

Tuesday, March 27, 2018 7:00 p.m.

Location: Assembly Chambers, City Hall

WORKSESSION – 6:00 p.m. 5:30 p.m. WRANGELL SCHOOL BOARD, BOROUGH ASSEMBLY, AND ADMINISTRATION ON THE SCHOOL BUDGET & FACILITIES

1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Patty Gilbert
- b. INVOCATION to be given by ____
- c. CEREMONIAL MATTERS Community Presentations, Proclamations, Awards, Certificates of Service, Guest Introductions.

2. ROLL CALL

3. PERSONS TO BE HEARD – *This agenda item is reserved to provide an opportunity for persons to address the assembly on agenda items or non-agenda items.*

4. AMENDMENTS TO THE AGENDA – The assembly may amend the agenda as provided in WMC 3.05.030(E). Removal of an item from the Consent Agenda is not considered an amendment to the agenda.

5. CONFLICT OF INTEREST – The purpose of this agenda item is to provide a time for any conflict of interest disclosures and determinations on such disclosures by the mayor, as may be necessary and appropriate under WMC 3.04.112.

6. **CONSENT AGENDA** – Items listed on the Consent Agenda or marked with an asterisk (*) are considered routine and will be passed in one motion; provided, upon the request of any member, the manager, or the clerk, an item on the Consent Agenda shall be removed from the Consent Agenda and placed under New Business for assembly action.

Consent Agenda Items:

- a. Approval of Assembly Minutes March 13, 2018 (Regular w/PH) & March 15, 2018 (Special)
- b. Transfer of Liquor License's received from AMCO for the Totem Bar & Liquor Store (Beverage Dispensary & Package Store)
- c. POA-2010-512: Permit filed by SE Properties to fill (Stikine Inn area)
- d. POA-2014-359: General Permit time extension to discharge shot rock (Terry Buness)

Correspondence Items:

- e. School Board Minutes School Board Action None.
- f. DCCED Letter received for the FY18 Shared Fisheries Business Tax for FMA 18
- g. Port Commission Minutes January 10 & February 1, 2018
- h. Letter from Governor Walker, appointing Kay Jabusch to the Advisory Council on Libraries until 1-1-2021
- i. WMC Minutes: February 21 (Regular) & March 9, 2018 (Special)

7. BOROUGH MANAGER'S REPORT

8. BOROUGH CLERK'S FILE

9. MAYOR AND ASSEMBLY BUSINESS – This agenda item is reserved for the mayor and assembly to provide reports or comments and to introduce items not previously on the agenda which need to be brought to the attention of the entire assembly or the staff. Assembly members may hold limited discussion on these topics or ask the borough manager or the borough clerk for clarifying information. By majority consent of the assembly, the mayor or assembly may give direction to the borough manager or the borough clerk to add an item for consideration for the next regular assembly meeting. Other than as described in this subsection I, no action may be taken by the assembly under this agenda item.

10. MAYOR AND ASSEMBLY APPOINTMENTS

- a. City Boards and Committee Appointments
- b. Appointment to fill the Alternate Vacancy on the SEAPA Board of Directors for CY 2018

11. PUBLIC HEARING – Procedure: Persons wishing to speak during a public hearing on an agenda item, or otherwise on an agenda item, will sign up on a sheet provided by the clerk and list the agenda item they intend to speak on. Persons on the list will be called by the mayor to speak in the order in which they signed up for the agenda item, when that item is brought up for consideration, following any administrative or committee reports on the item.

- a. **PROPOSED ORDINANCE No. 940:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING CHAPTER 3.54 OF THE WRANGELL MUNICIPAL CODE, NOLAN MUSEUM AND CIVIC CENTER BOARD (second reading)
- b. **PROPOSED ORDINANCE No. 941:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 3.44, PLANNING AND ZONING COMMISSION, OF THE WRANGELL MUNICIPAL CODE, TO REDUCE THE NUMBER OF BOARD MEMBERS FROM SEVEN TO FIVE AND PROVIDE FOR A TRANSITION PROVISION TO IMPLEMENT THIS ORDINANCE (*second reading*)

12. UNFINISHED BUSINESS

- a. **PROPOSED RESOLTUION No. 03-18-1391:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE POSITION OF GROUNDMAN/METER TECHNICIAN I, THE CREATION OF THE POSITION GROUNDMAN/METER TECHNICIAN II AND THE AMENDMENT OF THE UNION WAGE AND GRADE TABLE (*postponed from the Feb. 13, 27 and March 13 meetings*)
- b. Credit Card processing fees for larger Utility Payments (*postponed from the March 13th Regular Assembly Meeting*)

13. NEW BUSINESS

- a. **PROPOSED ORDINANCE No. 942:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING AND REENACTING SECTION 3.04.114, NEPOTISM, OF THE WRANGELL MUNICIPAL CODE, THE REENACTED SECTION TO BE ENTITLED EMPLOYMENT OF RELATIVES
- b. **PROPOSED ORDINANCE No. 943:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 14.01, GENERAL PROVISIONS, CHAPTER 14.07, PORT OPERATIONS AND OTHER SERVICES, AND CHAPTER 14.11, FEES, OF TITLE 14, HARBOR AND PORT FACILTIES, OF THE WRANGELL MUNICIPAL CODE, TO AMEND SECTION 14.01.030, DEFINITIONS, AMEND SECTION 14.07.013, PORT DEVELOPMENT FEE, ADD NEW SECTION 14.07.014, LIGHTERING FEE, AND AMEND SECTION 14.11.005, FEE SCHEDULE (*first reading*)

- c. **PROPOSED ORDINANCE No. 944:** AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ADDING A NEW CHAPTER 11.70, ATVs, TO TITLE 11, VEHICLES AND TRAFFIC, OF THE WRANGELL MUNICIPAL CODE (*first reading*)
- d. **PROPOSED ORDINANCE No. 945:** 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)*
- e. **PROPOSED RESOLUTION No. 03-18-1401:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE ELECTRICAL UTILITY SUPERINTENDENT AND PROVIDING FOR AN EFFECTIVE DATE
- f. **PROPOSED RESOLUTION No. 03-18-1402:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ACCEPTING THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) MUNICIPAL MATCHING GRANT, MMG #91722, IN THE AMOUNT OF \$696,415 FOR THE WATER MAINS REPLACEMENT PROJECT AND AMENDING THE FY 2018 BUDGET IN THE WATER FUND AUTHORIZING ITS EXPENDITURE
- g. **PROPOSED RESOLUTION No. 03-18-1403:** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ACCEPTING THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) LOAN FROM THE ALASKA DRINKING WATER FUND, PREVIOUSLY AUTHORIZED IN RESOLUTION NO. 08-14-1299, IN THE AMOUNT OF \$542,249 FOR THE WATER MAINS REPLACEMENT PROJECT AND AMENDING THE FY 2018 BUDGET IN THE WATER FUND AUTHORIZING ITS EXPENDITURE
- 14. ATTORNEY'S FILE Available for Assembly review in the Borough Clerk's office

15. EXECUTIVE SESSION – Procedure: Motion is made and voted upon. If adopted, executive session is held. If necessary, action is taken in public session following the executive session. If there is more than one executive session topic, each topic will be handled completely separate from the other.

16. ADJOURNMENT

CITY & BOROUGH OF WRANGELL, ALASKA						
BOROUGH ASSEMBLY AGENDA STATEMENT						
AGENDA ITEM TITLE: Ceremonial Matters	<u>NO.</u>	1c		Date	March 27, 2018	
SUBMITTED BY:						
Kim Lane, Borough Clerk						

INFORMATION:

Ceremonial Matters. Community Presentations, Proclamations, Awards, Certificates of Service, Guest Introductions.

<u>RECOMMENDED ACTION:</u> No action required.

CITY & BOROUGH OF WRANGELL, ALASKA						
BOROUGH ASSEMBLY AGENDA STATEMENT						
AGENDA ITEM TITLE:						
	<u>NO.</u>	6	Date	March 27, 2018		
Consent Agenda						
SUBMITTED BY:						
Kim Lane, Borough Clerk						

INFORMATION:

Consent agenda. Items listed on the consent agenda or marked with an asterisk (*) are considered routine and will be passed in one motion; provided, upon the request of any member, the manager, or the clerk, an item on the consent agenda shall be removed from the consent agenda and placed under New Business for assembly action.

CONSENT AGENDA - RECOMMENDED ACTION:

Move to approve the Consent Agenda as submitted.

Consent Agenda Items:

- a. Approval of Assembly Minutes March 13, 2018 (Regular w/PH) & March 15, 2018 (Special)
- b. Transfer of Liquor License's received from AMCO for the Totem Bar & Liquor Store (Beverage Dispensary & Package Store)
- c. POA-2010-512: Permit filed by SE Properties to fill (Stikine Inn area)
- d. POA-2014-359: General Permit time extension to discharge shot rock (Terry Buness)

Correspondence Items:

- e. School Board Minutes School Board Action None.
- f. DCCED Letter received for the FY18 Shared Fisheries Business Tax for FMA 18
- g. Port Commission Minutes January 10 & February 1, 2018
- h. Letter from Governor Walker, appointing Kay Jabusch to the Advisory Council on Libraries until 1-1-2021
- i. WMC Minutes: February 21 (Regular) & March 9, 2018 (Special)

Minutes of Regular Assembly Meeting Held on March 13, 2018

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., March 13, 2018, in the Borough Assembly Chambers. Assembly Members Gilbert, Howell, and Powell were present. Assembly Member Prysunka participated by phone. Assembly Member Decker was absent. Borough Manager Von Bargen and Clerk Kim Lane were also in attendance.

The Pledge of Allegiance was led by Assembly Member David Powell.

The Invocation was given by Don McConachie.

CEREMONIAL MATTERS

Mayor Jack presented Proclamation to Margaret Villarma for National Library Week.

PERSONS TO BE HEARD

Lucy Robinson, 932 Ash Street, expressed her desire to form a community outreach forum where community members could form relationships, discuss community issues; believes that we have a disconnect in the community due in part to social media; would like to see leaders come together to support such a forum and believes that if issues were addressed in a positive and productive way, it would be beneficial in creating solutions in our community.

