



**City and Borough of Wrangell
Borough Assembly Meeting
AGENDA**

November 29, 2016 (rescheduled from Nov. 22, 2016)

7:00 p.m.

Location: Assembly Chambers, City Hall

1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Mark Mitchell
- b. INVOCATION to be given by a member of the Baha'i Faith
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

2. ROLL CALL

3. AMENDMENTS TO THE AGENDA

4. CONFLICT OF INTEREST

5. CONSENT AGENDA

- a. Item (*) 6a and 7a through 7g

6. APPROVAL OF MINUTES

- *a. Minutes of the Public Hearing & Regular Assembly meetings held November 8, 2016

7. COMMUNICATIONS

- *a. Catholic Community Services, Inc Quarterly Expenditure rept. for 7-1 thru 9-30-2016
- *b. Harbor Matching Letter & adopted Res. No. 11-16-1353 sent to delegates
- *c. Regular School Board minutes from 9-19-16
- *d. Wrangell Medical Center Board minutes from 9-21-16
- *e. Correspondence from State re: Earthquake Simulator Tour
- *f. Gaming Permit renewal application from the Benevolent & Protective Order of Elks Lodge #1595
- *g. Line of Credit update for the Wrangell Medical Center

8. BOROUGH MANAGER'S REPORT

9. BOROUGH CLERK'S FILE

10. MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

- a. Reports by Assembly Members
- b. City Boards and Committee Appointments
- c. Wrangell Medical Center Board Appointment

11. PERSONS TO BE HEARD

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a. **PROPOSED ORDINANCE No. 928:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 11.76, JUNK VEHICLES, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR THE DISPOSITION AND DISPOSAL OF JUNK VEHICLES (*first reading*)
- b. **PROPOSED RESOLUTION No. 11-16-1354:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING THE PORT COMMISSION'S EFFORTS TO PLAN AND BUILD THE MARINER'S MEMORIAL AT HERITAGE HARBOR
- c. Appointment to fill the vacancy on the Borough Assembly
- d. Approval of the Bid received for the Wrangell City Dock Lighting project
- e. Approval of the Wrangell Courtroom Lease with the Alaska Court System

14. ATTORNEY'S FILE – Summary Report was provided to the Assembly

15. EXECUTIVE SESSION

- a. Options regarding the Corrective Statutory Warranty Deed for Lot A, dated May 25, 2012, according to Plat 2010-6 between the City and Alaska Island Community Services (AICS)

16. ADJOURNMENT

Agenda Items 1 - 6

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY

AGENDA ITEM

November 29, 2016

ITEM NO. 1 CALL TO ORDER:

INFORMATION: *The Mayor, by code, is required to call the meeting to order at 7:00 p.m. in the Borough Assembly Chambers. Special meetings or continued meetings may be called for at differing times but at the same location. Notice of such will be required by the Borough Clerk. The Mayor will call the meeting to order according to such special or continued meeting notice. At all meetings of the assembly, four assembly members or three members and the mayor shall constitute a quorum for the transaction of business, but a smaller number less than a quorum may adjourn a meeting to a later date.*

RECOMMENDED ACTION:

The Mayor, as presiding officer, is to call the meeting of the Borough Assembly to order, with the following actions to follow:

- a. Pledge of Allegiance to be given by Assembly Member Mark Mitchell
- b. Invocation to be given by a member of the Baha'i Faith
- c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

ITEM NO. 2 ROLL CALL – BOROUGH CLERK:

INFORMATION: *The Borough Clerk shall conduct a roll call of each elected and duly qualified Assembly Member. Such call shall result in an entry of those present or absent from the meeting. The roll call is primarily utilized in determining if sufficient member(s) are present to conduct a meeting. The Borough Clerk may randomly change the conduct of the roll to be fair to the members of the governing body unless the council determined an adopted procedure for roll call which is different than currently in use.*

RECOMMENDED ACTION:

Borough Clerk to conduct a roll call by voice vote. Each member to signify by saying here, present (or equal) to give evidence of attendance.

ITEM NO. 3 AMENDMENTS TO THE AGENDA:

INFORMATION: *The assembly may amend the agenda at the beginning of its meeting. The outline of the agenda shall be as from time to time prescribed and amended by resolution of the assembly. (WMC 3.04.100)*

RECOMMENDED ACTION:

The Mayor should request of the members if there are any amendments to the posted agenda. ***THE MAYOR MAY RULE ON ANY REQUEST OR THE ASSEMBLY MEMBERS MAY VOTE ON EACH AMENDMENT.***

ITEM NO. 4 CONFLICT OF INTEREST:

INFORMATION: *The purpose of this agenda item is to set reasonable standards of conduct for elected and appointed public officials and for city employees, so that the public may be assured that its trust in such persons is well placed and that the officials and employees themselves are aware of the high standards of conduct demanded of persons in like office and position.*

An elected city official may not participate in any official action in which he/she or a member of his/her household has a substantial financial interest.

ITEM NO. 5 CONSENT AGENDA:

INFORMATION: *Items listed on the Consent Agenda or marked with an asterisk (*) are considered part of the Consent Agenda and will be passed in one motion unless the item has been removed by an Assembly Member or the Mayor and placed on the regular agenda under Unfinished Business.*

RECOMMENDED ACTION:

Move to approve those Agenda items listed under the Consent Agenda and those marked with an asterisk (*) Item:

****6a & 7a through 7g***

ITEM NO. 6 APPROVAL OF MINUTES:

INFORMATION:

- 6a Minutes of the Public Hearing & Regular Assembly meetings held November 8, 2016

**Minutes of Public Hearing
Held November 8, 2016**

Mayor David L. Jack called the Budget Public Hearing to order at 6:30 p.m., November 8, 2016, in the Borough Assembly Chambers. Assembly Members Mitchell, Gilbert, Powell, and Rooney were present. Assembly Members Decker and Prysunka were absent. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

Public Hearing Items:

- a. **PROPOSED ORDINANCE No. 927:** 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)*
- b. Request for a modification to a Contract Zone Agreement, amending the site plan and expanding the proposed Light Industrial use storage facility from a one building facility to a two building facility on Lot C, Torgramsen-Glasner Subdivision, zoned Single Family Residential with a Contract Zone of Light Industrial, requested by Mr. and Mrs. Donald Glasner

WRITTEN TESTIMONY – None

ORAL TESTIMONY – None

Public Hearing recessed at 6:32 p.m.

Public Hearing reconvened at 6:55 p.m.

Public Hearing Meeting adjourned at 6:56 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

Minutes of Regular Assembly Meeting Held on November 8, 2016

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., November 8, 2016, in the Borough Assembly Chambers. Assembly Members Mitchell, Gilbert, Powell, and Rooney were present. Assembly Members Decker 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 David Powell.

The Invocation was given by Donald McConachie.

Certificates of Service were presented to the following appointed members:

- **Jim Shoemaker** (to be mailed), Planning & Zoning Commission (5-2015/10-2016)
- **Bob Lippert** (to be mailed), Parks & Recreation Board (various 10-2010/10-2016)
- **James Edens** (to be mailed), Economic Development Committee (10-2013/10-2016)
- **Robert Maxand** (to be mailed), Economic Development Committee (10-2013/10-2016)
- **Donald McConachie** (received in person), Nolan Museum/Civic Center Board (10-2010/10-2016)
- **Dan Roope** (to be mailed), Nolan Museum/Civic Center Board (10-2015/10-2016)
- **Alice Rooney** (to be mailed), Nolan Museum/Civic Center Board 10-2014/10-2016)
- **Olinda White** (to be mailed), Nolan Museum/Civic Center Board (various 4-2007/10-2016)

Certificate of Service was presented to the following elected member:

- **Larry "Woody" Wilson** (to be mailed), Wrangell Medical Center Board (8-2012/10-2016)

AMENDMENTS TO THE AGENDA

M/S: Gilbert/Powell, to amend Agenda Item 13f to include the discussion of business regulations, specifically the hours of operation. Motion approved unanimously by polled vote.

CONFLICT OF INTEREST – None

CONSENT AGENDA

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

APPROVAL OF MINUTES

The minutes of the Special Assembly meeting held October 10, 2016; Minutes of the Public Hearing & Regular Assembly meetings held October 11, 2016, were approved as presented.

COMMUNICATIONS

- a. Action from the Regular School Board mtg. held 10-17-16
- b. Wrangell Medical Center minutes from the Regular mtg. held 9-21-16
- c. Action from the WMC Special mtg. held 10-25-2016 – Attached is the letter of support for the consolidation of AICS and SEARHC into a single entity that was approved at that meeting

- d. Essential Air Service (EAS) support letter for air service in Wrangell and Southeast AK

BOROUGH MANAGER'S REPORT

Manager Jabusch's report was provided.

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members

Mayor Jack stated that High School/Middle School Principal, Bill Schwan had called to invite him and all veterans to an event in the High School Commons on Friday, November 11th at 10:30 a.m.

10b City Boards and Committees Appointments

Mayor Jack appointed Brenda Schwartz-Yeager and Nancy Delpero to fill the vacancies on the Wrangell Convention & Visitors Bureau with the terms ending October 2019. As there were vacancies other various boards and committees, Mayor Jack directed the Borough Clerk to advertise. There were no objections from the Assembly.

10c SEAPA Board Appointments

M/S: Gilbert/Powell, to appoint Steve Prysunka to the voting member seat on the SEAPA Board.

M/S: Mitchell/Powell, to amend the main motion to add that Clay Hammer be appointed to the alternate voting member seat on the SEAPA Board. Amendment was approved unanimously by polled vote.

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

PERSONS TO BE HEARD

Kelsey Martinsen, 225 S. Front Street, stated that any additional costs for the sale of marijuana would make it difficult to compete with the black market; if the Assembly is looking at adding an excise tax, please make sure that I can still compete statewide.

Don McConachie, 622 Zimovia Hwy., spoke in favor of reducing the number of members on the Economic Development Committee; no board, committee or commission should be greater than the Assembly membership.

UNFINISHED BUSINESS

12a PROPOSED ORDINANCE No. 927: 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: Mitchell/Gilbert, to adopt Ordinance No. 927. Motion approved unanimously by polled vote.

NEW BUSINESS

13a PROPOSED RESOLUTION No. 11-16-1353: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, IN SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA HARBOR FACILITY GRANT PROGRAM IN THE FY 2018 STATE CAPITAL BUDGET

M/S: Rooney/Powell, to adopt Resolution No. 11-16-1353. Motion approved unanimously by polled vote.

13b Request for a modification to a Contract Zone Agreement, amending the site plan and expanding the proposed Light Industrial use storage facility from a one building facility to a two building facility on Lot C, Torgramsen-Glasner Subdivision, zoned Single Family Residential with a Contract Zone of Light Industrial, requested by Mr. and Mrs. Donald Glasner

M/S: Gilbert/Powell, to approve a modification to a Contract Zone Agreement, amending the site plan and expansion of two buildings used as indoor storage units with the following conditions:

- 1. Site obscuring vegetated buffer of at least 25 feet maintained pursuant to WMC 20.52.200. (in current contract zone)***
- 2. Lighting at facility should be angled downward and guarded from side so as not to disturb adjacent residences. (in current contract zone)***
- 3. Operating hours should be restricted from 7:00 am to 8:00 pm. (in current contract zone)***
- 4. The driveway entrance to the storage until will be widened and moved over 10 feet to avoid all conflict with the adjacent residential driveway (new item).***

Motion approved unanimously by polled vote.

13c Acceptance of the Resignation from Assembly Member Steve Prysunka

M/S: Powell/Gilbert, to accept the resignation from Steve Prysunka on the Borough Assembly.

Assembly Member Mitchell stated that Assembly Member Prysunka is a valued member of the Assembly.

Assembly Member Gilbert stated that this issue had come up before with past councils; perhaps we could table this item until we look at the item later in the meeting.

Clerk Lane stated that if a member submits a resignation and the Assembly choose not to accept the resignation, it would still be a resignation; this is a “rubber stamp” form of action.

Gilbert suggested again that the Assembly look at tabling the item; however it would take an ordinance to change the policy so that might not work.

Mayor Jack stated that even if the Assembly tabled the item and changed the Code, it would not change the resignation status.

Clerk Lane stated that if the Assembly tabled the item, it would need to be taken up in the same meeting; there is nothing that the Assembly could do to change the outcome or policy at this meeting; if the Assembly postponed the item, his resignation would therefore be in limbo and if the Code was amended, it would look as though the Assembly made the change for the one member; would not look good.

Assembly Member Powell questioned if we could simply not accept the resignation.

Assembly Member Rooney questioned if Mr. Prysunka could submit a letter of interest for the vacancy if we advertised.

Mayor Jack stated that there was nothing stating that he could not submit a letter; would have a “shady” look to it, but he could do it.

Clerk Lane reminded the Assembly that the appointment for the vacancy would be by a vote of the Assembly.

Motion approved unanimously by polled vote.

13d Approval of the USDA Resolution OMB No. 0572-0121

M/S: Powell/Mitchell, to approve USDA Loan Resolution OMB No. 0572-0121 for the purpose of finalizing the close-out on both the grant and the loan from USDA on the Sewer Pump Station Project. Motion approved unanimously by polled vote.

13e Approval of the Bid received for the Wrangell Courtroom Carpet Replacement project

M/S: Mitchell/Rooney, to approve a bid award to Rainbow Builders, Inc. for construction of the Wrangell Courthouse Carpet Replacement project in the amount of \$21,495.00, funded from the FY17 Capital Budget for the Public Safety Building. Motion approved unanimously by polled vote.

13f Discussion and possible action on excise tax on marijuana

M/S: Gilbert/Powell, to discuss and possibly add on business regulations and excise tax on marijuana sales.

Assembly Member Gilbert noted that in the packet, there are other communities around Alaska who are charging an excise tax on marijuana and it's all over the place; the State of Alaska has an excise tax on the marijuana by the ounce; \$50 per ounce for the bud, \$15 per ounce for the rest of the plant; Houston has a \$10 per ounce + \$2 per ounce for the rest of the plant; Ketchikan has an excise tax, in addition to the City 4% sales tax; Valdez charges 50% of the market value for marijuana; in Valdez, the price per ounce is \$420; believe that we should have

some sort of excise tax and should have regulations in our code; excise tax would go into title 5 and the business regulations would go into title 6; questioning the business hours.

Gilbert also stated that he had spoken with Mr. Martinsen and he told her that he was planning on having his hours of operation be from 8:00 a.m. to 6:00 p.m.

Gilbert said that a member of the community had voiced concern that the marijuana stores would have the same hours of operation as the bars.

Assembly Member Mitchell stated that we are paying a 10% tax on fish tax; would be in favor of imposing a 10% tax on marijuana as well; would be in addition to the regular 7% city sales tax.

Gilbert stated that one benefit to taxing per ounce is that tracing would be easier because businesses are required by the State to report their sales electronically each month by the third decimal point; would have a good concept of how much was being produced.

Mitchell stated that there are different prices for different products; a percentage tax would be easier to do.

Assembly Member Rooney stated that she was in favor of an excise tax; likes the idea of taxing based on market value and not a flat rate.

Gilbert questioned whether marijuana paraphernalia should also be taxed; could also be sold in other locations; need to begin the process.

It was the consensus to direct the Borough Clerk to begin drafting an Ordinance for an excise tax to be added to Title 5 and for regulations on hours of operations to be added to title 6.

Clerk Lane stated that once she had the basic ordinance drafted, it would be a good idea for the Code Review Committee to meet and finalize it before it came back to the Assembly.

Assembly Member Gilbert agreed to be on the Code Review Committee.

There were no objections from the Assembly.

As there was no action to vote on, Clerk Lane stated that the motion dies.

