



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

Tuesday, May 30, 2017 (Rescheduled from 5-23-17)

7:00 p.m.

Location: Assembly Chambers, City Hall

1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Patty Gilbert
- 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. Items (*) 6a and 7a through 7c

6. APPROVAL OF MINUTES

- a. Minutes of the Regular Assembly meeting held May 9, 2017; Minutes of the Board of Equalization meeting held May 15, 2017

7. COMMUNICATIONS

- *a. FY 2017-18 Budget Request from KSTK
- *b. School Board Action from the May 3, 2017 Regular mtg. & the May 15, 2017 Regular mtg.
- *c. School Board Minute from the Special meeting held April 3, 2017

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 Committees Appointments

11. PERSONS TO BE HEARD

12. UNFINISHED BUSINESS

13. NEW BUSINESS

- a. Approval of City Tidelands Annual Five-Year Reassessments
- b. **PROPOSED ORDINANCE No. 935: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS OF AND ADDING NEW SECTIONS TO CHAPTER 15.04, WATER, OF THE WRANGELL MUNICIPAL CODE** (*first reading*)

- c. **PROPOSED ORDINANCE No. 936:** 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 *(first reading)*

14. ATTORNEY'S FILE

15. EXECUTIVE SESSION

- a. Borough Clerk's Evaluation

16. ADJOURNMENT

Agenda Items 1 - 6

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY

AGENDA ITEM

May 30, 2017

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 Patty Gilbert
- 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 and 7a thru 7c***

ITEM NO. 6 APPROVAL OF MINUTES:

INFORMATION:

*6a Minutes of the Regular Assembly meeting held May 9, 2017; Minutes of the Board of Equalization meeting held May 15, 2017

Minutes of Regular Assembly Meeting Held on May 9, 2017

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., May 9, 2017, in the Borough Assembly Chambers. Assembly Members Prysunka, Rooney, Gilbert, Powell, and Mitchell were present. Assembly Member Decker was absent. Interim Borough Manager Carol Rushmore and Borough Clerk Kim Lane were also in attendance.

The Pledge of Allegiance was led by Assembly Member Steve Prysunka.

The Invocation was given by Don McConachie.

AMENDMENTS TO THE AGENDA – None

CONFLICT OF INTEREST

Prysunka declared a potential conflict of interest on Agenda Item 13a (Wrangell Medical Center Budget approval) since his wife was a Contractor for the Hospital.

Gilbert also declared a potential conflict of interest on Agenda Item 13a since she is the president of the Wrangell Medical Foundation.

Mayor Jack stated that he didn't see that either Prysunka or Gilbert had a conflict of interest to Agenda Item 13a. There were no objections from the Assembly.

CONSENT AGENDA

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

APPROVAL OF MINUTES

The Minutes of the Regular Assembly Meeting held April 25, 2017 were approved as presented.

COMMUNICATIONS

- a. School Board Action from the Regular meeting held April 24, 2017
- b. SE Senior Services 2017-18 funding request
- c. Wrangell Chamber of Commerce 2017-18 funding request
- d. School Board Minutes from the Regular meeting held March 13, 2017

BOROUGH MANAGER'S REPORT

Interim Borough Manager Rushmore's report was provided. Rushmore also gave an update on the current Water Treatment Plant's status.

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members

Prysunka reported that the SEAPA Board meeting would be in Wrangell on June 20th and the 21st. Prysunka stated that the SEAPA Board members would be touring a few places around town; meeting will be held at the Nolan Center.

10b City Boards and Committees Appointments

As there were no letters of interest received for the remaining vacant seat on the Economic Development Committee, the Mayor directed the Clerk to continue advertising.

PERSONS TO BE HEARD – None

UNFINISHED BUSINESS

12a Discussion and possible action regarding the suggested changes to the Water rates

After much discussion, it was the consensus of the Assembly to look at raising the water rates; requested that an Ordinance be brought forward for the Assembly to consider that would reflect appropriate water rate increases.

NEW BUSINESS

13a Approval of the 2017/18 Annual Budget for the Wrangell Medical Center

M/S: Prysunka/Gilbert, to approve the Wrangell Medical Center's Annual Fiscal Year 2017-18 Budget, as presented.

Robert Rang, WMC, CEO and Doran Hammett, WMC, CFO answered questions from the Assembly with regards to rate increases and revenues.

Motion approved unanimously by polled vote.

13b Discussion and possible action to create a two-tier path towards the Water Plant Replacement or Modification *(added by Assembly Member Prysunka)*

After much discussion on options to come up with a plan on what would be the best solution for the community, there was no action taken on this item.

Public Works Director Al-Haddad suggested that the Assembly read through the Engineering Report, provided by CRW Engineering Group, LLC.

ATTORNEY'S FILE – None

EXECUTIVE SESSION

15a Approval of the new Borough Manager's Contract

M/S: Gilbert/Mitchell, moved that pursuant to AS 44.62.310 (c), (2), that we recess into executive session to discuss matters that may tend to prejudice the reputation and character of any person, specifically: the discussion of the new Borough Manager's Contract and to invite the Borough Manager into the Session. Motion approved unanimously by polled vote.

Regular meeting recessed into Executive Session at 8:05 p.m.
Regular meeting reconvened back into session at p.m. 8:30 p.m.

M/S: Gilbert/Powell, moved to approve the Contract, as presented, for the New Borough Manager. Motion approved unanimously by polled vote.

Regular Assembly Meeting adjourned at 8:31 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

**Minutes of Board of Equalization Meeting
Held May 15, 2017**

Mayor David L. Jack called the Board of Equalization meeting to order at 6:00 p.m., May 15, 2017, in the Borough Assembly Chambers. Assembly Members Decker, Prysunka, Mitchell, Rooney and Gilbert were present. Assembly Member Powell was absent. Interim Borough Manager Carol Rushmore and Clerk Kim Lane were also in attendance.

Appeals – Real Property – There were no Property Tax Appeals to be considered.

PROPERTY TAX EXEMPTIONS

4a Senior Citizens Exemption

M/S: Rooney/Mitchell, to approve the Senior Citizens Property Tax Exemptions, for the tax year 2017, for total assessment value of \$25,675,213.60.

Decker questioned if she had a conflict of interest since her husband qualified for the exemption this year.

Jack stated that she did not since the exemption was available to all that qualify and that she wouldn't be receiving anything that they were not receiving.

Motion approved unanimously by polled vote.

4b Disabled Veteran Exemption

There were no Disabled Veteran Exemptions.

4c Sprinkler Exemption

M/S: Rooney/Gilbert, to approve the Sprinkler Exemptions, for the tax year 2017, for a total assessment value of \$63,214.00.

Mitchell questioned who received this exemption.

After some discussion, Interim Borough Manager Rushmore stated that she would look into it; may be a requirement of the State.

Motion approved unanimously by polled vote.

The Board of Equalization meeting adjourned at 6:06 p.m.

David L. Jack, Mayor

ATTEST: _____

Kim Lane, MMC, Borough Clerk

Agenda Item 7

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM May 30, 2017

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. FY 2017-18 Budget Request from KSTK
- *b. School Board Action from the May 3, 2017 Regular Meeting and the May 15th, 2017 Regular Meeting
- *c. School Board Minute from the Special meeting held April 3, 2017

May 5, 2017

City and Borough of Wrangell
P.O. Box 531
Wrangell, AK 99929

Dear Finance Director Lee Burgess and Interim Borough Manager Carol Rushmore,

On behalf of KSTK, I am requesting the City and Borough of Wrangell continue to provide an in-kind contribution of \$8,500 to KSTK as a utility credit. Over the past two years, KSTK has experienced a 45% decrease in state funding which has caused a domino effect in our ability to qualify for other funding. The in-kind credit from the City of Wrangell significantly helps off set the cost of powering the station, the transmitter, and the equipment on the KSTK tower.

It is in the City of Wrangell's best interest to help keep KSTK's power on so that the station can provide the following broadcast services to the community:

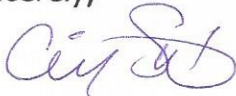
- Public Safety – KSTK is the Local Primary or LP1 for Emergency Alert announcements in the Wrangell area. We've all heard the test, "This is a test of the Emergency Alert System." What you may not know is the significance KSTK plays as Wrangell's LP1 station. As the Local Primary, KSTK is the primary contact for all emergency alerts for weather events from the National Weather Service, emergency alerts from around the state of Alaska through ARCS, the Alaska Rural Communications System and national emergency alerts including those initiated directly from the Whitehouse in Washington D.C. through IPAWS which is FEMA's Integrated Public Alert and Warning System. In the event of a natural disaster or civil emergency the EAS announcement comes to KSTK, is broadcast on KSTK's airwaves, and then is repeated to GCI for distribution on TV.

In addition, the City of Wrangell relies on KSTK to inform the public of city emergencies including power outages, road closures, water and sewer shut downs, landslides, harbor safety issues and more.

- Statewide Voice and Economic Impact. As a member of the Alaska Public Radio Network, KSTK contributes news reports that are heard across the state of Alaska, giving a voice to Wrangell and putting us on the map. Wrangell stories heard across Alaska let others know who we are, give cultural perspective and positively impact Wrangell's economy. When listeners across Alaska hear about the Tlingit Elders in Washington D.C. assisting in identifying cultural items in the Smithsonian collection, it lends credibility to our community. When listeners up and down the coast hear about Wrangell's Marine Service Center or that Trident has moved to town, it helps Wrangell's bottom line. Without KSTK this statewide exposure goes away.

These are just a few of the ways KSTK supports the community. It is my request that the City and Borough of Wrangell continue to support KSTK so that the station can continue to provide essential services in Wrangell.

Sincerely,

A handwritten signature in purple ink, appearing to read "Cindy Sweat".

Cindy Sweat

KSTK General Manager

BOARD ACTION

FOR DETAILS, CONTACT:
PATRICK MAYER,
SUPERINTENDENT
DIRECT PHONE: 907-874-2347

**WRANGELL PUBLIC SCHOOL BOARD
SPECIAL MEETING (PAGE 1)
MAY 3, 2017**

- Removed from the table, the motion to adopt the 2017-2018 school calendar as proposed by the administration
- Adopted the 2017-2018 school calendar as proposed by the administration
- Adjourned

BOARD ACTION

WRANGELL PUBLIC SCHOOL BOARD REGULAR MEETING MAY 15, 2017

FOR DETAILS, CONTACT:

PATRICK MAYER.