AMENDMENTS TO THE AGENDA

Manager Von Bargen requested that Agenda Item 12b be postponed until the Special Assembly meeting that is scheduled for this Thursday, March 15th at 5:30 p.m. There were no objections from the Assembly.

Gilbert requested that Agenda Item 13m be moved up on the Agenda. After discussion, Agenda Item 13m was moved up to below Agenda Item 13b. There were no objections from the Assembly.

CONFLICT OF INTEREST

Prysunka and Larrabee both declared a potential Conflict of Interest to Agenda Item 13h since their spouses were both employees of SEARHC. Mayor Jack stated that he did not see that they had a conflict. There were no objections from the Assembly.

CONSENT AGENDA

Consent Agenda Items:

- a. Approval of Assembly Minutes February 27, 2018 (Regular w/Public Hearing)
- b. POA-2018-00079, Request to Dept. from Gregory Duncan to build a residence
- c. Liquor License Renewal received from AMCO for the Totem Bar & Liquor Store (Package Store & Beverage Dispensary)
- d. Application from USFS to the Division of Mining Land and Water for a 5-year Land Use Permit for a floating facility on State-Owned tide and submerged lands within Anan Bay

Correspondence Items:

- e. School Board Minutes January 15, 2018 (Regular) & February 1, 2018 (Special)
- f. School Board Action None.
- g. Wrangell Medical Center Board Minutes January 17, 2018

M/S: Gilbert/Powell, to approve the Consent Agenda as submitted. Motion approved unanimously by polled vote.

BOROUGH MANAGER'S REPORT

Manager Von Bargen's report was provided. In addition, she also reported on the following:

- Water Crisis status; measures that are being taken to conserve water.
- State's suspension of Medicaid payments; thanked Representative Ortiz for co-sponsoring the Quick Supplemental Bill at the House level; passed and will now go onto the Senate for approval
- Active Shooter: ALICE Training will be on March 22nd and March 23rd
- Credit Card processing fees for larger Utility Payments (postponed until the next Assembly Meeting of March 27th)
- Robert Rang, Wrangell Medical Center, CEO reported on the following:
 - o 50% of income is based off of Medicaid payments
 - o Loss of five to seven cents per dollar on the loss of services if we lose Medicaid
 - Long Term Care volume is down; licensed for 14, currently at 10 residents
 - Department of Health and Human Services is short staffed; result is that applications and renewals for Long Term patients are not getting processed in a timely manner; State Ombudsman has gotten involved to start holding the DHS office accountable
 - Past Medicaid payments totaling approximately \$300,000 are still due to the hospital
 - Are residents who cannot move into Long Term care if their Medicaid paperwork (application) has not been processed
 - Closed out the end of February with \$1.1 million; in response to Prysunka, Rang stated that \$250,000 is due to the City for the Line of Credit; \$150,000 is from the Hospital Foundation which is to be used for some capital equipment purchases
 - \$2.7 million in AR; 30% is over 90 days, waiting for insurance companies to pay
 - As of last Friday, a little less than \$400,000 in AP; current on all bills
 - Closed out last week with \$866,000 (including the City's LOC and the Hospital Foundation's money)
 - o Currently at 29 days operating cash

Response to Gilbert, Rang stated that the hospital's debt is low compared to other hospitals; with an \$11 million dollar budget, the debt includes employee benefits and is at about \$700,000.

Looking for ways to implement cost saving measures; we are at about 10% under our anticipated budget revenue; End of January, puts us about \$400,000 in the hole; staff is about 6% in their budget expenditures; holding back on purchasing capital projects; we updated MS Office software throughout the hospital since they were operating Office 7 which has not been supported for over a year; did not roll out the entire salary market adjustments for all employees; only adjusted those salaries that were 25% below the market average; instead of spending \$150,000 on pay raises, only spent about \$40,000; did not request an annual increase in pay for himself this year.

Rang reported that the bi-monthly payroll is close to \$180,000 monthly.

In response to Prysunka, Rang stated that the 29 days (\$866,000) operating cash did include the \$250,000 that is left in reserve from the city and also the \$150,000 (total \$400,000) that

was received from the Hospital Foundation; would have approximately 16 days operating cash if we don't include the Foundation funding and \$250,000 held in reserve from the City.

In response to Prysunka, Rang reported that most critical access hospitals aim for 60-90 days operating cash.

Prysunka stated that he would like to see some sort of plan in place for what measures the hospital takes at different stages of the operating cash.

Prysunka stated that a concern he has is that if the hospital does utilize the LOC that it has with the City and SEARHC takes over the hospital, that we (City) might lose that money if SEARHC does not agree to pay that back.

Rang stated that about 60% of expenditures comes from payroll; holding off on unnecessary travel.

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR AND ASSEMBLY BUSINESS

Prysunka – Reported on the Scott Firefighter Stair Climb in Seattle; Raises money for blood cancers such as Lymphoma, and Leukemia; team Wrangell raised around \$16,000; 2.4 million raised for the foundation overall; thanked Dorianne Sprehe and Chris Hatton for organizing this event for Wrangell.

MAYOR AND ASSEMBLY APPOINTMENTS

10a City Boards and Committee Appointments

As there were no letters of interest received for the two vacancies on the Planning & Zoning Commission, Mayor Jack directed the Borough Clerk to continue advertising.

10b Appointment to fill the Vacancy on the SEAPA Board of Directors for CY 2018

Mayor Jack appointed Von Bargen to fill the voting member seat and directed the Clerk to advertise for the alternate seat that Von Bargen would be vacating with this appointment. There were no objections from the Assembly.

PUBLIC HEARING

There was an informal Public Hearing/Work Session held at 6:00 p.m. before the regular meeting to give residents an opportunity to ask questions and make suggestions to the proposed Ordinance. Residents who were in attendance were: Chief McCloskey, Scott Eastaugh, Mike Ottesen Jr., Dennis Reed, Steve Miller, and Mark Armstrong. Although there were questions asked, there were no recommended changes to the proposed Ordinance.

Public Hearing/Work Session recessed at 6:11 p.m. and reconvened at 6:51 p.m. As there were no additional comments or questions, the Public Hearing/Work Session adjourned at 6:51 p.m.

UNFINISHED BUSINESS

12a PROPOSED RESOLUTION NO. 02-18-1391: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR GROUNDMAN/METER TECHNICIAN I, THE CREATION OF THE POSITION GROUNDMAN/METER TECHNICIAN II AND THE AMENDMENT OF THE UNION WAGE AND GRADE TABLE (*Postponed from the February 6 & 27 Regular Assembly meetings*)

M/S: Gilbert/Powell, to approve Resolution No. 03-18-1391 providing for the amendment of the job description for the Meter Technician I, the Creation of the Position Meter Technician II and the Amendment of the Union Wage and Grade Table.

Powell spoke in opposition to approving this; the Union should request this during the Collaborative Bargaining period; doesn't see that we should look at changing things when we are not actively bargaining.

Prysunka stated that when we brought something forward during active bargaining, the Union always came back with "what's in it for us?"; appears that we are opening up an bargaining now, when the agreement was already approved.

In response to Larrabee, **Mark Armstrong** and Manager Von Bargen stated that the job descriptions are not modeled after a Union Standard job descriptions; there are similarities thought throughout the State in the responsibilities.

In response to Gilbert, Armstrong stated that a meter reader is viewed as an entry level position and is paid an entry level position; only reads meters about 5 - 6 days a month; actually assists line crew and maintains the actual meters; installs, disconnect, and programs meters, etc.; believed that the goal was to hire an entry level person for this position but once they were trained, they would move up to the higher position with the higher pay.

Larrabee asked if there was a person currently that would move into the higher position. Armstrong said that no, the person that is in the Meter Technician I is not trained to the capacity of a Meter Technician II position yet. Larrabee asked if we could wait to address this during the collective bargaining time.

After more discussion, Gilbert made the following motion to postpone:

M/S: Gilbert/Larrabee, to postpone this item until the next Assembly meeting of March 27, 2018. Motion approved unanimously by polled vote.

12b PROPOSED RESOLUTION NO. 03-18-1394: A RESOLUTION OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA, APPROVING THE DAF SYSTEM AS THE SOLUTION FOR THE WATER TREATMENT PLANT CAPITAL IMPROVEMENT PROJECT AND ASSOCIATED FUNDING PLAN (*postponed from the February 27, 2018 Regular Assembly meeting*)

This item was postponed until the March 15th Special Assembly meeting by consent of the Assembly under Amendments to the Agenda.

NEW BUSINESS

13a Approval of a Special Use Permit and Transfer of Existing Special Use Permit for CoastAlaska

M/S: Gilbert/Howell, moved to approve a Special Use Permit and Transfer of Existing Special Use Permit for CoastAlaska. Motion approved unanimously by polled vote.

13b Discussion Item with the option to send a letter to EDC on the Monofill Byford Project (letter content will based on discussion)

Esther Ashton, Tribal Administrator, reported on the report that the Tribe had received from Kendra Zamzow, Bio Geo Chemist PhD from the Center for Science and Public Participation. Topics discussed by Ms. Ashton were from the report were:

- Bedrock appears to be fractured
- Water table is fairly high; only 3 feet below surface; DEC added another 2 feet to bring it to the required 5 feet
- EcoBond leaching tests
- Phosphate leaching threats
- Phosphates leaching into a stream could create algae blooms which is great for plant life but could reduce the oxygen level to stream life
- Oily contamination might already in existence in the Monofill site
- No lower line under the Monofill; would add about \$140,000 to the project
- Monitoring wells; originally three at the site; only one left at the site
- Alternative Sites (some were dismissed by DEC)

Ms. Ashton stated that they would just like to continue looking for another alternative.

In response to Von Bargen asked **Sally Schlicting**, **DEC Contaminated Sites unit manager**, stated that there was not currently a "go, no go" date; had originally been stated as March 1st.