13g Discussion and possible action on changing WMC 3.04.114, Nepotism

Manager Jabusch stated that back in 2013, the Assembly adopted a revised Ordinance on Nepotism to make the policy less restrictive; understands that there have been past situations where a family member wanted to work at the Movie Theatre or be a Life Guard; need to be careful because nepotism rules are in just about every municipal code because at some time, someone abused the hiring practice; also feels that those positions are classified for kids or non-permanent positions; need to be careful though when talking about all positions and how that would impact the City; Manager is ultimately responsible for hiring and firing; there could be an unspoken pressure on the Manager if their family member is not hired for a position.

Assembly Member Mitchell stated that we are not employees; no benefits and no wages; has a hard time with this policy; we are not employees of the borough and we do not manage anyone but the Manager.

Jabusch stated that he has never had anyone come to him and say “hire my son”; stated though that the reason why it’s in there is because someone did it at some time; everyone on the Assembly is honorable right now but in 10 years, it could be different; there is a reason why it’s in there; there could definitely be an unspoken pressure.

Assembly Member Gilbert stated that we are an Assembly-Manager form of Government and as Assembly Members; we have absolutely no power for the hiring and firing of employees; we only have power as a Body; City Manager should feel protected against any undue pressure.

Gilbert stated that her idea was to allow the hiring of a relative of the Assembly if that person was seeking employment as an hourly non-salaried part-time or temporary position.

Manager Jabusch also stated that a situation could arise where there were two candidates for a position and if the Manager chooses the Assembly’s relative, the public perception could be mistrust and suspicion that that person was hired because their relative is on the Assembly.

Assembly Member Powell questioned if the relative were to be hired in on a part-time or temporary basis and they moved up the ranks; in 10 years, they were in a top position; what would public perception be for that?

Assembly Member Rooney stated that this policy protected the Borough Manager; should think about that since we are currently looking for a new Borough Manager.

Powell stated that the outgoing member could put his letter of interest in and the Assembly could approve it or not approve it; that would be the best way around it without changing anything; agrees that it doesn’t make sense since that a 20 hour a week position cannot be filled by a relative of an Assembly Member but also agrees that the policy is in place for a reason.

Mayor Jack stated that there are a lot of kids in the community who cannot find a job here in town; the policy limits those from getting a job with the City; believes that it’s a form of discrimination.

After more discussion, the consensus of the Assembly was to not make any changes to the existing code.

13h Approval to reduce the number of members on the Economic Development Committee from seven (7) to five (5)

M/S: Mitchell/Rooney, to approve the reduction of members on the Economic Development Committee from seven (7) to five (5) and to provide for a transition provision to be updated in the Committee By-Laws.

Assembly Member Mitchell stated that he is on this Committee and he believes that the reduction in necessary.

Motion approved unanimously by polled vote.

ATTORNEY'S FILE – Summary Report was provided to the Assembly.

EXECUTIVE SESSION

15a Executive Session: Options regarding the Corrective Statutory Warranty Deed for Lot A, dated May 25, 2012, according to Plat 2010-6 between the City and Alaska Island Community Services (AICS)

M/S: Powell/Gilbert, to move, pursuant to AS 44.62.310 (c), (1), that we recess into executive session to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough, specifically the City's options regarding the Corrective Statutory Warranty Deed for Lot A, dated May 25, 2012, according to Plat 2010-6 between the City and Alaska Island Community Services (AICS). Motion approved unanimously by polled vote.

It was the consensus to include the Borough Manager in the Executive Session.

Regular Assembly Meeting recessed at 8:10 p.m.

Regular Assembly Meeting reconvened back into regular session at 8:35 p.m.

Mayor Jack stated that the Borough Manager had been given direction by the Borough Assembly.

Regular Assembly Meeting adjourned at 8:35 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

Agenda Item 7

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM November 29, 2016

COMMUNICATIONS:

INFORMATION: The Assembly may receive items for Communications, reasons only which do not require separate action. This is an avenue to keep the Assembly informed, for the public to enter items on the record, if necessary. The Assembly also receives agenda communications directly by their constituents, Borough Manager, other agencies' Officers and Department Directors.

A MAIL BOX IS ALSO AVAILABLE IN THE BOROUGH CLERK'S OFFICE FOR EACH MEMBER OF THE ASSEMBLY AND SHOULD BE CHECKED ON A ROUTINE SCHEDULE.

All items appearing under Communications on the Agenda have been approved under the Consent Agenda unless removed by an Assembly Member or the Mayor and placed on the regular agenda under Unfinished Business.

- *a. Catholic Community Services, Inc Quarterly Expenditure rept. for 7-1 thru 9-30-2016
- *b. Harbor Matching Letter & adopted Res. No. 11-16-1353 sent to delegates
- *c. Regular School Board minutes from 9-19-16
- *d. Wrangell Medical Center Board minutes from 9-21-16
- *e. Correspondence from State re: Earthquake Simulator Tour
- *f. Gaming Permit renewal application from the Benevolent & Protective Order of Elks Lodge #1595
- *g. Line of Credit update for the Wrangell Medical Center



October 25, 2016

Mr. Jeff Jabusch, Borough Manager
City and Borough of Wrangell
P O Box 531
Wrangell, AK 99929

Dear Mr. Jabusch:

A copy of the Quarterly Expenditure Reports for Southeast Senior Services' Wrangell program is enclosed. These reports cover the first quarter period from July 1st, 2016 through September 30th, 2016.

The following services were provided during the first quarter of Fiscal Year (FY) 2017:

- * 26 individuals received 906 home-delivered meals.
- * 54 individuals received 866 congregate meals.
- * 32 individuals received 546 assisted rides.

Figures this quarter reflect 5 days of service all months of this quarter.

On behalf of Wrangell seniors, I would like to thank you for your continued support of the Wrangell Senior Program.

Sincerely,

Erin Walker-Tolles
Executive Director

EWT/acb

Enclosures

Description	1st Quarter Actual	2nd Quarter Actual	3rd Quarter Actual	4th Quarter Actual	Year to date Actual
4001 T3 NSIP	\$ 395.61				\$ 395.61
4033 T3 Nutrition & Transportation	\$ 16,003.85				\$ 16,003.85
4106 City of Wrangell	\$ 2,901.00				\$ 2,901.00
4364 Title VI-Care Giver Support	\$ 4,652.49				\$ 4,652.49
4365 Title VI-NTS	\$ 28,902.41				\$ 28,902.41
4369 Title VI-NSIP	\$ -				\$ -
4410 Congregate Meal Contr-Over 60	\$ 2,173.00				\$ 2,173.00
4411 Congregate Meal Contr-Under 60	\$ -				\$ -
4412 Home Deliv Meal Contr-Over 60	\$ 252.00				\$ 252.00
4414 Transportation Contr-Over 60	\$ 589.00				\$ 589.00
4415 Transportation Contr-Under 60	\$ -				\$ -
4553 Medicaid	\$ 1,637.37				\$ 1,637.37
4600 In-Kind Revenue	\$ 3,471.70				\$ 3,471.70
4920 Fund Raising	\$ 13.21				\$ 13.21
4950 Individual Donations	\$ 20.00				\$ 20.00
4990 Miscellaneous Revenue	\$ -				\$ -
Total Revenue	\$ 61,011.64	\$ -	\$ -	\$ -	\$ 61,011.64
6110 Salaries & Wages Expense	\$ 24,078.73				\$ 24,078.73
6115 Substitute Wages Expense	\$ 4,801.52				\$ 4,801.52
6120 Payroll Taxes & Benefits	\$ 8,086.07				\$ 8,086.07
6220 Staff Travel & Training	\$ 1,505.37				\$ 1,505.37
6310 Facility Rent	\$ 248.54				\$ 248.54
6311 In-Kind Rent	\$ 2,460.00				\$ 2,460.00
6320 Phone Service Charges	\$ 388.72				\$ 388.72
6330 Facility Utilities	\$ 1,315.22				\$ 1,315.22
6410 Office Supplies	\$ 12.90				\$ 12.90
6420 Postage	\$ 14.78				\$ 14.78
6440 Vehicle Supplies	\$ -				\$ -
6450 Program Supplies	\$ (2.68)				\$ (2.68)
6470 Household Supplies	\$ 157.34				\$ 157.34
6475 Home Delivery Containers	\$ 171.11				\$ 171.11
6480 Raw Food	\$ 5,636.78				\$ 5,636.78
6491 In-Kind Gas & Oil	\$ 1,011.70				\$ 1,011.70
6510 Vehicle Repair	\$ -				\$ -
6511 In-Kind Vehicle Repair	\$ -				\$ -
6520 Non-Vehicle Repair	\$ -				\$ -
6540 Equip Purch (under \$5,000)	\$ -				\$ -
6550 Service Contracts	\$ -				\$ -
6610 Professional Services	\$ 174.27				\$ 174.27
6620 Vehicle Insurance	\$ 185.01				\$ 185.01
6630 Property & Liability Insurance	\$ -				\$ -
6640 Dues & Subscriptions	\$ 140.00				\$ 140.00
6650 Printing	\$ 149.38				\$ 149.38
6685 Bad Debt Expense	\$ (92.00)				\$ (92.00)
6700 Administrative Expenses	\$ 9,592.04				\$ 9,592.04
Total Expenditure	\$ 60,034.80	\$ -	\$ -	\$ -	\$ 60,034.80
Excess Revenues over (under) Expenses	\$ 976.84	\$ -	\$ -	\$ -	\$ 976.84



CITY AND BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

P.O. BOX 531 (907)-874-2381
Wrangell, AK 99929 FAX (907)-874-3952

November 18, 2016

Honorable Bill Walker, Governor
State of Alaska
PO Box 11001
Juneau, Alaska 99811-0001

Re: State of Alaska Harbor Matching Grant Program

Dear Governor Walker;

Attached is a resolution of support from the City and Borough of Wrangell regarding the State of Alaska Harbor Matching Grant Program. Your support last year in this program was greatly appreciated and although Wrangell did not directly receive money for our project, we do strongly support this program. As you know, Alaska's harbors are critical to our State's economy and ongoing maintenance of these harbors is a necessity. Your budget amount last year of five million dollars was important and we encourage you to fund this program again in the upcoming capital budget. The current grant program not only requires the communities to provide at least a 50% match, but they also have to pay for the engineering costs, so the funds are highly leveraged and provide an incentive for the municipality to hold costs down.

Wrangell, like many other communities in Alaska took possession of State Harbors almost ten years ago. With that transfer, a cash amount of approximately 3.5 million was given to Wrangell. That money went quickly for one of the five float systems that were transferred to us. Now we have another major harbor that has risen to the number one rated harbor for funding from this program. Approximately 25% of this harbor's floats have been closed because they are in such bad shape. This has affected space for fishing and charter operators and will continue to cause problems for not only Wrangell, but most of the harbors in the state.

I support your message of a sustainable future for Alaska. Many of the state cuts that we have received as a borough such as revenue sharing, community jail reductions and reduced school debt reimbursement were tough to deal with, but we have made cuts and understand the big picture so willing to do our part. The reduction in the permanent fund is another cut I personally endorse and applaud your decisive action. Although it is difficult to fund any program during these trying economic times, we believe the Harbor

November 18, 2016

Matching Grant program helps communities provide the working infrastructure to promote the fishing fleet, charter operators and a safe haven for those in need.

Your support in again funding the State of Alaska Harbor Matching Grant Program is essential in this effort. Thank you.

Sincerely

A handwritten signature in black ink, appearing to read "Jeff Jabusch". The signature is fluid and cursive, with the first name "Jeff" being more prominent.

Jeff Jabusch
Borough Manager

Cc: Pat Pitney, Director OMB
Ray Matiashowski
David Jack, City and Borough of Wrangell Mayor
Greg Meissner, Wrangell Harbormaster

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 11-16-1353

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, IN SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA HARBOR FACILITY GRANT PROGRAM IN THE FY 2018 STATE CAPITAL BUDGET

WHEREAS, the Alaska Association of Harbormasters and Port Administrators recognizes the majority of the public boat harbors in Alaska where constructed by the State during the 1960s and 1970s; and

WHEREAS, these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

WHEREAS, these harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

WHEREAS, the State of Alaska over the past nearly 30 years has transferred ownership of most of these State owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

WHEREAS, the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the State's failure to keep up with deferred maintenance; and

WHEREAS, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

WHEREAS, in response to this financial burden, the Governor and the Alaska Legislature passed legislation in 2006, supported by the Alaska Association of Harbormasters and Port Administrators, to create the Harbor Facility Grant program, AS 29.60.800; and

WHEREAS, the Alaska Association of Harbormasters and Port Administrators, is pleased with the Department of Transportation and Public Facilities administrative process to review, score and rank applicants to the Harbor Facility Grant Program, since State funds may be limited; and

WHEREAS, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction cost; and

WHEREAS, the municipalities of the City of Kake, the City of Ketchikan, the City and Borough of Sitka, The Municipality of Skagway, the City of Valdez and the City and Borough of Wrangell offered to contribute \$18,160,055 in local match funding for FY2018 towards seven harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

WHEREAS, completion of these harbor facility projects is all dependent on the 50% match from the State of Alaska's Harbor Facility Grant Program; and

WHEREAS, during the last ten years the Municipal Harbor Facility Grant Program has only been fully funded twice; and

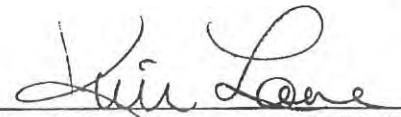
WHEREAS, during the last ten years the backlog of projects necessary to repair and replace these former State owned harbors has increased to over \$100,000,000.

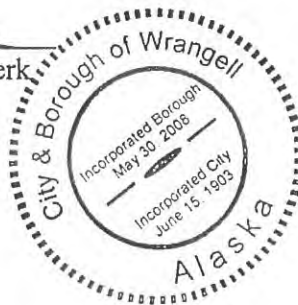
NOW, THEREFORE, BE IT RESOLVED by the Assembly of the City and Borough of Wrangell, Alaska, urges full funding in the amount of \$18,160,055 by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY2018 State Capital Budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

ADOPTED: November 8, 2016



David L. Jack, Mayor

ATTEST: 
Kim Lane, MMC, Borough Clerk



PROCEEDINGS

MINUTES WRANGELL SCHOOL BOARD REGULAR MEETING September 19, 2016 6:30 PM Evergreen Elementary School Room 101

School Board President Susan Eagle called the regular meeting of the Wrangell Public School Board to order at 6:30 P.M. on September 19, 2016.

CALL TO ORDER

A quorum was determined with the following school board members present: Susan Eagle, Tammy Groshong, and Aleisha Mollen. Rinda Howell and Pam McCloskey were absent, excused. Also present was Superintendent Patrick Mayer and Recording Secretary Kimberly Powell.

DETERMINE QUORUM

The Pledge of Allegiance was recited, led by Tammy Groshong.

PLEDGE OF ALLEGIANCE

Student Reyn Hutten told the School Board Members that Student Council recently held elections. She introduced the officers (who were present at the board meeting: Reyn Hutten, Student Body President; Sig Decker, Vice-president; Josephine Lewis, Secretary and Makana Hammer, Treasurer. Miss Hutten reported on the progress of the various student activities that are currently in session.

STUDENT REPRESENTATIVE REPORT

Ryan Howe, Elementary Teacher spoke to the School Board to see if they received a copy of the letter from WTA and went on the record to say that the Packers are a superior team to the Vikings.

GUESTS TO BE HEARD

Anne Luetkemeyer read a letter into the minutes regarding "communication."

Diane O'Brien thanked the principals and Mr. Davies for facilitating the student visits to the earthquake simulator. She toured the simulator herself and came out concerned about the schools and the safety of our students during an earthquake. Mrs. O'Brien said that Mr. Mayer has already talked to the state about visiting our school buildings and conducting an earthquake audit. Mrs. O'Brien thanked Mr. Schwan for including a swimming class in the high school schedule as a PE option. She thanked Mr. Gore for his work with technology. Mrs. O'Brien also thanked Ms. Nordstrom and Mr. Schwan for their hard work implementing the high school schedule. Mrs. O'Brien requested training for the advisory committees if the board brings AASB in for board training.