SUPERINTENDENT

DIRECT PHONE: 907-874-2347

- Approved the Agenda as presented
- Accepted the Minutes of:
 - April 24, 2017 Regular School Board Meeting
 - May 3, 2017 Special School Board Meeting
- Approved the sale and/or disposal of the surplus equipment as presented
- Offered extracurricular contracts to coaches and advisors for the 2017-2018 school year
- Approved the hire of Rebecca Jessup-Christensen as a paraprofessional for 2017-2018
- Approve the hire of Susan Moran as accounting clerk
- Reviewed the Resignation of:
 - Jason Clark, Assistant Basketball Coach
 - Deidre Jenson, Elementary Principal
 - Patrick Longmire, Paraprofessional
- Adopted the Super Kids curriculum for use in Kindergarten through Second Grade
- Accepted the Carl Perkins Amended Grant Award in the amount of \$18,000.00
- Approved the application of the Consolidated Grant in the amount of \$249,174.75
- Accepted the Safe Children's Amended Grant Award in the amount of \$2,397.00
- Approved the application of the FY2018 Alaska Migrant Education Literacy Grant
- Approved the application of the FY2018 Indian Education Grant
- Approved the application of the Wells Fargo Community Connection Grant
- Accepted the First Reading of Board Policy:
 - #3310, Purchasing Procedures
 - #3312, Contracts
 - #4030, Nondiscrimination in Employment
- Accepted the Second Reading of Board Policy:
 - #0510, School District Report Card
 - #5145.15, Student Family and Privacy and Rights
 - #6153, Student-sponsored trips
- Allowed School Board Member Georgianna Buhler to step down as School Board President
- Recessed into Executive Session
- Reconvened into Regular Session with no further action taken
- Adjourned

7c

PROCEEDINGS**MINUTES****WRANGELL SCHOOL BOARD
SPECIAL MEETING****April 3, 2017; 6:30 PM****Evergreen Elementary School Room 101-Intermediate**

President Georgianna Buhler called the Special meeting of the Wrangell Public School Board to order at 6:30 PM on Monday, April 3, 2017.

CALL TO ORDER

A quorum was determined with the following school board members present: Georgianna Buhler, Susan Eagle, Tammy Groshong and Aleisha Mollen. Also present was Superintendent Patrick Mayer and Recording Secretary Kimberly Powell.

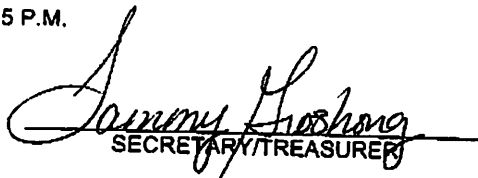
DETERMINE QUORUM

Motion to appoint Robert Rang to fill the unexpired School Board term until October 2017 by Tammy Groshong, seconded by Georgianna Buhler. Poll vote: Tammy Groshong: Yes; Aleisha Mollen: No; Susan Eagle: Yes; Georgianna Buhler: Yes. Motion approved.

**APPOINTED ROBERT
RANG TO FILL THE
UNEXPIRED
SCHOOLBOARD TERM
UNTIL OCTOBER 2017**

Meeting Adjourned at 6:35 P.M.

ADJOURNED AT 6:35 P.M.


SECRETARY/TREASURER

MEMORANDUM

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

**FROM: MS. CAROL RUSHMORE
INTERIM BOROUGH MANAGER**

SUBJECT: BOROUGH MANAGER REPORT

DATE: May 19, 2017

SEARHC Clinic Access Road Paving

SEARHC has recently approached the CBW as part of their planning efforts to pave the medical clinic parking lot and offered to include the unpaved portion of the hospital's access road (leading from Wood Street to their clinic) in their design and construction project. By doing so, they have also offered to cover the expenses associated with the design and construction of the asphalt paving.

CBW staff, including within the hospital, have reviewed the offer as it relates to future hospital replacement plans, and is supportive of SEARHC's offer. An agreement letter is being developed to outline our understandings, including that there may be future modification by the Borough to the roadway as the future hospital project develops. The work will be coordinated with CBW staff throughout design and construction on CBW property.

Public Works and Capital Projects Update

Wrangell Dock Lighting - City Dock Improvements

Buness Electric continues the construction work for the City Dock Lighting and Electrical project. They remain scheduled for Substantial Completion by June 30, 2017.

Shoemaker Bay Harbor Float Design

The Governor has called the Legislature back in for a special session and SB 23 Capital budget is one of 8 items the Governor has directed them to work on. PND continues to work toward the harbor design's 90% level plan review drawings.

Evergreen Avenue Reconstruction

DOT reports that all of the Right of Way (ROW) offers are in the hands of the remaining four property owners; however, they have not yet received a final response from these four property owners.

The project is currently estimated at approximately \$5.6 million. The estimate has been reduced since the August 2016 Pre-PS&E (plans, specs and estimates) review. This is primarily due to final design being near complete and contingencies being removed. DOT also removed the concrete barrier from the project and replaced it with standard guardrail, which saved a substantial amount of money.

As for project funding, \$501,384 of unspent transportation earmark funds from the Bradfield Road EA has been reprogrammed by the State and allocated to the project, and the State is paying the local match for this amount. This should cover most of the construction funding above the \$5 million to which the CBW is committed for the local match. The ADOT also covered the ROW acquisition costs of about \$75,000. Based on this information, the CBW will plan for an approximate \$541,000 match amount.

Water Treatment Plant Roughing Filter Modification Design

Following the shipping of the particle count sample on May 10th to the lab in Anchorage, they have indicated that the test typically requires fifteen (15) business days before acquiring the results, as it is not done in house. They expect the report to be complete by May 31st.

CRW Engineers report they are finalizing the roughing filter modifications design work while awaiting for the particle count test results to continue discussions and calculations with the filter manufacturer to determine adequate screen size.

Upper Reservoir Bypass Line

In speaking with Wilson Engineering, who designed the water treatment plant and the original reservoir bypass plan, staff learned that all the people involved with past Wrangell projects have either retired or moved on from their firm. Additionally, Wilson Engineering no longer employees an engineer, licensed to practice in Alaska. While Wilson Engineering is not positioned to undertake engineering assistance on the bypass project at this time, they have agreed to provide any of their design files to the engineer that the CBW is under agreement with for the bypass project.

Shannon & Wilson is the engineering firm who has been doing Wrangell's dam inspections and who performed the 2003 observations of the condition of the upper reservoir's dam assessment and at that time proposed options for designing the reservoir tap. CBW staff have met by phone with Shannon & Wilson to discuss the engineering needs. Shannon & Wilson are reviewing the project and anticipate responding to the CBW this week regarding their level of future involvement in this project.



Wrangell Water Plant Status: May 17, 2017

- Raw Water Reservoir Levels:
 - Upper reservoir is currently full and overflowing.
 - Lower reservoir is currently full and overflowing.
 - The raw water quality from the reservoir is good.
- Treated Storage Tank Levels: Both tanks are full.
- Water Production:
 - Over the course of the last week, water production is averaging 918,000 gallons per day
(Production levels are directly related to community consumption and filter maintenance, i.e. the higher the flow to town, the more often filter maintenance has to occur.)
- Water Flows:
 - High Pressure (HP) flow has been averaging 480 gpm
 - Low Pressure (LP) flow has been averaging 150 gpm
- Roughing Filter Maintenance:
 - Both basins were cleaned again this week.
- Slow Sand Filter Maintenance:
 - While the raw water quality good, we have been experiencing an increase in turbidity in the water leaving the sand filters after plunging them for cleaning. This is likely caused by the loosening of the sand and the eventual release of the particulate matter. One way to try to circumvent this would be to drain the filter to waste each time in order to flush out some of the loose particulates; due to this issue, it may not be possible to perform back-to-back, same-filter plunging during periods of high water consumption.
- Roughing Filter Modifications Design:
 - Following the shipping of the particle count sample on May 10th to the Analytica lab in Anchorage, they have indicated that the test typically requires fifteen (15) business days before acquiring the results, as it is not done in house. We expect the report on May 31st.
 - CRW Engineers report they are finalizing the roughing filter modifications design work while awaiting for the particle count test results to continue discussions and calculations with the filter manufacturer to determine adequate screen size.

Agenda Item 9

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM

CLERK'S REPORT May 30, 2017

Mark Your Calendar:

6/1 Port Commission Mtg. scheduled for 7pm in the Assembly Chambers

6/3  Lemonade Day!

6/7 P&R Mtg. scheduled for 7pm in the Assembly Chambers

6/8 P&Z Mtg. RESCHEDULED for 6/29 at 7pm in the Assembly Chambers

6/13 Regular Assembly Mtg. scheduled for 7pm in the Assembly Chambers

6/29 As stated above, the P&Z Mtg. was rescheduled from 6/8

6/20-21 SEAPA Board Mtg. to be held in Wrangell, with times TBD

Who and What?

Executive Sessions.....

- Include in the motion an INVITATION to any person who is desired to attend the executive session (such as an attorney, the Borough Manager, some other expert, or some person who could be helpful in the executive session). HOWEVER, any person invited to attend the executive session cannot be somebody whose presence in the executive session would defeat the purpose of the executive session.
- If the motion passes, go into executive session. Once in the executive session, **DISCUSS ONLY** the **MAIN** issue and those subjects which are **CLOSELY RELATED AND SUBSIDIARY** to the **MAIN** issue. **TAKE NO ACTION** except to give direction to an attorney or a labor negotiator.

Agenda Items 10 a - b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM May 30, 2017

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

There were no letters of interest received for the vacancies on the EDC and the WCVB

Vacancies:

- One vacancy **Economic Development Committee** (Oct 2019)
- One vacancy **Wrangell Convention & Visitors Bureau** (Oct 2018)

Recommended Action:

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

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 _____.

