



## **CITY & BOROUGH OF WRANGELL PUBLIC HEARING AGENDA**

---

**Tuesday, April 28, 2015  
6:30 p.m.**

**Location: Assembly Chambers, City Hall**

---

1. Call to Order
2. Roll Call
3. Public Hearing Items:
  - a. PROPOSED ORDINANCE No. 898: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 14.11.005, FEE SCHEDULE, OF THE WRANGELL MUNICIPAL CODE RELATING TO FEES FOR USE OF HARBORS AND PORT FACILITIES, TO ADD A FEE FOR LONG-TERM STORAGE RESERVATION AT THE MARINE SERVICE CENTER AND FEES FOR MEYER'S CHUCK MOORAGE (*second reading*)
  - b. PROPOSED ORDINANCE No. 899: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 5.22.030, ENHANCED 911 SURCHARGE ON LOCAL EXCHANGE ACCESS LINES AND WIRELESS TELEPHONE NUMBERS, OF THE WRANGELL MUNICIPAL CODE TO INCREASE THE MONTHLY SURCHARGE WITHIN THE ENHANCED 911 SERVICE AREA (*second reading*)
  - c. PROPOSED ORDINANCE No. 900: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROPOSING AN AMENDMENT TO THE HOME RULE CHARTER, REPEALING SECTION 11-2, THOMAS BAY POWER AUTHORITY (*second reading*)
  - d. Approval to Vacate Silvernail Work Road through the Marine Service Yard adjacent to Lot 4BB-1, W.S.I. SUBD II Subdivision, from the fenced entrance behind City Market to Front Street, zoned Waterfront Development, requested by the Port Commission
4. Written Testimony
5. Oral Testimony
6. Adjournment

# Agenda Item 3a

## CITY & BOROUGH OF WRANGELL

### BOROUGH ASSEMBLY PUBLIC HEARING AGENDA ITEM April 28, 2015

#### INFORMATION:

**PROPOSED ORDINANCE No. 898:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 14.11.005, FEE SCHEDULE, OF THE WRANGELL MUNICIPAL CODE RELATING TO FEES FOR USE OF HARBORS AND PORT FACILITIES, TO ADD A FEE FOR LONG-TERM STORAGE RESERVATION AT THE MARINE SERVICE CENTER AND FEES FOR MEYER'S CHUCK MOORAGE  
(*second reading*)

#### **Additional Information:**

*At their meeting that was held on April 2, 2015, the Port Commission approved the proposed ordinance, as presented and requested that the Borough Assembly move forward with their approval.*

#### Attachments:

1. Memo from Harbormaster, Greg Meissner
2. Proposed Ordinance No. 898

# MEMORANDUM

**TO: THE HONORABLE MAYOR AND ASSEMBLY  
CITY AND BOROUGH OF WRANGELL**

**CC: GREG MEISSNER  
WRANGELL HARBORMASTER**

**SUBJECT: Ordinance No. 898**

**DATE: April 9, 2015**

---

## **BACKGROUND:**

The Port Commission held many Workshops and meetings with regards to the proposed ordinance. These Workshops and meetings included the Harbor Department and residents of Meyers Chuck. With a lot of input from the residents of Meyers Chuck and the Harbor Department, the Port Commission is proposing the rates for Meyers Chuck as shown in Ordinance No. 898.

During the Workshops and meetings, the Port Commission also agreed to instate a fee structure for individuals wishing to “reserve” a space for their vessel in the Marine Service Center storage area. The purpose is ensure that those individuals commit to holding a space and to avoid last minute cancelations that may lead to potentially losing other costumers.

## **RECOMMENDED MOTION:**

Move to approve first reading and move to a second with a Public Hearing to be held on April 28, 2015.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 898

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 14.11.005, FEE SCHEDULE, OF THE WRANGELL MUNICIPAL CODE RELATING TO FEES FOR USE OF HARBORS AND PORT FACILITIES, TO ADD A FEE FOR LONG-TERM STORAGE RESERVATION AT THE MARINE SERVICE CENTER AND FEES FOR MEYER'S CHUCK MOORAGE

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

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1.        Action. The purpose of this ordinance is to amend Section 14.11.005 of the Wrangell Municipal Code relating to fees for use of harbor and port facilities, to add a fee for long-term storage reservation at the Marine Service Center and fees for Meyer's Chuck moorage.