Technology Director Matthew Gore gave a presentation regarding the school district website.

WEBSITE PRESENTATION

The agenda was approved as presented by unanimous consent.

APPROVAL OF AGENDA

There was no correspondence to review.

**REVIEWED
CORRESPONDENCE**

Motion to approve the minutes of the August 11, 2016 Regular School Board Meeting, as presented by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Tammy Groshong: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED THE MINUTES
OF AUGUST 11, 2016
REGULAR SCHOOL
BOARD MEETING**

Motion to approve the disposal of the surplus kiln and offer it to the public for fair market value by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

**APPROVED DISPOSAL OF
THE SURPLUS KILN**

Information & Reports were accepted by unanimous consent.

**ACCEPTED INFORMATION &
REPORTS**

The School Board members discussed the Student Exit Interview results from the spring. Mr. Mayer told the board members that he would review the results with the principals during the next administrative meeting. Parent Beth Comstock interrupted the conversation to ask the school board members if they ever do exit interviews with families who explore other options for their students such as home schooling. Mrs. Eagle responded that the board does not and that she would have the administration look into it.

**DISCUSSED THE 2016
STUDENT EXIT
INTERVIEW RESULTS**

Motion to accept the APEI Safety Training Grant award in the amount of \$1,000.00 to help pay for the expense of providing CPR/First Aid training for staff members by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

ACCEPTED THE APEI
SAFETY TRAINING
GRANT AWARD

Motion to accept the Indian Education Formula Grant award in the amount of \$51,647.00 as presented by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

ACCEPTED THE INDIAN
EDUCATION FORMULA
GRANT AWARD

Motion to accept the Migrant Literacy Grant award in the amount of \$2,000.00 to be used to purchase books for migrant students by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

ACCEPTED THE
MIGRANT LITERACY
GRANT

Motion to offer Mikki Angerman a contract addendum for 10 hours at her per diem rate to host Parent Meetings and Family Literacy Events for the Migrant and Title I programs by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

OFFERED MIKKI
ANGERMAN A
CONTRACT ADDENDUM
FOR MIGRANT/TITLE I
FAMILY & PARENT
EVENTS

Motion to offer Drew Larrabee a contract addendum in the amount of \$2,400.00 to serve as the Carl Perkins Grant Coordinator by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

OFFERED DREW
LARRABEE A CONTRACT
ADDENDUM FOR CARL
PERKINS GRANT
COORDINATOR

Motion to offer Alyssa Allen an extracurricular contract for the position of High School Assistant Volleyball Coach pending the receipt of a satisfactory drug test by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

OFFERED ALYSSA
ALLEN AN
EXTRACURRICULAR
CONTRACT FOR HS
ASSISTANT VOLLEYBALL
COACH

Motion to offer Mikki Angerman an extracurricular contract for the position of Elementary School Student Council Co-advisor pending the receipt of a satisfactory drug test by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

OFFERED MIKKI
ANGERMAN AN
EXTRACURRICULAR
CONTRACT FOR
ELEMENTARY STUDENT
COUNCIL CO-ADVISOR
OFFERED DIANE O'BRIEN
AN EXTRACURRICULAR
CONTRACT FOR
FRESHMEN CLASS CO-
ADVISOR

Motion to offer Diane O'Brien an extracurricular contract for the position of Freshmen Class Co-Advisor pending the receipt of a satisfactory drug test and criminal background check by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

Motion to offer Katelyn Reeves an extracurricular contract for the position of High School Girls' Basketball Assistant Coach pending the receipt of a satisfactory drug test by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

OFFERED KATELYN
REEVES AN
EXTRACURRICULAR
CONTRACT FOR HS
ASSISTANT GIRLS
BASKETBALL COACH
OFFERED DOROTHEA
ROONEY AN
EXTRACURRICULAR
CONTRACT FOR
FRESHMEN CLASS CO-
ADVISOR

Motion to offer Dorothea Rooney an extracurricular contract for the position of Freshmen Class Co-Advisor pending the receipt of a satisfactory drug test and criminal background check by Aleisha Mollen, seconded by Tammy Groshong. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

Motion to offer Jessica Rooney an extracurricular contract for the position of Middle School Yearbook Advisor pending the receipt of a satisfactory drug test by Tammy Groshong, seconded by Aleisha Mollen. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

OFFERED JESSICA
ROONEY AN
EXTRACURRICULAR
CONTRACT FOR MIDDLE
SCHOOL YEARBOOK
ADVISOR

The resignation letters from Virginia Bobbitt, Middle School Volleyball Assistant Coach and Therese Pemppek, Upward Bound Coordinator were presented as an item of information.

RESIGNATION LETTERS
PRESENTED AS
INFORMATION

Board Policy #1230, Advisory Committees was reviewed as presented.

REVIEWED BOARD
POLICY #1230, ADVISORY
COMMITTEES
ACCEPTED THE SECOND
READING OF BOARD
POLICY #5123,
PROMOTION/ACCELERAT
ION/RETENTION

Motion to accept the second reading of Board Policy #5123, Promotion/Acceleration/Retention for inclusion in the policy manual by Aleisha Mollen; seconded by Tammy Groshong. Poll vote: Tammy Groshong: Yes; Aleisha Mollen: Yes; Susan Eagle: Yes. Motion approved.

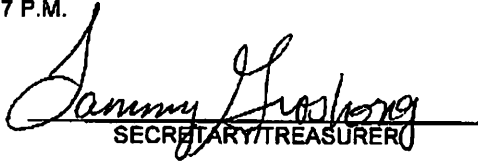
Motion to accept the second reading of Board Policy #8146, Graduation Requirements for Inclusion in the policy manual by Aleisha Mollen; seconded by Tammy Groshong. Poll vote: Aleisha Mollen: Yes; Tammy Groshong: Yes; Susan Eagle: Yes. Motion approved.

Reviewed the upcoming dates and meeting announcements.

Mrs. Groshong thanked Technology Director Matthew Gore for his hard work and said that she loves the new Power School application.

Aleisha Mollen said that she was excited to see the student representatives at the board meeting. She also told the other board members that Norm Wooten from AASB called her today and asked her to serve on AASB's Budget Committee.

Meeting Adjourned at 7:17 P.M.


SECRETARY/TREASURER

ACCEPTED THE SECOND
READING OF BOARD
POLICY #8146,
GRADUATION
REQUIREMENTS

REVIEWED DATES & MTG
ANNOUNCEMENTS

PRESIDENT'S REMARKS AND
COMMENTS FROM BOARD
MEMBERS

ADJOURNED AT 7:17 P.M.

Submitted by:
Anne Luetkemeyer

Persons to be Heard: Listening

Some people think it is futile for me or anyone to continue to come to the Board meetings and complain or "bring to your attention" things that are not right for our students. I disagree. I think it is most important that decisions you make are as informed as possible. Whether you take my opinion into consideration or not, you'll have it.

My concern is with our online classes. Those that are offered for college credit and those that are strictly online high school classes to supplement the curriculum we currently teach.

Since 1991 we had offered our students upper level math courses for college credit, college algebra, trigonometry and calculus at a much reduced rate. These classes were through Prince William Sound and then UAS Sitka. All these credits have been accepted from the Universities chosen by the students who completed the classes.

This year we no longer offer these classes. We no longer have a math teacher, in a classroom, teaching math classes that are eligible for college credit. The more questions I asked to clarify why this is no longer available the more answers I received. For instance, it was the fault of UAS being on campus and taking over these classes or it was the Provost from UAS Juneau that wouldn't allow UAS Sitka to continue to offer these classes through our teacher. At this point I want to move past the confusion and find a solution.

Our students are capable and should have the option to take college credited classes with a mentor teacher. We should benefit from the presence of UAS on our campus. My last conversation ended with me understanding that students who are taking Math 151 with Ms. Gilbert this semester will be able to get college credit next semester for that class or what would be the continuation of that class.

I have no idea if this is true.

My next concern is with AK Teach, our new online school wide program. We have 40 students taking online classes and some taking as many as 4 classes this semester. Some of these students are credit deficient and need credits to graduate. These online classes are making that credit

recovery possible. Is anyone asking the students who are taking the online classes if they feel successful in this program or think they can pass these classes without a mentor teacher? Is there a mentor teacher? Are we satisfied with what AkTeach is offering us? Is there an alternative if we don't like what we see?

We know online classes and online diplomas are part of our current education system. I think these classes should be a bonus to Wrangell School District's curriculum, not a remedy to fix our own lack of planning and hiring of qualified teachers. We lost two teachers last year, one that in addition to teaching in the classroom, taught online classes through AKLN and another that taught in the classroom and worked with students on credit recovery.

So where are we? Is there a committee that reviews online curriculum and student progress? If not I would suggest there be an inclusive group of teachers, parents, students and both the UAS Representative and Kerry Nordstrom who oversees the AKTeach Program to organize our online goals.

Possible Solutions:

Go through another University that will credit our classes. *UAS is not*
Offer a partial tuition refund to students that complete the online classes with a high percentage. Many of these students continue with UAS so it is to their advantage to encourage students.

our only option. Have more online.

*Lastly: It would be good to get everyone
on board so that we have our students
best interests at heart and are going in
beyond policy making. To that end,*

Thank you.



**WRANGELL MEDICAL CENTER
BOARD OF DIRECTORS MEETING MINUTES
September 21, 2016 - 5:30 p.m.
Location: Nolan Center**

CALL TO ORDER: Meeting was called to order at 5:30 by CEO, Robert Rang

ROLL CALL:

Present: Marlene Messmer, Terri Henson, Bernie Massin, Patrick Mayer and Maxi Wiederspohn

Attending via teleconference: Woody Wilson

Absent: Olinda White (attending as a member of the public, needs to be sworn in)

Quorum established

Assembly representative Becky Rooney was not present

ORGANIZATION OF THE BOARD:

a. Election of officers

- I. President: Terri Henson said that she would like to be considered, with no other nominations Terri was elected with 6 yes votes (Olinda white was unable to vote, having not been sworn in).
- II. Vice President: Bernie Massin indicated that he would be willing to serve in this role again, with no other nominations, Bernie was elected with 6 yes votes.
- III. Secretary: Marlene Messmer indicated that she would be willing to serve as secretary, with no other nominations, Marlene was elected with 6 yes votes.
- IV. Treasurer: Maxi Wiederspohn indicated that she would be willing to serve as treasurer, with no other nominations, Maxi was elected with 6 yes votes.

b. The Board Members signed and returned the confidentiality agreements

AMENDMENTS TO THE AGENDA: added item 9.a. – resignation letter from Woody Wilson

CONFLICT OF INTEREST: None

CONSENT ITEMS:

Motion made by Maxi Wiederspohn to approve consent item 6.a minutes of the regular meeting held September 21, 2016, and item 6.b Statistics for September 2016, Marlene Messmer seconded, passed unanimously.

PERSONS TO BE HEARD: None

GUEST PRESENTATION:

AICS/SEARHC leadership gave a presentation regarding the recent affiliation between the two organizations and took questions from the board regarding the changes to take place.

CORRESPONDENCE:

Email from Woody Wilson tendering his resignation from the board. The board accepted his resignation unanimously.

OUR MISSION: To Enhance The Quality of Life For All We Serve!

BOARD OF DIRECTORS MEETING
October 19, 2016 - 5:30 p.m.

REPORTS AND COMMUNICATIONS FROM WMC STAFF:

- a. Quality Report: (see Information Items, below)
- b. Compliance Report:
 - Scott Glaze, Compliance Officer, noted that the Compliance Report will be a quarterly report; however he did introduce Arlene Luu from MedPro who is offering a short training on Thursday, October 20 at 2 pm at the hospital on HIPPA, especially with regards to new technologies/social media. The board is welcome to attend.
- c. CFO Report:
 - CEO, Robert Rang, called out some of the more important figures in the written report submitted by Doran Hammett, CFO. It was also noted that the final nursing position has been filled and that, once all the orientations are complete, our costs for nursing should be going down.
- d. CEO Report: In addition to the written report, Robert Rang, added:
 - The First Annual Children's Flu Shot Clinic saw about 20 participants
 - Staff were able to provide vision and hearing screenings for the Head Start students this month – an area that has become a need due to the greatly reduced local service hours by the state office of Public Health.

MEDICAL STAFF REPORT: None this month

ACTION ITEMS: None this month

DISCUSSION ITEMS:

- a. Committee Appointments: It was suggested that committee appointments be postponed until all board members are able to be sworn in (November meeting).
- b. Letter of Support: a letter of support for the AICS/SEARHC merger was submitted for approval by the board. (Recording secretary's note: the board discussed writing a letter from the body, and had been in agreement, but without an opportunity for public comment, and board member questions to be answered, a special meeting was later scheduled for Tuesday, October 25th).

INFORMATION ITEMS

- a. New Hospital Project update (standing agenda item): CEO, Robert Rang, reported that the Foraker Group has recommended that the "funding plan" be developed prior to re-submission of application to the Rasmussen Foundation. It was also noted that there is a \$1.3 million grant which will expire in May unless the funds are used before then so the recommendation is that the City and Borough Assembly and the WMC Board have a workshop as soon as possible to develop a common vision and start looking at future steps.
- b. 2015/16 CAH Annual Year in Review: Cathy Gross, HIM/Quality departments, gave an overview of the recently completed CAH Annual Year in Review – highlighting a few statistics of interest (including the thousands of meals served and pounds of laundry done).

OUR MISSION: To Enhance The Quality of Life For All We Serve!

BOARD OF DIRECTORS MEETING

October 19, 2016 - 5:30 p.m.

BOARD COMMENTS:

Terri Henson: Welcome to Patrick (Mayer).

Bernie Massin: Any news on the new housing grant?

(Deadline for submission is November 4, so may hear back by December)

(some discussion regarding location of the housing and available land to build it on)

ADJOURN: With no further business, the meeting adjourned at 7:25 p.m.

Marlene Messmer

Kris Reed,

Date Certified:



THE STATE
of ALASKA
GOVERNOR BILL WALKER

7e

Department of Military and
Veterans Affairs

Division of Homeland Security
and Emergency Management

P.O. Box 5750
JBER, AK 99505-0750
Main: 907.428.7000
Fax: 907.428.7009
www.ready.alaska.gov

November 8, 2016

The Honorable David L. Jack, Mayor
The City and Borough of Wrangell
PO Box 531
Wrangell, AK 99929

RE: Southeast Alaska Earthquake Simulator Tour

Dear Mayor Jack and Wrangell Assembly:

On behalf of the Division of Homeland Security and Emergency Management, I want to personally thank you and your community for your assistance in making the Southeast Alaska Earthquake Simulator Tour a success.

Due to your efforts, the Tour was able to visit 18 communities in Alaska and Canada, seven Local Emergency Planning Committees and dozens of schools, community centers, and fire stations. Your events helped us connect with thousands of Alaskans throughout the Southeast and increase their awareness of and preparedness for disasters. Dozens of school classes and hundreds of children learned about earthquake safety and took their lessons home to parents and guardians, increasing our impact even if the adult did not directly experience the Simulator.

Our short time in Wrangell was very busy. We visited three locations in a 24-hour period. We are very grateful that you met with our staff as soon as they arrived in Wrangell, and ensured that they had everything they needed while they were in your community. It certainly helps to have a friendly local to guide the way when you are new to a community. During the time allotted for the school, the hard Southeast Alaskan rain would have made it impossible to run the Simulator. Without your assistance gaining access to the covered basketball court we would not have been able to provide Wrangell's school children the opportunity to experience the Simulator.

Without your participation in planning, coordinating, and hosting events, we would not have been able to connect with the thousands of Alaskans that we did during the Tour. I also want to recognize and extend our appreciation to your staff and local partners for their work in making this Tour a success.

