this item was addressed. There was no objection to the amendment from the Assembly.

CONFLICT OF INTEREST – None.

CONSENT AGENDA

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

APPROVAL OF MINUTES

The minutes of the Regular Assembly meeting held on September 23, 2014 were approved, as presented.

COMMUNICATIONS

*a Letter of Permission (POA-2014-326) from the Dept. of the Army Corps of Engineers to Mr. Burrell Byford

BOROUGH MANAGER'S REPORT

Borough Manager Jabusch's report was provided.

In addition, *Marla Sanger, Wrangell Medical Center's CEO*, provided an in depth update on the Wrangell Medical Center New Facility Project.

BOROUGH CLERK'S FILE

Borough Clerk Lane's report was provided.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members – None.

10b Appointment of Vice-Mayor

M/S: Decker/McCloskey, to appoint Daniel Blake as the Vice-Mayor. Motion approved unanimously by polled vote.

10c Appointment of an Assembly Member as the Hospital Board Liaison

Assembly Member Prysunka expressed his interest in being the liaison for the Hospital Board. He stated that he wasn't sure if he had a Conflict of Interest though since his wife has a contract with the hospital for their long term care and as their swing bed director. After brief discussion, it was the consensus of the Assembly that there was no conflict. Mayor Jack appointed Prysunka as the Hospital Board Liaison.

10d City Boards and Committee Appointments

With the consensus of the Assembly, Mayor Jack appointed the following individuals to the various Boards and Committees:

Planning & Zoning Commission – *Don McConachie and Dorothy Hunt-Sweat – 3 year terms*

Parks & Recreation Board – *Cindy Martin and Grover Mathis – 3 year terms*

Wrangell Convention & Visitors Bureau – *Leslie Cummings & Corree Delabrué – 3 year terms*

Economic Development Committee – *Kim Covalt and Julie Decker – 3 year terms*

Nolan Museum/Civic Center Board – *As there were no letters received for this vacancy, Mayor Jack directed the Borough Clerk to begin advertising for the vacancy.*

PERSONS TO BE HEARD – None.

Recessed at 7:54 p.m.

Reconvened at 7:59 p.m.

UNFINISHED BUSINESS

12a PROPOSED ORDINANCE No 887 (am): AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING, AND ADDING A NEW CHAPTER AND NEW SECTIONS, TO TITLE 7 OF THE WRANGELL MUNICIPAL CODE, ANIMALS (*second reading-amended*)

M/S: Rooney/Mitchell, to approve Ordinance No. 887, as amended, and that on page 9, under section 7.08.045 (A) after "competent voice control of the dog", to add: "or dog is under keepers control via electronic device", and to delete Section 7.08.045 (D).

M/S: Decker/Mitchell, to amend the main motion to change the definition on page 2, letter H, At large, to add after "restraint"... "under voice control, or on private property with owner consent".

Assembly Member McCloskey requested clarification on exactly what the proposed changes were.

Amendment approved unanimously by polled vote.

M/S: Blake/Mitchell, to amend the main motion, as amended to remove the word "confined" from Section 7.08.030 (B). Amendment approved unanimously by polled vote.

Assembly Member Decker stated that it might be a good idea in the future to look at in City Boundaries Proper vs. Borough Boundaries.

Main motion, as amended, was approved unanimously by polled vote.

12b PROPOSED ORDINANCE No. 889: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE MINOR OFFENSE FINE SCHEDULE IN CHAPTER 1.20, GENERAL PENALTY, OF THE WRANGELL MUNICIPAL CODE (*second reading*)

M/S: McCloskey/Rooney, to approve Ordinance No. 889. Motion approved unanimously by polled vote.

NEW BUSINESS

13a Approval to send a letter of support on behalf of AICS for a grant to the Alaska Housing Finance Corporation

Manager Jabusch stated that he had spoken with the Borough Attorney with regards to the possible Conflict of Interest. He requested that we take a short recess to discuss what the Borough Attorney had said with the Mayor.

Recessed at 8:11 p.m.

Reconvened at 8:15 p.m.

Mayor Jack stated item 13a would be moved back up to its original location on the Agenda since we did receive an answer from the Borough Attorney. There was no objection from the Assembly.

M/S: Blake/Rooney, to approve a letter of Support on behalf of AICS to the Alaska Housing Finance Corporation for a Grant to develop additional housing units for incoming health professionals.

Manager Jabusch explained that if a member of the Assembly perceived that they had a Conflict of Interest to this item because of their business, the Borough Attorney said that they could state why they believed that they had a conflict. They Mayor would then rule on if there was a Conflict of Interest or not. Then, if a member of the Assembly did not agree with the Mayor's ruling, they would need to make a motion. That motion would then be voted on by the Assembly.