Ms. Schlicting stated the following:

- Delays impact schedule
- Unfortunate that received report just last week:
- Challenge to get the proper materials to Wrangell; geo tech style fabric that goes along the bottom of the Monofill will take about 2 1/2 weeks to arrive, once ordered
- Monofill is designed to be a breathing system; allows only water to flow out through a 2 foot layer of rock which is on top of the bedrock
- Low maintenance system
- Will stabilize over time

Larrabee stated that he wants to have a chance to read the report and to give DEC an opportunity to respond to the report before taking a stand on this.

Prysunka stated that he was concerned that City could end up "holding the bag" and be the ones who were responsible for cleaning the Byford area up and maintaining the site; Tribe possibly helping with the ongoing monitoring? In response, Ms. Schlicting stated that they would never want to impose upon WCA, however would look forward to a partnership and would like to see the WCA IGAP team participate in the testing of the sampling of the pour water.

Von Bargen asked Ms. Schlicting if the Monofill were to be on State property, it would be the States responsibility in perpetuity. Ms. Schlicting stated that yes, that's correct.

Ms. Schlicting addressed some of Ms. Ashton's points:

- Oily contamination not uncommon; been in operation since the mid 70's; heavy equipment taken into that rock pit; cars burned and buried; tires burned; had been used as an industrial site for decades; doing groundwater testing, we can keep an eye on it.
- Phosphates have not found that the pit is hydrologically connected to surface water; studies sited looked at a different kind of phosphate than what was used for the Byford soil; not subject to mobilization; will collect data from the pour water in the stockpile and analyze it, just to be sure.
- Monitoring Well will be installing an additional well for monitoring.

Ms. Schlicting stated that the longer we wait, the harder it is to start this project this year; DEC does not have a "no go" date, would just like to move forward as soon as possible and start this project in April; Forest Service has imposed restrictions along Pat's Creek Road from May 1 thru September 30; cannot haul the material when it's raining.

Howell stated that he was concerned that we are running out of time to get this done this year. In response to Howell, Ms. Schlicting stated that the State was committed for the long haul of the project; will monitor and maintain each month for a period of 5 years, as required by the Solid Waste Regulations; then the evaluation would be made by the Solid Waste Program.

In response to Howell, Ms. Schlicting stated that if the soil was put it there and the State came up with the funding or if funding were found, the State remove would remove it and take it off the island.

13c (previously 13m) Discussion Item: August 1st Roughing Filter Completion Option

Amber Al-Haddad, Public Works Director explained the two different options for ordering the Roughing Filters:

- For an August 1st completion date, we would need to waive the procurement code and negotiate with a contractor and also waive the competitive construction bidding phase.
- By following our normal procurement procedures, we would be looking at an October 5th completion date.

In response to Gilbert, Ms. Al-Haddad stated that the \$458,000 cost was included in the cost estimate for the DAF system however; Staff would not be seeking funding for the roughing filters for the DAF system since we are looking at having the Forsta filter project completed now; Cost estimate for the Forsta system is \$458,000; do have \$250,000 budgeted in the current budget; would need to request the balance in the upcoming budget.

Von Bargain stated that baring any objection from the Assembly, Staff would move forward with forgoing the procurement procedure and waive the bid process by going with a sole-source contractor to order the roughing filters. There were no objections from the Assembly.

Recessed Regular meeting at 9:25 p.m.; reconvened Regular meeting at 9:32 p.m.

All items below were moved down in their place on the published Agenda

13d Approval of an Agreement between the City & Borough of Wrangell and the Wrangell Medical Center, Authorizing the Use of the Community Gym as an Emergency Alternate Medical Center Site.

M/S: Gilbert/Howell, moved to approve an agreement between the City & Borough of Wrangell and the Wrangell Medical Center, Authorizing the use of the Community Gym as an Emergency Alternate Medical Center Site. Motion approved unanimously by polled vote.

13e Approval to Purchase New Police Vehicle in the Amount of \$42,000

M/S: Powell/Gilbert, moved to approve the purchase of a New Police Vehicle in the Amount of up to \$42,000 from the State's Fleet Bid Sheet. Motion approved unanimously by polled vote.

13f PROPOSED ORDINANCE No. 940: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING CHAPTER 3.54 OF THE WRANGELL MUNICIPAL CODE, NOLAN MUSEUM AND CIVIC CENTER BOARD (*first reading*)

M/S: Gilbert/Howell, moved to approve the first reading of Ordinance No. 940 and move to a second reading with a Public Hearing to be held on March 27, 2018. Motion approved unanimously by polled vote.

13g PROPOSED ORDINANCE No. 941: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 3.44, PLANNING AND ZONING COMMISSION, OF THE WRANGELL MUNICIPAL CODE, TO REDUCE THE NUMBER OF BOARD MEMBERS FROM SEVEN TO FIVE AND PROVIDE FOR A TRANSITION PROVISION TO IMPLEMENT THIS ORDINANCE (*first reading*)

M/S: Howell/Larrabee, moved to approve the first reading of Ordinance No. 941 and move to a second reading with a Public Hearing to be held on March 27, 2018. Motion approved unanimously by polled vote.

13h PROPOSED RESOLUTION No. 03-18-1398: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE ASSESSMENT VALUE FOR TAX YEARS 2014, 2015, 2016, 2017 FOR ROBIN & KAYE TAYLOR, LOT 18-A, USS 3403, DUE TO A MANIFEST CLERICAL ERROR

M/S: Gilbert/Larrabee, moved to adopt Resolution No. 03-18-1398 that amends the assessment value for tax years 2014, 2015, 2016, and 2017 for Robin & Kaye Taylor due to a Manifest Clerical Error. Motion approved unanimously by polled vote.

13i PROPOSED RESOLUTION No. 03-18-1399: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, CREATING A SPECIAL STEERING COMMITTEE, AS ALLOWED IN WMC 3.04.060, SPECIAL COMMITTEES TO EXPLORE A COMMUNITY HEALHCARE SOLUTION FOR WRANGELL

M/S: Howell/Gilbert, moved to approve Resolution No. 03-18-1399 creating a Special Steering Committee, as allowed in WMC 3.04.060, Special Committees to explore a Community Healthcare Solution for Wrangell. Clerk Lane stated that the Wrangell Medical Center Board had appointed Jennifer Bates and Olinda White to serve as the WMC member representatives to the Steering Committee.

Mayor Jack appointed Assembly Member's Gilbert and Howell to represent the Assembly on the Steering Committee. There were no objections from the Assembly.

Motion approved unanimously by polled vote.

13j PROPOSED RESOLUTION NO. 03-18-1400: A RESOLUTION OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA AMENDING THE FY 2018 BUDGET ACCEPTING A BEQUEST IN THE AMOUNT OF \$50,000 FROM THE ESTATE OF MARIAN GLENZ FOR THE WRANGELL CONVENTION & VISITORS BUREAU MARKETING BUDGET

M/S: Howell/Powell, moved to approve Resolution 03-18-1400, amending the FY 2018 Budget accepting a bequest in the amount of \$50,000 from the Estate of Marian Glenz for the Wrangell Convention & Visitors Bureau Promotional Budget. Motion approved unanimously by polled vote.

13k Acceptance of the Resignation from Clay Hammer from the Port Commission

M/S: Gilbert/Powell, moved to accept the letter of resignation from Port Commissioner Clay Hammer from the Port Commission and to direct the Borough Clerk to begin advertising for the unexpired term ending in October 2018. Motion approved unanimously by polled vote.

131 Approval of the Senior Tax Exemption that was received after the March 1st deadline, but before the late filing grace period

M/S: Gilbert/Howell, moved to approve the 2018 Senior Tax Exemption from Mike Kilpatrick that was received after the deadline of March 1, 2018, but before the allowed grace period and before 2018 Tax Assessment Notices were generated. Motion approved unanimously by polled vote.

13m Approval of Subscription Purchase of Nixle Public Safety Communication Platform in the Amount of \$3,564

M/S: Howell/Gilbert, moved to approve the Subscription Purchase of Nixle Public Safety Communication Platform in the Amount of \$3,564. Motion approved unanimously by polled vote.

ATTORNEY'S FILE – Available for Assembly review in the Borough Clerk's office.

EXECUTIVE SESSION

15a Discuss with the Borough's legal counsel, Dorsey & Whitney LLP, and the Borough Manager, a proposed Letter of Intent between the Borough and SEARHC regarding a possible future alignment of interests for the provision of health care services at the Wrangell Medical Center

M/S: Gilbert/Howell, moved, pursuant to AS 44.62.310 (c)(1) and AS 44.62.310(c)(3), that we recess into executive session to discuss privileged and confidential attorney-client information with our legal counsel, Dorsey & Whitney LLP and the Borough Manager, as well as information

the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough, regarding a proposed letter of intent between the Borough and SEARHC to consider a possible future alignment of interests for the provision of health care services at the Wrangell Medical Center. Motion approved unanimously by polled vote.

As Prysunka was participating by telephone, he did not enter into Executive Session.

Recessed into Executive Session at 9:50 p.m. Reconvened back into Regular Session at 10:52 p.m.

There was no action taken by the Assembly.

Regular Assembly Meeting adjourned at 10:52 p.m.

ATTEST: _____

David L. Jack, Mayor

Kim Lane, MMC, Borough Clerk

Minutes of Special Assembly Meeting Held on March 15, 2018

Mayor David L. Jack called the Special Assembly meeting to order at 7:00 p.m., March 15, 2018, in the Borough Assembly Chambers. Assembly Members Larrabee, Gilbert, Howell, and Powell were present. Assembly Members Decker and Prysunka participated by phone. Borough Manager Von Bargen and Clerk Kim Lane were also in attendance.

CONFLICT OF INTEREST – None declared.

PERSONS TO BE HEARD

Jim Debord signed up to speak but stated that he would speak when the action item on the agenda came up.

ITEMS OF BUSINESS

5a Discussion regarding the options of a DAF System as the solution for the Water Treatment Plant

Manager Von Bargen stated that due to some additional information that we have received, Staff would be asking to have the Resolution to approve the DAF System as the Water Treatment Capital Improvement project postponed until Staff could come up with the answers to their questions.

Von Bargen stated that although there was the item on the Agenda for the Assembly to consider the Resolution to approve the DAF Plant as the Water Treatment solution, Staff was not yet ready for them to approve it; we have received some new information as of late that bears more consideration; she presented a PowerPoint presentation to show the chain of events that have led us to where we are now.