SEC. 2.        Amendment of Subsection. Subsection 14.11.005AA of the Wrangell Municipal Code is amended by the addition of a fee for long-term storage reservation to read:

Section 14.11.005 Fee schedule.

The following fees shall be charged for the uses indicated:

...

AA. Marine Service Center Fees.

Round trip lift fees

|                 |              |
|-----------------|--------------|
| 0 – 40 feet     | \$11.00/foot |
| 41 – 58 feet    | \$12.00/foot |
| 59 – 75 feet    | \$13.00/foot |
| 76 – 90 feet    | \$15.00/foot |
| 91 – 120 feet   | \$17.00/foot |
| 121 – 140 feet  | \$19.00/foot |
| 141 feet and up | \$21.00/foot |

|  |  |
|--|--|
| Boat lift minimum                        |  |
| 150-ton                                  | \$300.00/hour  |
| 300-ton                                  | \$500.00/hour  |
| Work area storage                        | \$0.50/sq. ft./month   |
| Long-term storage                        | \$0.30/sq. ft./month   |
|  | After 12 consecutive months,<br>rate doubles   |
| Cancellation                             | \$300.00   |
| Inspection hoist                         |  |
| Up to 2 hours of hoist time              | 60% of round trip  |
| After first 2 hours of hoist time        | 150-ton \$75.00/15 minutes<br>300-ton \$125.00/15 minutes  |
| Pressure washer                          | \$1.00/foot  |
| Electrical                               | Refer to subsection (D) of this<br>section.  |
| Environmental fee                        | \$15.00 per haulout or per<br>month  |
| Hydraulic trailer fees                   |  |
| Round trip                               | \$8.25 per foot  |
| One-way                                  | Half of round trip   |
| Minimum fee                              | \$225.00   |
| Off-site transport fee                   | Round trip or one-way fee<br>plus travel time at \$235.00 per<br>hour with a one-hour<br>minimum |
| <u>Long-term storage reservation fee</u> | <u>\$100.00</u>  |

SEC. 3. New Subsection. Section 14.11.005 of the Wrangell Municipal Code is amended by the addition of a new Subsection CC to read:

CC. Meyer's Chuck Moorage

1. Transient Moorage – WMC 14.05.010

Daily – Prepaid \$0.20/foot

Daily – Invoiced 2 times the daily prepaid rate

Monthly \$1.75/foot

2. Reserved Moorage – WMC 14.05.015

Annual \$12.00/foot

SEC. 4. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 5. 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 to other persons or circumstances shall not be affected thereby.

SEC. 6. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: April 14, 2015.

PASSED IN SECOND READING: \_\_\_\_\_, 2015.

\_\_\_\_\_  
David L. Jack, Mayor

ATTEST:

\_\_\_\_\_  
Kim Lane, Borough Clerk

# Agenda Item 3b

## CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY  
PUBLIC HEARING AGENDA ITEM  
April 28, 2015**

**INFORMATION:**

**PROPOSED ORDINANCE No. 899:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 5.22.030, ENHANCED 911 SURCHARGE ON LOCAL EXCHANGE ACCESS LINES AND WIRELESS TELEPHONE NUMBERS, OF THE WRANGELL MUNICIPAL CODE TO INCREASE THE MONTHLY SURCHARGE WITHIN THE ENHANCED 911 SERVICE AREA *(second reading)*

**Attachments:**

1. Memo from Manager Jabusch
2. Proposed Ordinance No. 899

## **MEMORANDUM**

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY  
CITY AND BOROUGH OF WRANGELL**

**FROM: JEFF JABUSCH  
BOROUGH MANAGER**

**SUBJECT: 911 Surcharge Increase**

**DATE: April 8, 2015**

### **BACKGROUND:**

The monthly charge for 911 support on each phone in Wrangell has not changed since January 1<sup>st</sup>, 2005, or ten years. As you probably know, the State is in a financial crisis and continues to make cuts that affect municipalities and others. One of those cuts that has happened is the 60% cut to our community jail. That cut is \$352,000. The dispatchers funded for the jail also handle the 911 dispatch. Without this funding, it is not only hard to keep the jail open, but also will be hard to fund the 911 dispatch service provided.