Our travel teams have repeatedly expressed how important each and every local planner was to their success, and we look forward to working together to bring opportunities like this to Southeast Alaska in the future.

Sincerely,

A handwritten signature in blue ink, reading "Michael F. O'Hare".

Michael F. O'Hare
Director



Alaska Department of Revenue - Tax Division

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Federal Employer Id : ****4018
Name : BENEVOLENT & PROTECTIVE ORDER OF ELKS LODGE # 1595
Permit : ****4018
Period : 31-Dec-2017
Due : 31-Dec-2017
Received : 11-Nov-2016
Status : Ontime-Processed
Confirmation # : 0-901-005-312

1. Application Information

2. Taxpayer Information

TAXPAYER INFORMATION

Business Type : Non-Profit 501c
Id : Federal Employer Id
Legal Name : BENEVOLENT & PROTECTIVE ORDER OF ELKS LODGE # 1595
Website Address : Website Address
Mailing Address : PO BOX 377
Street 2 : WRANGELL
Unit Type : ALASKA
Unit : 99928-0000
Location Address : 103 FRONT STREET
Street 2 : WRANGELL
Unit Type : ALASKA
Unit : 99929-0000
Contact : SHIRLEY CLARK
Member : SHIRLEY CLARK
WRANGELL1595@GCI.NET
Telephone Number :
Phone Type : Business Phone
Country Code : 1
Area Code : (907)
Phone # : 874-3129
Ext. :
Mobile : 1
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Phone # : 305-0908
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Area Code : (907)
Phone # : 874-4129

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Federal Employer Id : **--4018
Name : BENEVOLENT & PROTECTIVE ORDER OF ELKS LODGE # 1595
Permit : **--4018
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Due : 31-Dec-2017
Received : 11-Nov-2016
Status : Ontime-Processed
Confirmation # : 0-901-005-312

1. Information 2. Taxpayer Information 3. Legal Questions 4. Organization Type 5. Members in Charge of Games

MEMBERS IN CHARGE OF GAMES

Members in charge must be natural persons and active members of the organization or employees of the municipality and designated by the organization. Members in charge may not be licensed as an operator, be a registered pull-tab vendor or an employee of a vendor for this organization.

Member	First Name	M.I.	Last Name	Suffix
Alternate Member in DAWN		C	ANGERMAN	
Primary Member in SHIRLEY		J	CLARK	

2 Rows

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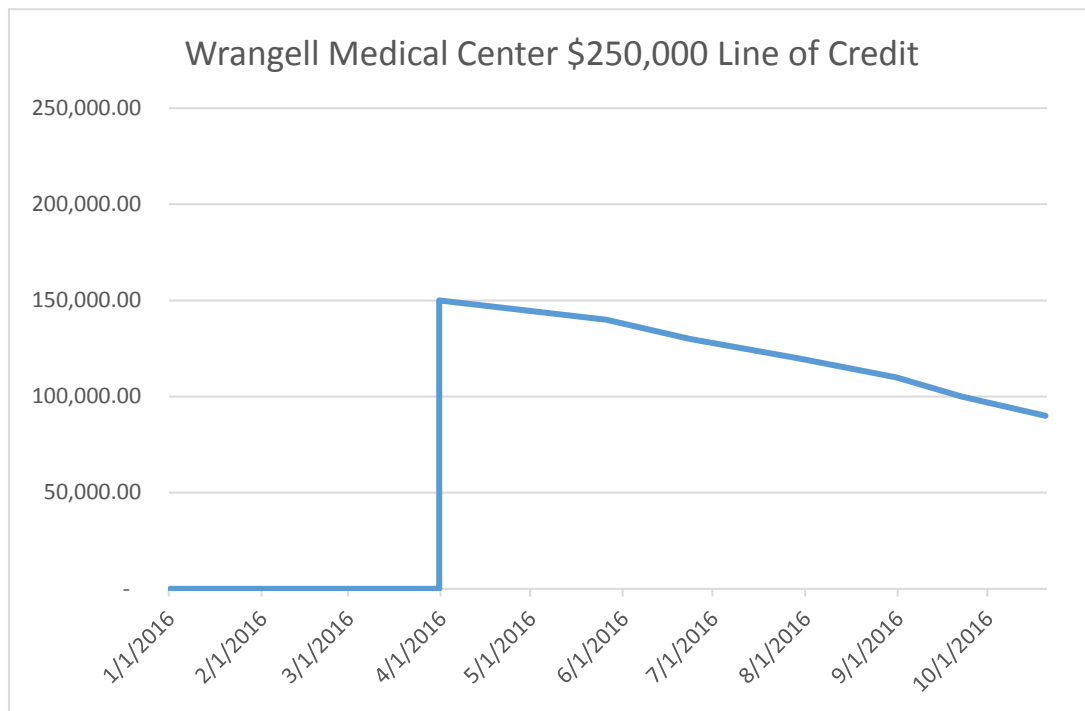
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Wrangell Medical Center
 Line of Credit from CBW Receivable
 As of November 14, 2016

Date	Disbursement/Payment	Amount	Balance
1/1/2016			-
2/1/2016			-
3/31/2016			-
3/31/2016	Disbursement	150,000.00	150,000.00
5/26/2016	Payment	(10,000.00)	140,000.00
6/23/2016	Payment	(10,000.00)	130,000.00
7/29/2016	Payment	(10,000.00)	120,000.00
8/31/2016	Payment	(10,000.00)	110,000.00
9/22/2016	Payment	(10,000.00)	100,000.00
10/20/2016	Payment	(10,000.00)	90,000.00



Aquatics Overview



Local United States Masters Swimmers

What is U.S. Masters Swimming?

U.S. Masters Swimming is the nationally organized swimming program for adults age 18 and over. Masters swimmers include fitness swimmers, competitive swimmers, open water swimmers and a rapidly growing number of triathletes. While you will see some incredible Masters swimmers, you don't have to be a great swimmer, or even interested in competition to join. Many people join Masters swimming just for the camaraderie and accountability that comes with exercising with a group.

Since September 2015, Wrangell Swim Club and Wrangell Parks and Recreation have teamed up to offer Masters Swimming for adult swimmers age 18 and over. We offer coached workouts and swimming instruction to swimmers of all levels as well as the opportunity to compete in local inter-squad swim meets and national "e-postal" events. You have to be a member of USMS (or on a 30-day trial) to participate. If you are interested in more information about US Masters Swimming, or to register as a master's swimmer for the 2016 season, you can visit their website at www.usms.org. When you get to the "Affiliations" tab of the on-line registration select **LMS** = Alaska, **Club** = Alaska Masters Swim Club and **WO group** = Wrangell Island Masters Swimming (WIMS).

Swimming Saves Live Foundation (USMS affiliate)

Foundation (SSLF) Overview

There are more than 18 million swimming pools and hot tubs in the USA. Yet, according to the [Centers for Disease Control](http://www.cdc.gov), 37% of American adults cannot swim the length of a pool. Every day, about 10 people die from drowning. The majority of unintentional drowning victims are adults. Drowning ranks fifth among the leading causes of unintentional injury death in the United States. The CDC identifies a variety of factors that can influence drowning risk, including the lack of swimming ability. Research also shows that the children of adults who don't know how to swim are at a greater risk of not learning to swim, which increases their risk of drowning.

The purpose of SSLF is to advocate and raise awareness, and to serve as a resource for programs providing adult learn-to-swim lessons. We solicit charitable contributions and provide grants to SSLF program providers.

Our hope is that once an adult learns to swim or improves their swimming skills, they will have the confidence and desire to continue swimming in a Masters Swimming program and experience the lifelong benefits of swimming.

Through the generous contributions of USMS members and other supporters, SSLF has awarded more than \$205,000 in grants and resources to programs that are providing adult learn-to-swim opportunities. Thousands of adults have benefitted from lessons taught by our program partners.

Adult Learn to Swim program (ATLS)

USMS's resources and expertise uniquely positions us to address the problem of adult drowning. In 2013, our [Swimming Saves Lives Foundation](#) launched the inaugural [April Is Adult Learn-to-Swim Month](#) campaign to bring awareness to the staggeringly high drowning rate and to effect change by providing funds to programs offering adult learn-to-swim opportunities in communities across the country.

During the first April ALTS campaign, we discovered that our members and member-coaches needed more resources for teaching adults to swim and become safer in water. So in 2015, USMS launched its [Adult Learn-to-Swim Instructor Certification Program](#). The curriculum draws from nationally recognized experts and includes the five basic water competencies identified by the [American Red Cross](#).

Swimming Save Lives Foundation Grant for Adult Learn to Swim (ATLS)



This fall Wrangell Parks and Recreation partnered with USMS Coach Bruce McQueen for a grant application through the Swimming Saves Live Foundation (SSLF) to aid in the development of an Adult Learn to Swim (ATLS) program. It was recently announced that Wrangell was one of the recipients of the \$2,500 grant.

In September of 2016, Wrangell Parks and Recreation, took advantage of training opportunities offered by USMS in Juneau. There are currently 3 certified adult learn to swim instructors and 4 USMS certified Coaches. With the support of the existing instructors and coaches Wrangell Parks and Recreation plans to launch the Adult Learn to Swim Program in the spring of 2017 in preparation for summer and fishing season.

School Aquatics Program

The department recently completed the middle school and high school aquatics section of the physical education class. The aquatics department of Parks and Recreation has been partnering with the school district to enhance their physical education program while improving their overall access to aquatics based programming. 3 members of the Wrangell School District Faculty have become certified as American Red Cross Lifeguards. We hope to continue this trend to strengthen the school's ability to run self-sufficient programming in our aquatics facility.

Student Testimonials

Written by Tymon Teat

I personally enjoyed the swimming component for our PE class. Even though it probably wasn't for everyone, it gave the class an opportunity to do something perhaps out of our comfort zone. I actually started to have fun when we were swimming. Physically it helped greatly with endurance and stamina for me personally.

Written by Draven Golding

In my opinion, I think the swimming class was a great idea. I enjoyed it because it was a good workout and I didn't have to sweat. You keep cool most of the time. When you finish the swimming part, you actually become a better swimmer with those exercises he makes you do, which is kind of critical when you live in Alaska. Overall, I think we should do swimming more, like since we have a big class, I think switching a month on and off of swimming so we get a good workout in the gym and a workout in the water good.

Age Group Swim Club

Wrangell Swim Club brings competitive swimming back to Wrangell!

Press Release Post November Rain Swim Meet in Petersburg



On November 11-13, swimmers from Wrangell Swim Club traveled to Petersburg to swim in Wrangell's first competitive swim meet since the Stikine Sea Runners in 2002. Fourteen Wrangell athletes joined swimmers from Craig, Haines, Juneau, Ketchikan, Petersburg and Sitka in Viking Swim Club's annual *November Rain* Swim Meet. The 14 swimmers, age 8 to 13, competed in a total of over 90 individual events organized by age, gender, distance and stroke. Wrangell swimmers turned in personal best times in every single event they swam, and came home with 60 ribbons for their efforts.

As their first swim meet sanctioned by USA Swimming, this was Wrangell's first opportunity to post official qualifying times for future competition. Twelve of the fourteen swimmers qualified to swim at least one event at the Southeast Champs meet that will be held in Juneau the first weekend in December, with six of those swimmers also qualifying for the State Age Group Championships on February 24-26 in Fairbanks. Four swimmers posted times that would qualify them to swim at the Alaska Junior Olympics in Anchorage at the end of April. The meet was a very satisfying waypoint in a four-year journey that started with Mikayla Stokes' senior project four years ago. Those four years have been spent recruiting swimmers, identifying and training coaches and building the skills necessary to compete. Twenty-eight swimmers between 8 and 16 have trained with Wrangell Swim Club at some point this fall. Some are interested in competition, some see swimming as a great way to stay in shape and some just seem to enjoy life in the pool. Athletes can participate through high school or until they reach 19. Age group swimming is governed by USA Swimming, the national governing body for competitive swimming in the United States. There are strict requirements for coaches and programs that provide a well-defined, but challenging, road all the way to the next Olympics. Competitive swimming is a great choice for a small community like Wrangell since it offers the opportunity for team medleys, but also allows a talented individual swimmer to advance all the way to national championships.

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November Rain was a great first step into the world of competitive swimming. Both the Viking Swim Club and Petersburg in general were very supportive hosts, and there seemed to be no end to the compliments from other coaches and officials. The next step will most likely be travel to Juneau in just three weeks with the swimmers that qualified to swim in Southeast Champs. Petersburg has extended an invitation for a dual meet sometime next year, and the Ketchikan Killer Whales host a meet called *Spring Splash* the weekend of March 31 to April 2 that many of the teams in Southeast will probably attend. There are also meets in Craig and Haines after the first of the year, but the logistics may just be too cumbersome and costly for the first year of a competitive program. Behind the scenes there will be a push to complete the requirements to become a recognized club so the athletes currently registered as unattached swimmers can be part of an official Wrangell Swim Club and enter team events in sanctioned meets.

Wrangell swimmers placing in Petersburg include:

Jimmy Baggen: 3rd Place Boy's 200yd Breaststroke, 4th Place Boy's 11 & over 500yd Freestyle, 5th Place Boy's 50yd Freestyle

William Massin: 1st Place Boy's 8 and under 100yd Freestyle, 3rd Place Boy's 8 and under 25yd Freestyle, 3rd Place Boy's 8 and under 50yd Freestyle, 5th Place Boy's 8 and under 25yd Backstroke, 5th Place Boy's 10 and under 500yd Freestyle

Kayla Meissner: 2nd Place Girl's 10 and under 100yd Freestyle, 5th Place Girl's 10 and under 50yd Freestyle, 5th Place Girl's open 50yd Freestyle, 5th Place Girl's 10 and under 200yd Freestyle

Hope Mikkelsen: 3rd Place Girl's 11-12 50yd Butterfly, 4th Place Girl's Open 100yd Freestyle, 4th Place Girl's Open 50yd Freestyle, 5th Place Girl's 11-12 200yd Freestyle, 6th Place Girl's 11 and over 500yd Freestyle

Mercy Mikkelsen: 1st Place Girl's open 100yd Backstroke, 2nd Place Girl's open 200yd Backstroke, 2nd Place Girl's open 100yd Breaststroke, 2nd Place Girl's open 200yd Breaststroke, 3rd Place Girl's open 100yd Freestyle, 3rd Place Girl's 11 and over 500yd Freestyle, 3rd Place Girl's open 50yd Freestyle, 5th Place Girl's 11 and over 200 Individual Medley

Sophie O'Brien: 4th Place Girl's 11-12 50yd Breaststroke, 5th Place Girl's 11-12 50yd Freestyle, 5th Place Girl's 11-12 100yd Individual Medley, 5th Place Girl's 11-12 100yd Freestyle, 6th Place Girl's 11-12 50yd Backstroke

Jack Roberts: 1st Place Boy's 10 and under 50yd Butterfly, 1st Place Boy's 10 and under 50yd Freestyle, 1st Place Boy's 10 and under 100yd Freestyle, 1st Place Boy's 10 and under 200yd Freestyle, 1st Place Boy's 10 and under 500yd Freestyle, 1st Place Boy's 10 and under 100yd Individual Medley, 3rd Place Boy's 10 and under 50yd Breaststroke, 3rd Place Boy's open 50yd Freestyle

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Sydney Young: 3rd Place Girl's 8 and under 25yd Freestyle, 3rd Place Girl's 8 and under 50yd Freestyle, 3rd Place Girl's 8 and under 100yd Freestyle, 4th Place Girl's 8 and under 25yd Backstroke, 5th Place Girl's 8 and under Breaststroke

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

SUBJECT: MANAGER'S REPORT

DATE: NOVEMBER 29TH, 2016

City Hall Closure:

City Hall will be closed on **December 12th** for the accounting software conversion and training of the Finance Staff. This is necessary so that the accounting software consultants can install and set up the system and then do the training for the entire staff. It is important that the entire staff get the training without interruption or the conversion will not be a success. This is a slow time of year and this should not cause any issue with payment deadlines or other things going on at city hall.