Amber Al-Haddad, Public Works Director walked the Assembly through a recap of activities of the steps that we have taken with the Water Treatment crisis that began June 2015, highlighting the key steps that Staff and the Assembly have taken.

Wayne McHolland, Water Treatment Plant Lead and Al-Haddad described how the DAF system would work based on the system plant in Pt. Arde that Al-Haddad had visited last week; Pt. Arde plant operator stated that they have not had any major problems with their DAF plant; only normal wear and tear on the plant in the last 18 or so years.

In response to Prysunka, Al-Haddad stated that in regards to the life expectancy of the Pt. Arde DAF plant, that there have been no major maintenance to the system; just normal wear and tear of the system; Pt. Arde plant operator had stated that with their rigorous maintenance of the plant, they expect to get another 20 years or more out of the plant; the DAF plant does not require the Roughing Filters; the treatment process is contained into one long unit that is a long cylinder basin and has three compartments; about 12' wide by 40' or so long by 12' tall; water comes in and ph is adjusted prior to hitting the DAF unit; then gets injected with a coagulant; water goes into the flocculation basin, then the second; sediment floats to the top and gets scraped off; water then goes into a media filter that has an air scouring backwash

system; goes in and filters through; with the flip of a switch, the air scour comes on and everything floats to the top and is sent into a sludge basin and that is sent to the wastewater plant; this is done every 72 hours.

Prysunka asked if the DAF plants were sized by the amount of water that we go through and what is the capacity of our current reservoir; need to look at the plant as well as the ability to store water in our reservoir. Al-Haddad stated that our engineers had used the State's growth to determine what the amount of water we need is. Prysunka stated that his concern was that if we build a plant that processed twice the amount of water that the current one does, do we have the water volume in the reservoir to allow for that; don't want to run out of water.

In response to Decker, Al-Haddad stated that with regards to the engineers report on the life expectancy of the DAF plant, the engineers are reluctant to give a life expectancy of more than 20 years; our best bet is to look at the systems that are in place right now and get an estimate of the life expectancy.

Von Bargen stated that if we go forward with the DAF plant, the total debt service to the Water Fund would be at least \$250,000 per year for the first 20 years; then \$175,000 for next 20 years, just for the DAF plant; 1/3 of the annual revenue to the Water Fund right now.

Von Bargen stated that we have issues starting with the reservoirs and going all the way to the entire distribution plant; questioned if our Water Fund and our rate payers can afford what Staff is looking at doing to bring water production up to where it needs to be as well as creating an ongoing maintenance plan.

Al-Haddad stated that we were moving forward with the expedited Roughing Filter project which is close to \$500,000.

Von Bargen stated that we need to work on the Hazard Mitigation Plan so that we can look at our Dam Stabilization; we have someone that would do this for us at no cost however we have not had the Staff time to dedicate to this.

McHolland stated that the lower reservoir is half the size of the upper reservoir.

McHolland also stated that an Ozone Injection system (which estimated cost is \$30,000) would be an alternative if we did not move forward with the DAF Plant and would improve flow.

Von Bargen stated that if we did not go with the DAF Plant, the suggestion would be to replace the sand in the current plant; cost would be approximately \$1 million dollars.

Powell stated that it's possible that if we had been replacing the sand annually instead of cleaning it, it would appear that the annual cost would have been more than \$150,000.

Von Bargen stated that we were currently working on a water recapture project so that we are not wasting water in the filter cleaning process; the ADEC Commissioner had reported to her that he was on board with working with CRW in helping to get the recapture project designed and permitted so that we can get this done; will report to the Assembly as this project progresses; cost will be between \$10,000 and \$15,000 and will come from the Water Reserve Fund.

McHolland stated that the current plant was designed for normal flow, not peak flow.

Von Bargen explained that there may be hundreds of thousands of gallons of water unaccounted for, per day; working on having a leak detection expert come and explore if we have unknown water leaks.

Von Bargen also provided some information on meter installation quoted by CRW was about \$3.5 million; Al-Haddad had researched and found that the cost would probably be closer to about \$1.5 million; could be a phased approach; cost of meter and installation could be billed out to the customer over a three year period and equates to about \$15-\$16 per month.

Jim Debord, 3.2 Mile Zimovia Hwy. reported on what the average consumption of water should be per day; expressed that we are currently producing four times what we should; spoke in opposition of a new plant but spoke in favor of a consumer metering system; would help to determine if there are a leaks and wasted water; metering system can help consumers detect leaks as well; wasted production is creating wear and tear on the existing plant; would suggest an incentive program to consumers who insulate their pipes so that they wouldn't have to run water through the winter to prevent their pipes from freezing.

Mayor Jack called a recess at 8:14 p.m. Meeting reconvened at 8:20 p.m.

McHolland stated that without distribution meters, there is not a way to determine where leaks are; the problem is locating where the leaks are, not realizing that we have leaks; can tell which side the leak is on; no way to isolate it unless we close each valve down one by one.

Prysunka expressed his lack of confidence with the engineer's since their quote for residential metering was more than double what Ms. Al-Haddad had stated it would be as an estimate.

Von Bargen explained that today, we looked at our outflow vs. our inflow of water and what is estimated to be a loss is roughly 309,595 per day; number one priority is to figure out where the system loss is and come back to the Assembly with that information; if we lose the EDA grant funding, we will lose 2.5 million.

Decker asked if there was a way to draft the EDA application while we look at where the leaks might be; would we be able to submit an application and then alter the capacity of the plant that we need? Decker also stated that she sees the urgency in needing to move forward but realizes that we may need to gather more information.

Decker also walked the public and the any members of the assembly through the water treatment crisis and the steps that were taken along the way.

Von Bargen replied that we cannot submit the application or modify the components of the application to EDA if we are not certain that that project is what we want to do.

Larrabee expressed that we would be spending more money per year to maintain our current plan vs. purchasing a brand new plant.

Prysunka stated that we have to address the production issues but we also have to address all of the other issues, such as the capacity issue; it's a whole package; wants to make sure that we are spending our money wisely so that we are allowing the Water Treatment Plant to do their job effectively.

In response to Powell, McHolland stated that if the leaks were reduced by half, we still cannot keep up with the production; we are producing only 250 to 300 gallons per minute; when each cannery runs at peak they use about 400 gallons per minute; the rest of the city adds to the demand as well; cannot make enough water to keep up with demand.

Prysunka questioned if we do replace the plant and we then have a massive failure to our water distribution infrastructure, the dam, or the reservoir, would we have the capacity to Bond out to repair or replace a massive infrastructure if we go with the DAF plant.

In response to Howell, McHolland stated that the quality of water produced by a DAF plant would be superior to what we have now.

Powell stated that he believed that we would need to have a Special Assembly meeting once we knew the outcome of the leak inspection.

McHolland stated that even if all of the water was accounted for and there were no leaks, the current water plant would never produce the amount of water that the town needs.

Gilbert questioned what other information we need to make a decision.

Von Bargen stated that we have roughly \$7 million in unrestricted reserves.

Jack stated that he believed that we are in this situation now because we have been told all along that we just don't have the money.

In response to Decker, Al-Haddad stated that the leak inspectors would detect the leaks in the lines as they went; would work about five miles a day; not sure when the final report would be provided.

In response to Prysunka, Al-Haddad stated that we could look at a smaller production system; it's based on what kind of demand we are looking at having; we do need two trains though.

Lee Burgess stated that the way that the grant package is structured, even if we found a smaller production system, it would not allow us to reduce our debt load and that any cost savings would come out of the grant funding; USDA grant is specific to a two train system.

Al-Haddad also stated that the two train system was not the cost driver of the system so reducing the number of trains would not save a significant amount of money; modifying the building to accommodate them was the larger cost to the DAF project.

Decker stated that at Southeast Conference, they had talked about a 19% increase in cruise ship passengers in 2019 throughout Southeast over the 2018 numbers; could see an increase to our community.

5b PROPOSED RESOLUTION NO. 03-18-1394: A RESOLUTION OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA, APPROVING THE DAF SYSTEM AS THE SOLUTION FOR THE WATER TREATMENT PLANT CAPITAL IMPROVEMENT PROJECT AND ASSOCIATED FUNDING PLAN (*postponed from the February 27th and March 13t Assembly Meetings*)

M/S: Gilbert/Howell, to approve Resolution No. 03-18-1394, approving the Dissolved Air Flotation system as the solution for the water treatment plant capital improvement project and its associated funding plan.

Gilbert stated for the public that the total cost of the project is \$9,182,000.

Prysunka stated that he would feel a lot better if the Borough Manager could assure the Assembly that we could wait to hear the report on the leak detection before moving on this; also worried about a catastrophic failure to our system and what we would have to come up with to fix it; still have to get through two plus years and if we cannot repair what we have now, we could really have some serious problem.

Von Bargen stated that Staff could not get an answer from EDA on if they would allow a delay in the application process; don't know if we wait, if we will lose EDA funding; not sure of their grace period; there is a possibility that if the Assembly did not vote on this tonight, we might lose the funding.

In response to Decker, Von Bargen stated that the application to EDA was ready to go; Decker also stated that she believed that the leak detection issue is separate issue; no matter what the leak detection issue was, we still would need to fix the leas issues as well as the capacity issue.

Motion approved unanimously by polled vote.

Special Assembly Meeting adjourned at 10:12 p.m.

ATTEST: _

David L. Jack, Mayor

Kim Lane, MMC, Borough Clerk

6b (2 pages) License 1159





Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

March 14, 2018

City & Borough of Wrangell Attn: Kim Lane, MMC VIA Email: <u>clerk@wrangell.com</u>

License Type:	Beverage Dispensary	License Number:	1159
Licensee:	Totem Bar & Liquor Store, LLC		
Doing Business As:	Totem Bar & Liquor Store		

□ New Application

□ Transfer of Location Application

☑ Transfer of Ownership Application
 □ Transfer of Controlling Interest Application

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Jedediah Smith, Local Government Specialist amco.localgovernmentonly@alaska.gov



JJU WY / AVEINE, JUNE LUUU Anchorage, AK 99501 alcohol.kcensing@alasta.gov https://www.commerce.alaska.gov/web/amco Phone: 907.269.0350

Alaska Alcoholic Beverage Control Board

Form AB-01: Transfer License Application

Section 6 - Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

No

Yes

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Transtever is the owner of dispension license No. 1159 and padlinge store license No 1160. Transtever is Applying to transfer both licenses to Transferrer. It both Appliedtons are Approved, Transferrer will be the owner of license No. 1159 and license No. 1160. The licenses are operated at 116 Front Street, wrangell, Alk 99929 As Totom Ban & Ligure Stone and will continue to operate at 160 Front Street following the transfer of both licenses to Transferree. Transferree does not otherwise have any direct or indirect financial interest in any other Akadolic become business that does business in or is licensed in Alaska.

