

**Minutes of Regular Assembly Meeting  
Held on September 13, 2016**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., September 13, 2016, in the Borough Assembly Chambers. Assembly Members Mitchell, Rooney, Decker, and Blake were present. Assembly Members Powell and Prysunka were absent. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

The Pledge of Allegiance was led by Assembly Member Becky Rooney.

The Invocation was given by Kay Larson from the Baha'i Faith.

**AMENDMENTS TO THE AGENDA**

**CONFLICT OF INTEREST**

**CONSENT AGENDA**

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

**APPROVAL OF MINUTES**

The minutes Public Hearing and the Regular Assembly meetings held August 23, 2016 and the minutes of the Special Assembly meeting held September 6, 2016, were approved as presented.

**COMMUNICATIONS**

- a. Minutes of the Regular School Board meeting held June 20, 2016 & the Special School Board meeting held July 6, 2016

**BOROUGH MANAGER'S REPORT**

Manager Jabusch's report was provided.

Mayor Jack requested that we set up an executive session to discuss the processed water report and what went wrong for when Assembly Member Prysunka is back in town.

Manager Jabusch stated that we cannot go into executive session to discuss personnel unless it was do discuss him

**BOROUGH CLERK'S FILE**

Clerk Lane's report was provided.

**MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS**

**10a** Reports by Assembly Members

**10b** Appointment to fill the vacancies on various City Boards, Committees, and Commissions

As there were no letters of interest received for the remaining vacant seats, the Mayor directed the Clerk to continue advertising.

**PERSONS TO BE HEARD**

There were no persons to be heard.

**UNFINISHED BUSINESS**

**12a PROPOSED ORDINANCE No. 922 (am):** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS OF CHAPTER 15.16, CEMETERY, OF THE WRANGELL MUNICIPAL CODE, RELATING TO CEMETERY FEES *(second reading – as amended)*

*M/S: Rooney/Blake to adopt Ordinance No. 922 (am). Motion passed with Decker, Blake, Rooney and Jack voting yes; Mitchell voted no.*

**12b PROPOSED ORDINANCE No. 923:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 2.24.040, ABSENTEE VOTING BY MAIL, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR ABSENTEE VOTING BY MAIL *(second reading)*

*M/S: Mitchell/Rooney, to adopt Ordinance No. 923. Motion approved unanimously by polled vote.*

**12c** Approval of the revised Local Contractor's List *(postponed from the Regular Assembly meeting held August 23, 2016)*

*M/S: Blake/Rooney, to approve revised Contractor's Policy, as presented. Motion approved unanimously by polled vote.*

**12d** Discussion and possible action regarding scrap metal removal options in Wrangell *(added at the request of Assembly Member Rooney-postponed from the Regular Assembly meeting held August 23, 2016)*

Assembly Member Rooney requested that we schedule a workshop so that the Assembly could discuss options for scrap metal removal and have members of the community come and weigh in on the issues. Assembly Member Blake stated that the Port Commission and Planning & Zoning Commission should also be invited to the work shop. There were no objections from the Assembly. Clerk Lane will send date options to the Assembly so that a date can be set.

**NEW BUSINESS**

**13a PROPOSED ORDINANCE No. 924:** AN ORDINANCE of the City and Borough of Wrangell, Alaska, authorizing the issuance of a sewer revenue bond in the principal amount of \$91,000 to finance a portion of the cost of acquiring, constructing and installing certain additions and betterments to and extensions of the Borough's sewer system; fixing the date, form, terms, maturities and covenants of the bond; reserving the right of the Borough to issue future revenue bonds with a lien on revenues on a parity with the bond upon compliance with certain conditions; and providing for the sale of the bond to the United States Department of Agriculture, Rural Development *(first reading)*

***M/S: Mitchell/Blake, to approve first reading of Ordinance No. 924, and move to a second with a Public Hearing to be held on September 27, 2016.***

Manager Jabusch explained the process and why this ordinance was required for the issuance of the bond.