Agenda Item 13a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM May 30, 2017

INFORMATION:

Approval of City Tideland Annual Five-Year Reassessments

Attachments:

1. Annual Reassessments from Michael Renfro, Borough Assessor

Per WMC 16.08.220 – Rental Adjustments: The annual rental payable pursuant to any lease issued under the provisions of this chapter shall be subject to adjustment by the assembly on the fifth anniversary of the date of the lease and each anniversary date thereafter which is divisible by the number five. All adjusted rates shall be computed at six percent on the fair market value of the land and improvements owned by the borough and leased thereunder. Such value shall be determined by an appraisal made by the borough assessor and reviewed and determined by the assembly as provided in WMC [16.08.100](#).

#20 new fee value \$12,100 = \$726.00 + tax, per year (Lot 7, Block 83-A) (*Campbell*)

#21 new fee value \$27,500 = \$1,650.00 + tax, per year (Lot 15, Block 1A) (*First Bank*)

#40 new fee value \$10,000 = \$600.00 + tax, per year (Lot 24, Block 83A) (*Easterly*)

RECOMMENDED ACTION:

Move to approve the five-year City Tideland Reassessments as presented.

APPRAISAL OF
FOUR CITY OF WRANGELL
TIDELAND LEASE SITES
WRANGELL, ALASKA

FOR
KIM LANE
CITY CLERK
CITY AND BOROUGH OF WRANGELL
PO BOX 531
WRANGELL, ALASKA 99929

VALUATION DATE
MAY 15, 2017

FILE 17-3384

BY
MICHAEL C. RENFRO, PARTNER
APPRAISAL COMPANY OF ALASKA
3940 ARCTIC BOULEVARD, SUITE 103
ANCHORAGE, ALASKA 99503

Appraisal Company of Alaska, LLC

3940 ARCTIC BOULEVARD, SUITE 103
ANCHORAGE, ALASKA 99503
office@appraisalalaska.com

May 15, 2017

Kim Lane, City Clerk
City and Borough of Wrangell
PO Box 531
Wrangell, Alaska 99929

Re: Four Tideland Lease Sites for the City of Wrangell
Wrangell, Alaska

Dear Ms. Lane:

Pursuant to your request, I have prepared an appraisal report on the fair market value of the above parcels as if vacant. The appraisal date is May 15, 2017. The purpose of the report is to determine the fair market value for lease purposes. A description and current status of each site is facing the valuation section of each lease by lease number.

The reader is referred to the City of Wrangell comparable lease and sales book for a complete description of the comparable leases and sales utilized in this report.

A brief summary of the leases to be valued are as follows:

No.	Lease	Legal	Area Sq.Ft.	Filled Tidelands	Fee Value
20	Leonard & Lynn Campbell	Lot 7, Block 83-A	13,408	Yes	\$ 12,100
21	First Bank	Lot 15, Block 1A	2,867	Yes	\$27,500
40	Randy Easterly	Lot 24, Block 83A	12,518	No	\$ 10,000

All of the lots are valued as vacant, the condition at the original signing of the lease.

May 15, 2017
Page 2

A description of each site and the analyses which lead to the fair market value conclusion follows by lease number in this report. The comparable data is included in a separate report which should be retained in your files.

If you have any questions regarding this limited appraisal report please do not hesitate to call me.

APPRAISAL COMPANY OF ALASKA



Michael C. Renfro,
Partner



WRANGELL TIDELANDS LEASE

Lease No. 20

LOCATION: NHN Case Avenue, Wrangell, Alaska

LEGAL DESCRIPTION: Lot 7, Block 83A, Wrangell Tidelands Addition

LESSOR: City of Wrangell

INSTRUMENT: Lease

LESSEE: Leonard & Lynne Campbell

FEE VALUE: \$12,100

DATE OF LEASE: 9-16-67

REVALUE: 9-16-72, 77, 82, 87,
97, 02, 07, 12, 17

TERMS: 55 yrs, 6% of fee value
per year, 5 yr. revalue

ZONING: WFD

AREA: 13,408 sq.ft.

USE AT LEASE: Commercial
building site

ANTICIPATED USE: Commercial

ACCESS: Good

ASSESSMENTS: None noted

UTILITIES: All available

EASEMENTS/RESTRICTIONS: None
noted

CONFIRMED WITH: City of Wrangell

BY/DATE: MCR/05-17

PROPERTY DESCRIPTION: Level lot at street grade with access to the inner small boat harbor. Improved with a metal sided shop building. Fill provided by lessee.

ANALYSIS: 2017 \$12,100 / 13,408 sq.ft. = \$.90/sq.ft.

\$12,100 x 6% = \$726.00/year



LAND VALUE: There have been limited sales of similar submerged tideland lots. The sales provided are considered to be representative of the market for undeveloped land.

COMPARABLE LAND SALES

NUMBER	LEGAL	DATE	SALE PRICE	AREA/SF	PRICE SF	REMARKS
1	Lot 3 Sortyard	12/01	\$14,900	4,254	\$3.50	Business Industrial Lot on Front Street
2	Lot 2A Sortyard	11/01	\$50,281	14,366	\$3.50	Business Industrial Lot on Front Street
3	Lot 7 Sortyard	11/01	\$20,229	6,743	\$3.00	Business Industrial Lot located one lot off Front Street
4	Lot 1 Sealevel Site II	02/15	\$7,200*	1,929	\$3.75	Business Waterfront Lot
5	Lot 2B Sealevel SD III	04/17	\$27,200*	6,983	\$3.90	Business Waterfront Lot

*Capitalized Value of Lease

LEASE NUMBER 20

Analysis of Comparable Land Sales

Time: With an amount of sales it is difficult to obtain paired sales for analysis to arrive at the adjustments needed to bring the available sales and leases into conformity with the subject.

Although limited, available market data indicates a relatively stable market with approximately one per cent per year increase in value.

Terms: None of the sales and leases used in the analysis is believed to require consideration for special financing or other sale conditions.

Size: Smaller parcels generally tend to sell for more per unit of comparison than larger parcels, all other factors being equal. In relation to the subject comparables 1, 3 and 4 are adjusted downward for size.

Location and Access: Location and access is somewhat subjective on the part of the appraiser in relation to the comparable data utilized. However analysis of other sales contained in our separate report on the summary of Wrangell lease transactions indicates that location and access can account for up to 20% difference between superior and inferior locations. All of the comparables are considered to have superior locations and are adjusted downward 10%.

Utilities: All of the comparables have similar utilities and no adjustment is required.



LEASE NO. 20 - Continued

Adjustment Grid: The following grid shows the estimated adjustments for each sale bringing it into conformity with the subject.

	#1	#2	#3	#4	#5
Price/Sq.Ft.	\$3.50	\$3.50	\$3.00	\$3.75	\$3.90
Time	+16%	+16%	+16%	+02%	0
Net After Time	\$4.06	\$4.06	\$3.48	\$3.83	\$3.90
Terms	0	0	0	0	0
Size	-20%	0	-20%	-20%	-20%
Location/Access	-10%	-10%	-10%	-10%	-10%
Utilities	0	0	0	0	0
Net Adjustment	-30%	-10%	-30%	-30%	-30%
Indicated Value/Sq.Ft.	\$2.84	\$3.65	\$2.44	\$2.68	\$3.73

Conclusion

After adjustments for property differences the available transactions indicate a range of value for the subject adjoining uplands from \$2.44 to \$3.73 per square foot.

Submerged tidelands generally sell for between 20% to 30% of the adjoining uplands. Considering the subject's size and location the tidelands would be valued at 30% of the indicated uplands value say \$.90 per square foot.

After analysis of the property differences, including the subject's size and location, the market value of the subject's 13,408 square feet is concluded to be \$.90 per square foot or \$12,067.20 rounded to \$12,100.



WRANGELL TIDELANDS LEASE

Lease No. 21

LOCATION: Northeast corner of Brueger Street and Lynch Street, Wrangell Alaska

LEGAL DESCRIPTION: Lot 15, Block 1-A, Wrangell Townsite

LESSOR: City of Wrangell

INSTRUMENT: Lease

LESSEE: First Bank

FEE VALUE: \$27,500

DATE OF LEASE: 12-31-77

REVALUE: 12-31-82, 87,02,07,12,17

TERMS: 6% of fee value per year
5 year revalue

ZONING: WFD

AREA: 2,867 sq.ft.

USE AT LEASE: Retail and
apartment

ANTICIPATED USE: Commercial use

ACCESS: Very good

ASSESSMENTS: None noted

UTILITIES: All available

EASEMENTS/RESTRICTIONS: 228
sq.ft., sidewalk along two
boundaries

CONFIRMED WITH: City of Wrangell

BY/DATE: MCR/5/17

PROPERTY DESCRIPTION: Level lot at street grade improved with a two story retail store and apartment.

ANALYSIS: 2012 \$ 27,500/ 2,867 sq.ft. = \$9.60/sq.ft.

\$27,500 x 6% = \$1,650.00/year



LEASE NUMBER 21

NUMBER	LEGAL	DATE	Sale Price	SIZE	\$/Sq. Ft.
1	2A/2A ATS 83	12/13/04	\$26,200	11,190	\$7.70
2	6A/2A Stikine Inn Tidelands	11/18/04	\$175,300	22,622	\$7.75
3	Lots 19A&B Block 1-A Wrangell	3/21/02	\$57,800	7,600	\$7.60
4	Lot 2 Block 1A Wrangell	08/01	\$58,400	7,681	\$7.60

Analysis of Comparable Land Sales

Time: With an amount of sales it is difficult to obtain paired sales for analysis to arrive at the adjustments needed to bring the available sales and leases into conformity with the subject.

Although limited, available market data indicates a relatively stable market with approximately one per cent per year increase in value.

Terms: None of the sales and leases used in the analysis is believed to require consideration for special financing or other sale conditions.

Size: Larger parcels generally tend to sell for less per unit of comparison than smaller parcels, all other factors being equal. In relation to the subject all of the comparables are adjusted upward for size in that they are larger than the subject.

Location and Access: Location and access is somewhat subjective on the part of the appraiser in relation to the comparable data utilized. However analysis of other sales contained in our separate report on the summary of Wrangell lease transactions indicates that location and access can account for up to 20% difference between superior and inferior locations. All of the comparables are felt to have similar downtown locations.