Section 7 - Authorization

Communication with AMCO staff:		Yes	No
Does any person other than a li AMCO staff?	icensee named in this application have authority to discuss this license with	0	D
If "Yes", disclose the name of the	individual and the reason for this authorization:		
Blake Chupka is authorize representing Aaron Powe	ed to discuss this license with AMCO staff as the attorney Il in the license transfer process.		
	RECEIVED		
orm AB-01] (rev 10/10/2016)	FEB 0 8 2018 RECEIVED ALCOHOL MARIJUANA CONTROL OFFICE STATE OF ALASKA	Page	5 of 7
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6b (2 pages) License 1160





Department of Commerce, Community, and Economic Development ALCOHOL & MARIJUANA CONTROL OFFICE

550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

March 14, 2018

City & Borough of Wrangell Attn: Kim Lane, MMC VIA Email: <u>clerk@wrangell.com</u>

License Type:	Package Store	License Number:	1160
Licensee:	Totem Bar & Liquor Store, LLC		
Doing Business As:	Totem Bar & Liquor Store		

□ New Application

□ Transfer of Location Application

☑ Transfer of Ownership Application
 □ Transfer of Controlling Interest Application

We have received a completed application for the above listed license (see attached application documents) within your jurisdiction. This is the notice required under AS 04.11.480.

A local governing body may protest the approval of an application(s) pursuant to AS 04.11.480 by furnishing the director **and** the applicant with a clear and concise written statement of reasons for the protest within 60 days of receipt of this notice, and by allowing the applicant a reasonable opportunity to defend the application before a meeting of the local governing body, as required by 3 AAC 304.145(d). If a protest is filed, the board will deny the application unless the board finds that the protest is arbitrary, capricious, and unreasonable. To protest the application referenced above, please submit your protest within 60 days and show proof of service upon the applicant.

AS 04.11.491 – AS 04.11.509 provide that the board will deny a license application if the board finds that the license is prohibited under as a result of an election conducted under AS 04.11.507.

AS 04.11.420 provides that the board will not issue a license when a local governing body protests an application on the grounds that the applicant's proposed licensed premises are located in a place within the local government where a local zoning ordinance prohibits the alcohol establishment, unless the local government has approved a variance from the local ordinance.

Sincerely,

Jedediah Smith, Local Government Specialist amco.localgovernmentonly@alaska.gov



Section 6 – Other Licenses

Ownership and financial interest in other alcoholic beverage businesses:

Does any representative or owner named as a transferee in this application have any direct or indirect financial interest in any other alcoholic beverage business that does business in or is licensed in Alaska?

If "Yes", disclose which individual(s) has the financial interest, what the type of business is, and if licensed in Alaska, which license number(s) and license type(s):

Transferor is the owner of dispensionly likence No. 1159 and package likence No. 1160. Transferor is applying to transfer both likenses to Transferre. If both applications are appared, Transferre will be the owner of likence No. 1159 and license No. 1160. The litenses are operated at 116 Front street, wrangell, Alaska 99929 As Totem Ban & Ligure store and will continue to operate at 116 Front street following the transfer of both licenses to Transferrer. Trantesce does not otherwise have any direct or indirect financial interest in any other alcoholic beverage busivess that does business in or is licensed in Alaska.

Section 7 - Authorization

Communication with AMCO staff:

[Form AB-01] (rev 10/10/2016)

Does any person other than a licensee named in this application have authority to discuss this license with AMCO staff?

If "Yes", disclose the name of the individual and the reason for this authorization:

Blake Chupka is authorized to discuss this license with AMCO staff as the attorney representing Aaron Powell in the license transfer process.



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JJU VV / AVEILLE, JULLE LUUU Anchorage, AK 99501 alcohol ly epime halas a yer https://www.commerce_alaska.gov/web/araco

Phone: 907.269.0350

Yes

Yes

()

No

No



DEPARTMENT OF THE ARMY ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS REGULATORY DIVISION P.O. BOX 6898 JBER, AK 99506-0898 MAR 1 9 2018

Regulatory Division POA-2010-512

Southeast Properties Attention: Mr. Bill Goodale Post Office Box 662 Wrangell, Alaska 99929

Dear Mr. Goodale:

Enclosed is the signed Department of the Army (DA) permit, file number POA-2010-512, Zimovia Strait, authorizing the discharge of 13,700 cubic yards of fill material, into a 0.52-acre area, below the high tide line. The project site is located within Section 24, T. 62 S., R. 83 E., Copper River Meridian, Latitude 56.4717° N., Longitude 132.3883° W., in Wrangell, Alaska. Also enclosed is a Notice of Authorization which should be posted in a prominent location near the authorized work.

If changes to the plans or location of the work are necessary for any reason, plans must be submitted to us immediately. Federal law requires approval of any changes before construction begins.

Nothing in this letter excuses you from compliance with other Federal, State, or local statutes, ordinances, or regulations.

Thank you for your cooperation with the Corps of Engineer's Regulatory Program. If you have any questions, please contact me via email at jack.j.hewitt@usace.army.mil, in writing at the letterhead address, or by phone at (907) 753-2708. For additional information about our regulatory program, visit our web site at: www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

Jack Hewitt Project Manager

Enclosures

DEPARTMENT OF THE ARMY PERMIT

Permittee: Southeast Properties

Permit No.: POA-2010-512, Zimovia Strait

Issuing Office: U.S. Army Engineer District, Alaska

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: Discharge 13,000 cubic yards of shot rock, and 700 cubic yards of rip rap, into a 22,400 square feet (0.52 acre) area below the high tide line. All work will be performed in accordance with the enclosed plan (sheets 1-6), dated 11-6-17.

Project Location: The project site is located within Section 24, T. 62 S., R. 83 E., Copper River Meridian, Latitude 56.4717° N., Longitude 132.3883° W., in Wrangell, Alaska.

General Permit Conditions:

1. The time limit for completing the work authorized ends on <u>31 March 2023</u>. Should you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month prior to the date above.

2. You must maintain the activity authorized by this permit in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Permit Conditions:

ENG FORM 1721, Nov 86 A)) EDITION OF SEP 82 IS OBSOLETE - 1 - (33 CFR 325 (Appendix

1. Your use of the permitted activity must not interfere with the public's right to free navigation on all navigable waters of the United States.

2. You must install and maintain, at your expense, any safety lights and signals prescribed by the United States Coast Guard (USCG), through regulations or otherwise, on your authorized facilities. The USCG may be reached at the following address and telephone number: Commander (dpw), 17th Coast Guard District, Post Office Box 25517, Juneau, Alaska 99802; or by telephone at (907) 463-2272.

3. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers (Corps), to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

4. Within 60 days of completion of the work authorized by this permit, the Permittee shall complete the attached "Self-Certification Statement of Compliance" form (Attached) and submit it to the Corps. In the event that the completed work deviates in any manner from the authorized work, the Permittee shall describe the deviations between the work authorized by this permit and the work as constructed on the "Self-Certification Statement of Compliance" form. The description of any deviations on the "Self-Certification Statement of Compliance" form does not constitute approval of any deviations by the Corps.

Further Information:

 Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, State, or local authorization required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

 Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.
 ENG FORM 1721, Nov 86 EDITION OF SEP 82 IS OBSOLETE (33 CFR 325 (Appendix A)) - 2 -

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a revaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General Condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.

dall MANASING PREWER E) AND T

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.

FOR (DISTRICT COMMANDER) Colonel Michael S. Brooks Jack Hewitt, Project Manager South Branch, Regulatory Division

(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions have the transferee sign and date below.

(33 CFR 325 (Appendix

(TRANSFEREE)

(DATE)

(33 CFR 325 (Appendix

6d (25 pages)



DEPARTMENT OF THE ARMY ALASKA DISTRICT, U.S. ARMY CORPS OF ENGINEERS REGULATORY DIVISION P.O. BOX 6898 JBER, AK 99506-0898 JIAR 2 1 2018

Regulatory Division POA-2014-00359

Terry Buness Post Office Box 681 Wrangell, Alaska 99929

Dear Mr. Buness:

This is in response to your request for a Department of the Army (DA) General Permit (GP) time extension to complete the discharge of 1450 cubic yards of shot rock into 0.36-acre of wetlands. The project site is located within Section 24, T. 62 S., R. 84 E., Copper River Meridian, Latitude 56.4747° N., Longitude 132.3761° W., Wrangell Industrial Park, Lot 4, Block 64, in Wrangell, Alaska. Please refer to file number POA-2014-00359, Zimovia Strait, in correspondence with this office.

We have reviewed the information in your file. The Corps of Engineers (Corps) authorized the work described above on December 17, 2014. You met the terms of the GP by submitting your request for a time extension at least 30-days prior to the date the GP expired, on February 19, 2018. Therefore, the Corps is granting an additional 12 months to complete the authorized work.

All the permit conditions under which the subject authorization was made remain in full force and effect. Also be advised, there will be no additional time extensions granted under this GP. If the authorized work is not completed by February 19, 2019, you must submit a DA Permit Application and a new review will be conducted.

If changes to the activity are planned, including a change in use of the site, a change in lease or ownership, or additional placement of fill material, please notify this office as soon as possible. We will then confirm that authorization would continue under the GP, or notify you of any additional permit requirements.

