

**Minutes of Regular Assembly Meeting
Held on February 10, 2015**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:04 p.m., February 10, 2015, in the Borough Assembly Chambers. Assembly Members Mitchell, Prysunka, Decker, and Blake were present. Assembly Member Rooney was absent. Borough Manager Jeff Jabusch and Clerk Kim Lane were also in attendance.

Pledge of Allegiance was led by Assembly Member Daniel Blake.

Invocation was given by Molly Prysunka.

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

Mayor Jack presented a Proclamation to School Board Members Cyni Waddington and Tamara Groshong, recognizing the month of February as School Board Recognition Month.

AMENDMENTS TO THE AGENDA

Assembly Member requested that Item 13d be removed from the Agenda and taken up again once the State decided to address it. There were no objections from the Assembly.

CONFLICT OF INTEREST – None

CONSENT AGENDA

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

APPROVAL OF MINUTES

The minutes of the Public Hearing and Regular Assembly meetings held January 27, 2015 were approved, as presented.

COMMUNICATIONS

- *a. Minutes of the Regular School Board meetings held November 17, 2014 and December 15, 2014

BOROUGH MANAGER'S REPORT

The Borough Manager's Report was provided.

BOROUGH CLERK'S FILE

The Borough Clerk's Report was provided.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Assembly Member Blake requested that the Assembly wait on the commercial part of the marijuana issue to first see what the State was going to do; he wanted to direct the Borough Clerk to contact the Borough Attorney to draft an Ordinance to prohibit the public consumption of marijuana and marijuana products. There was no objection from the Assembly.

Blake also stated that he would like the Borough Clerk to look into what other communities were doing for applying a "sin" tax on alcohol, Tabaco, and possibly marijuana and having those proceeds go towards sustaining the Parks & Recreation department.

Blake thanked Lauralee and Dennis Mann for their service to community and to the Senior Service residents. Blake stated that the Mann's would be leaving our community.

Assembly Member Prysunka reported on a successful trip to Ketchikan to attend his first SEAPA Board meeting.

Assembly Member Decker requested that the Borough Manager look into investing the \$1 million that the City has in reserves into the Permanent Fund.

Mayor Jack stated that he had received a call from Senator Murkowski's office regarding the Canada Mining; they had not forgotten about us.

Decker reported that a private company called Silverbay Seafoods in Sitka would be starting a salmon oil facility and also building a marine service center.

10b Appointment to fill the Vacancy on the Borough Assembly

M/S: Prysunka/Blake, to appoint David Powell to the Borough Assembly for the unexpired term ending October 2015. Motion approved unanimously by polled vote.

After taking his Oath of Office, Mr. Powell joined the Assembly at the dais.

10c Appointment to fill the Vacancy on the Planning & Zoning Commission

As there were no letters of interest received for this vacancy, the Mayor directed the Borough Clerk to continue advertising for the vacancy.

PERSONS TO BE HEARD

Butch Schmidt, 2.5 Mile Zimovia Hwy., stated that with regards to the section in proposed ordinance no. 893 that speaks to the within one-half mile of any public street, road or highway, he believed that changing that to one-quarter mile would be acceptable.

Marilyn Mork, 740 Evergreen, spoke in opposition to the language in the proposed ordinance no. 892 that stated that she would not be allowed to sell small fireworks to kids on the 4th of July. She suggested changing the language so that it would be allowed.

Assembly Member Decker quoted the section in the ordinance that defined what was not allowed.

Mayor Jack stated that the provision was not being changed and that it was in effect now.

UNFINISHED BUSINESS

12a PROPOSED ORDINANCE No. 892: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS OF CHAPTER 9.12, FIREWORKS, OF THE WRANGELL MUNICIPAL CODE RELATING TO WHERE FIREWORKS ARE PROHIBITED, AND ADDING A NEW SECTION ON PENALTY FOR VIOLATION *(second reading)*

M/S: Prysunka/Blake, to approve Ordinance No. 892.

Assembly Member Mitchell stated that in section 9.12.030, it stated that "any kind or description of fireworks". Therefore, if Ms. Mork were selling any fireworks, she would be in violation.

M/S: Mitchell/Blake: to amend the main motion to strike the words "any kind" from section 9.12.030.