***Motion approved unanimously by polled vote.***

**13b PROPOSED ORDINANCE No. 925: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 18.04.040, BUILDING PERMITS - COMPLIANCE WITH ORDINANCES, OF THE WRANGELL MUNICIPAL CODE RELATING TO BUILDING PERMITS (first reading)**

***M/S: Decker/Rooney, to approve first reading of Ordinance No. 925, and move to a second with a Public Hearing to be held on September 27, 2016. Motion approved unanimously by polled vote.***

**13c PROPOSED RESOLUTION No. 09-16-1350: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, DESIGNATING CANVASS BOARD DUTIES TO THREE ASSEMBLY MEMBERS FOR CANVASSING THE RESULTS OF THE REGULAR ELECTION TO BE HELD OCTOBER 4, 2016**

***M/S: Blake/Rooney, to approve Resolution No. 09-16-1350 designating three members of the Assembly to Canvass the results of the October 4, 2016 Municipal Election. Motion approved unanimously by polled vote.***

**13d PROPOSED RESOLUTION No. 09-16-1351: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE CONVEYANCE OF PUBLIC LAND, LOT 5, BLOCK 38, USS 1119, PLAT 2015-6, WRANGELL TOWNSITE, BY QUITCLAIM DEED, TO LAURIE A. BROWN**

***M/S: Decker/Blake, to approve Resolution No. 09-16-1351, for the sale of Over-the-Counter Lot 5, Block 38, USS 1119, Plat 2015-6, to Laurie A. Brown. Motion approved unanimously by polled vote.***

**13e Approval to hold a Special Assembly Meeting on Monday, October 10, 2016 at 11:30 a.m. to Certify the results of the Regular Borough Election**

***M/S: Mitchell/Rooney, to approve holding a Special Assembly meeting on Monday, October 10, 2016 at 11:30 a.m. to certify the election results of the Regular Borough Election to be held on October 4, 2016. Motion approved unanimously by polled vote.***

**13f Discussion and possible action regarding the potential for Statewide Internet Sales Tax (added at the request of Assembly Member Decker at the last Assembly Meeting)**

Assembly Member Decker wanted to start the discussion to see if the Assembly thought that it was a good idea; State looking at filling the financial gap: i.e. state tax and income tax; a

statewide internet tax would help local businesses to be on a more even playing field; this would be a tax that would be the least harm to the community since if ordering online, the buyer would pay the State internet tax, that might steer buyers into even buying more locally.

Assembly Member Mitchell spoke in opposition to this idea; tried it in Colorado and it failed miserably; one more tax, one more fee; question of regulation; who would monitor the internet.

Assembly Member Rooney stated that she knew that this could be done because it's being done within the State of California; when buying online with Amazon, the tax is applied automatically. Rooney also questioned whether anyone had done any research on if the State did implement this tax, would we have to pay the sales tax when we went down to Seattle; it's a huge opportunity to take advantage of that benefit.

Decker stated that she was looking to see if the Assembly or community of Wrangell would be interested in submitting a resolution of support to Alaska Municipal League, our Legislators in Juneau, and to Southeast Conference. Decker also stated that whether we like it or not, all of these tax discussions are going to be discussed in this upcoming legislative session.

Assembly Member Blake and Mayor Jack spoke in opposition to the idea of a Statewide internet sales tax.

**13g** Authorization to proceed with the Property Tax Foreclosures for tax years 2012 through 2015

***M/S: Decker/Rooney, to authorize city staff to proceed with the property tax foreclosure for the tax years 2012 through 2015 as per Wrangell Municipal Code 5.04.370. Motion approved unanimously by polled vote.***

*Mayor Jack called a recess at 7:51 p.m.*

*Mayor Jack reconvened the meeting at 7:53 p.m.*

**13h** Approval of a fee proposal from CRW Engineering Group's for a Preliminary Engineering Report for the Water Treatment Plant Improvement project

***M/S: Blake/Mitchell, to approve a contract amendment to CRW Engineering Group for development of a Preliminary Engineering Report for a Water Treatment Plant Improvement project in a lump sum amount of \$43,390. Project costs will be paid from Water Fund Revenues. Motion approved unanimously by polled vote.***

**13i** Approval of change orders to BW Enterprises for the Barge Ramp Concrete Paving project

***M/S: Mitchell/Blake, to authorize the issuance of Change Order #1-#4 to BW Enterprises for changed conditions to the Barge Ramp Concrete Paving construction contract for a total increase of \$23,221.54, and a time extension of three days. Additional project costs will be paid from the Ports and Barge Ramp FY17 Capital Projects Fund.***

In response to Assembly Member Blake's inquiry as to why these costs were not stated for the original project bid, Manager Jabusch stated that during the time that the contractor was performing the work, there were unknown setbacks that were not known before the project was awarded. Jabusch stated that there were other minor modifications as well.

***Motion approved unanimously by polled vote.***

**ATTORNEY'S FILE** – None.

**EXECUTIVE SESSION** – None.

Regular Assembly Meeting adjourned at 7:58 p.m.

ATTEST:

  
Kim Lane, MMC, Borough Clerk

  
David L. Jack, Mayor