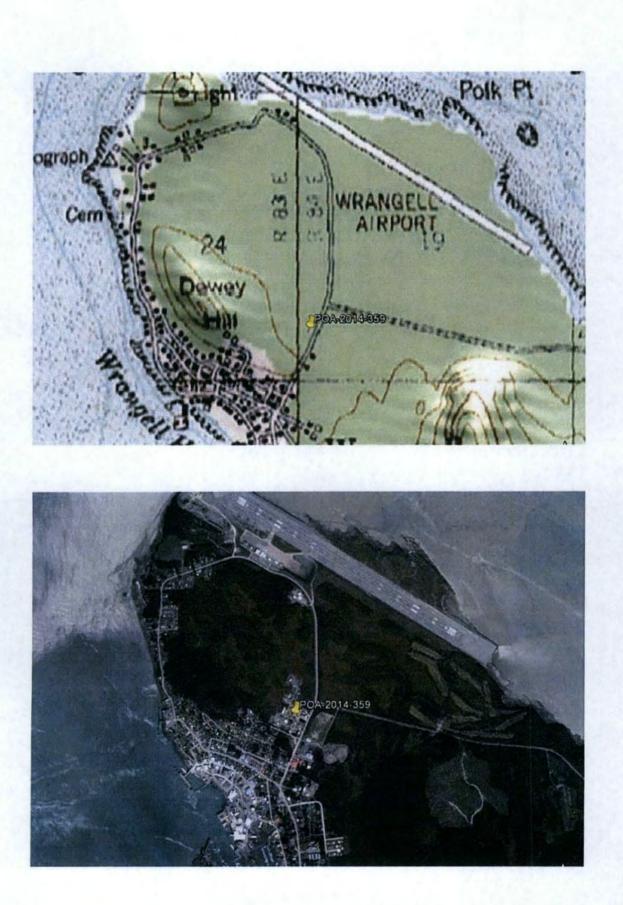
This verification that your proposed work is authorized under the GP shall not be construed as excusing you from compliance with other Federal, State, or local statutes, ordinances, or regulations that may affect this work. Thank you for your cooperation with the Corps of Engineer's Regulatory Program. If you have any questions, please contact me via email at jack.j.hewitt@usace.army.mil, in writing at the letterhead address, or by phone at (907) 753-2708. For additional information about our regulatory program, visit our web site at: www.poa.usace.army.mil/Missions/Regulatory.

Sincerely,

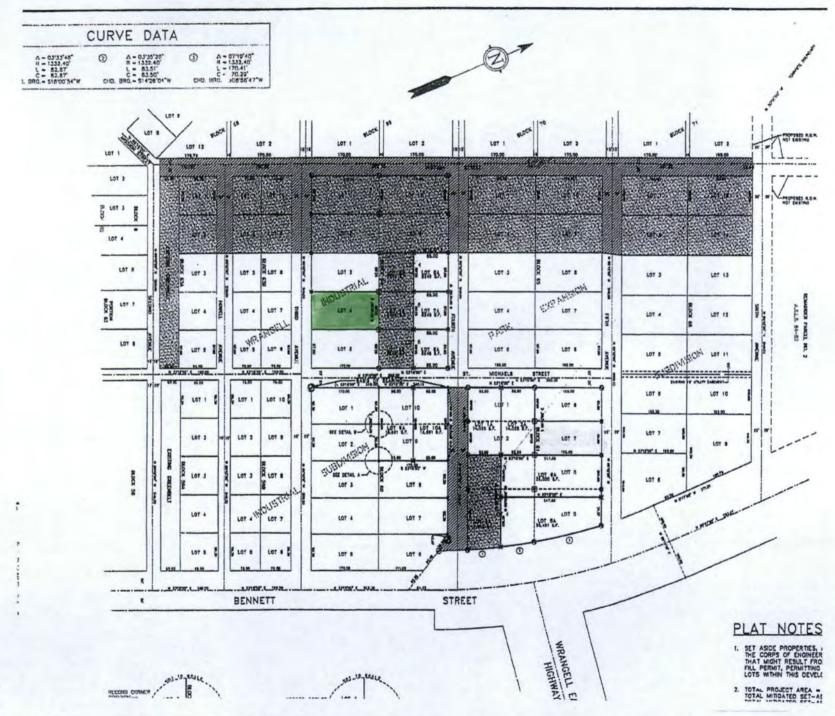
Vach Qes **Jack Hewitt**

Jack Hewitt Project Manager

Enclosures







Plan Development of Lot 4 Blk 64 ¢ Scale 1"=50' TOAL Lot 3 Stevens > B VICINITY MAP A A 92' **3rd AVE** Mitigation Lot 170' Lot 5 AA Storage B Profile Lot 4 Scale 1/4"=2' V Fill کے Fill 2 1 Section A Fill Lot 3 Lot 5 Fill Terry Buness 907.8 18 Front St. Wrangell, AK 99929 907.874.3811 FAX: 907.874. 3833 Industrial Lot 4 Block 64 Fill Terry Buness owner Wrangell Alaska GP POA-2006-M3 Zimovia Strait July 21 2014

General Permit POA-2006-215-M3 Discharge of Fill Material in Wetlands for Wrangell Industrial Park Subdivision

INTRODUCTION

Under the authority of Section 404 of the Clean Water Act (Public Law 95-217, 33 U.S.C. 1344 et seq.) the District Commander (DC), Alaska District, U.S. Army Corps of Engineers (Corps) reauthorizes General Permit (GP) POA-2006-215.

This GP authorizes the placement of dredged and/or fill material, and structures, into a total of 7.55 acres of wetlands associated with industrial development in the Wrangell Industrial Park Subdivision. Authorized activities include foundation pads, associated driveways, parking areas, and lot utilities.

The GP area includes the following lots within the Wrangell Industrial Park Subdivision (location maps of the GP area are attached in sheets 1-2):

Block:	61	63B	64	65	66
Lot:	5A, 6A, 7	8A	3A, 8AA, 4	3A, 4, 7, 8	7-13

REQUIREMENTS FOR USE OF THE GP

All activities are contingent upon meeting the terms and conditions listed herein. Failure to comply with the terms and conditions of this GP could result in suspension, modification, or revocation of the permit and/or imposition of penalties as provided by law. The placement of fill material in wetlands which does not fall within the scope of this GP, or which fails to meet this GP terms and conditions, would not be authorized by this GP and a Department of the Army nationwide or individual permit would be required. This GP may be applied only where it does not conflict with existing policy.

APPLICATION PROCEDURES

Individuals wishing to perform work under this GP shall submit in writing, to the DC, the following information:

- The Block and Lot number of the Wrangell Industrial Park Subdivision of the proposed activity;
- 2. A description of the work including purpose of fill, size of fill pads, driveways and any other features or structures requiring fill;
- 3. Plan drawings, including a plan view and a cross-section view of the project, showing the layout of the driveway, pads and structures in relation to other features. The plan view drawing must include wetlands, stream locations, drainage patterns, topography, and any existing development. Plans must show location and size of culverts or other water body/drainage crossing structures. Drawings do not have to be prepared by a professional, but should be clear and easily understood (see plan and cross section view examples in sheets 3-4);
- 4. The amount (in cubic yards), type, and source of material to be used and the disposal site for any excavated material must also be included;
- 5. Photographs (if available) or any other information that would verify that the proposed work is in wetlands and meets the conditions of this GP. The project footprint overlaid on an aerial photo is especially helpful.

6. The application and drawings should be sent to: U.S. Army Corps of Engineers, Regulatory Division, CEPOA-RD, Post Office Box 6898, JBER, Alaska 99506-0898

CORPS AUTHORIZATION PROCESS

The information provided will be reviewed by this office for compliance with the terms and conditions of the GP. Normally, within 15 days of receiving the required information, a letter will be sent from this office to the applicant stating whether or not the proposed project is authorized by the GP. Copies of the provided information may be furnished to other interested parties. No fill placement activities can begin until the applicant has received written verification from the Corps that the project is authorized.

TIME PERIOD TO COMPLETE PROJECTS AND PROJECT TIME EXTENSIONS

The permittee has five years from the date of the verification letter from the DC to construct the project. If any permittee, whose work is already underway, requires additional time to complete a project, a request may be made to the Corps. The Corps will grant up to 12 months of additional time to complete the project. The permittee's time extension request must be received 30 days prior to the GP expiration date.

PROJECT MODIFICATIONS

Modification of the work authorized by the GP, including changes in the size or location of the footprint of the project, or the amount or type of fill material, requires submittal of revised plans to the Corps for review and approval prior to doing any work. If the modification is unobjectionable, approval will be issued without delay.

CONDITIONS

1) No work shall be done under this GP without first obtaining a GP verification from the Alaska District Corps.

2) The fill area shall be minimized by consolidating activities and uses of the fill. For example utility lines (water, electrical, telephone, sewer, etc.) shall be located within the road or driveway fill when practicable.

3) Natural drainage patterns shall be maintained in the project area using appropriate ditching, culverts, storm drain systems, and/or other measures, without introducing ponding or drying. Excessive ponding and/or dewatering of areas adjacent to fills indicate non-compliance with this condition.

4) During excavation and fill placement, heavy equipment must not be operated in wetlands outside the authorized excavation and fill area.

5) No activity may use unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). Material used for construction or discharged must be free from toxic pollutants in toxic amounts (see Section 307 of the Clean Water Act).

6) No fill or construction materials shall be stockpiled in wetlands, outside of the project boundary which shall be staked, or otherwise delineated, prior to any mechanized land clearing or fill placement.

7) Temporary storage of excavated and/or excess material on-site must be managed to prevent sediment from being carried into adjacent wetlands and waters, and to prevent leachate from causing odor problems or degradation of water quality. Unusable or excess material must be disposed of at an approved disposal site.

8) Prior to construction, erosion control measures, such as silt fencing, sediment traps, or water diversion structures, must be properly deployed and installed. During construction, silt and sediment from the site work must be prevented from entering wetlands or water bodies outside the authorized project limits. Methods shall be implemented to filter or settle out suspended sediments from all construction-related wastewater prior to its direct or indirect discharge into any natural body of water.

