



**CITY & BOROUGH OF WRANGELL  
PUBLIC HEARING AGENDA  
Monday, August 12, 2013  
6:30 p.m.**

1. Call to Order
2. Roll Call
3. Public Hearing Items:
  - a. AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 3.04 OF THE WRANGELL MUNICIPAL CODE RELATING TO ADMINISTRATION AND PERSONNEL TO MODIFY SECTION 3.04.114 ON NEPOTISM *(second reading)*
4. Written Testimony
5. Oral Testimony
6. Adjournment

# **Agenda Item 3a**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY PUBLIC HEARING AGENDA ITEM August 12, 2013**

#### **INFORMATION:**

**ORDINANCE NO. 870: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 3.04 OF THE WRANGELL MUNICIPAL CODE RELATING TO ADMINISTRATION AND PERSONNEL TO MODIFY SECTION 3.04.114 ON NEPOTISM (*second reading*)**

#### **Attachments**

1. Proposed Ordinance

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 870

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND  
BOROUGH OF WRANGELL, ALASKA, AMENDING  
CHAPTER 3.04 OF THE WRANGELL MUNICIPAL CODE  
RELATING TO ADMINISTRATION AND PERSONNEL TO  
MODIFY SECTION 3.04.114 ON NEPOTISM

WHEREAS, Section 3.04.114 of the Wrangell Municipal Code, Nepotism, prohibits the appointment of individuals related to the mayor, an assembly member, the borough manager, or any other person with authority to appoint, where the relationship is by affinity or consanguinity within the third degree; and

WHEREAS, the Assembly has reviewed this provision and has determined that it is overly restrictive given the population of the City and Borough of Wrangell and the desire to hire employees locally when possible; and

WHEREAS, a review of the codes and personnel policies of several other Alaska municipalities, as well as the State of Alaska, shows that the state and many municipalities have adopted a “second degree” of relation standard to govern the restriction on hiring of relatives; and

WHEREAS, the City and Borough’s conflict of interest code in WMC 3.04.112, defines “immediate family” of a person to mean “anyone related to that person by blood to the second degree of kinship, marriage or adoption or who lives in that person’s household”; and

WHEREAS, it is in the best interests of the City and Borough to amend WMC 3.04.114 to allow for more flexibility in hiring, be consistent with the conflict of interest code, and provide a process for Assembly approval of certain hires in limited circumstances.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The bolded language are the changes to the existing code and the strikethroughs are the language to be deleted from the code.]

SEC. 1.        Action. The purpose of this ordinance is amend Section 3.04.114 of the Wrangell Municipal Code to modify the ordinance on nepotism from “third degree” to “second degree” of affinity or consanguinity, and make certain other changes.

SEC. 2.        Amendment. Section 3.04.114 of the Wrangell Municipal is amended as follows:

3.04.114 Nepotism.

- A. **Except as provided in subsection B of this section, neither the borough manager, the assembly nor any other authority of the borough government may appoint or elect any person related to the mayor or any other assembly member, to the borough manager, or to such person, or, in the case of a plural authority, to one of its members, by affinity or consanguinity within the ~~second~~ **second** ~~third~~ degree, to any office or position of profit in the borough government; but this shall not prohibit an officer or employee from continuing in the service of the borough.**
- B. **Relatives, within the second degree of affinity or consanguinity to the borough manager cannot be appointed to an office or position of profit in the borough government without the prior approval of the borough assembly. If an employee is currently working for the borough government and a relative within the second degree of affinity or consanguinity is hired as the borough manager, that person cannot continue their employment with the borough without approval of the borough assembly.**

SEC. 3. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 4. Severability. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application other persons or circumstances shall not be affected thereby.

SEC. 5. Effective Date. This ordinance shall be effective upon adoption by the assembly.

PASSED IN FIRST READING: July 26, 2013.

PASSED IN SECOND READING: \_\_\_\_\_, 2013.

David L. Jack, Mayor

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