Currently, the monthly phone charge for 911 services is \$0.75 per phone per month. This raises about \$13,500 annually. We are proposing to raise this amount to \$2.00 per phone per month. This would add about \$22,500 of new revenue to help offset at least some of the costs. \$2.00 is the maximum amount that can be charged per state statutes without a vote of the people in the community providing the 911 services. Obviously, this is not going to bridge the gap of what is lost in state revenue for the jail, but this and other things we are doing together will resolve this for at least one more year as we look at possibly other options to resolve this as continued cuts happen in future years. If approved, this ordinance would become effective on July 1, 2015.

Again, we will be looking at every user based thing we do to up the user fees so that property taxes can stay stable. Public safety and the 911 system is important and I think the increase is a small amount annually to each phone user to help keep this service.

### **Recommended Action:**

Move to approve first reading and move to a second with a Public Hearing to be held on April 28, 2015.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 899

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 5.22.030, ENHANCED 911 SURCHARGE ON LOCAL EXCHANGE ACCESS LINES AND WIRELESS TELEPHONE NUMBERS, OF THE WRANGELL MUNICIPAL CODE TO INCREASE THE MONTHLY SURCHARGE WITHIN THE ENHANCED 911 SERVICE AREA

**WHEREAS**, the City and Borough of Wrangell provides an enhanced 911 system within the enhanced 911 service area of the Borough; and

**WHEREAS**, the system promotes a more efficient public safety response by helping to identify the location of emergencies following a 911 call from within the service area; and

**WHEREAS**, under Alaska law, AS 29.35.131, a municipality providing an enhanced 911 system may impose an enhanced 911 surcharge of up to \$2.00 per month within the 911 service area for each wireless telephone number and each local exchange access number in order to support and fund the system; and

**WHEREAS**, the current monthly surcharge of \$.75 was put in place effective January 1, 2005 and has not been increased since that time; and

**WHEREAS**, under WMC 5.22.060, the Assembly is required to review the surcharge annually to determine whether the amount is adequate, excessive or insufficient to meet anticipated enhanced 911 system needs; and

**WHEREAS**, the Assembly has reviewed the current surcharge and has determined that it is not sufficient to meet the anticipated needs of the system and therefore should be increased as provided in this ordinance. NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. Action. The purpose of this ordinance is to amend Section 5.22.030 of the Wrangell Municipal Code to increase the monthly enhanced 911 surcharge on local exchange access lines and wireless telephone numbers.

SEC. 2.        Amendment. Section 5.22.030 of the Wrangell Municipal Code is amended to read:

**5.22.030 Enhanced 911 surcharge on local exchange access lines and wireless telephone numbers.**

Beginning with the first billing for any telephone services rendered on **[January 1, 2005]** July 1, 2015, and each month thereafter, there is imposed a surcharge of \$~~[0.75]~~2.00 per month for each local exchange access line for wireline telephones and for each wireless telephone number within the enhanced 911 service area. The surcharge shall apply to all such wireline and wireless telephones, even those serving government agencies and nonprofit organizations. The amount of the surcharge imposed is subject to review and determination by the assembly pursuant to WMC 5.22.060.

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 to other persons or circumstances shall not be affected thereby.

SEC. 5.        Effective Date. This ordinance shall be effective on July 1, 2015.

PASSED IN FIRST READING: April 14, 2015.

PASSED IN SECOND READING: \_\_\_\_\_, 2015.

---

David L. Jack, Mayor

ATTEST:

---

Kim Lane, Borough Clerk

# Agenda Item 3c

## CITY & BOROUGH OF WRANGELL

### BOROUGH ASSEMBLY PUBLIC HEARING AGENDA ITEM April 28, 2015

#### INFORMATION:

**PROPOSED ORDINANCE No. 900:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROPOSING AN AMENDMENT TO THE HOME RULE CHARTER, REPEALING SECTION 11-2, THOMAS BAY POWER AUTHORITY  
*(second reading)*

#### *Information:*

*As required by the Charter, Section 12-1 (2), the assembly by resolution or ordinance may propose, and submit or provide for the submission of, charter amendments to the qualified voters of the borough.*

