



CITY & BOROUGH OF WRANGELL PUBLIC HEARING AGENDA

Tuesday, July 26, 2016
6:30 – 7:00 p.m.

Location: Assembly Chambers, City Hall

1. Call to Order
2. Roll Call
3. Public Hearing Items:
 - a. **PROPOSED ORDINANCE No. 919:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROPOSING AN AMENDMENT TO THE HOME RULE CHARTER, REPEALING SECTION 3-10, NOLAN MUSEUM AND CIVIC CENTER *(second reading)*
4. Written Testimony
5. Oral Testimony
6. Adjournment

Agenda Item 3a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY PUBLIC HEARING ITEM July 26, 2016

INFORMATION:

PROPOSED ORDINANCE No. 919: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROPOSING AN AMENDMENT TO THE HOME RULE CHARTER, REPEALING SECTION 3-10, NOLAN MUSEUM AND CIVIC CENTER
(second reading)

Attachments:

1. Memo from Terri Henson, Nolan Museum Director
2. **Proposed Ordinance No. 919**
3. Wrangell Charter Section 3-10 and WMC Section 3.54

Additional Information: On June 14, 2016, the Assembly voted to have the Clerk draft an ordinance that repealed WMC Section 3.54. Since there is a provision in our Charter that state that there “shall” be a board established to operate the museum, the next step would be to adopt an ordinance that would be added to the October ballot to amend the Charter. If this ordinance (proposition) passes by a majority of votes in October, the Assembly will then consider at a meeting to repeal WMC Section 3.54.



May 25, 2016

Honorable Mayor & members of the Borough Assembly,

Over the past few years it has been increasingly hard to get a quorum to hold the quarterly Nolan Board meetings. About 7 years ago we reduced the number of board members to 7 so it would make it easier to establish the number needed. As with all boards we've had a continuing problem getting enough people to fill the seats and have had to cancel / postpone meetings on a regular basis due to the lack quorum. At this time 4 of the 7 seats are vacant. One member is working a job out of town, one member isn't available in the summer months. There is a cost associated with planning meetings, advertising, paying for the secretary and setting up. Most of the time the meeting cannot take place. And a couple of years ago we went almost a year with no meeting.

The Nolan board is an advisory board and as such the meetings have consisted of giving the same report submitted to the City Manager and the Friends. We've had more involvement with the friends this past couple of years and we have the ability to ask them to form special committees if needed.

Because of the information above, I would request that the Borough Assembly consider passing an Ordinance that would repeal WMC Section 3.54 James and Elsie Nolan Museum and Civic Center Board.

Thank you,

Terri Henson, Civic Center Director

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 919

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROPOSING AN AMENDMENT TO THE HOME RULE CHARTER, REPEALING SECTION 3-10, NOLAN MUSEUM AND CIVIC CENTER

WHEREAS, Section 3-10 of the Home Rule Charter of the City and Borough of Wrangell provides that the Nolan Museum and Civic Center shall be operated by a board established by ordinance and appointed by the Assembly; and

WHEREAS, Chapter 3.54 of the Wrangell Municipal Code established the James and Elsie Nolan Museum and Civic Center Board (Nolan Board) to advise the Assembly and Borough staff on the use and development of the museum and civic center; and

WHEREAS, in 2009 the Assembly adopted Ordinance No. 840 to reduce the membership of the Nolan Board from eleven to seven in order to make establishing a quorum easier; and

WHEREAS, the Nolan Board is an advisory board that provides the same functions for the Nolan Center as the Friends of the Wrangell Museum, Inc., a charitable and educational nonprofit corporation formed under the laws of the State of Alaska and operated by a seven member board of directors; and

WHEREAS, the Nolan Center staff has the ability to ask the Friends of the Wrangell Museum to form a special committee to consider and advise on particular issues concerning operation and use of the Nolan Center, if necessary; and

WHEREAS, there have been three vacant seats on the Nolan Board since October 2015; and

WHEREAS, the expense to the Borough of scheduling the meetings and paying for a secretary for the Nolan Board is not cost effective; and

WHEREAS, after reviewing this matter, the Assembly voted on June 14, 2016, to repeal Chapter 3.54 of the Wrangell Municipal Code, James and Elsie Nolan Museum and Civic Center Board; and

WHEREAS, in order to implement that action, the Assembly is proposing this amendment to the Charter repealing Section 3-10;

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 3-10, Nolan Museum and Civic Center, of the Wrangell Home Rule Charter, as follows:

Section 3-10 Repealed [Nolan Museum and Civic Center.]