9) All disturbed areas not covered with rock shall be stabilized immediately after construction to prevent erosion. Re-vegetation of the disturbed areas shall begin as soon as site conditions allow. Species to be used for seeding and planting shall follow this order of preference: a) Species native to the site, b) Species native to the area, c) Species native to the state. Active sloughing, increased water turbidity and sediment in drainage ditches, streams, sloughs, and/or adjacent wetlands shall be evidence of insufficient stabilization.

10) No cultural resources shall be adversely affected by activities authorized by this GP. If the permittee discovers any previously undiscovered archeological, paleontological, or historic resource, while conducting activities authorized by this GP, the DC must be immediately notified by calling (800) 478-2712. The Corps will notify the SHPO, and the coastal district (if within a coastal district), of what has been have found. The Corps or the appropriate federal land manager will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

11) Any authorized structure or fill shall be properly maintained, including maintenance to ensure public safety and compliance. The permittee must maintain the lands and facilities subject to this GP in good condition and in conformance with the terms and conditions of this GP. The permittee is not relieved of this requirement even if the activity is abandoned. The permittee may transfer the permit to a third party in compliance with condition number 16 below. Should the permittee cease to maintain the authorized activity or should they desire to abandon the project without a transferee, then the permittee must obtain approval from this office, which may require restoration of the area.

12) Any activity being performed under this permit may be summarily suspended, in whole or in part, upon a finding by the DC that there is noncompliance with any of the terms or conditions of this GP, or that there is noncompliance with a related nationwide or individual permit, or that there is a violation of Federal law associated with the activity, or that the immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate: (1) the extent of the suspension; (2) the reasons for such action; and (3) any corrective or preventive measures to be taken by the permittee which are deemed necessary by the DC to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of such notice. Within 10 days following receipt of a notice of suspension, the permittee may request a public hearing in order to present information relevant to a decision as to whether the authorization should be reinstated, modified, or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee, if no hearing is requested, the authorization will either be reinstated, modified, or revoked.

13) The permittee shall allow the DC or their authorized representative(s) to inspect authorized work at any time deemed necessary to assure that on-going and completed work is in compliance with the terms and conditions of this GP.

14) Measures should be implemented to prevent the introduction and spread of invasive plant and animal species, such as washing equipment to remove dirt and debris that might harbor invasive seeds before entering the jobsite, using weed-free fill, disposing of spoil and vegetation contaminated with invasive species appropriately, and revegetating with local native plant species.

15) All activities identified and authorized herein shall be undertaken in a manner that is consistent with the terms and conditions of this GP, and any activities undertaken by the permittee that are not specifically identified and authorized herein shall constitute noncompliance with the terms and conditions of this GP, and consequently, a violation of the Clean Water Act, which may result in the modification, suspension, or revocation of any authorization by the Corps in whole or in part, and in the institution of such legal, administrative, or judicial proceedings as the United States Government may consider appropriate, whether or not these permits have been previously modified, suspended, or revoked in whole or in part.

16) If the permittee sells the property associated with a GP verification, the permittee may transfer this GP verification to the new owner by submitting a letter to the Corps to validate the transfer. A copy of this GP verification must be attached to the letter, and the letter must contain the following statement and signature: "When the structures or work authorized by this GP are still in existence at the time the property is transferred, the terms and conditions of this GP, including any special conditions, will continue to be binding on the new owner(s) of the property. To validate the transfer of this GP and the associated liabilities associated with compliance with its terms and conditions, the signature of the transferee and date appear below."

(Transferee signature)

(Date)

(Printed name)

MITIGATION

This GP includes conditions requiring best management practices to minimize impacts to wetlands. For the unavoidable impacts to aquatic resources, the following compensatory mitigation was required in the previous GP authorizations for the Wrangell Industrial Park Subdivision:

Compensatory mitigation for the initial unauthorized development included preserving a 485-foot by 50-foot greenbelt south of Howell Avenue. Issuance of the original GP 1998-01 included preservation of a 300-foot by 100-foot wetland near Fourth Avenue. Modification of the GP in January 2001, included putting 18 additional lots and portions of 3 other lots and the area designated at Mission Street into a "Restrictive Covenant" with the intent of preserving these wetlands in perpetuity. (See attached map and restrictive covenant) that indentifies and describes wetland preservation areas within the Wrangell Industrial Park Subdivision). The acreage of these mitigation areas includes 7.13 acres where no development would be allowed and 9.99 acres of mitigation land that would allow underground utilities to be installed with the intent of only temporary construction impacts, resulting in no permanent wetland functional losses.

LIMITS OF THIS AUTHORIZATION

- 1. This permit does not obviate the need to obtain other Federal, State or local authorizations required by law.
- 2. This permit does not grant any property rights or exclusive privileges.
- 3. This permit does not authorize any injury to the property or rights of others.
- 4. This permit does not authorize interference with any existing or proposed Federal Project.

LIMITS OF FEDERAL LIABILITY

In issuing this permit, the Federal Government does not assume any liability for the following:

- 1. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- 3. Damages to persons, property, or to the permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- 4. Design or construction deficiencies associated with the permitted work.
- 5. Damage claims associated with any future modification, suspension, or revocation of this permit.

RE-EVALUATION OF PERMIT DECISION

The Corps may re-evaluate its decision to issue a GP verification to any person or agency at any time the circumstances warrant. Circumstances that could require a re-evaluation include, but are not limited to the following:

- 1. The permittee fails to comply with the terms and conditions of the permit;
- 2. The information provided by the permittee in support of the application proves to have been false, incomplete or inaccurate;
- 3. Significant new information surfaces, which this office did not consider in reaching the original public interest decision.

Such a re-evaluation may result in a determination to use the suspension, modification and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may, in certain situations, accomplish the corrective measures by contract, or otherwise bill you for the cost.

PENALTIES FOR VIOLATIONS

Failure to comply with the terms and conditions of the GP may result in suspension of the work, revocation of the permit, removal of the dredged and/or fill material or other structures, directed restoration of waters and/or wetlands, and/or imposition of penalties as provided by law.

The discharge of dredged and/or fill material not in accordance with the terms and conditions of this GP is a violation of Section 301 of the Clean Water Act (33 U.S.C. 1319), and upon conviction thereof is punishable, in accordance with Section 09 of the Clean Water Act (33 U.S.C. 1319), by a fine of not less than \$2,500, nor more than \$25,000, per day of violation; or by imprisonment of not

more than one year, or both. That individual is also subject to a civil penalty not to exceed \$25,000 per day of the violation.

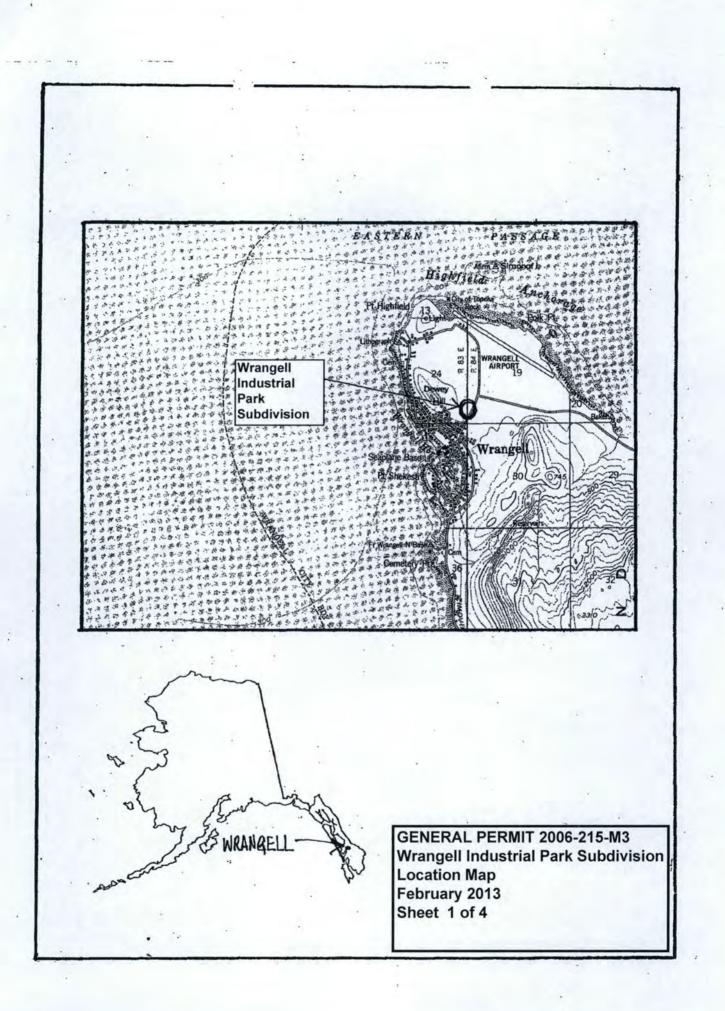
TERM AND REVOCATION OF THE GP

GP 98-01-M3 may be revoked by issuance of a Public Notice at any time the DC determines that the individual or cumulative effects of the activities authorized therein are having an unacceptable adverse effect upon the public interest. Following such revocation, all new applications will be processed under individual permit application review procedures and the DE will decide on a case-by-case basis if previously authorized activities should be revoked, suspended, or modified. The time limit for authorizing work under this GP ends five years from the signature date.

FOR THE DISTRICT COMMANDER:

10;

Terri Stinnet-Herczeg Acting South Branch Chief Regulatory Division Alaska District, Corps of Engineers



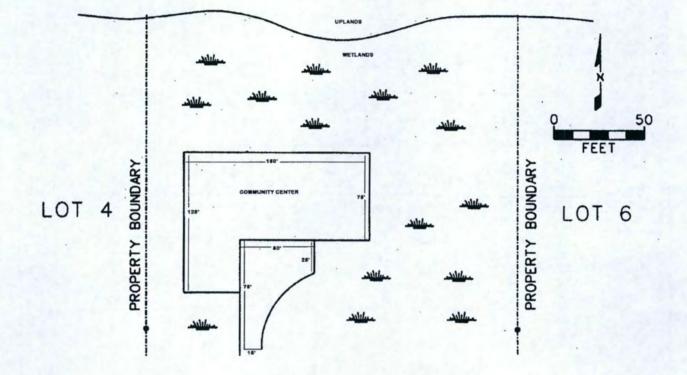


 DISCLAIMER: THESE MAPS ARE FOR PLANNING PURPOSES ONLY.