Miscellaneous Projects Being Worked On:

- Working with our attorney to finalize a new Alaska Court Lease at the Public Safety Building. This is before the assembly to approve this lease.
- At SEAPA's request, the borough has submitted a proposal for an interruptible sales agreement that would allow the high school to purchase electrical power at less than the wholesale rate to heat the high school and pool. This is related to the cost of heating fuel. We have not heard if SEAPA plans to move forward with the proposal or not.
- Lee Burgess, our Finance Director, is gearing up for the conversion to our new software accounting program. The first phase will happen in December and will include everything we are converting except payroll. Phase II will include payroll and will begin in January and will continue for several months until any bugs are worked out. This is a major undertaking for the Finance Department Staff. It is also likely that we will need to close city hall for portions of this transition. We will keep the public notified of any closures.
- I believe staff feels that the best site for the new cemetery is the community garden area. We will do one final review with staff and try and come up with an estimate of cost so that it can be included in the budget for next year.
- Request from Trident to purchase the Belt Freezer Building and Land. This will come to the assembly at the December 13th for both a public hearing and for an item on the agenda.
- We are going to try and get both some industrial and residential lots out for sale in the near future. That will be important to try and build our tax base.

Swimming Pool Repairs-

I gave a verbal report at the last meeting about the replacement of a number of major valves that were replaced at the pool and that has reduced the volume of water that was being lost by

approximately 80%. Much of the remaining daily loss can be explained by other factors that are normal for a pool. These repairs reduce the volume of chemicals, make it easier to maintain proper chemical levels, reduce the heating bill and reduce the amount of water that was to be processed through our water treatment plant. At this time we do not plan to do any other major repairs because of water loss, but will continue to monitor our water loss.

Public Works and Capital Projects Update

Court Carpet Bids

The carpet bids were approved at the last meeting for the removal and replacement of the carpets in the Alaska Court offices and court room. Replacement of the carpets was part of the new Court Lease and when the carpets are installed the monthly lease amount is increase slightly. At the last meeting, a questions was asked how much the bid cost per square foot. This cost includes getting to and from Wrangell, moving furniture, removing all old carpet, preparing floors for new carpet and then the new carpet and baseboard in addition to some replacement squares. They are also responsible for disposal costs. The total square footage being replaced was about 3,000 sq. ft. and the bid amount was \$21,495 which calculates to \$7.17 per square foot.

Water Treatment Plant Pilot Study

We have received the final draft report on the pilot study from our engineer. This report is under review by both the Borough and USDA Rural Development. This report which includes a preliminary engineering report was a requirement of USDA in order for them to proceed with our preliminary application for funding on this project. They are also reviewing other application documents that have been sent to them. This process can take months and we just have to move along as fast as possible.

Byford Property Clean-Up

DEC has issued a contract to Ahtna Engineering Services to assist ADEC in achieving the planning steps for the design and construction of a permanent Class I Industrial Landfill through a hydrologic study of the rock pit site on Pats Creek Road, owned by the State of Alaska, DNR. Part of Ahtna's work includes developing conceptual site drawings, topographical survey, leachability and geotechnical evaluations, and site testing to determine safe and secure containment of the non-hazardous soil repository. This hydrological study is proposed to be complete by the end of December 2016.

Community Center Renovations

Following recent repairs of sprinkler system deficiencies in the Community Center, the project grant has been closed out. The Community Center Renovations project, funded by HUD, included a new roof for the entire building, renovations to the Multi-purpose classroom, asbestos-containing pipe insulation removal and sprinkler system repairs. The grant also funded the electrical engineering design for life and safety upgrades to the fire alarm system, as well as much-needed electrical distribution upgrades for the building. Further work to the fire alarm and electrical systems will be performed after new funding has been secured for the Community Center, as listed on our CIP. **Same as last Report.**

Water Treatment Plant Update - No Change Since last Report

After our initial review of the proposed modifications to the roughing filters with DEC, their office has requested an engineered plan submittal outlining the modifications and proposed

affects to the treatment system. CRW Engineering's research of slow sand filter systems' roughing filter component shows that some further modifications to our original design thought would enhance the effects of the changes. Thus CRW has made additional proposed modifications to the plan and is in the process of finalizing their submittal for review and discussion with DEC.

CRW Engineering was provided an approval to proceed with developing a sand filter dredging plan. Once complete, CBW staff will plan to clean the sand, one filter at a time. Given the added work load of the water staff, this work will need to be performed once filter maintenance work has slowed, the pilot study is complete (as it is requiring a great deal of staff time to manage), and we have additional help for the dredging work.

Dump Metal-

Our Public Works Director has contacted Channel Construction and they had agreed to take all of our metal. Evidently they had just hauled a load to the Seattle area and were returning back to Alaska to pick up the remaining metal, including Wrangell, and the barge sank. It sounds like it is not feasible to repair the barge, so Channel Construction is in the process of purchasing a larger barge and still plans to pick up our metal.

Scrap Metal and Hazardous Waste Services – *No Change Since last Report*

The SEASWA group has begun discussions with Waste Management for cooperating on scrap metal disposal services. Waste Management's sustainable waste services manager, Mike Holzschuh, visited Wrangell on August 9th and met with Sanitation staff and Wrangell's SEASWA board rep, Chris Hatton, to review our solid waste facility and learn of its full operations. Waste Management is working to develop a proposal for each SEASWA community, based on their needs. The proposal is expected to outline a program for removing Wrangell's scrap metal and creating a sustainable program for all materials which have potential for scrap recycling or other sustainable disposal (i.e. ferrous and non-ferrous metals, batteries, hazardous waste, etc.). We expect to see Waste Management's proposal by the end of September.

Waste Management has also expressed an interest in providing a competitive proposal for solid waste disposal at such time as Wrangell's term contract with Republic Services expires.

SEASWA is also seeking a new vendor to take over the Hazardous Waste Collection contract following Carson Dorn's decision to opt out of the program. Acceptable vendors are required to provide hazardous waste handling training to local operators, manage the waste during the HHW annual event, order waste shipping containers and prepare all shipping manifests and manage disposal according to EPA regulations. Options explored early on were 1) having one of the SEASWA communities act as the group's collection vendor (no community has shown interest to date); 2) asking one of the shipping companies, AML or Samson if they would like to provide the service (neither were interested). Waste Management has expressed an interest in including the hazardous waste collection and management as part of their proposal to the SEASWA communities.

Parks and Recreation Director's Report:

Attached is the Parks and Recreation Director's report is attached.

Aquatics Overview



Local United States Masters Swimmers

What is U.S. Masters Swimming?

U.S. Masters Swimming is the nationally organized swimming program for adults age 18 and over. Masters swimmers include fitness swimmers, competitive swimmers, open water swimmers and a rapidly growing number of triathletes. While you will see some incredible Masters swimmers, you don't have to be a great swimmer, or even interested in competition to join. Many people join Masters swimming just for the camaraderie and accountability that comes with exercising with a group.

Since September 2015, Wrangell Swim Club and Wrangell Parks and Recreation have teamed up to offer Masters Swimming for adult swimmers age 18 and over. We offer coached workouts and swimming instruction to swimmers of all levels as well as the opportunity to compete in local inter-squad swim meets and national "e-postal" events. You have to be a member of USMS (or on a 30-day trial) to participate. If you are interested in more information about US Masters Swimming, or to register as a master's swimmer for the 2016 season, you can visit their website at www.usms.org. When you get to the "Affiliations" tab of the on-line registration select **LMS** = Alaska, **Club** = Alaska Masters Swim Club and **WO group** = Wrangell Island Masters Swimming (WIMS).

Swimming Saves Live Foundation (USMS affiliate)

Foundation (SSLF) Overview

There are more than 18 million swimming pools and hot tubs in the USA. Yet, according to the [Centers for Disease Control](http://www.cdc.gov), 37% of American adults cannot swim the length of a pool. Every day, about 10 people die from drowning. The majority of unintentional drowning victims are adults. Drowning ranks fifth among the leading causes of unintentional injury death in the United States. The CDC identifies a variety of factors that can influence drowning risk, including the lack of swimming ability. Research also shows that the children of adults who don't know how to swim are at a greater risk of not learning to swim, which increases their risk of drowning.

The purpose of SSLF is to advocate and raise awareness, and to serve as a resource for programs providing adult learn-to-swim lessons. We solicit charitable contributions and provide grants to SSLF program providers.

Our hope is that once an adult learns to swim or improves their swimming skills, they will have the confidence and desire to continue swimming in a Masters Swimming program and experience the lifelong benefits of swimming.

Through the generous contributions of USMS members and other supporters, SSLF has awarded more than \$205,000 in grants and resources to programs that are providing adult learn-to-swim opportunities. Thousands of adults have benefitted from lessons taught by our program partners.

Adult Learn to Swim program (ATLS)

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Kayla Meissner: 2nd Place Girl's 10 and under 100yd Freestyle, 5th Place Girl's 10 and under 50yd Freestyle, 5th Place Girl's open 50yd Freestyle, 5th Place Girl's 10 and under 200yd Freestyle

Hope Mikkelsen: 3rd Place Girl's 11-12 50yd Butterfly, 4th Place Girl's Open 100yd Freestyle, 4th Place Girl's Open 50yd Freestyle, 5th Place Girl's 11-12 200yd Freestyle, 6th Place Girl's 11 and over 500yd Freestyle

Mercy Mikkelsen: 1st Place Girl's open 100yd Backstroke, 2nd Place Girl's open 200yd Backstroke, 2nd Place Girl's open 100yd Breaststroke, 2nd Place Girl's open 200yd Breaststroke, 3rd Place Girl's open 100yd Freestyle, 3rd Place Girl's 11 and over 500yd Freestyle, 3rd Place Girl's open 50yd Freestyle, 5th Place Girl's 11 and over 200 Individual Medley

Sophie O'Brien: 4th Place Girl's 11-12 50yd Breaststroke, 5th Place Girl's 11-12 50yd Freestyle, 5th Place Girl's 11-12 100yd Individual Medley, 5th Place Girl's 11-12 100yd Freestyle, 6th Place Girl's 11-12 50yd Backstroke

Jack Roberts: 1st Place Boy's 10 and under 50yd Butterfly, 1st Place Boy's 10 and under 50yd Freestyle, 1st Place Boy's 10 and under 100yd Freestyle, 1st Place Boy's 10 and under 200yd Freestyle, 1st Place Boy's 10 and under 500yd Freestyle, 1st Place Boy's 10 and under 100yd Individual Medley, 3rd Place Boy's 10 and under 50yd Breaststroke, 3rd Place Boy's open 50yd Freestyle

Renee Roberts: 1st Place Girl's 11-12 50yd Butterfly, 1st Place Girl's 11-12 50yd Freestyle, 2nd Place Girl's 11-12 50yd Breaststroke, 2nd Place Girl's 11-12 100yd Individual Medley, 2nd Place Girl's 11-12 100yd Freestyle, 3rd Place Girl's open 50yd Freestyle, 3rd Place Girl's 11-12 200yd Freestyle, 4th Place Girl's 11 and over 500yd Freestyle

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Agenda Item 9

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM

CLERK'S REPORT November 29, 2016

Mark Your Calendar:

- 12/2 Midnight Madness and Christmas Tree Lighting (6pm)
- 12/7 Parks & Recreation Regular mtg. scheduled @ 7pm in the Assembly Chambers
- 12/8 Planning & Zoning Commission mtg. scheduled @ 7pm in the Assembly Chambers
- 12/9 thru 12/11 Jolly Shopping!
- 12/12 City Hall closed for accounting system install and training of staff
- 12/13 PH & Regular Assembly mtg. scheduled at 6:30pm in the Assembly Chambers

- 12/14 SEAPA Board Mtg. to be held in Ketchikan, with times TBD

Did you know....

When you postpone something to a certain time, according to Robert's Rules of Order, the postponement cannot be beyond the next regular meeting?

So what does that mean? That means that if the Assembly wants to postpone something that could take longer to come back to you by the next regular meeting, the maker of the motion can request that the motion be withdrawn. If approved by a consensus of the Assembly, direction can be given to whomever to gather and bring back the item at a later meeting. OR the Assembly can vote the motion down and give direction as stated above. OR the Assembly can postpone the item until the next meeting, I can place it on the Agenda for the next meeting under Unfinished Business and if the Assembly is ready to take action, they can. If they are not ready to take action, they can again postpone it until the next meeting.. And so on..

Now, I don't believe that anyone would question if the Assembly postponed until say 2 months, however, that is not the proper way of doing things. I believe that this rule exists because items can be postponed and then flutter off into lala land. This rule exists to prevent that from happening.

Kim Lane, Borough Clerk

Agenda Items 10 a - c

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM November 29, 2016

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS:

INFORMATION: This agenda item is reserved for the Mayor and Assembly Member's special reports. Such information items as municipal league activities, reports from committees on which members sit, conference attendance, etc., are examples of items included here.

➤ **Item 10a** Reports by Assembly Members

➤ **Item 10b** City Boards and Committee Appointments

One letter of interest was received from:

Bob Lippert – Parks & Recreation Board seat

Vacancies:

- | | |
|-----------------|---|
| • One vacancy | Planning & Zoning Commission (Oct 2019) |
| • One vacancy | Parks & Recreation Board (Oct 2019) |
| • Two vacancies | Economic Development Committee (Oct 2019) |

Recommended Action:

Appointments to be filled by the Mayor with the consent of the assembly for the various seats with.

Recommended Action if not approved with the consent of the Assembly:

Motion: Move to appoint _____ to fill the vacancy on the _____ for the term up until October _____.

➤ **Item 10c** Wrangell Medical Center Board Appointment

Term is until October 2017

One Letter of interest received from:

Barbara Conine

RECOMMENDED ACTION:

Appointments to be filled by the Mayor with the consent of the assembly for the various seats with.

Recommended Action if not approved with the consent of the Assembly:

Motion: Move to appoint _____ to fill the vacancy on the _____ for the term up until October _____.

Item 10b

November 22, 2016

Good morning Kim,

If this meets the requirements, I would like this to serve as my letter of intent to serve on the Parks & Rec board if there is still an open seat.

If there is another process I should do please let me know.
Thank you.

Bob Lippert

Mayor David L Jack
PO Box 531
Wrangell AK 99929

Dear Mayor Jack,

It has come to my attention that there is now a vacancy on the hospital board and I would like to be considered for that position. As you know, I ran for election to that board earlier this month and although I did get 202 votes, I was just a little short. Having been on it for four years and for three years served as Treasurer and Chair of the Quality committee, only member thereof, I am familiar with what may be required of me

The hospital is of vital concern to me as are the citizens of Wrangell as they are likely to need the hospital at one point or another. I certainly want it to be the best it can be to serve the community and look forward to serving in any way I can to attain that status.

Thank you for your consideration.

Respectfully Submitted,
Barbara Conine

Agenda Item 13a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM November 29, 2016

INFORMATION:

PROPOSED ORDINANCE No. 928: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 11.76, JUNK VEHICLES, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR THE DISPOSITION AND DISPOSAL OF JUNK VEHICLES (*first reading*)

Attachments:

1. Memo from Clerk Lane
2. **Proposed Ordinance No. 928**

RECOMMENDED ACTION:

Move to approve first reading of Ordinance No. 928 and move to a second reading with a Public Hearing to be held on December 13, 2016.

MEMORANDUM

TO: Honorable Mayor & Borough Assembly

FROM: Kim Lane, MMC
Borough Clerk

SUBJECT: Junk or Abandoned Vehicles Ordinance

DATE: November 29, 2016

After the September 26th Workshop on scrap metal removal options in Wrangell, I requested some information from our attorney on how our Wrangell Municipal Code is written with regards to Junk Vehicles. This memo shows the two questions that I had asked the attorney and includes the responses. They are quite long. Here is the summary from the attorney with regards to the changes to Ordinance No. 928.