Utilities: All of the comparables have similar utilities and no adjustment is required.



LEASE NO. 21 - Continued

Adjustment Grid: The following grid shows the estimated adjustments for each sale bringing it into conformity with the subject.

	#1	#2	#3	#4
Price/Sq.Ft.	\$7.70	\$7.75	\$7.60	\$7.60
Time	+13%	+13%	+15%	+16%
Net After Time	\$8.70	\$8.76	\$8.74	\$8.82
Terms	0	0	0	0
Size	+10%	+10%	+10%	+10%
Location/Access	0	0	0	0
Utilities	0	0	0	0
Net Adjustment	+10%	+10%	+10%	+10%
Indicated Value/Sq.Ft.	\$9.57	\$9.64	\$9.61	\$9.70

Conclusion

After adjustments for property differences the available transactions indicate a range of value for the subject site from \$9.57 to \$9.70 per square foot.

After analysis of the property differences, including the subject's size and location, the market value of the subject's 2867 square feet is concluded to be \$9.60 per square foot or \$27,523.20 Rounded to \$27,500.00.



WRANGELL TIDELANDS LEASE

Lease No. 40

LOCATION: City of Wrangell Inner Harbor, West of Case Avenue

LEGAL DESCRIPTION: Lot 24, Block 83A, Wrangell Tidelands

LESSOR: City of Wrangell

INSTRUMENT: Lease

LESSEE: Randy Easterly

FEE VALUE: \$10,000

DATE OF LEASE: April 2002

REVALUE: 2007/12,17

TERMS: 55 yrs. 6% of fee value
per year, 5 year revalue

ZONING: WFD

AREA: 12,518 sq.ft.

USE AT LEASE: Vacant Submerged Site

ANTICIPATED USE: Commercial development

ACCESS: From adjoining Lot 17
And Case Avenue

ASSESSMENTS: None noted

UTILITIES: Electricity

EASEMENTS/RESTRICTIONS: None
Noted

CONFIRMED WITH: City of Wrangell

BY/DATE: MCR/05-17

PROPERTY DESCRIPTION: Submerged site located within Wrangell Inner Harbor

ANALYSIS: 2017 $\$10,000 / 12,518 \text{ sq.ft.} = \$.80/\text{sq.ft.}$

$\$10,000 \times .06 = \$600.00/\text{year}$



LAND VALUE: There have been limited sales of similar submerged tideland lots. The sales provided are considered to be representative of the market for undeveloped land.

COMPARABLE LAND SALES

NUMBER	LEGAL	DATE	SALE PRICE	AREA/SF	PRICE SF	REMARKS
1	Lot 3 Sortyard	12/01	\$14,900	4,254	\$3.50	Business Industrial Lot on Front Street
2	Lot 2A Sortyard	11/01	\$50,281	14,366	\$3.50	Business Industrial Lot on Front Street
3	Lot 7 Sortyard	11/01	\$20,229	6,743	\$3.00	Business Industrial Lot located one lot off Front Street
4	Lot 1 Sealevel II	02/15	\$7,200*	1,929	\$3.73	Business Waterfront Lot
5	Lot 2B Sealevel III	04/17	\$27,200*	6,983	\$3.90	Business Waterfront Lot

*Capitalized Value of Lease

LEASE NUMBER 40

Analysis of Comparable Land Sales

Time: With an amount of sales it is difficult to obtain paired sales for analysis to arrive at the adjustments needed to bring the available sales and leases into conformity with the subject.

Although limited, available market data indicates a relatively stable market with approximately one per cent per year increase in value.

Terms: None of the sales and leases used in the analysis is believed to require consideration for special financing or other sale conditions.

Size: Smaller parcels generally tend to sell for more per unit of comparison than larger parcels, all other factors being equal. In relation to the subject all of the comparables except for Sale 2 are adjusted downward for size.

Location and Access: Location and access is somewhat subjective on the part of the appraiser in relation to the comparable data utilized. However analysis of other sales contained in our separate report on the summary of Wrangell lease transactions indicates that location and access can account for up to 20% difference between superior and inferior locations. All of the comparables are considered to have superior locations and are adjusted downward.

Utilities: All of the comparables have similar utilities and no adjustment is required.



LEASE NO. 40 - Continued

Adjustment Grid: The following grid shows the estimated adjustments for each sale bringing it into conformity with the subject.

	#1	#2	#3	#4	#5
Price/Sq.Ft.	\$3.50	\$3.50	\$3.00	\$3.73	\$3.90
Time	+16%	+16%	+16%	+.02%	0%
Net After Time	\$4.06	\$4.06	\$3.48	\$3.80	\$3.90
Terms	0	0	0	0	0
Size	-20%	0%	-10%	-20%	-10%
Location/Access	-10%	-10%	-10%	-10%	-10%
Utilities	0	0	0	0	0
Net Adjustment	+30%	-10%	-30%	-30%	-20%
Indicated Value/Sq.Ft.	\$2.84	\$3.65	\$2.44	\$2.66	\$3.12

Conclusion

After adjustments for property differences the available transactions indicate a range of value for the subject adjoining uplands from \$2.44 to \$3.65 per square foot.

Submerged tidelands generally sell for between 20% to 30% of the adjoining uplands. Considering the subject's size and location the tidelands would be valued at 30% of the indicated uplands value say \$.80 per square foot

After analysis of the property differences, including the subject's size and location, the market value of the subject's 12,518 square feet is concluded to be \$.80 per square foot or \$10,014.40 rounded to \$10,000.



CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is my personal, unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. This appraisal was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
7. I made a personal inspection of the property that is the subject of this report.
8. No one provided significant professional assistance to the person signing this report.
9. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
10. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.



Michael C. Renfro, Partner



Agenda Item 13b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM May 30, 2017

INFORMATION:

PROPOSED ORDINANCE No. 935: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS OF AND ADDING NEW SECTIONS TO CHAPTER 15.04, WATER, OF THE WRANGELL MUNICIPAL CODE
(first reading)

Attachments:

1. **PROPOSED ORDINANCE No. 935**

RECOMMENDED ACTION:

Move to approve the first reading of Ordinance No. 935 and move to a second reading with a public hearing to be held on June 13, 2017.

CITY AND BOROUGH OF WRANGELL, ALASKA
ORDINANCE No. 935

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND
BOROUGH OF WRANGELL, ALASKA, AMENDING
CERTAIN SECTIONS OF AND ADDING NEW SECTIONS TO
CHAPTER 15.04, WATER, OF THE WRANGELL MUNICIPAL
CODE

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 certain sections of, and add new sections to, Chapter 15.04, Water, of the Wrangell Municipal Code.

SEC. 2. Amendment of Sections. The list of sections in Chapter 15.04, Water, of the Wrangell Municipal Code is amended to read:

Sections:

- 15.04.010 Supply terms generally.
- 15.04.015 Connection to borough water supply required.
- 15.04.020 Water quality.
- 15.04.030 Borough property.
- 15.04.040 Special contracts.
- 15.04.050 Resale of water.
- 15.04.060 Service preference.
- 15.04.070 Application for service.
- 15.04.080 Credit establishment.
- 15.04.090 Deposits – Terms.
- 15.04.100 Deposits – Forfeiture.
- 15.04.110 Ownership and maintenance.
- 15.04.120 Service connection charge.
- 15.04.130 Size of service pipe – Changes.
- 15.04.140 Length of service pipe.
- 15.04.150 Joint service connections.
- 15.04.160 Number of service connections on premises.
- 15.04.165 Cross Connections.

- 15.04.170 Standby fire protection service – Connections.
- 15.04.180 Standby fire protection service – Charges.
- 15.04.190 Standby fire protection service – Violations of regulations.
- 15.04.200 Other fire protection services.
- 15.04.205 Meters – Where required.
- 15.04.208 Meter deposit required.
- 15.04.210 Meters – Damage prevention.
- 15.04.220 Meters – Control valve and stop.
- 15.04.230 Meters – Ownership and maintenance.
- 15.04.240 Meters – Installation.
- 15.04.245 Meters – Submeters.
- 15.04.250 Meters – Size and type.
- 15.04.260 Meters – Location.
- 15.04.270 Meters – Joint use services.
- 15.04.280 Meters – Changes in size or location.
- 15.04.290 Water rates – Publication.
- 15.04.300 Notices to customer.
- 15.04.310 Notices from customer.
- 15.04.320 Meter readings.
- 15.04.330 Flat rates.
- 15.04.340 Billing period.
- 15.04.350 Bills – Proration of certain.
- 15.04.360 Bills – Separate required – Exception.
- 15.04.363 Bills – Adjustments – Refunds.
- 15.04.370 Bills – Disputes.
- 15.04.380 Bills – Payment by due date.
- 15.04.390 Bills – Delinquency notices.
- 15.04.400 Bills – Turnoff notice for delinquencies.
- 15.04.410 Service turnoff for delinquent accounts – Method.
- 15.04.420 Service turnoff for delinquent accounts – Charges.
- 15.04.430 Installment payments for delinquent accounts.
- 15.04.440 Meter accuracy – Generally.
- 15.04.450 Meter accuracy – Testing upon customer request.
- 15.04.460 Meter accuracy – Testing upon borough request.
- 15.04.470 Meter accuracy – Bill adjustment for inaccuracies.
- 15.04.480 Meter accuracy – Bills for nonregistering meters.
- 15.04.490 Discontinuance of service – Upon customer request.
- 15.04.495 *Repealed.*
- 15.04.500 Discontinuance of service – For nonpayment of bills.
- 15.04.510 Discontinuance of service – For water waste.

- 15.04.520 Discontinuance of service – For detrimental service.
- 15.04.530 Discontinuance of service – For fraud or abuse.
- 15.04.540 Discontinuance of service – For noncompliance with regulations.
- 15.04.545 Turn-on and turn-off fee.
- 15.04.550 Unauthorized turning on or off of service.
- 15.04.560 *Repealed.*
- 15.04.570 Unusual water demands.
- 15.04.580 Access to premises for inspections.
- 15.04.590 Nonliability of borough for damages – Customer responsibilities.
- 15.04.600 Equipment remains borough property – Access.
- 15.04.610 Customer responsibility for damage to borough equipment.
- 15.04.620 Fire hydrant restrictions.
- 15.04.630 Service connection charges.
- 15.04.640 Monthly water rates.
- 15.04.650 Water Shortage Management Plan.
- 15.04.660 Penalty for violation.