[The borough-operated James and Elsie Nolan Museum and Civic Center shall be operated by a board established by ordinance and appointed by the assembly.]

SEC. 3. Submission of Question to the Voters. An amendment to repeal Section 3-10 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 4, 2016.

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

PROPOSITION 1

Explanation

Section 3-10 of the Home Rule Charter provides that the Nolan Museum and Civic Center shall be operated by a board established by ordinance and appointed by the Assembly. The Assembly has determined that the Nolan Board, established by ordinance as an advisory board, is no longer necessary or cost effective as its function is provided by the Friends of the Wrangell Museum. The Assembly therefore adopted Ordinance No. 919 proposing an amendment to the Charter to repeal Section 3-10.

CHARTER AMENDMENT

Shall the Home Rule Charter of the City and Borough of Wrangell be amended to repeal Section 3-10, Nolan Museum and Civic Center, as set forth in Ordinance No. 919?

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 4, 2016, 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: June 28, 2016.

PASSED IN SECOND READING: _____, 2016.

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

Wrangell Charter Section 3-10

Section 3-10 Nolan Museum and Civic Center.

The borough-operated James and Elsie Nolan Museum and Civic Center shall be operated by a board established by ordinance and appointed by the assembly.

Chapter 3.54

JAMES AND ELSIE NOLAN MUSEUM AND CIVIC CENTER BOARD

Sections:

- 3.54.010 Established – Membership – Organization.
3.54.020 Powers and duties.

3.54.010 Established – Membership – Organization.

A. There shall be a James and Elsie Nolan Museum and Civic Center board which shall consist of seven members appointed by the mayor with the approval of the assembly for overlapping three-year terms. All members of the board shall be residents of the city and borough. The members shall be appointed as set forth below:

1. The present membership of the board is hereby confirmed. The terms of the members shall begin on October 1st, with three members to be appointed in the first year, and two members in each of two successive years and in like manner thereafter. A member may be removed by the mayor with approval of the assembly for the good of the service. Vacancies shall be filled for the unexpired terms. Members shall serve without compensation.

B. The board shall hold regular meetings at least once each calendar quarter at such times as its chair may determine. The chair shall give each member at least 48 hours' prior written or oral notice of the date, time and place of each meeting.

C. The board shall give reasonable public notice of its meetings, its meetings shall be open to the public, and reasonable opportunity shall be provided for the public to be heard at each meeting.

D. Four members of the board shall constitute a quorum for the transaction of business. Actions of the board are taken by the vote of a majority of the members duly present at a meeting of the board duly held at which a quorum is present. The board shall keep minutes of its proceedings and records of its official actions.

E. Any member who misses more than two regular meetings in a consecutive 12-month period without being excused by the board shall automatically forfeit membership on the board.

F. The board shall annually elect from among its members a chair, vice chair and secretary-treasurer.

G. Board members shall conduct their activities in such a way that no conflict of interest arises between their other interests and the policies, interests and operation of the museum and civic center.

H. The board may establish its own rules, regulations and policies consistent with this chapter and subject to the approval of the assembly. [Ord. 840 §§ 1, 2, 2009; Ord. 835 § 1, 2009; Ord. 759 § 1, 2004.]

3.54.020 Powers and duties.

The powers and duties of the board shall be as follows:

A. Receive, consider and evaluate public opinions and recommendations regarding the staffing, equipping and managing of the museum and civic center and regarding the care and maintenance of the museum collection;

B. Advise the curator, civic center manager, borough manager and borough assembly on planning and implementation of programs dealing with the use and development of the museum and civic center and the museum collection;

C. Review and make recommendations to the assembly regarding the museum and civic center budget;

D. Strive to create public interest in and public support for the programs and activities of the museum and civic center. [Ord. 759 § 1, 2004.]