I have tried to make sure that all of the requirements of AS 28.11.100 are met and used the terminology from that section (and sections cross-referenced in that section) where appropriate. I also made other edits and changes throughout to further refine the draft. I decided to go with the 2 weeks of publication both places for when the owner or lienholder cannot be ascertained, as that's the amount of time in both the Sitka and Kodiak codes, and KGB says "at least once" for publication. We could easily add that in that circumstance, the notice will also be posted at the Borough offices – and you can simply do that as well. I don't know what the Wrangell police include on the notice that is affixed to the vehicle – whatever they do on that, I think they can just continue doing. Here it is like a bright neon pink notice attached to the mirror arm.

Below are the two questions with the attorney's answers.

1. If there is an abandoned vehicle on public (City) land, what is the notice period before the City can impound it and finally destroy or auction it off?

Answer: I think state law governs on this question. It is unlawful to abandon a vehicle on public property without the consent of the owner. A vehicle left parked on public property for more than 30 days without consent of the owner is presumed by law to be abandoned. At that point the municipality may remove or have the vehicle removed to a place of storage. Then the required notice provisions start: 30 day notice to the owner of record and lienholders of record stating grounds for removal and location of impoundment; if the vehicle is not registered or owner or lienholder cannot be ascertained, notice by publication per rules of court for service of process by publication. The notice must inform the owner/lienholder of their right to a hearing conducted by the municipality. After this, the vehicle may be disposed of by scrap processing or by public auction 20 days after notice of auction is published in the newspaper.

Adding these up, 30 + 30 + 20 if disposal by sale by auction = 80 days total

2. If there is a “junk” vehicle on private property, does our code violate their rights?

Answer: Under AS 28.11.020(b), a junk vehicle that has been left on private property in excess of 24 hours and without the consent of the owner or person in charge of the property, may be treated as abandoned and removed, which then starts the notice requirements, etc. I think the main difference between this and the code is that the code makes no reference to consent of the owner. I think this is where it gets difficult for the state and municipalities – people will keep essentially junk vehicles on their own property claim they are not “junk vehicles” as defined in AS 28.11.020, and therefore leave them alone.

I do not think your code violates their rights and certainly would not say – WMC 11.76.020 says that a person may not place or allow a junk vehicle to remain in public view for more than 10 days, and the manager can extend that time to 30 days for repairs. All the person has to do is move the vehicle out of public view or cover it up with a tarp or repair it. However, if WMC 11.76 is going to go through revision anyway, you may want to consider this issue and address any concerns.

Attorney comments regarding our current Wrangell Municipal Code:

WMC 11.76.020 appears to allow more than the minimum in state law for a vehicle to sit before it is deemed unlawful. Also the manager may allow up to an additional 30 days if he reasonable believes repairs can be made and the owner is willing to do so.

WMC 11.76.030A requires written notice before impound, which may help get the problem corrected and avoid need for impound. I think that is fine and more than is required under state law. The language on who notice goes to, how, and timeframes might need some changes to track the state statute on notice, AS 28.11.040.

WMC 11.76.030B says that after the 10 or 30 day period in the notice goes by, the junk vehicle may be impounded and sold at public auction per the notice provisions of WMC 11.76.040 (published in newspaper) or destroyed without further notice. I do not think this post-impound notice provision meets the requirements of the state law for what must be in the ordinance on notice under AS 28.11.100 and .040. Compare WMC with Sitka ordinance at section 9.12.020 on notice, enforcement by removal, and notice of right to a hearing.

It looks like WMC 11.76.040 was, at least in part, modeled after AS 28.11.070, but assumes that the “notice requirements of this chapter [11.76]” comply with AS 28.11.100 and .040. I think the notice requirements in the code need revision to fully do that.

WMC 11.76.060 Opportunity for hearing – this is generally okay as far as it goes but it seems to assume that the person has been given notice of their right to a hearing. I don’t see anywhere in this section or any of the notice sections where there is specific provision that the owner/lienholder is given notice of their right to a hearing as required under AS 28.11.100. Compare Sitka section 9.12.020B.

You should note that AS 28.11.080, Disposal facilities, provides in (b): “A municipality that adopts an ordinance under AS 28.11.100 shall designate appropriate areas within its jurisdiction for the disposal of abandoned vehicles.” Does Wrangell have a place where people can take junk vehicles for disposal?

In summary, I think that the current WMC 11.76 probably does not fully meet the requirements set out in AS 28.11.100 for a junk/abandoned vehicle

abatement ordinance. I think WMC 11.76 would benefit from staff/committee review and revision to ensure that it meets the state requirements for such an ordinance. I think notice provisions could be simplified and clarified by more closely tracking state law as well as perhaps using some of the language from the Sitka code or other AK municipalities.

You may also want to revise the definition of junked vehicle, I think so long as the ordinance is generally consistent with state law in AS 28.11, and specifically contains the provisions required in an abatement ordinance as set out in AS 28.11.100, it will be in compliance with state law.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 928

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 11.76, JUNK VEHICLES, OF THE WRANGELL MUNICIPAL CODE, RELATING TO THE PROCEDURES FOR THE DISPOSITION AND DISPOSAL OF JUNK VEHICLES

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 Chapter 11.76, Junk Vehicles, of the Wrangell Municipal Code, relating to the procedures for disposition and disposal of junk vehicles.

SEC. 2. Amendment of Section. Section 11.76.010 of the Wrangell Municipal Code is amended to read:

11.76.010. Definition.

“Junk vehicle” means a motor vehicle that **[is:**

A. Stripped, wrecked or otherwise inoperable due to mechanical failure, and

B. Has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicles.]

A. is not currently registered under AS 28.10, except for a vehicle not currently registered under AS 28.10 and used exclusively for competitive racing;

B. is stripped, wrecked, or otherwise inoperable due to mechanical failure;

C. has not been repaired because of mechanical difficulties or because the cost of repairs required to make it operable exceeds the fair market value of the vehicle; or

D. is in a condition that exhibits more than one of the following elements:

1. broken glass;

2. missing wheels or tires;
3. missing body panels or parts; or
4. missing drive train parts.

SEC. 3. Amendment of Section. Section 11.76.020 of the Wrangell Municipal Code is amended to read:

11.76.020 Junk vehicles unlawful.

- A. It is unlawful for the **[registered]** owner of record or other person with legal right to possession of a junk vehicle to place or allow such vehicle to remain in public view on any property, public or private, within the borough for more than 10 days, the same being declared a public nuisance. It is also unlawful for the owner, tenant or other person in possession or control of any property to cause or allow a junk vehicle to be placed or remain in public view on such property for more than 10 days.
- B. Notwithstanding the provisions of subsection (A) of this section, if the borough manager has reasonable grounds to believe that repairs can be made to render a junk vehicle operable, that the **[registered]** owner of record or other person entitled to possession of the vehicle is willing to undertake or have performed such repairs, that the vehicle does not pose any health or safety hazard, and that there is no reasonable means for removing the vehicle from public view while repairs are being performed, the borough manager may authorize a period of no more than 30 days for the performance of such repairs. In no case, however, may this section be construed as authorizing the operation of a junkyard or other salvage or repair business where other requirements of the law have not been met.
- C. Any person violating any provision of this chapter is guilty of an infraction and shall be punished by the fine established in the WMC 1.20.050 fine schedule if the offense is listed in that fine schedule or by a fine of up to \$500.00 if the offense is not listed in the WMC 1.20.050 fine schedule.

SEC. 4. Repeal and Reenactment of Section. Section 11.76.030 of the Wrangell Municipal Code is repealed and reenacted to read:

[11.76.030 Disposition of junk vehicles.

- A. **Upon observation of what appears to be a junk vehicle, the Wrangell police department shall give written notice by personal service or certified mail to:**

- 1. Any or all offenders described in WMC 11.76.020(A); and**
- 2. Any or all lienholders of record, as well as notice affixed to the vehicle. Notice affixed to the vehicle shall suffice for subsequent action if none of the offenders described in WMC 11.76.020(A) can be located and served within the 10-day period. This notice shall contain:**
 - a. The street address and other information sufficient to identify the location of the vehicle;**
 - b. A statement that the vehicle constitutes a public nuisance and a copy or summary of the relevant code sections;**
 - c. A statement that if the vehicle is not removed from public view within 10 days from issuance of the notice, the borough may impound and sell or destroy the vehicle at the offender's expense; and**
 - d. A statement that if the offender can show ability and willingness to make the repairs necessary to convert the junk vehicle into an operable vehicle, application may be made at any time before the 10 days have expired for a 30-day waiver to make the necessary repairs.**
- B. Upon expiration of the 10-day, or 30-day period where relevant, the borough manager may impound a junk vehicle and sell it at public auction pursuant to the notice provisions of WMC 11.76.040 or may have the vehicle privately sold, crushed or otherwise destroyed without further notice. If a vehicle is destroyed, the borough manager will notify the Alaska Department of Public Safety.]**

11.76.30 Disposition of junk vehicles.

- A. Upon observation of what appears to be a junk vehicle, the Wrangell police department shall give written notice by personal delivery or by registered or certified mail, return receipt requested, to the owner of record and any and all offenders described in WMC 11.76.020(A) and any and all lienholders of record. In addition, the police department shall affix a notice to the vehicle.**
- B. The written notice required to be personally delivered or mailed shall contain the following:**

1. The street address and other information sufficient to identify the location of the vehicle;
2. A statement as to the condition of the vehicle identifying defects which render it a junked vehicle;
3. A statement that the vehicle constitutes a public nuisance, and a copy or summary of relevant code sections;
4. A statement that if the vehicle is not removed from public view within 10 days from receipt of the written notice, the borough may impound and sell or destroy the vehicle at the offender's expense;
5. A statement that if the offender can show ability and willingness to make the repairs necessary to convert the junk vehicle to an operable vehicle, application may be made to the borough manager at any time before the 10 days from receipt of the notice have expired for a 30-day waiver to make the necessary repairs; and
6. A statement that the owner of record or lienholder of record and persons known to be lawfully entitled to possession of the vehicle have a right to request an administrative hearing to contest the validity of the borough's action to be held in accordance with WMC 11.76.060 provided a request for a hearing is made in writing, signed by the requestor, and received by the borough manager before the expiration of 10 days after receipt of the notice.

C. If the name and address of the owner of record or a lienholder of record cannot be ascertained, the written notice shall be given by publication in the local newspaper, to be published once a week for two consecutive weeks.

D. Written notice by mail is complete upon the return of the receipt or upon return of the notice as undeliverable, refused, or unclaimed. Proof of giving the notice by personal delivery or by mail may be made by the affidavit of the person giving notice naming the person to whom notice was given and specifying the time, place, and manner of giving the notice.

SEC. 5. Repeal and Reenactment of Section. Section 11.76.040 of the Wrangell Municipal Code is repealed and reenacted to read:

[11.76.040 Disposal of junk vehicles.

Upon satisfaction of the notice requirements of this chapter, a vehicle may be disposed of by public auction 20 days after notice of the auction is published in a newspaper of general circulation in the borough. A notice shall describe the vehicle and specify the place, date and time at which it will be sold. A copy of the notice of auction will be sent to the State of Alaska, Department of Public Safety.]

11.76.040 Disposal of junk vehicles.

- A. Upon expiration of 10 days after receipt of the written notice by mail or personal delivery, or upon completion of notice by publication, or upon expiration of the 30-day period for repairs if granted, the borough manager may impound a junk vehicle and take steps as provided in this section to sell it at public auction, or have the vehicle destroyed.
- B. Upon impoundment of a junk vehicle, the borough manager shall, within 30 days, give written notice to the owner of record and to lienholders of record, stating the grounds for removal and the location of the place of impoundment of the vehicle. The notice shall include a statement that the owner of record or lienholder of record and persons known to be lawfully entitled to possession of the vehicle have a right to request an administrative hearing to contest the validity of the borough's action to be held in accordance with WMC 11.76.060 provided a request for a hearing is made in writing, signed by the requestor, and received by the borough manager before the expiration of 10 days after receipt of the notice.
- C. The written notice shall be given by personal delivery to the person to be notified or by registered or certified mail, return receipt requested, addressed to the person to be notified. If the name and address of the owner of record or a lienholder of record cannot be ascertained, notice shall be given by publication in the local newspaper, to be published once a week for two consecutive weeks.
- D. Written notice by mail is complete upon the return of the receipt or upon return of the notice as undeliverable, refused, or unclaimed. Proof of giving the notice by personal delivery or by mail may be made by the affidavit of the person giving notice naming the person to whom notice was given and specifying the time, place, and manner of giving the notice.
- E. Upon satisfaction of the notice requirements of this section, an impounded junk vehicle may be disposed of as follows:

1. By removal to a scrap processing center, by crushing, or by being otherwise destroyed, without further notice; or
2. By public auction to be held at least 20 days after notice of the auction is published in the local newspaper. The notice of auction must describe the vehicle and specify the place, date, and time at which it will be sold. A copy of the notice of auction will be sent to the Alaska Department of Public Safety.

SEC. 6. Amendment of Section. Section 11.76.050 of the Wrangell Municipal Code is amended to read:

11.76.050 Recovery of costs.

The costs of impounding, storing, notice, selling, and destroying of a junk vehicle may be charged or assessed by the borough against the vehicle, the **[registered]** owner of record of the vehicle, any person who has acquired legal title to the vehicle from or through the **[registered]** owner of record, and any person who has violated WMC 11.76.020(A).

SEC. 7. Repeal and Reenactment of Section. Section 11.76.060 of the Wrangell Municipal Code is repealed and reenacted to read:

[11.76.060 Opportunity for hearing.

A person subject to liability under this chapter including any person described in WMC 11.76.020(A) and an owner or any lienholder of a junk vehicle or vehicle appearing to be a junk vehicle, before or after impoundment, shall be entitled to an administrative hearing prior to sale or destruction provided such is demanded in a signed writing delivered to the borough manager in a timely fashion at least 48 hours before the sale or destruction. Hearings shall be informal and technical rules of evidence do not apply. A person who requests a hearing may retain an attorney if he desires. The borough manager may appoint a hearing officer. Proceedings of the hearing shall be recorded. The borough manager/hearing officer shall state on the record the reasons for the decision and indicate the evidence relied on.]

11.76.060 Opportunity for hearing.

The owner of record or lienholder of record of the vehicle and persons known to be lawfully entitled to possession of the vehicle have a right to request an administrative hearing to

contest the validity of the borough's action with regard to the vehicle under WMC Chapter 11.76, before or after impoundment, provided the request for a hearing is made by such person in writing received by the borough manager within the time period for making such request as set out in the written notice of the action at issue. Hearings shall be informal and technical rules of evidence do not apply. The borough manager may appoint a hearing officer. Proceedings of the hearing shall be recorded. The borough manager or hearing officer, as applicable, shall state on the record the reasons for the decision and indicate the evidence relied on.

SEC. 8. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 9. 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. 10. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: _____, 2016

PASSED IN SECOND READING: _____, 2016

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

Agenda Item 13b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM November 29, 2016

INFORMATION:

PROPOSED RESOLUTION No. 11-16-1354: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING THE PORT COMMISSION'S EFFORTS TO PLAN AND BUILD THE MARINER'S MEMORIAL AT HERITAGE HARBOR

Attachments:

- 1. Proposed Resolution No. 11-16-1354**
2. Memo from Manager Jabusch

RECOMMENDED ACTION:

Move to adopt Resolution No. 11-16-1354 that creates a Special Mariner's Memorial Committee.