SEC. 3. Amendment of Sections. Sections 15.04.010, 050, 060, 070, 080, 090, 110, 120, 130, 140, and 160 of Chapter 15.04 the Wrangell Municipal Code are amended to read:

15.04.010 Supply terms generally.

A. The borough will exercise reasonable diligence and care to deliver a continuous and sufficient supply of water to the customer at a proper pressure and to avoid any shortage or interruption in delivery.

B. The borough will serve water at the pressure available and will reduce the pressure where necessary to protect the piping and, within reasonable limits, as satisfactory to the customer. Where pumping is required to serve a customer at too high an elevation to be served by gravity, the borough may, at its option, require the customer to provide a suitable pump as a condition of service. The installation shall be subject to approval by the **[water superintendent]**Public Works Director.

15.04.050 Resale of water.

Resale of water to cruise ships shall only be permitted under special contract, in writing, between the assembly and the person or party selling the water.

15.04.060 Service preference.

In case of shortage of supply, the borough reserves the right to give preference in the matter of furnishing service to customers and interests of the borough from the standpoint of public health, safety, convenience or necessity. Water service to persons or entities not connected to the water utility shall be subject to the prior and superior rights of the customers connected to the water system. [Water service to users outside the borough boundaries shall, at all times, be subject to the prior and superior rights of the customers within the borough.]

15.04.070 Application for service.

Each applicant for water service shall sign an application form provided by the borough giving date of application, location of premises, whether they have been served before, the date on which applicant desires to have service begin, the purpose for which service is to be used, the address for mailing or delivery of bills, the applicant's address (owner, tenant, or agent), the class and size of service, and such other information as the borough may reasonably require. In signing the application, the customer agrees to abide by the borough code. The application is merely a written request for service and does not bind the borough to serve.

The borough may refuse to install new services between October 15th and April 1st due to frozen ground or "spring thaw" conditions that would adversely affect borough utilities and/or rights-of-way.

The borough may refuse to install new services where municipal water mains do not already exist.

15.04.080 [Credit establishment] Deposit Required.

All customers requesting new water service shall be required to establish an account with the borough and make a deposit before service is rendered in the amount of \$25.

The deposit on the customer's account will be refunded, less any amount due the borough for service, when the water service is discontinued.

[A. At the time application for service is made, the applicant shall establish his credit with the borough.

B. The credit of the applicant will be deemed established as follows:

- 1. If the applicant makes a cash deposit with the borough to secure payment of bills for service; the deposit shall be a sum equal to the estimated bill for two billing periods but not less than \$10.00;**
- 2. If the applicant has promptly paid all accounts due the borough for a period of 12 consecutive billing periods;**
- 3. If the applicant can otherwise convince the borough that all bills will be paid when due.]**

15.04.090 Deposits – Terms.

At the time the deposit is given to the borough, the applicant will be given a receipt for the same. The deposit is not to be considered as a payment on account. The deposit will be returned to the customer, less any amount due the borough for service, when service to the customer is discontinued. The borough may, at its option, return the deposit without application, provided all bills have been paid promptly for twelve (12) consecutive billing periods.

...

15.04.110 Ownership of System and Equipment – Service and maintenance.

The borough shall own, install, and maintain all [services] water distribution services and installations; and maintenance and connections shall only be performed by authorized employees or agents of the borough. The customer shall own, install, and maintain the customer service line.

15.04.120 Service connection charge.

A. At the time the applicant files for any service where no service previously existed, or if he is filing for a change in service size or location, [he] they shall submit with [his] their application [the service connection charge.], a deposit in an amount, as estimated by the Public Works Director, to cover the direct costs for installation from the water distribution main to the property line, including a new service connection charge, as determined by the borough in the current published water rate schedule.

The deposit must be made before a connection is made. Any additional cost over the estimated amount shall be billed to the property owner and any excess from the estimated amount shall be returned to the property owner.

A. The property owner is responsible for all costs for installation of a new service line or fire line from the water main to the property line.

B. Only the Public Works Department personnel or its agents shall perform the installation of a new service line from the water distribution main to the property line. Installation of a new service line from the property line to the property owner's structure shall be performed by the property owner or the property owner's private contractor.

C. All water installations shall be made according to the Uniform Plumbing Code as adopted by the borough in Chapter 18.08 Plumbing Code of this code, and the property owner shall obtain a permit from the borough's building official, prior to installation.

D. Upon completion of the new service line from the water distribution main to the property line, the Public Works Department or its agents shall make the connection to the property owner's service line at the property line.

15.04.130 Size of service pipe – Changes.

A. The borough will furnish and install a service of such size and at such locations as the applicant requests, provided such requests are reasonable and that the minimum size of service pipe shall be three-quarters of an inch. The borough may refuse to install a service line which is undersized or oversized.

B. Permanent changes in the size of the service line requested by the customer shall be paid by the customer, based on the actual cost of labor, materials and equipment for installation, plus fifteen percent (15%) overhead for making the change.

15.04.140 Length of service pipe.

A. Where the water distribution main is in a public right-of-way, the service valve [meter] will be placed at the right-of-way line nearest the property to be served **[for the standard connection fee, provided the length of service does not exceed the width of the right-of-way.]**

B. Where the main is on an easement or publicly owned property other than designated rights-of-way, the service valve shall be installed to the boundary of the easement or public property nearest the property to be served [by the borough, provided the length of service does not exceed 30 feet].

[C. If, in either case cited in subsection (A) or (B) of this section, the length of service line to the meter location exceeds the maximum stated, the applicant shall pay the extra cost of the line on the basis of actual cost to the borough for labor, materials and equipment rental, plus fifteen percent (15%).]

...

15.04.160 Number of service connections on premises.

The owner of a single parcel of property may apply for and receive as many services as he and his tenants require, provided his application or applications meet the requirements stated in this chapter and the approval of the Public Works Director.

SEC. 4. New Section. Chapter 15.04, of the Wrangell Municipal Code is amended by the addition of a new Section 15.04.165 to read:

15.04.165 Cross-connections.

No water service connection to any premises shall be installed or continued in use unless the water supply is protected by all necessary backflow prevention devices as required by the Uniform Plumbing Code as adopted by the borough in Section 18.08 Plumbing Code of this code. Backflow prevention devices shall be installed on any premises where, in the judgment of the Public Works Director, the nature and extent of the activities, or the materials used or stored on the premises, could present a hazard to the water supply in the event a cross-connection were to be made. All costs for purchase and installation of the backflow prevention device will be paid by the property owner and/or customer. Such devices shall be inspected annually, after it has been serviced for any reason, and immediately after it have been installed. A copy of the inspection report shall be provided to the borough.

SEC. 5. New Section. Chapter 15.04, of the Wrangell Municipal Code is amended by the addition of a new Section 15.04.208 to read:

15.04.208 Meter Deposit Required.

All customers requesting a water meter shall be required to deposit with the borough a water meter deposit in the sum of \$100.00.

SEC. 6. Amendment of Sections. Sections 15.04.245, 250, 260, 300, 310, 350, 390, 420, 430, 450, 470, 480, 510, 545, 550, 570, 580, 590, 600, 610, 620 and 630 of Chapter 15.04 of the Wrangell Municipal Code are amended to read:

15.04.245 Meters – Submeters.

The utility shall install one meter for multiple-occupancy buildings owned by a single entity or individual. If the owner desires individual meters for each unit, the owners shall install meters at the owner's expense, [and] as well as read and bill the tenants at the owner's cost. The utility shall have no interest or responsibility for the maintenance, upkeep, or reading of any submeters or any other facility on the customer line except as provided herein.

15.04.250 Meters – Size and type.

Applicant may request and receive any size meter regularly stocked or furnished by the borough, provided the request is reasonable; and further provided, that the meter is not greatly oversized or undersized, as determined by the **[superintendent]** Public Works Director. The borough reserves the right to determine the type of meter to be installed.

15.04.260 Meters – Location.

The property owner shall provide a place for installation of the meter that is acceptable to the water utility. The meter will be installed wherever the applicant desires within reason, but the location must be approved by the borough. The meter will not be located in driveways or other locations where drainage to the meter or its related parts may occur. The meter must be located in an area that is heated, dry, and accessible for repair and replacement of the meter, **[as determined]** by the water utility. A shutoff valve shall be installed by the property owner ahead of the meter yoke. The water utility may install a remote readout; a suitable place for the remote unit shall be provided by the owner and shall be satisfactory to the water utility.

...

15.04.300 Notices to customer.

Notices from the district to the customer will normally be given in writing and either mailed or delivered to him at his last known address. Where conditions warrant, and in emergencies, the borough may notify customers either by telephone, social media or other generally acceptable means of communicating with a large group of residents.**[or messenger]**

15.04.310 Notices from customer.

Notices from the customer to the borough may be given by the customer or his authorized representative **[orally or]** in writing at the office of the borough or to an agent of the borough duly authorized to receive notices or complaints.

15.04.350 Bills – Proration of certain.

Opening or closing bills, or bills that for any other reason cover a period containing **[10]** ten percent more days or **[10]** ten percent less days than in the normal billing period, shall be prorated.

15.04.390 Bills – Delinquency notices.

A reminder of account delinquency shall be sent, at the discretion of the **[superintendent]**borough to each delinquent account on or about 30 days after the account becomes delinquent.

15.04.420 Service turnoff for delinquent accounts – Charges.

In all instances where water has been turned off because of account delinquency, a minimum \$35.00 disconnect service charge shall be imposed; a minimum reconnect service charge of \$35.00 shall be made for the restoration of service, in which case replacement of the cash deposit, as stated in this chapter, will be required.

15.04.430 Installment payments for delinquent accounts.

In cases of extreme hardship, the **[superintendent]**borough shall have the discretion of renewing service to a delinquent account upon receipt of a satisfactory installment plan for the payment of the overdue account.

...