Mayor Jack stated that if the language in 9.12.030 stated that ... "firecrackers or fireworks as defined in section 9.12.010....." would make it very clear. Assembly Member Mitchell agreed.

Motion failed with Mitchell, Powell, Decker, Prysunka, Blake, and Mayor Jack voting No.

M/S: Blake/Mitchell: to amend the main motion to replace the words "or any kind" with the words "as defined in WMC 9.12.010. Motion approved unanimously by polled vote.

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

12b PROPOSED ORDINANCE No. 893: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 10, PUBLIC PEACE, MORALS, AND WELFARE, OF THE WRANGELL MUNICIPAL CODE TO ADD A NEW CHAPTER 10.18 ON ABUSE OF 911 SYSTEM, AND TO AMEND CERTAIN SECTIONS OF CHAPTERS 10.32 AND 10.36 RELATING TO WEAPONS AND DISCHARGE OF FIREARMS *(second reading)*

M/S: Blake/Decker, to approve Ordinance no. 893.

Assembly Member Blake stated that after the public comments heard during the Public Hearing, this item should go back to the Code Review Committee for further review. He also felt that the distance for shooting off the road should be reduced to one-quarter mile.

Assembly Member Mitchell said that he thought that it should be changed to what the State standards were which was a quarter-mile for a highway and off the road for a rural roadway. Assembly Member Powell agreed. Assembly Member Blake said that would be fine too. Mitchell also stated that the designated area needed to be defined better.

M/S: Prysunka/Decker, to postpone this item until the Code Review Committee can revisit this item based on the recommendations of the Assembly, and to have the Borough Manager produce maps that would define the service area. Motion approved unanimously by polled vote.

Clerk Lane recommended that item 12c also be postponed since it contained fines that were being established from 12b.

12c PROPOSED ORDINANCE No. 894: 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: Prysunka/Blake: to postpone this item until the Assembly receives the recommendations from the Code Review Committee. Motion approved unanimously by polled vote.

NEW BUSINESS

13a Approval of a MOU between the City & Borough of Wrangell and Wrangell Cooperative Association

M/S: Prysunka/Blake, to approve the Non-Funding Obligating Memorandum of Understanding between Wrangell Cooperative Association and The City and Borough of Wrangell, which will expire on November 25th, 2019. Motion approved unanimously by polled vote.

13b PROPOSED RESOLUTION No. 02-15-1311: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING THE REINSTATEMENT OF A FULL \$60 MILLION INTO THE REVENUE SHARING FUND ON A YEARLY BASIS WITH A ONE-YEAR APPROPRIATION OF \$8 MILLION TO THE FUND WITH AN EFFECTIVE DATE PRIOR TO JUNE 30, 2015

M/S: Blake/Mitchell, to approve Resolution No. 02-15-1311 that supports the reinstatement of funding for Revenue Sharing. Motion approved unanimously by polled vote.

13c Discussion and Possible action regarding the State Trooper position in Wrangell (requested by Assembly Member Prysunka)

M/S: Prysunka/Blake, to instruct the City Manager to write a letter regarding the reinstatement of the State Trooper position in Wrangell and send it to the appropriate people in Juneau. Motion approved unanimously by polled vote.

13d Discussion and Possible regarding writing a letter to DOT the changes to the unaccompanied minor's policy on Alaska ferries (requested by Assembly Member Prysunka)

This item was removed from the agenda under Amendments to the Agenda.

ATTORNEY'S FILE – None

EXECUTIVE SESSION

To discuss with the Borough Attorney, a matter which by law is required to be confidential, to discuss facts and legal strategies concerning a matter involving the Thomas Bay Power Authority.


M/S: Decker/Prysunka, to go into executive session to discuss with the Borough Attorney, a matter which by law is required to be confidential and to discuss facts and legal strategies concerning a matter involving the Thomas Bay Power Authority. Motion approved unanimously by polled vote.

Recessed at: 8:12 p.m.

Reconvened at: 8:43 p.m.

As there was no further business, Mayor Jack adjourned the Regular Assembly meeting at 8:44 p.m.

ATTEST:


Kim Lane, Borough Clerk


David L. Jack, Mayor