CITY AND BOROUGH OF WRANGELL

RESOLUTION No. 11-16-1354

A RESOLUTION OF THE ASSEMBLY OF THE CITY
AND BOROUGH OF WRANGELL, ALASKA,
SUPPORTING THE PORT COMMISSION'S EFFORTS
TO PLAN AND BUILD THE MARINER'S MEMORIAL
AT HERITAGE HARBOR

Whereas, The Port Commission has been the driving force behind the development of conceptual plans and location to build the Mariner's Memorial, and

Whereas, The Port Commission would like to continue this effort by establishing a committee that would be charged with the single task of providing information and direction in the steps needed to fund the design and construction of this project, and

Whereas, All committees of the Borough are required to be formed by the Borough Assembly, and

Whereas, The Port Commission requests that the Borough Assembly approve the formation of this committee and grant the Port Commission the authorization to fill this committee, and

Whereas, The Port Commission believes that with this temporary committee under the direction of the Port Commission the project will have a single purpose group that can provide information and answers to the Port Commission so that the project can continue along a steady path to completion.

NOW, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA that the following actions take place concerning the Mariner's Memorial Project;

- The Borough Assembly create a five member temporary Mariner's Memorial Committee and authorize the Port Commission to select the members of the committee which will be made up of 2 Port Commissioners and three members at large of at least one with a connection to the mariner community.
- The committee will meet at least monthly and will report and take direction from the Port Commission. Copies of all reports of progress will go to both the Port Commission and the Borough Assembly.
- The primary tasks of the committee will be to:
 - Determine the best form of organization to raise funds which could include the formation of a 501 c (3) non-profit, set up a separate fund

within the borough or some other form of organization to receive and spend the money for the project.

- Provide recommendations to the Port Commission on the requirements to have a name put on the wall and what is the procedure for that to take place.
 - Organize a fund raising strategy which could include targeting private, corporate and granting organizations.
 - As part of the fund raising process, a target number would have to be determined by working with the architect who provided the conceptual drawings. A target number would need to include the cost of all architectural plans required for bidding, construction and construction management through the completion of the project.
-
- The Port Commission is granted the authority to assign additional tasks to the committee that are related to the Mariner Memorial Project.
 - This temporary committee will terminate once the construction of the project is completed or when additional tasks assigned to it are completed.
 - That the Borough Assembly reserves the right to be involved in all major decisions concerning those actions that could have impacts on the City and Borough of Wrangell.

ADOPTED: November 29th, 2016

David L. Jack, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

SUBJECT: RESOLUTION TO CREATE A MARINERS MEMORIAL COMMITTEE

DATE: NOVEMBER 21, 2016

Background:

The Port Commission has been working for many years on a Mariners Memorial at Heritage Harbor near the Boat Launch. Through the Heritage Harbor Project there was money spent to hire Corvus Design to provide some conceptual drawings and some rough cost estimates for the project. The Port Commission has finished that phase of the project and now has a desire to move to the next phases of the project.

The next phase of the project includes a major fund raising effort to fund the project, rules for inclusion in the memorial and how the memorial will be maintained into the future after it is constructed. The Port Commission has recommended to form a committee that could have a single focus to accomplish these tasks. The Port Commission was not sure if they could create a special committee or if this had to be done by the assembly. After some research and discussions with our attorney, it was determined that the Wrangell Municipal Code requires all special committees to be created by the Borough Assembly. The resolution before you to create this committee has been recommended by the Port Commission so they can maintain momentum on this project.

Recommended Motion:

Move to approve resolution 11-16-1354 for the purpose of creating a Mariners Memorial Committee.

Agenda Item 13c

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM November 29, 2016

INFORMATION:

Appointment to fill the vacancy on the Borough Assembly

Letters of Interest received from:

1. **Steve Prysunka**
2. Christie Jamieson

**** This action must be made by the Assembly. Requires a motion, a second and a vote.**

RECOMMENDED ACTION:

Move to appoint _____ to fill the unexpired term as an Assembly Member on the Borough Assembly until October 2017.

Dear Mayor Jack,

I would like to be considered for appointment to the vacant seat on the Borough Assembly. I have enjoyed serving on the Assembly in the past and hope that I can continue to help improve the community that my family lives in. I am available to speak with you or any Assembly member should you require.

Sincerely,

Stephen Prysunka

Stephen Prysunka
P.O. Box 2294
Wrangell, Alaska 99929
907 305 3016
stephenprysunka@gmail.com

Christie L. Jamieson
P.O. Box 1091
Wrangell, AK 99929
Cell: 907-305-0117
bcjamieson@gci.net

November 28, 2016

Mayor David Jack & Borough Assembly
City & Borough of Wrangell
P.O. Box 531
Wrangell, AK 99929

Re: Letter of Interest – Assembly Member Appointment

Dear Mayor Jack & Assembly Members:

Please accept my Letter of Interest for the recent vacancy on the Borough Assembly.

Being civic-minded and community engaged, I feel with my past experience and involvement in local government, I can be most helpful to our governing body with our community.

Sincerely,

A handwritten signature in black ink that reads "Christie L. Jamieson". The signature is written in a cursive, flowing style.

Christie L. Jamieson

Agenda Item 13d

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM November 29, 2016

INFORMATION:

Approval of the Bid received for the Wrangell City Dock Lighting project

Letters of Interest received from:

1. Memo from Amber Al-Haddad, PW Director (revised)
2. Preliminary Bid Tab
3. Bid received from Tongass Electric

RECOMMENDED ACTION:

Move to approve a contract award to Tongass Electric for construction of the Wrangell Dock Lighting project, including both the Base Bid and Additive Alternate A, in the total amount of \$246,577.79. Funding for this project is to come from the DCCED grant for the Commercial Passenger Vessel Facility.

MEMORANDUM

13d-1

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

FROM: AMBER AL-HADDAD, PUBLIC WORKS DIRECTOR

SUBJECT: CONSTRUCTION CONTRACT AWARD
WRANGELL DOCK LIGHTING

DATE: November 21, 2016 / *Revised November 29, 2016*

BACKGROUND

The City and Borough of Wrangell received a grant from the State of Alaska Department of Commerce, Community and Economic Development (DCCED) for the Commercial Passenger Vessel Facility Projects (aka City Dock). An invitation to bid was issued for the construction of the Wrangell Dock Lighting project for which bids were due by 10:00 a.m. on Tuesday, November 29, 2016.

The work will take place at Wrangell's City Dock. The project was developed to include a Base Bid for replacing the 240V single phase service with a 240V, three phase service, replacing the new service equipment in the uplands, new lighting on the dock, and a new power center on the dock with 208V receptacles among other features. The Base Bid was estimated at \$250,000 - \$260,000.

An Additive Alternate A was developed as an upgrade to the power center that includes a different electrical service, different service equipment, different feeders, etc. This includes leaving the existing 240V, single phase service in place and providing a new 480V, three phase service, new service equipment in the uplands, new feeders to the float and a new power center on the dock with both 208V and 480V receptacles. The Additive Alternate A was estimated at \$30,000 - \$40,000.

Nine bids were received. Tongass Electric was the low bidder, with a combined Base Bid and Additive Alternate A bid amount of \$246,577.79. This project amount is within the funds available for this project from the State of Alaska, DCCED grant for Wrangell's City Dock facility improvements. It is the intent to include the construction of the work under the Base Bid and the power upgrade identified under Additive Alternate A.

RECOMMENDATION

Move to approve a contract award to Tongass Electric for construction of the Wrangell Dock Lighting project, including both the Base Bid and Additive Alternate A, in the total amount of \$246,577.79. Funding for this project is to come from the DCCED grant for the Commercial Passenger Vessel Facility.

ATTACHMENTS

1. Preliminary Bid Tabulation Summary for the Wrangell Dock Lighting project
2. Tongass Electric's Bid

Preliminary

City and Borough of Wrangell, Alaska

13d-2

Wrangell Dock Lighting
Bid Opening Checklist and Tabulations

Bid Opening Date: November 29, 2016 @ 10:00 a.m. - Assembly Chambers

Bidder's Name	Signed Bid	Bid Bond	AK Business License	AK Contractors License	Addenda Acknowledged	Base Bid	Additive Alternate A	Base Bid Modification	Additive Alternate A Modification	Total Project (including modifications)
					#1					
Johnson Construction & Supply	x	x	x	x	x	\$ 347,134.00	\$ 54,604.00			\$ 401,738.00
Tongass Electric	x	x	x	x	x	\$ 204,585.15	\$ 27,195.00	\$ 14797.64		\$ 246,577.79
Buness Electric	x	x	x	x	x	\$ 224,480.00	\$ 29,960.00			\$ 254,440.00
Alaska Electric	x	x	x	x	x	\$ 300,000.00	\$ 60,000.00	\$ (62,000.00)	\$ (22,000.00)	\$ 276,000.00
EverElectric	x	x	x	x	x	\$ 255,000.00	\$ 35,000.00			\$ 290,000.00
Sitka Electric	x	x	x	x	x	\$ 300,000.00	\$ 50,000.00	\$ (50,835.00)	\$ (9,133.00)	\$ 290,032.00
LiveWire	x	x	x	x	x	\$ 276,541.00	\$ 296,729.00			\$ 573,270.00
Chatham Electric	x	x	x	x	x	\$ 270,000.00	\$ 40,000.00	\$ (13,705.00)	\$ (7,322.00)	\$ 288,973.00
Puffin Electric	x	x	x	x	x	\$ 550,000.00	\$ 100,000.00	\$ (293,335.00)	\$ (64,573.00)	\$ 292,092.00

Verified By:

Kurt Lane

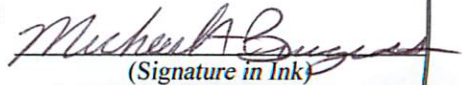
Witnessed By:

Amber A. Faddess

Page 1 of 1

SECTION 00300 - BID

8. The Bidder has read this Bid and agrees to the conditions as stated herein by signing its signature in the space provided below.

Dated:	<u>November 25, 2016</u>	Bidder:	<u>Tongass Electric</u>
			(Company Name)
Contractor's License No.:	<u>114300</u>	By:	
			(Signature in Ink)
Telephone No.:	<u>907-329-2054</u>	Printed Name:	<u>Micheal Burgess</u>
		Title:	<u>Owner</u>
Facsimile No.:	<u>907-329-2054</u>	Address:	<u>114 NW Coho Drive</u>
			(Street or P.O. Box)
			<u>Coffman Cove, Alaska 99918</u>
			(City, State, Zip)

9. TO BE CONSIDERED, ALL BIDDERS MUST COMPLETE AND INCLUDE THE FOLLOWING AT THE TIME OF THE BID OPENING:
- Signed Bid, Section 00300 (includes Addenda receipt statement)
 - Completed Bid Schedule, Section 00310
 - Bid Security (Bid Bond, Section 00320, or by a certified or cashier's check as stipulated in the Notice Inviting Bids, Section 00030)
10. Unless otherwise notified by the Borough Manager, the apparent low Bidder is required to complete and submit, within five days after the "Notice of Intent to Award" letter, the following documents:
- Subcontractor Report, Section 00360
- The apparent low Bidder who fails to submit a completed Subcontractor Report within the time specified in Section 00360 – Subcontractor Report will be found to be not a responsible Bidder and may be required to forfeit the Bid security. The OWNER will then consider the next lowest Bidder for award of the contract.
11. The successful Bidder will be required to submit, within ten days after the date stated in the "Notice of Intent to Award" letter, the following executed documents:
- Alaska Business License
 - Agreement Forms, Section 00500
 - Performance Bond, Section 00610
 - Payment Bond, Section 00620
 - Certificates of Contractor Insurance Section 00700 and Section 00800
12. The successful Bidder will be required to submit, within ten Days after the date stated in the "Notice to Proceed" the following executed documents:
- Certificates of Subcontractor Insurance Section 00700 and Section 00800
 - One executed copy of each subcontract for WORK that exceeds one half of one percent of the intended contract award amount.

END OF SECTION

SECTION 00300 - BID

BID TO: CITY & BOROUGH OF WRANGELL

1. The undersigned Bidder proposes and agrees, if this Bid is accepted, to enter into an Agreement with the OWNER on the form included in the Contract Documents (as defined in Article 7 of Section 00500 - Agreement) to perform the WORK as specified or indicated in said Contract Documents entitled:

WRANGELL DOCK LIGHTING

2. Bidder accepts all terms and conditions of the Contract Documents, *including without limitation* those in the "Notice Inviting Bids" and "Instructions to Bidders," dealing with the disposition of the Bid Security.
3. This Bid will remain open for the period stated in the "Notice Inviting Bids" unless otherwise required by law. Bidder will enter into an Agreement within the time and in the manner required in the "Notice Inviting Bids" and the "Instructions to Bidders," and will furnish insurance certificates, Payment Bond, Performance Bond, and any other documents as may be required by the Contract Documents.
4. Bidder has familiarized itself with the nature and extent of the Contract Documents, WORK, site, locality where the WORK is to be performed, the legal requirements (federal, state and local laws, ordinances, rules, and regulations), and the conditions affecting cost, progress or performance of the WORK and has made such independent investigations as Bidder deems necessary.
5. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association, organization or corporation; Bidder has not directly or indirectly induced or solicited any other Bidder to submit a false or sham Bid; Bidder has not solicited or induced any person, firm or corporation to refrain from bidding; and Bidder has not sought by collusion to obtain for itself any advantage over any other Bidder or over OWNER.
6. To all the foregoing, and including all Bid Schedule and information required of Bidder contained in this Bid Form, said Bidder further agrees to complete the WORK required under the Contract Documents within the Contract Time stipulated in said Contract Documents, and to accept in full payment therefor the Contract Price based on the total bid price(s) named in the aforementioned Bid Schedule.
7. Bidder has examined copies of all the Contract Documents including the following Addenda (receipt of all of which is hereby acknowledged by the Undersigned):

Addenda No.	Date Issued
1	November 21, 2016

Addenda No.	Date Issued

Michael Burgess, Owner, Tongass Electric
Give number and date of each Addendum above. Failure to acknowledge receipt of all Addenda will cause the Bid to be non-responsive and shall cause its rejection.

SECTION 00310 - BID SCHEDULE**WRANGELL DOCK LIGHTING - BASE BID**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
01505.1	Mobilization	LS	All Req'd	4000	00	4000	00
16000.1	Electrical	LS	All req'd	200585	15	200585	15

TOTAL WRANGELL DOCK LIGHTING - BASE BID**AMOUNT IN FIGURES:** \$ 204,585.15**TOTAL WRANGELL DOCK LIGHTING - BASE BID****AMOUNT IN WORDS:** Two hundred and four thousand, five hundred eighty five dollars and fifteen cents**WRANGELL DOCK LIGHTING - ADDITIVE ALTERNATE A**

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
16000.1-A	Electrical	LS	All Req'd	27195	00	27195	00

TOTAL WRANGELL DOCK LIGHTING - ADDITIVE ALTERNATE A**AMOUNT IN FIGURES:** \$ 27,195.00**TOTAL WRANGELL DOCK LIGHTING - ADDITIVE ALTERNATE A****AMOUNT IN WORDS:**Twenty seven thousand, one hundred and ninety five dollars**BIDDER'S NAME:** Micheal Burgess, Owner of Tongass Electric**DATE OF BID:** November 25, 2016**END OF SECTION**

Modification

SECTION 00310 - BID SCHEDULE

RECEIVED
NOV 28 2016
WRANGELL CITY HALL

WRANGELL DOCK LIGHTING - BASE BID

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
01505.1	Mobilization	LS	All Req'd	4000	00	4000	00
16000.1	Electrical	LS	All req'd	215,382	79	215,382	79

TOTAL WRANGELL DOCK LIGHTING - BASE BID

AMOUNT IN FIGURES: \$ 219,382.79

TOTAL WRANGELL DOCK LIGHTING - BASE BID

AMOUNT IN WORDS: Two hundred and four thousand, five hundred eighty five dollars and fifteen cents

WRANGELL DOCK LIGHTING - ADDITIVE ALTERNATE A

Pay Item No.	Pay Item Description	Pay Unit	Approximate Quantity	Unit Price		Amount	
				Dollars	Cents	Dollars	Cents
16000.1-A	Electrical	LS	All Req'd	27195	00	27195	00

TOTAL WRANGELL DOCK LIGHTING - ADDITIVE ALTERNATE A

AMOUNT IN FIGURES: \$ 27,195.00

TOTAL WRANGELL DOCK LIGHTING - ADDITIVE ALTERNATE A

AMOUNT IN WORDS: Twenty seven thousand, one hundred and ninety five dollars

BIDDER'S NAME: Micheal Burgess, Tongass Enterprises LLC, DBA Tongass Electric

DATE OF BID: November 25, 2016

END OF SECTION

WRANGELL DOCK LIGHTING

BID SCHEDULE
Page 00310-1

Agenda Item 13e

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM November 29, 2016

INFORMATION:

Approval of the Wrangell Courtroom Lease with the Alaska Court System

Attachments:

1. Memo from Manager Jabusch
2. Proposed Courtroom Lease Agreement

RECOMMENDED ACTION:

Move to approve lease with the Alaska Court System to be effective January 1, 2017 through December 31, 2022 with options to extend the lease through (5) one year options.