15.04.450 Meter accuracy – Testing upon customer request.

A customer may, giving not less than seven days' notice, request the borough to test the meter serving his premises. The borough will require the customer to deposit the testing fee. This fee shall be \$[2]35.00 for meters one inch and smaller and for meters larger than one inch shall be an estimate of the cost of testing the meter as determined by the **[superintendent]**Public Works Director. The deposit will be returned to the customer if the test reveals the meter to overregister more than five percent under conditions of normal operation. If the meter is operating satisfactorily or if the meter underregisters more than five percent under the standard test conditions, the deposit shall be forfeited to the borough. Customers may, at their option, witness any meter tests which they request.

15.04.460 Meter accuracy – Testing upon borough request.

If, upon comparison of past water usage, it appears that a meter is not registering properly, the district may, at its option, test the meter and adjust the charges accordingly if the meter either over registers or under registers. No charge for meter testing will be made to the customer for the meter test under these conditions.

15.04.470 Meter accuracy – Bill adjustment for inaccuracies.

A. When, upon test, a meter is found to be registering more than five percent fast under normal operating conditions, the borough will refund to the customer the full amount of the overcharge, based on corrected meter readings, for those billing periods that the meter was in use where good cause can be shown for the adjustment, and where the customer has notified the borough in writing of the need for the test. In no case shall refunds be made in excess of the applicable statute of limitations period.

B. When, upon test, a meter is found to be registering more than ~~[10]~~ten percent slow, the borough may bill the customer for the amount of the undercharge, based upon corrected meter readings, for those billing periods that the meter was in use where good cause could be shown for the adjustment. In no case shall the customer be charged for a period in excess of the applicable statute of limitations period.

C. Nonregistering Meters. The borough will bill for water consumed while the meter was not registering. The bill will be computed upon an estimate of consumption based either upon the comparison with the customer's prior use during the same season of the previous year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season and under similar circumstances and conditions, or both.

[15.04.480 Meter accuracy – Bills for nonregistering meters.

The borough will bill the customer for water consumed while the meter was not registering. The bill will be computed upon an estimate of consumption based either upon the customer's prior use during the same season of the previous year, or upon a reasonable comparison with the use of other customers receiving the same class of service during the same season and under similar circumstances and conditions, or both.]

15.04.510 Discontinuance of service – For water waste.

Where water is wastefully or negligently used on a customer's premises, **[seriously affecting the general service,]** the borough may discontinue service if such conditions are not corrected after due notice by the borough.

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15.04.545 Turn-on and turn-off fee.

Except for the initial turn-on that occurs when a property is connected to the municipal water system for the first time, each customer or applicant for service shall pay all costs for turning on

or turning off the water service to the property, whether the turn-on or turn-off is due to the customer's or applicant's request, nonpayment, interruption due to unsafe facilities, water waste, fraud, abuse, or noncompliance with any of the provisions of this chapter. The fee shall be computed at actual costs to the borough for labor, materials, and equipment, plus fifteen percent overhead, with a minimum charge of \$35.00, and the actual call-out labor cost, plus fifteen percent (15%) for responses after business hours.

15.04.550 Unauthorized turning on or off of service.

A. [If] It is a violation for any person, not specifically authorized to do so, to turn the water service [is turned] on or to turn[ed] it off at the [curb stop]municipal valve. [by any person not specifically authorized to do so by the water utility, a fee of \$100.00 shall be paid by the property owner.

B. Where water service has been discontinued for any reason and the water is turned on by the customer or other unauthorized person, the water may then be shut off at the main, the meter removed, or other preventative measures put into place. The charges for instituting these measures shall be computed at actual cost to the borough plus fifteen percent (15%) overhead, but not less than \$[2]35.00. These charges shall be billed to the offending customer and water shall not be furnished to the premises until such charges are paid and the borough has reasonable assurances that the violation will not recur, at which time the offending customer will be billed any costs associated with re-establishing service, plus fifteen percent (15%) overhead, but not less than \$[2]35.00, and the actual call-out labor cost, plus fifteen percent (15%) for responses after business hours.

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15.04.570 Unusual water demands.

A. When an abnormally large quantity of water is desired for filling a swimming pool, log pond, tank, or for other purposes, arrangements must be made with the utility prior to taking such water.

B. Permission to take water in unusual quantities will be given only if the borough facilities and other consumers are not inconvenienced.

C. Payment for such water will be in accordance with the regular schedule for water rates if service is through a meter or will be fixed by the assembly in the case of a nonmetered service.

15.04.580 Access to premises for inspections.

The duly appointed employees of the borough, under the direction of the **[superintendent]** Public Works Director, shall have free access at all reasonable hours of the day to any and all parts of structures and premises in which water is or may be delivered for the purpose of inspecting connections, the conditions of conduits and fixtures, and the manner and extent in which the water is being used. The borough does not, however, assume the duty of inspecting the customer's line, plumbing, and equipment, and shall not be responsible therefor.

5.04.590 Nonliability of borough for damages – Customer responsibilities.

A. The borough shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer's line, plumbing, or equipment, nor shall the borough be liable for loss or damage due to interruption of service or temporary changes in pressure.

B. The customer shall be present on site, and responsible for valves on his premises being turned off to protect their property, when **[the]** water service is requested to be turned on.

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15.04.600 Equipment remains borough property – Access.

Borough equipment on the customer's premises remains the property of the borough and may be repaired, replaced, or removed by the borough employees or agents at any time without consent of the customer. No payment will be made to the property owner for the right to install, maintain, replace, or remove borough equipment, and the property owner must in no way interfere with its operation. The property owner must keep vicious dogs or other animals secured or confined to avoid interference with the utility operation and maintenance.

15.04.610 Customer responsibility for damage to borough equipment.

The customer shall be liable for the full replacement cost of any damage to equipment owned by the borough which is caused by an act of the customer, his tenants, agents, employees, contractors, licensees, or permittees. Damage to equipment shall include but not be limited to breaking of seals and locks, tampering with meters, injury to meters, including but not limited to damage by hot water or steam, and damaged meter boxes, curb stops, meter stops, and other service appurtenances.

15.04.620 Fire hydrant restrictions.

It is unlawful for any **[No]** person or persons other than those designated and authorized by the borough to **[shall]** open any fire hydrant belonging to the borough, attempt to draw water from it, or in any manner damage or tamper with it. **[Any violation of this regulation will be**

prosecuted according to law.] No tool other than special hydrant wrenches shall be used to operate a hydrant valve. In cases where a temporary service has been granted and water is received through a fire hydrant, an auxiliary external valve will be provided to control the flow of water.

15.04.630 Service connection charges.

A. All service connections to customers shall be charged at the actual cost of materials, equipment, and labor, plus fifteen percent (15%) overhead, with the following minimum charges per connection:

SERVICE CONNECTION CHARGES	
Size of Service (in inches)	Minimum Charges
3/4	\$350.00
1	\$4[06]50.00
2	\$[594]600.00
3 and over	\$[650]700.00

B. Any additional charges including service connection charges for services larger than those stated will be based on the actual cost of labor, materials and equipment for installation, plus fifteen percent (15%) overhead.

SEC. 7. Amendment of Table. The Table of Monthly Water Rates in Section 15.04.640 of the Wrangell Municipal Code is amended in its entirety to read:

TABLE 15.04.640
Monthly Water Rates

Metered Service Type		7/1/2017	7/1/2018	7/1/2019
Residential Metered	Monthly base charge first 4,000 gallons	28.63	29.77	30.96
	Charge additional 1,000 gallons	2.69	2.79	2.90
Commercial Metered	Monthly base charge first 4,000 gallons	28.63	29.77	30.96
	Charge per additional 1,000 gallons	2.69	2.79	2.90
Large Commercial Metered	Monthly base charge first 5,000 gallons	429.57	446.75	464.62
	Per additional 1,000 gallons	1.75	1.82	1.89
Unmetered Services Type		7/1/2017	7/1/2018	7/1/2019
Residential		43.60	45.34	47.15
Commercial / Industrial				
Bakeries		165.07	171.67	178.54
Bars		165.07	171.67	178.54
Barbershop – one chair		41.24	42.89	44.60
Barbershop – per each additional chair		33.02	34.34	35.71
Beauty Shop – one basin		41.24	42.89	44.60
Beauty Shop – per additional basin		33.02	34.34	35.71
Bed and Breakfast within Single-Family Residential – per rental unit		8.72	9.07	9.43
Churches		41.24	42.89	44.60
Cleaners and Cleaning Plant		82.35	85.64	89.07
Clubs, Lodges – w/o Bar or Restaurant Facilities		41.24	42.89	44.60
Clubs, Lodges – w/ Bar or Restaurant Facilities		82.48	85.77	89.21
Cold Storage Plants		880.09	915.29	951.90
Convenience Stores		23.84	24.79	25.78
Vehicle and Marine Service Stations, Car Lots – w/o Wash Racks		82.35	85.64	89.07
Grocery Stores – w/o Meat Market		61.70	64.16	66.73
Grocery Stores – w/ Meat Market		127.74	132.85	138.16
Hospital		328.02	341.14	354.79
Hydrants, Fire Each		26.15	27.20	28.28
Hotels and Motels – 10 Rooms or Less		123.78	128.73	133.88
Hotels and Motels – Over 10 Rooms, per additional room		9.18	9.55	9.93
Laundromats, Self Service – Under 30-lb. capacity, per machine		50.38	52.39	54.49
Laundromats, Self Service – 30 lbs. or over capacity, per machine		87.89	91.41	95.06
Multifamily per unit (4 units and above)		33.41	34.74	36.13
Office Building – Base Rate first plumbed space		43.60	45.35	47.16
Office Building – Each additional plumbed space		27.25	28.34	29.48
Offices w/ additional laboratory and/or X-Ray Unit		87.20	90.69	94.32
Dental offices w/o laboratory and/or X-Ray Unit		43.60	45.35	47.16
Plane Floats		82.35	85.64	89.07
Public Showers – First two stalls		44.07	45.84	47.67
Public Showers – Per additional stall		10.74	11.17	11.62
Ranger District		422.82	439.73	457.32
Restaurant, Lunch Counters, Etc. – Up to and including 30 seats		123.78	128.73	133.88
Restaurant, Lunch Counters, Etc. – Over 30 seats		165.08	171.68	178.55
Fountain only		41.24	42.89	44.60
Schools, per Classroom		27.25	28.34	29.48
Shops and Stores		41.24	42.89	44.60
Everything Else		43.60	45.35	47.16
Standby Fire Protection		26.15	27.20	28.28