Assembly Member Decker declared that she had a potential Conflict of Interest since she has a rental below her home. In response to Mayor Jack, Decker stated that she had never rented to A.I.C.S. and would probably not rent to A.I.C.S. since they have remained full. Mayor Jack ruled that Decker did not have a Conflict of Interest.

Assembly Member McCloskey declared that she had a potential Conflict of Interest since she has a rental. She stated that the rental is full and she does not anticipate the renters leaving anytime soon. Mayor Jack ruled that McCloskey did not have a Conflict of Interest.

Assembly Member Prysunka declared that he had a B&B business and that he rented actively to A.I.C.S. people. Mayor Jack declared that he had a Conflict of Interest.

Assembly Member Rooney declared that she also had a B&B business and that she also rented actively to A.I.C.S. people. Mayor Jack declared that she had a Conflict of Interest.

In response to Rooney, Clerk Lane stated that because Rooney had seconded the motion, someone else would need to second the motion. ***Mitchell seconded the motion.***

Valerie Jenson, Chief Operations Officer for A.I.C.S., P.O. Box 1422, explained that A.I.C.S. was intending on refurbishing the apartments that were there; not exclusive to A.I.C.S. employees though and could be rented long-term to health care professionals as well.

Motion approved by polled vote, with Rooney and Prysunka not voting.

13b Approval to cancel the November 25, 2014 Regular Assembly Meeting

M/S: McCloskey/Rooney, to approve canceling the Regular Assembly meeting of November 25, 2014 and to have only one Regular Assembly meeting on November 12, 2014. Motion approved unanimously by polled vote.

13c PROPOSED RESOLUTION No. 10-14-1304: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE LIBRARY ASSISTANT II

M/S: Rooney/Mitchell, to approve Resolution No. 10-14-1304, updating the job description for the Library Assistant II position. Motion approved unanimously by polled vote.

13d PROPOSED RESOLUTION No. 10-14-1305: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE LIGHT PLANT SECRETARY

M/S: Blake/McCloskey, to approve Resolution No. 10-14-1305, updating the job description for the Light Plant Secretary.

In response to Assembly Member McCloskey, Manager Jabusch stated that proper training would be provided for this position.

Motion approved unanimously by polled vote.

13e Approval of a Professional Services Contract to Jensen Yorba Lott for the Facilities Condition Survey on the Swimming Pool and Community Center

M/S: Decker/Blake, to authorize the Borough Manager to issue a contract to Jensen Yorba Lott for professional architectural and engineering services in a fixed fee amount of \$30,000, with funds to be paid from a grant received from the State of Alaska, DCCED, for the Facilities Condition Assessment project. Motion approved unanimously by polled vote.

13f Discussion and possible action to join as interveners in the lawsuit regarding the Big Thorne Timber Sale on Prince of Whales (POW) (*agenda item added at the request of Assembly Member Decker*)

Assembly Member Decker requested that the Assembly get involved either as an intervener or in an amicus brief process. Decker asked Mr. George Woodbury to comment on this issue.

George Woodbury, 5.5 Mile Shoemaker Loop Rd., provided extensive information on how this issue could affect Wrangell and on what the City's options were.

After extensive discussion from Mr. Woodbury and the Assembly, it was the consensus of the Assembly to direct the Borough Manager to contact the Borough Attorney and find out what the Attorney believed would be in the best interest of the Borough.

13g PROPOSED RESOLUTION No. 10-14-1306: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE CUSTODIAN - LIGHT MAINTENANCE POSITION

M/S: Decker/Rooney, to approve Resolution No. 10-14-1306, updating the job description for the Custodian - Light Maintenance position. Motion approved unanimously by polled vote.

ATTORNEY'S FILE - None.

EXECUTIVE SESSION

15a To discuss the review process for the documents on the laptop currently with Digital Securus per the terms of the Settlement Agreement in Wrangell v Rea

M/S: Prysunka/Decker, Move pursuant to 44.62.320 (c) (2), that we recess into executive session to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough; specifically to discuss the review process for the documents on the laptop currently with Digital Securus per the terms of the Settlement Agreement in Wrangell v Rea. Motion approved unanimously by polled vote.

Recessed in to Executive Session at 9:04 p.m.

Reconvened back into Regular Meeting at 10:13 p.m.

Mayor Jack announced that there was no further business to discuss.

Meeting adjourned at: 10:13 p.m.

ATTEST: Kim Lane
Kim Lane, CMC, Borough Clerk