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

SUBJECT: Alaska State Court Lease

DATE: NOVEMBER 21, 2016

Background:

The Alaska State Court System leases space in the Public Safety Building. They have had a lease with the City since the building was opened in the mid 1980's. The current lease expired last June and we have been operating on a month by month basis ever since. The court and I have been working on a new lease since last December. We were able to work out most items in the lease prior to giving the lease to the attorney's to review. There were several sticking points that we have been trying to resolve for 4 or 5 months and finally those were resolved.

As you can guess with the current state financial situation, the court wanted to reduce the overall lease payments. They were able to achieve that by requiring less janitorial services that we provide. The down side of this is that the custodian that we have will have hours reduced from 40 hours a week to 30 hours a week as the court cleaning will go from five days a week to three. There were some other changes that were compromised on both sides to finally reach an agreement.

The attached lease has been negotiated over the last ten months and has been reviewed and approved by our attorney.

Recommended Motion:

Move to approve lease with the Alaska Court System to be effective January 1, 2017 through December 31, 2022 with options to extend the lease through (5) one year options.

ALASKA COURT SYSTEM
LEASE FOR
COURTROOM AND OFFICE SPACE

City & Borough of Wrangell (Landlord) and the Alaska Court System (Tenant) agree to enter into a lease under the terms set out below. Amendments to this lease must be in writing and be signed by both parties.

This lease is comprised of this lease document, the General Conditions shown as Attachment A; the Supplementary Lease Conditions shown as Attachment B; the General Lease Requirements shown as Attachment C; the Supplementary Lease Requirements shown as Attachment D.

SECTION ONE: Description of Premises; Term

The Landlord leases to the Tenant approximately 3125 net usable square feet of office and courtroom space, 431 Zimovia, 2nd Floor, Wrangell Public Safety Building, Alaska 99929. Tract 2 Subdivision of Franction of Lot 3, Block 20, Wrangell Townsite, U.S. Survey #125 (as recorded in Book 8 page 272, Wrangell Recording District) and Lot 2B, Block 20, Wrangell Township, U.S. Survey #125 (as recorded in Book 8 Page 337, Wrangell Recording District), Wrangell, Alaska.

The term of this lease is for a period of Five (5) years; beginning on January 1, 2017, and ending on December 31, 2021 with options for Five (5) extensions of One (1) year, each. In addition, the ACS shall also have a one-time option to extend the lease for a period up to 6 months at the completion of the initial term of the lease or the completion of a renewal option.

SECTION TWO: Rent Rate

During the initial five (5) year term of this lease the Tenant will pay the Landlord \$5,083.33 per month. This is the Base Monthly Rate. The monthly rent will stay at \$5,083.33 until carpet is replaced. Carpet must be replaced within five (5) years of the signing of this lease. Once the carpet is replaced, the monthly rent will increase to \$5,200.00. If the carpet is not replaced by July 31, 2021, the monthly rent will decrease to \$4,583.33 until the month after the carpet is replaced, at which time the rent will increase to \$5,200.00 per month for the remainder of the lease and the extensions. The monthly rent will be payable on the first day of every month or in advance at the option of the Tenant. Rent is payable at the office of the Landlord whose address is, P.O. Box 531, Wrangell, AK. 99929.

Payment for any partial month's occupancy will be prorated, based on a thirty- (30) day month. Any holding over after the expiration date of this lease or of any extension or renewal will be considered a tenancy from month-to-month on terms specified in this lease. Each party will provide written notice to the other party of its intent to cancel the month-to-month tenancy at least thirty (30) days before the desired date of cancellation.

SECTION THREE: Parking

The Landlord shall provide parking spaces located adjacent to the leased property. Tenant agrees that the current parking configuration is acceptable to Tenant.

SECTION FOUR: Security

- A. Much of the business of the court system is necessarily confidential and not subject to public disclosure. The confidentiality of draft opinions, internal memoranda, conversations regarding pending issues and other court business is essential to the court's function. Records related to personnel issues, procurement proceedings, internal policy discussions, and other administrative issues are also confidential.
- B. Prior to commencing any work under this contract the landlord shall inform all employees and any contractors working on the premises, or who may have access to the premises, to the extent feasible and reasonable that the disclosure of any confidential court business observed or overheard may result in permanent removal from the premises.

SECTION FIVE: Premises Fit for Occupancy

The parties agree that the facilities provided in this lease are fit for occupancy and that they comply with all applicable laws. The Landlord agrees to pay the cost of any building alterations or improvements needed to make the premises comply with all mandatory requirements of present or future laws, ordinances, orders or regulations of any governmental authority, unless noncompliance is a result of the Tenant's occupancy. If the Landlord does not correct the violation in the time prescribed by law, the Tenant may terminate the lease, or may correct the violation and deduct the cost of labor and materials from the rent.

If all or part of the premises are deemed unfit for occupancy by public authority, or are made unfit for occupancy by fire, the elements, or any other casualty, the Tenant may reduce the rent for the portion of the premises which is unfit until the premises are restored to their former condition by the Landlord. If Tenant determines that all or a substantial part of the premises are unfit for occupancy, Tenant may move from the premises and, terminate the lease by written notice to Landlord. If the reason for the unfitness for occupancy is solely due to the fault of the Landlord, Tenant may recover from Landlord the costs of relocation.

If the Landlord causes the severance of utilities or other services provided by Landlord under the terms of this lease, the Tenant may contract for the utilities in the name of the Tenant, and may deduct from the rent the costs of such utilities, services and related deposits until such time as the Landlord resumes provision of the utilities.

SECTION SIX: Tenant's Use of the Premises

Tenant will not alter or add to the premises without the written consent of the Landlord. Consent will not be withheld unreasonably.

Tenant will observe all federal, state and local applicable laws and reasonable written regulations that the Landlord establishes for the general convenience, comfort and welfare of persons using the building.

Tenant will have access to the leased space 24 hours daily, 7 days a week throughout the year.

SECTION SEVEN: Accessibility

The Landlord certifies that the offered space complies with the Minimal Guidelines for Accessible Design published under the Architectural Barriers Act by the ATBCB, 36 CFR 190.34 (hereinafter referred to as "ABA compliance"). Minimum ABA compliance requirements are summarized in the Attachment "C" General Lease Requirements.

If the Tenant requests or undertakes alteration of the leased space and, as a result of that alteration, additional work is required in order to maintain ABA compliance, the Tenant will pay for such additional work. If the Landlord undertakes alteration of the leased space, not at the request of Tenant, and as a result of that alteration is required in order to maintain ABA compliance, the Landlord will pay for such additional work.

SECTION EIGHT: Repairs and Renovation

Landlord is solely responsible for the maintenance and repair of the premises except for damages arising from the negligent or otherwise actionable conduct of Tenant.

Landlord will maintain the leased premises free of any mechanical, structural, electrical or fire hazards; in compliance with all applicable local and state codes; and in a good state of general repair and maintenance suitable for the tenant's use.

Landlord may enter the premises at all reasonable times to examine the condition of the premises. Landlord will notify the Tenant if it will be making repairs, and will schedule work outside of regular working hours unless an emergency requires immediate repair.

If Landlord does not complete necessary repairs promptly, Tenant may hire competent workers to make the repairs at the Landlord's expense. Bills will be sent directly to the Landlord for payment. Should there be any delay in payment by the Landlord, the Tenant may pay the bills and deduct the cost from the rent.

The Landlord will renovate the premises by refinishing or replacing any worn floor covering or floor finish within five (5) years of signing this lease, after that, no more frequently than every eight years or upon expiration of flooring material manufacturer's written warranty period, whichever comes first. The Landlord will repaint/refinish walls and woodwork upon agreement of the Landlord and Tenant. If the Landlord does not respond to reasonable renovation requests that are necessary to the use of the premises by the Tenant, the Tenant may hire competent workers to do the work at the Landlord's expense.

SECTION NINE: Maintenance outside the Lease Premises

Landlord will keep outside steps, parking and storage areas in a clean and safe condition year round as provided in the General Lease Conditions.

SECTION TEN: Janitorial Requirements

Landlord will furnish and pay for janitorial services and supplies. Janitorial Requirements are set forth in Attachment "A" General Lease Conditions.

SECTION ELEVEN: Fixtures

All fixtures and equipment that the Tenant has installed in the premises are its property and may be removed at the end of this lease or any renewal. Tenant will repair any damage to the premises from such removal.

SECTION TWELVE: Indemnity

The indemnity obligations of the parties, if any, shall be governed by the applicable laws of the State of Alaska.

SECTION THIRTEEN: Default

If the Tenant does not pay the rent, or fails to perform any of the terms of this lease, and does not remedy the default within sixty (60) days after written notice from the Landlord, the Landlord may repossess the leased space, terminate the lease and recover from the Tenant all rent due. In case of any default by the Tenant and repossession by the Landlord, the Landlord must make a reasonable attempt to relet the premises for the remainder of the term for the highest rent obtainable, and may recover from the Tenant the difference between the amount obtained and the rent amount under this lease.

SECTION FOURTEEN: Termination

Because the payment of rent by the Tenant is subject to appropriation by the legislature of the State of Alaska, the lease may be terminated upon 120 days' written notice to the Landlord if the legislature enacts an appropriations bill that reduces the operating budget of the Tenant below its adjusted base for the immediately preceding fiscal year. The Supreme Court must authorize lease termination and may do so only after declaring a budget emergency.

The Tenant will leave the premises at the end of this lease or any renewal or extension in as good a condition as received, excepting reasonable wear and tear, loss or damage caused by fire, explosion, earthquake, or act of God.

SECTION FIFTEEN: Assignment; Sale

Neither party will assign this lease, nor sublet all or part of the premises, without the written consent of the other party. Consent shall not be unreasonably withheld.

If the leased property is sold during the term or extension of the lease, the sale will be made subject to the lease. This also applies to any sale as a result of any encumbrance on the property that existed prior to the execution of this lease.

This lease is binding upon the successors and assigns of the parties.

SECTION SIXTEEN: Eminent Domain

If the premises are taken for any public or quasi-public use under any statute, or by right of eminent domain, or private purchase by a public body vested with the power of eminent domain, this lease will terminate and the rent shall be adjusted as of the time of termination so that the Tenant will pay rent up to the time of taking only.

If the taking reduces the area of the premises by at least twenty percent (20%) or materially affects the uses being made by the Tenant of the premises, the Tenant may terminate the lease after written notice to the Landlord within ninety (90) days after the taking.

Landlord shall be entitled to any condemnation award for the value of the facility and Tenant shall be entitled to any condemnation award for the value of the leasehold.

SECTION SEVENTEEN: Notices

All notices between the parties during the lease term shall be sent to the Landlord at, City & Borough of Wrangell P.O. Box 531, Wrangell, Alaska 99929 and to the Tenant c/o the Facilities Manager for the Alaska Court System, 820 West Fourth Avenue, Anchorage, Alaska 99501, or their designees.

SECTION EIGHTEEN Utilities

The Landlord will furnish and pay for all utilities as provided in the Attachment "A" General Lease Conditions. The Tenant will provide its own telephone service.

SECTION NINETEEN: Alaska Little Davis Bacon Provisions

If Lessor contemplates any construction or remodeling of the Leased Premises, the construction or remodeling is subject to the Alaska Little Davis-Bacon Act, AS 36.05.010 – 36.05.120. The minimum wages to be paid various classes of laborers, mechanics, or field surveyors are shown in the attached wage determination. The rate of wages shall be adjusted to the wage rate under the Alaska Little Davis-Bacon Act. A contract for space to be constructed or altered for this procurement will contain the following provisions, required under AS 36.05.070(c):

(1) the contractor or subcontractors of the contractor shall pay all employees unconditionally and not less than once a week;

(2) wages may not be less than those stated in the advertised specifications, regardless of the contractual relationship between the contractor or subcontractors and laborers, mechanics, or field surveyors;

(3) the scale of wages to be paid shall be posted by the contractor in a prominent and easily accessible place at the site of the work;

(4) the state or a political subdivision shall withhold so much of the accrued payments as is necessary to pay to laborers, mechanics, or field surveyors employed by the contractor or subcontractors the difference between

(A) the rates of wages required by the contract to be paid laborers, mechanics, or field surveyors on the work, and

(B) the rates of wages in fact received by laborers, mechanics, or field surveyors.

Before commencing construction of leasehold improvements on the premises, the lessor shall designate a primary contractor for purposes of this section. Before work commences, the primary contractor shall file a notice of work with the Department of Labor and Workforce Development, with a copy to the Alaska Court System Facilities Manager. The notice of work must list the leasehold improvement work to be performed by each contractor who will perform any portion of the leasehold improvement work and the contract price being paid to each contractor. The primary contractor shall pay all filing fees for each contractor performing work on the contract, including a filing fee based on the contract price being paid for work performed by the primary contractor's employees. The filing fee payable shall be the sum of all fees calculated for each contractor. The filing fee shall be one percent of each contractor's contract price. The total filing fee payable by the primary contractor under this

subsection may not exceed \$5,000. There is no fee for a contract under which the total amount payable by the contracting agency is less than \$25,000. In this subsection, "contractor" means an employer who is using employees to perform leasehold improvement work on the premises.

SECTION TWENTY: Parking Garage Lighting Upgrade

Tenant desires Landlord to perform lighting upgrades with the garage below the building. The existing lighting is partial, dim, and does not illuminate all areas of the garage. In order to address these concerns, Landlord and Tenant will jointly determine the lighting improvements to be made, and the estimated cost of improvements. Landlord will promptly obtain competitive bids from licensed electrical contractors to make the improvements, and submit the bids to Tenant for approval. Landlord will ensure that the lighting upgrades are complete and ready to use within the first ninety (90) days of the lease period. Upon completion, Tenant will reimburse Landlord for the direct cost of the lighting upgrades as invoiced by the contractor. This reimbursement will be in addition to rent paid by Tenant under the other terms of the lease.

LANDLORD: City & Borough of Wrangell

TENANT: Alaska Court System

BY: _____

BY: _____

TITLE: _____

TITLE: _____

DATE: _____

DATE: _____

Taxpayer I.D. No. 92-0047641

Agenda Item 14

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
AGENDA ITEM
November 29, 2016**

INFORMATION:

ATTORNEY'S FILE – Summary Report was provided to the Assembly.

Agenda Item 15

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM November 29, 2016

Executive Session –

Options regarding the Corrective Statutory Warranty Deed for Lot A, dated May 25, 2012, according to Plat 2010-6 between the City and Alaska Island Community Services (AICS)

RECOMMENDED ACTION:

I move, pursuant to AS 44.62.310 (c), (1), that we recess into executive session with the Borough Manager and the Borough Attorney to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough, specifically the City's options regarding the Corrective Statutory Warranty Deed for Lot A, dated May 25, 2012, according to Plat 2010-6 between the City and Alaska Island Community Services (AICS)