	[6%	6%	6%	6%	6%
Present Rate	7/1/2011	7/1/2012	7/1/2013	7/1/2014	7/1/2015

Residential**Metered Residential**

Base Charge (per month)	\$	20.00	\$	21.20	\$	22.47	\$	23.82	\$	25.25	\$	26.76
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Volume Charge (\$ per 1,000 gallons)												
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First 4,000 gallons	\$	–	\$	–	\$	–	\$	–	\$	–	\$	–
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Over 4,000 gallons	\$	1.88	\$	1.99	\$	2.11	\$	2.24	\$	2.37	\$	2.52
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Unmetered Residential

Flat Rate Charge (per month)	\$	30.45	\$	32.28	\$	34.21	\$	36.27	\$	38.44	\$	40.75
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Vacation Rate	\$	–	\$	9.00	\$	9.00	\$	9.00	\$	9.00	\$	9.00
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Commercial**Metered Commercial**

Base Charge (per month)	\$	20.00	\$	21.20	\$	22.47	\$	23.82	\$	25.25	\$	26.76
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Volume Charge (\$ per 1,000 gallons)												
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First 4,000 gallons	\$	0	\$	–	\$	–	\$	–	\$	–	\$	–
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Over 4,000 gallons	\$	1.88	\$	1.99	\$	2.11	\$	2.24	\$	2.37	\$	2.52
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Metered Large Commercial

Base Charge (per month)	\$	300.00	\$	318.00	\$	337.08	\$	357.30	\$	378.74	\$	401.47
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Volume Charge (\$ per 1,000 gallons)												
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First 500,000 gallons	\$	–	\$	–	\$	–	\$	–	\$	–	\$	–
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Over 500,000 gallons	\$	0.63	\$	0.67	\$	0.71	\$	0.75	\$	0.80	\$	0.84
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Unmetered Commercial/Industrial

Bakeries	\$	115.28	\$	122.20	\$	129.53	\$	137.30	\$	145.54	\$	154.27
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Bars	\$	115.28	\$	122.20	\$	129.53	\$	137.30	\$	145.54	\$	154.27
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Barbershop – one chair	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54
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Barbershop – per each additional chair	\$	23.06	\$	24.44	\$	25.91	\$	27.46	\$	29.11	\$	30.86
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Beauty Shop – one basin	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54
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Beauty Shop – per additional basin	\$	23.06	\$	24.44	\$	25.91	\$	27.46	\$	29.11	\$	30.86
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Bed and Breakfast within Single-Family Residential – per rental unit	\$	–	\$	6.46	\$	6.85	\$	7.32	\$	7.69	\$	8.15
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Canneries – Fish Processing	\$	614.63	\$	651.51	\$	690.60	\$	732.04	\$	775.96	\$	822.51
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Canneries – Rinsing and Packaging Only	\$	115.28	\$	122.20	\$	129.53	\$	137.30	\$	145.54	\$	154.27
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Canneries – Saltwater Process Only	\$	115.28	\$	122.20	\$	129.53	\$	137.30	\$	145.54	\$	154.27
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Churches	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54
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Cleaners and Cleaning Plant	\$	57.51	\$	60.96	\$	64.62	\$	68.50	\$	72.61	\$	76.96
Clubs, Lodges – w/o Bar or Restaurant Facilities	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54
Clubs, Lodges – w/ Bar or Restaurant Facilities	\$		\$	61.06	\$	64.72	\$	68.60	\$	72.72	\$	77.08
Cold Storage Plants	\$	614.63	\$	651.51	\$	690.60	\$	732.03	\$	775.96	\$	822.51
Convenience Stores	\$	16.65	\$	17.65	\$	18.71	\$	19.83	\$	21.02	\$	22.28
Docks	\$	143.95	\$	152.59	\$	161.74	\$	171.45	\$	181.73	\$	192.64
Docks or Marinas for Small Boats, Including Oil Docks	\$	96.08	\$	101.84	\$	107.96	\$	114.43	\$	121.30	\$	128.58
Garage, Service Station, Car Lots – w/o Wash Racks	\$	57.51	\$	60.96	\$	64.62	\$	68.50	\$	72.61	\$	76.96
Grocery Stores – w/o Meat Market	\$	43.09	\$	45.68	\$	48.42	\$	51.33	\$	54.40	\$	57.66
Grocery Stores – w/ Meat Market	\$	89.21	\$	94.56	\$	100.24	\$	106.25	\$	112.63	\$	119.38
Hospital	\$	229.08	\$	242.82	\$	257.39	\$	272.84	\$	289.21	\$	306.56
Hydrants, Fire Each	\$	18.26	\$	19.36	\$	20.52	\$	21.75	\$	23.05	\$	24.44
Hotels and Motels – 10 Rooms or Less	\$	86.44	\$	91.63	\$	97.12	\$	102.95	\$	109.13	\$	115.68
Hotels and Motels – Over 10 Rooms, per Room	\$	6.71	\$	6.79	\$	7.20	\$	7.63	\$	8.09	\$	8.58
Laundromats, Self Service – Under 30-lb. capacity, per machine	\$	35.18	\$	37.29	\$	39.53	\$	41.90	\$	44.41	\$	47.08
Laundromats, Self Service – 30 lbs. or over capacity, per machine	\$	61.38	\$	65.06	\$	68.97	\$	73.10	\$	77.49	\$	82.14
Multifamily per unit (4 units and above)	\$	23.33	\$	24.73	\$	26.21	\$	27.79	\$	29.45	\$	31.22
Office Building – Per employee	\$	1.88	\$	1.99	\$	2.11	\$	2.24	\$	2.37	\$	2.52
Office Building – Each additional plumbed office	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54
Office Building – Each additional unplumbed office	\$	6.71	\$	7.11	\$	7.54	\$	7.99	\$	8.47	\$	8.98
Offices – Medical	\$	97.96	\$	103.84	\$	110.07	\$	116.67	\$	123.67	\$	131.09
Offices – Dental – w/ laboratory and/or X-Ray Unit	\$	97.96	\$	103.84	\$	110.07	\$	116.67	\$	123.67	\$	131.09
Offices – Dental – w/o laboratory and/or X-Ray Unit	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54
Plane Floats	\$	57.51	\$	60.96	\$	64.62	\$	68.50	\$	72.61	\$	76.96
Public Showers – First two stalls	\$	30.78	\$	32.63	\$	34.58	\$	36.66	\$	38.86	\$	41.19
Public Showers – Per additional stall	\$	7.50	\$	7.95	\$	8.43	\$	8.93	\$	9.47	\$	10.04
Ranger District	\$	295.29	\$	313.01	\$	331.79	\$	351.70	\$	372.80	\$	395.16
Restaurant, Lunch Counters, Etc. – Up to and including 30 seats	\$	86.44	\$	91.63	\$	97.12	\$	102.95	\$	109.13	\$	115.68
Restaurant, Lunch Counters, Etc. – Over 30 seats	\$	115.28	\$	122.20	\$	129.53	\$	137.30	\$	145.54	\$	154.28
Fountain only	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54

Schools, per Classroom	\$	19.03	\$	20.17	\$	21.38	\$	22.67	\$	24.02	\$	25.47
Shops and Stores	\$	28.80	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54
Swimming Pool, Public	\$	390.21	\$	413.62	\$	438.44	\$	464.75	\$	492.63	\$	522.19
Everything Else	\$	–	\$	30.53	\$	32.36	\$	34.30	\$	36.36	\$	38.54

Note A: The residential schedule is restricted to service used exclusively for general domestic purposes.

Note B: Where central laundry facilities are furnished for the exclusive use of tenants in apartment buildings or trailer courts, no charge in addition to above will be made. It is the responsibility of the owner that only their tenants are using the facility. If it is found that others are using the facility for laundry the owner will be charged under the commercial rate.

Note C: [Vacation Rates Definition: A customer can apply for vacation rates if there is no one living in the household in excess of 30 consecutive days. The customer is only eligible if they apply in advance in writing showing when they are leaving and when they will return. Falsification of the information concerning vacation rates may result in forfeiting the ability to apply for vacation rates in the future.]Customer who have their water turned off by the borough will pay the shutoff fee, but then will not pay any monthly fee for water.

Note D: Nonmetered rates herein apply to the average monthly usage. No adjustments will be made for seasonal use.

Note E: All commercial enterprises consisting of more than one facility shall be charged the sum of the applicable rates for each facility.

Note F: The monthly rate for any establishment not herein designated shall be determined by the borough assembly. Until such rate may be established, the rate deemed by the water department and approved by the borough manager to be most applicable shall apply, subject to adjustment.

SEC. 8. New Sections. Chapter 15.04 of the Wrangell Municipal Code is amended by the addition of new Section 15.04.650, Water Management Plan and 15.04.660, Penalty for violation to read:

15.04.650 Water Shortage Management Plan.

The City and Borough of Wrangell Water Shortage Management Plan dated April 11, 2017, as the same may be amended from time to time, is adopted by reference and made a part of this Chapter 15.04. All water customers of the City and Borough must comply with the Water Shortage Management Plan. The Water Shortage Management Plan shall be enforced as

provided in the Violations and Charges section of the Plan. A paper copy or electronic copy of the Water Shortage Management Plan may be obtained upon request from the Borough Clerk.

15.04.660 Penalty for violation.

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 if the offense is not listed in the WMC 1.20.050 fine schedule. For violations of the Water Shortage Management Plan, the fine shall be assessed as a charge added to the customer's water bill, as provided in the Violations and Charges section of the Plan.

SEC. 9. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 10. 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. 11. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: _____, 2017

PASSED IN SECOND READING: _____, 2017

David L. Jack, Mayor

ATTEST: _____
Kim Lane, Borough Clerk

Agenda Item 13c

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM May 30, 2017

INFORMATION:

PROPOSED ORDINANCE No. 936: 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
(first reading)

Attachments:

1. **PROPOSED ORDINANCE No. 936**

Additional Information: This ordinance is being brought forward so that the fines that are listed in Ordinance No 935 are listed in the Fine Schedule, as required by the Alaska Court System.