#### Attachments:

1. Proposed Ordinance No. 900

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 900

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROPOSING AN AMENDMENT TO THE HOME RULE CHARTER, REPEALING SECTION 11-2, THOMAS BAY POWER AUTHORITY

**WHEREAS**, on December 10, 2013, the Wrangell Borough Assembly adopted Resolution No. 12-13-1290 recommending that the Operations and Maintenance of the Tyee Hydroelectric Project be transferred from the Thomas Bay Power Authority (TBPA) to the Southeast Alaska Power Agency (SEAPA); and

**WHEREAS**, on July 24, 2014, the Assignment and Assumption Agreement was executed by SEAPA, the City and Borough of Petersburg, and the City and Borough of Wrangell, transferring the Operations and Maintenance of the Tyee Hydroelectric Project from the TBPA to the SEAPA; and

**WHEREAS**, on January 27, 2015, the Wrangell Borough Assembly adopted Ordinance No. 890 amending Chapter 3.40 of the Wrangell Municipal Code, to rename the Thomas Bay Power Commission to be the Thomas Bay Power Advisory Committee, and establish the purpose and duties of the Advisory Committee; and

**WHEREAS**, as a result of the transfer of the operations and maintenance of the Tyee Hydroelectric Project to the SEAPA and the establishment of the Thomas Bay Power Advisory Committee, the TBPC is no longer required or needed, and therefore the Assembly is proposing this Charter amendment to repeal Section 11-2, Thomas Bay Power Authority;

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

[The changes to the existing Home Rule Charter are shown as follows: the words that are underlined are to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1.        Classification. This ordinance is of a permanent nature and, if approved by a majority of the qualified voters voting on the proposition set forth in Section 4, shall become a part of the Home Rule Charter of the City and Borough of Wrangell, Alaska.

SEC. 2.        Charter Amendment. The purpose of this ordinance is to repeal Section 11-2, Thomas Bay Power Authority, of the Wrangell Home Rule Charter, as follows:

**Section 11-2 Repealed [Thomas Bay Power Authority.]**

**[There is a Thomas Bay Power Authority, owned jointly and equally by the City and Borough of Wrangell, Alaska, and the City of Petersburg, Alaska, which exists for the purpose of constructing and operating a hydro-electric power generating utility. Said authority shall have all express, implied and incidental powers thereto, including but not limited to acquiring extra-territorial properties, and obtaining financing and the issuance of revenue bonds in its own name, and said authority may incorporate or otherwise reorganize as a separate entity, but in any event shall be managed jointly by a commission of representatives from the municipalities as they shall respectively appoint.]**

SEC. 3.        Submission of Question to the Voters. An amendment to repeal Section 11-2 of the Home Rule Charter of the City and Borough of Wrangell, Alaska, shall be submitted to the voters of the City and Borough of Wrangell at the next regular borough election. The Borough Clerk shall prepare the proposition and perform all necessary steps in accordance with law to submit this proposition to the qualified voters of the Borough for approval or rejection at the next regular borough election, to be held October 6, 2015.

SEC. 4.        Proposition. The proposition shall read substantially as follows:

**PROPOSITION 1**

**CHARTER AMENDMENT**

Shall the Home Rule Charter of the City and Borough of Wrangell be amended to repeal Section 11-2, Thomas Bay Power Authority, as set forth in Ordinance No. 900.

YES    (oval)

NO     (oval)

SEC. 5.        Effective Date. (a) The Charter amendment proposed in Section 2 of this ordinance shall become effective on the day following the date the election results are certified for the regular municipal election held on October 6, 2015, if approved by a majority of the qualified voters voting on the proposition set forth in Section 4.

(b) Sections 3 and 4 of this ordinance authorizing the submission of the proposition to

the qualified voters of the City and Borough shall become effective upon adoption.

PASSED IN FIRST READING: April 14, 2015.

PASSED IN SECOND READING: \_\_\_\_\_, 2015.

\_\_\_\_\_  
David L. Jack, Mayor

ATTEST:

\_\_\_\_\_  
Kim Lane, Borough Clerk

# **Agenda Item 3d**

## **CITY & BOROUGH OF WRANGELL**

### **BOROUGH ASSEMBLY PUBLIC HEARING AGENDA ITEM April 28, 2015**

#### **INFORMATION:**

Approval of a request to Vacate Silvernail Work Road through the Marine Service Yard adjacent to Lot 4BB-1, W.S.I. SUBD II Subdivision

#### **Attachments:**

1. Memo from Economic Development Director, Carol Rushmore
2. Schematic drawing, identifying the proposed vacation and recommended easement
3. Memo from the Port Commission

# *City and Borough of Wrangell*

Date: February 9, 2015

To: Jeff Jabusch, Borough Manager  
Borough Assembly

From: Carol Rushmore, Economic Development Director

Cc: Port Commission  
Wrangell Planning and Zoning Commission

Request to Vacate Silvernail Work Road through the Marine Service Yard adjacent to Lot 4BB-1, W.S.I SUBD II Subdivision, from the fenced entrance behind City Market to Front Street, zoned Waterfront Development, requested by the Port Commission.

---

## **Background:**

Several meetings and public hearings have been held before the Planning and Zoning Commission to discuss this request and another request involving vacating a portion of Silvernail Work Road submitted by the Bay Company.

In a separate action, the Bay Company requested vacation of an alley from Front Street to Silvernail Work road adjacent to Lots A and C, Bay Company Replat and was approved by the Assembly earlier this year.

The Wrangell Port Commission and the Planning and Zoning Commission met on-site in November to look at property lines, utility needs and access for both requests.

## **Findings:**

Issues related to the Vacation included:

1. *Request to vacate and purchase a portion of Silvernail Work Road behind Lot C owned by the Bay Company.* At this last meeting, David Powell indicated it was no longer relevant as long as access had to be provided to Lot C and withdrew the request.
2. *If vacated, two back lots (Lot C – Bay Company and Lot 2 – CBW) would no longer have road frontage and need access per WMC 19.28.050(B):* The proposed easement to replace the ROW would extend to provide access to Lot C. Lot 2 could be combined with Lot 1 having Front Street road frontage or with the larger Marine Service Center lot.
3. *Dead End Road requirements:* If Silvernail Work Road were vacated from the end of pavement with no easement carrying through to Front Street, then a cul-de-sac with a 100 foot turning diameter would need to be recorded per WMC 19.24.080 at the terminus of the road behind the Museum.
4. *Process – depending on how the land was obtained by the City determines what State Regulations are applicable to the vacation process:* The Borough Attorney verified that because the City purchased the land from APC in the 1990's and created the ROW, each half of the ROW does not have to go to adjacent landowners as often typical in ROW vacations.