RECOMMENDED ACTION:

Move to approve the first reading of Ordinance No. 936 and move to a second reading with a public hearing to be held on June 13, 2017.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 936

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

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 the Minor Offense Fine Schedule in Section 1.20.050 of Chapter 1.20, General Penalty, of the Wrangell Municipal Code to add to the fine schedule Section 15.04.510, water waste, and Section 15.04.650, Water Shortage Management Plan, and amend the fine provisions for Chapter 20.92 relating to zoning violations.

SEC. 2. Amendment. Section 1.20.050 of the Wrangell Municipal Code is amended to read:

1.20.050 Minor Offense Fine Schedule.

In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the police department. If an offense is not listed on a fine schedule, the defendant must appear in court to answer the charges. The Alaska Court System's Rules of Minor Offense Procedure apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rule 3. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed below.

The fine amounts listed below are doubled for motor vehicle or traffic offenses committed in a highway work zone or traffic safety corridor, as those terms are defined in AS 28.90.990 and 13 AAC 40.010(b).

An offense listed in this schedule may not be disposed of without court appearance if the offense is in connection with a motor vehicle accident that results in the death of a person.

Section	Offense	Penalty/Fine
6.05.005	Hours of operation – licensed marijuana facility	\$500.00 fine for each offense.
7.04.010	Cruelty – Abandonment	\$200
7.04.020	Animals at large prohibited	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.010	Licensing	\$25.00 fine for each offense.
7.08.020	Dog Vaccination required	\$50.00 fine for each offense.
7.08.030	At large – Prohibited – Nuisance declared	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.035	Objectionable animals	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.040	Restraint requirements	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.045 & 7.08.050	Off-leash areas & Off –leash area rules	First offense - \$15, second offense - \$50, third offense - \$100. Fourth and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$200 and a maximum fine of \$500.00.
7.08.115	Potentially dangerous and dangerous dogs: violation of restrictions, confinement requirements, and sign requirements	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
7.08.120	Biting dog – Confinement	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
7.08.140	Proclamation to confine all dogs during epidemic	First offense - \$200 Second and subsequent offenses are mandatory

		court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
7.08.150	Interference with animal enforcement agents	First offense - \$200 Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
9.08.080	Accumulations of rubbish & materials prohibited	\$100.00 fine for each offense.
9.12.020, 9.12.030, & 9.12.040	Fireworks where prohibited; sale where prohibited; display violations	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
9.16.020	Deposit in public places	0-1 pound = \$50.00 fine, 1-5 pounds = \$150.00 fine, 6-10 pounds = \$250.00, 11-15 pounds = \$350.00 fine, 15 + pounds = \$500.00 fine.
9.16.030	Maintaining sidewalks free of litter.	\$75.00 fine for each offense.
9.16.040	Deposit from vehicles prohibited	\$75.00 fine for each offense.
9.16.050	Operating litter-generating vehicles prohibited	0-1 pound = \$50.00 fine, 1-5 pounds = \$150.00 fine, 6-10 pounds = \$250.00, 11-15 pounds = \$350.00 fine, 15 + pounds = \$500.00 fine.
9.16.060	Deposit on private property prohibited	0-1 pound = \$50.00 fine, 1-5 pounds = \$150.00 fine, 6-10 pounds = \$250.00, 11-15 pounds = \$350.00 fine, 15 + pounds = \$500.00 fine.
9.16.070	Property owner's responsibility to maintain premises	\$75.00 fine for each offense.
9.16.080	Handbills – Restrictions generally	\$75.00 fine for each offense.
9.16.090	Handbills – Distribution on private property	\$75.00 fine for each offense.
9.16.100	Posting notices prohibited	\$50.00 fine for each offense.
10.18.010	Abuse of 911 system	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.
10.36.010	Discharge of firearms and other weapons prohibited within certain areas	First offense - \$200. Second and subsequent offenses are mandatory court appearance offenses with a minimum fine of \$300 and a maximum fine of \$500.00.

10.44.010	Possession, Control, or Consumption of Alcoholic Beverages by persons under 21 years of age	\$500.00 fine for each offense.
10.46.010(A)(1)	Consumption of marijuana in a public place prohibited	\$100.00 fine for each offense.
10.46.010(A)(2)	Consume marijuana outdoors adjacent public place without consent of property owner	\$100.00 fine for each offense.
10.48.010	Possession of tobacco by a minor under 19 years of age	\$75.00 fine for each offense.
11.28.020	Prohibited parking places	\$50.00 fine for each offense.
11.28.030	Red-painted curbs and signs – No parking	\$50.00 fine for each offense.
11.28.040	Time-limit parking	\$50.00 fine for each offense.
11.28.080	Blocking roadway prohibited	\$50.00 fine for each offense.
11.28.090	Bus stop and passenger zone – Parking prohibited	\$50.00 fine for each offense.
11.28.100	Loading and unloading materials	\$50.00 fine for each offense.
11.28.130	Method of parking – Loading permits	\$50.00 fine for each offense.
11.30.030	Parking in excess of posted time limit – Parking lots	\$50.00 fine for each offense.
11.30.040	Proper parking required – Parking lots	\$50.00 fine for each offense.
11.30.050	Vehicles and objects prohibited – Parking lots	\$75.00 fine for each offense.
11.36.060	Stop when traffic obstructed	\$75.00 fine for each offense.
11.36.070	Bicycle restrictions on sidewalks	\$50.00 fine for each offense.
11.36.080	U-turns prohibited	\$50.00 fine for each offense.
11.36.100	Dragging objects prohibited	\$50.00 fine for each offense.
11.36.110	Projecting loads on passenger vehicles	\$50.00 fine for each offense.
11.36.160	Use of coaster, rollerskates, skateboards, sleds and skis	\$50.00 fine for each offense.
11.36.170	Excessive acceleration	\$50.00 fine for each offense.
11.64.010	Sound trucks – permit required	\$100.00 fine for each offense.
11.68.020	Registration required	\$50.00 fine for each offense.
11.68.030	Required equipment	\$50.00 fine for each offense.
11.68.040	Snowmobile operation restricted	\$50.00 fine for each offense.
11.68.050	Designated right-of-way	\$50.00 fine for each offense.
11.76.020	Junk vehicles unlawful	\$50.00 fine for each offense. Each 10 days shall constitute a separate violation.
14.09.005	Speeding	\$150.00 fine for each offense.
14.09.015	Hazard to navigation	\$100.00 fine for each offense.

14.09.020	Failure to register	\$25.00 fine for each offense.
14.09.025	Improper mooring	\$25.00 fine for each offense.
14.09.030	Inadequate equipment	\$50.00 fine for each offense.
14.09.035	Improper use of facilities	\$50.00 fine for each offense.
14.09.040	Improper waste disposal	\$50.00 fine for each offense.
14.09.045	Improper petroleum product disposal	\$100.00 fine for each offense.
14.09.050	Improper care and control of animals	\$25.00 fine for each offense.
14.09.055	Water sports	\$25.00 fine for each offense.
14.09.065	Improper use of seaplane float	\$50.00 fine for each offense.
14.09.070	Improper use of a loading zone	\$25.00 fine for each offense.
14.09.075	Improper use of fire equipment	\$100.00 fine for each offense.
14.09.080	Improper use of utilities	\$50.00 fine for each offense.
14.09.085	Tampering and defacing signs	\$25.00 fine for each offense.
14.09.090	Nuisance	\$100.00 fine for each offense.
14.09.095	Failure to comply with rules, regulations or procedures.	\$100.00 fine for each offense.
14.09.100	Obstruct or impede use of any launch ramp	\$50.00 fine for each offense.
<u>15.04.550</u>	<u>Unauthorized turning on or off of service</u>	<u>\$250.00 fine for each offense.</u>
<u>15.04.620</u>	<u>Fire hydrant restrictions</u>	<u>\$250.00 fine for each offense.</u>
<u>15.04.650</u>	<u>Water Shortage Management Plan – Violations and Charges – non-industrial/non-commercial water customers</u>	<u>Stage II water shortage: First offense - written warning. Second and subsequent offenses - \$250.00 fine for each offense.</u>
<u>15.04.650</u>	<u>Water Shortage Management Plan – Violations and Charges – non-industrial/non-commercial water customers</u>	<u>Stage III water shortage: First offense – written warning. Second and subsequent offenses - \$500.00 fine for each offense.</u>
<u>15.04.650</u>	<u>Water Shortage Management Plan – Violations and Charges – industrial or commercial water customers</u>	<u>Stage II water shortage: First offense - written warning. Second and subsequent offenses - \$750.00 fine for each offense.</u>
<u>15.04.650</u>	<u>Water Shortage Management Plan – Violations and Charges – industrial or commercial water customers</u>	<u>Stage III water shortage: First offense – written warning. Second and subsequent offenses - \$1,500.00 fine for each offense.</u>
15.18.030	Refuse containers – Required	\$150.00 fine for each offense.
15.18.032	Refuse containers – Maintained	\$150.00 fine for each offense.
15.18.050	Disposal of offensive refuse prohibited	\$150.00 fine for each offense.
15.18.052	Burning of certain materials prohibited	\$150.00 fine for each offense.

15.18.075	Monofill disposal permit and fees	\$150.00 fine for each offense.
20.92.020	[Violations deemed nuisance] <u>Building/Structure declared unlawful & a public nuisance</u>	\$100.00 fine for each offense. [Fine may accumulate on a daily basis.]
[20.92.030	Permits not deemed approval of violations	\$100.00 fine for each offense. Fine may accumulate on a daily basis.]

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

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

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

PASSED IN SECOND READING: _____, 2017

PASSED IN SECOND READING: _____, 2017

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

Agenda Item 14

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
AGENDA ITEM
May 30, 2017**

INFORMATION:

ATTORNEY'S FILE – None.

Agenda Item 15a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY

AGENDA ITEM

May 30, 2017

a. Executive Session – Borough Clerk's Evaluation

RECOMMENDED ACTION:

I move, pursuant to 44.62.320 (c) (2), that we recess into executive session to discuss matters that may tend to prejudice the reputation and character of any person, specifically the Borough Clerk's Evaluation.