**Recommendations:**

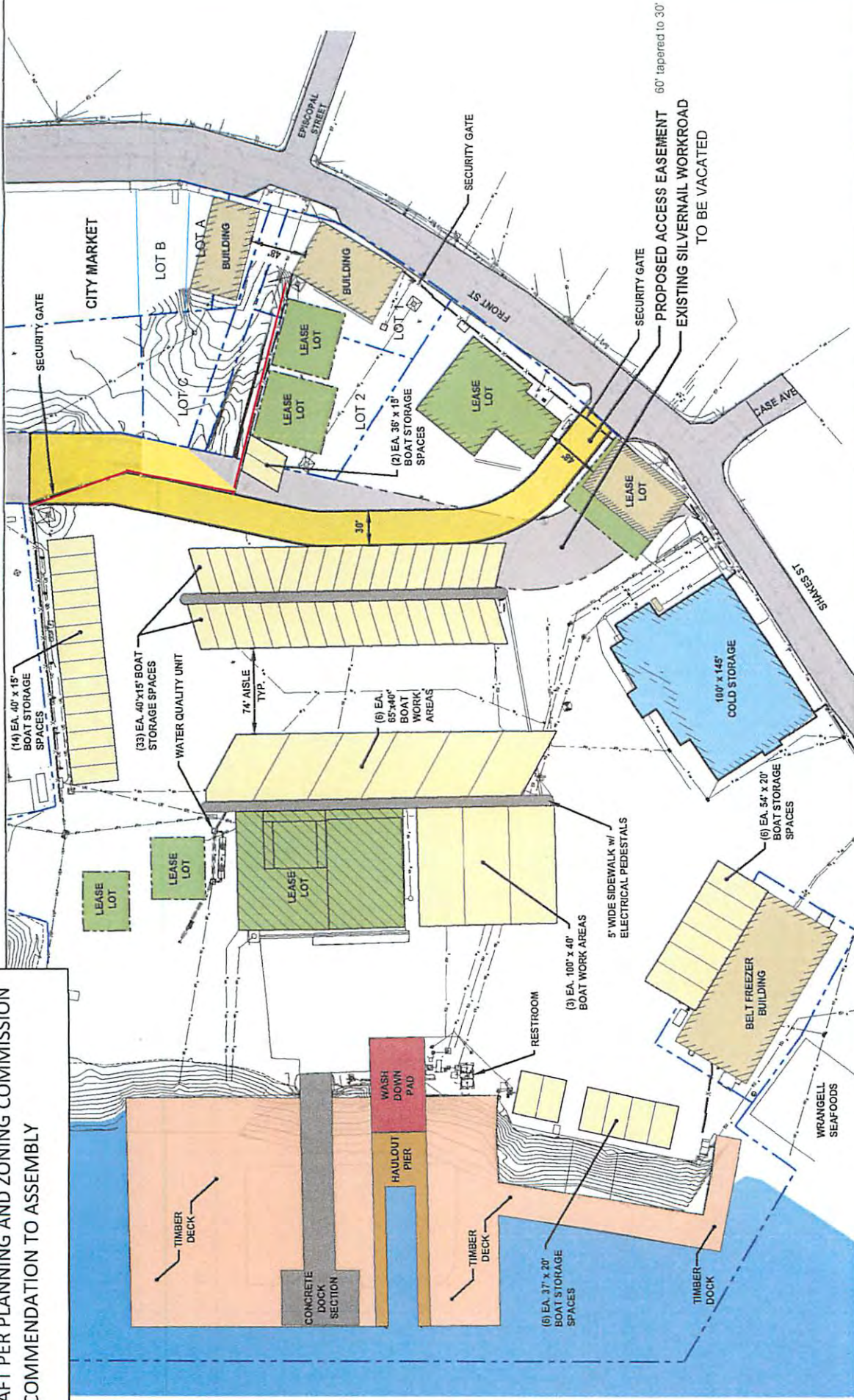
The Planning and Zoning Commission at their April 9, 2015 meeting recommended to the Borough Assembly to vacate Silvernail Work Road from the end of the pavement behind the Museum to Front Street, and in place of the vacated ROW create a 60' wide access easement from the end of pavement to Lot C, Bay Company Replat to provide access to that lot, then taper the access easement to 30 foot wide, with the easement to be located within the driving lane to the current gated access on Front Street. In addition, City Lots 1 and Lot 2, Block B, Sortyard Subdivision shall be combined into one single Lot since Lot 2 loses access.

The Port Commission reviewed the request in November and moved to vacate Silvernail Work Road.

**Attachments:**

1. A schematic drawing identifying the proposed vacation and recommended easement.
2. Memo from the Port Commission recommending vacation of Silvernail Work Road.

DRAFT PER PLANNING AND ZONING COMMISSION  
RECOMMENDATION TO ASSEMBLY



| REV | DATE | DESCRIPTION | DWN | OKD | APP |
|-----|------|-------------|-----|-----|-----|
|     |      |             |     |     |     |
|     |      |             |     |     |     |
|     |      |             |     |     |     |
|     |      |             |     |     |     |
|     |      |             |     |     |     |
|     |      |             |     |     |     |
|     |      |             |     |     |     |
|     |      |             |     |     |     |
|     |      |             |     |     |     |

**PRELIMINARY**

DESIGN: P, R, D, C, S  
CHECKED: P, R, D, C, S  
APPROVED: P, R, D, C, S

SCALE: SCALE IN FEET  
0 40 80 FT.

DATE: 2/10/15

3500 Chert Highway, Ste. 100  
Juneau, Alaska 99801  
Phone: 907-586-2023  
Fax: 907-586-2029  
www.jedengineering.com

# Memo

To: Planning and Zoning

From: Sherri Cowan, Recording Secretary

Date: 4/10/2015

Re: Port Commissions makes a Motion to Vacate Silver Nail Road

---

The Port Commission made a motion on 11-6-2014 to vacate Silver Nail Road from the new concrete entrance through the boat yard and terminate at the intersection of Case Avenue and Shakes Street.