 1 inch = 208.333333 feet
 PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2011



Plan View Example

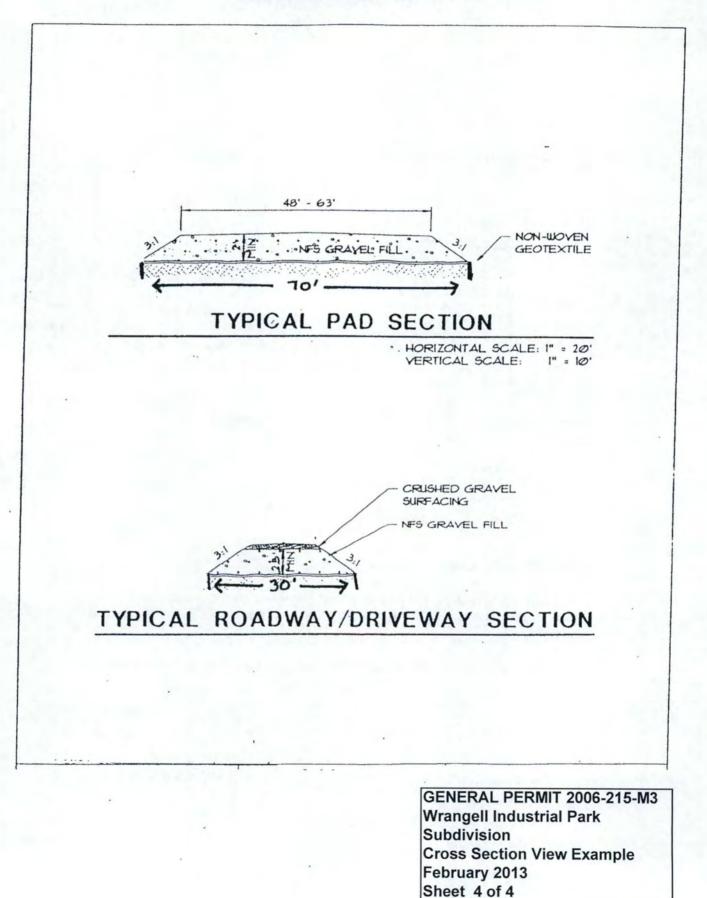


- · Plan view shows the proposed activity as if you were looking down on it.
- Show project size and layout of proposed work such as buildings, driveways, and roads in relation to other features such as wetlands and creeks.
- Include existing and proposed structures such as culverts and utilities.

GENERAL PERMIT 2006-215-M3 Wrangell Industrial Park Subdivision Plan View Example February 2013 Sheet 3 of 4



CROSS SECTION EXAMPLE



STATE OF ALASKA

DEPT. OF ENVIRONMENTAL CONSERVATION

DIVISION OF WATER

Non-Point Source Pollution Water Control Program

FRANK H. MURKOWSKI, GOVERNOR

555 Cordova Street Anchorage, AK 99501-2617 Phone: (907) 465-5321 Fax: (907) 465-5274 TTY: (907) 269-7511 http://www.state.ak.us/dec/

July 6, 2006 Certified Mail 7006-0810-0000-8656-8816

Ms. Mary Leykom **U.S. Army Corps of Engineers Regulatory Branch** Anchorage, AK 99506

Subject: Re-Issue General Permit 98-01 Wrangell Industrial Park Subdivision Reference Number: SPN-2006-215 State ID No. AK005-09JJ

Dear Ms. Leykom:

In accordance with Section 401 of the Federal Clean Water Act of 1977 and provisions of the Alaska Water Quality Standards, the Department of Environmental Conservation is issuing the enclosed Certificate of Reasonable Assurance for the proposed re-issuance of General Permit 98-01 for certain dredge and fill activities associated with construction of foundation fill pads such as driveways, parking areas, and utility installation within the Wrangell Industrial Park Subdivision, for five more years.

Department of Environmental Conservation regulations provide that any person who disagrees with this decision may request an adjudicatory hearing in accordance with 18 AAC 15.195 – 18 AAC 15.340 or an informal review by the Division Director in accordance with 18 AAC 15.185. Informal review requests must be delivered to the Director, Division of Water, 555 Cordova Street, Anchorage, AK, 99501, within 15 days of the permit decision. Adjudicatory hearing requests must be delivered to the Commissioner of the Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, PO Box 111800, Juneau, AK 99801, within 30 days of the permit decision. If a hearing is not requested within 30 days, the right to appeal is waived.

By copy of this letter we are advising the Corps of Engineers and the Office of Project Management and Permitting of our actions and enclosing a copy of the certification for their use.

Sincerely, James Rypkema



cc: (with encl.) Joe Donohue, OPMP, Juneau Jim Cariello, DNR/OHMP, Petersburg

Jim Powell, ADEC Mark Fink, ADFG, Anchorage

10

STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION CERTIFICATE OF REASONABLE ASSURANCE

A Certificate of Reasonable Assurance, in accordance with Section 401 of the Federal Clean Water Act and the Alaska Water Quality Standards, is issued to the US Army Corps of Engineers Alaska District, Regulatory Functions Branch, PO Box 898, Anchorage Alaska 99801, for the proposed following general permit PG, covering wetland activities within the Wrangell Industrial Park Subdivision, Wrangell Alaska.

General Permit 98-01 is for certain dredge and fill activities of the City of Wrangell for construction of foundation fill pads, associated driveways, parking areas, and utility installations in the following lots in the Wrangell Industrial Park Subdivision: Block 59B lots 1, 2, 9, 10; Block 60 lots 9A, 10A; Block 61 lots 1A, 2A, 7A, 8A, 9, 10; Block 63A lots 3-5; Block 63B lots 3-8; Block 64 lots 3-5, 6A, 7A, 8A; Block 65 lots 3-8; and Block 66 lots 3-13.

The proposed activity is located in section 24, T. 62 S., R. 83 E., Copper River Meridian, in Wrangell Alaska.

The department supports the use of General Permits by local governments. Therefore the department supports continued use of the GPs that have been useful and have been demonstrated to streamline the permitting process.

Public notice of the application for this certification was given as required by 18 AAC 15.180.

Water Quality Certification is required under Section 401 because the proposed activity will be authorized by a Corps of Engineers permit, reference number SPN-2006-215, and a discharge may result from the proposed activity.

Having reviewed the application and comments received in response to the public notice, the Alaska Department of Environmental Conservation certifies that there is reasonable assurance that the proposed activity, as well as any discharge which may result, will comply with applicable provisions of Section 401 of the Clean Water Act and the Alaska Water Quality Standards, 18 AAC 70, provided that the following alternative measures are adhered to.

1) The boundaries of the excavation and fill areas in wetlands must be staked or flagged prior to construction to prevent inadvertent encroachment of adjacent wetlands. 2) If excavation takes place, temporary storage of excavated materials on-site and disposal of excavated materials off-site, must be managed to prevent sediment from being carried into adjacent wetlands and water, and to prevent leachate from causing odor problems or degradation of water quality.

3) During excavation, fill placement and building construction, to the extent practicable, heavy equipment may not operate on the ground outside the excavation and fill footprint.

4) Silt and sediment from site excavation and fill materials may not enter wetlands or water bodies outside the necessary working area. Site preparation, excavation, fill placement, and construction activities must be conducted to prevent, minimize and contain the generation of silt and sediment that could be carried off site by surface runoff. If silt and sediment are evident in standing or flowing water outside the excavation and fill area, appropriate control and containment measures shall be applied. These measures may include revegetation, filter fabric fences, straw bales, other effective filters or barriers, fiber matting, settling ponds, and avoiding work during heavy precipitation.

5. Disturbed ground and exposed soil not covered with fill, structures, or appurtenances must be stabilized and revegetated with endemic species, grasses, or other suitable vegetation in an appropriate and timely manner to minimize erosion and sedimentation, so that a durable vegetative cover is established and maintained.

6) Natural drainage patterns must be maintained, to the extent practicable, without introducing ponding or drying. Control of drainage must be provided by appropriate ditching, culverts, storm drain systems, or other measures.

7) Permanent control of drainage must by provided within the entire industrial park, including roadways and each individual lot, with appropriate landscape design and construction, stormwater control, ditching, culverting, restoration, revegetation, and other measures. Drainage control must maintain natural drainage patterns above and below disturbed areas and must avoid adverse impacts to hydrology and water quality. The roadways and drainage structure must by maintained in a condition that will prevent sedimentation caused by erosion and surface transport from reaching waters through the life of the project.

8) Runoff discharged to surface water from a construction site disturbing 1 or more acres must be covered under EPA's NPDES General Permit for Storm Water Discharges from Large and Small Construction Activities in Alaska (AKR100000). This permit requires that a Storm Water Pollution Prevention Plan (SWPPP), describing construction runoff and erosion control, be prepared and implemented.

- Provide a copy of this SWPPP to ADEC (William Ashton, 907-269-7564) at least 7 days prior to starting earth disturbing activities.
- For projects that disturb greater than 5 acres, this SWPPP must also be submitted to ADEC (Greg Drzewiecki) prior to construction.
- · Please contact EPA directly concerning the NPDES storm water permit.

The certification expires five (5) years after the date the certification is signed. If your project is not completed by then and work under Corps of Engineers Permit will continue, you must submit an application for renewal of this certification no later than 30 days before the expiration date (18AAC 15.100).

Date_July 6, 2006

James Rypkema

James Rypkema Program Manager

BOOK 33 PAGESO

WRANGELL INDUSTRIAL PARK RESTRICTIVE COVENANT

THIS RESTRICTIVE COVENANT IS MADE THIS <u>14th</u> DAY OF <u>November</u>. 2000 by the City of Wrangell, P.O. Box 531, Wrangell, AK 99929.

WHEREAS, the following real property is a portion of the Wrangell Industrial Park. More specifically, to include the Mission Street right-of-way between Second Avenue and Sixth Avenue; the platted green belt along Second Avenue between Mission Street and St. Michael's street; Lots 1 and 2, Block 63A; Lots 1,2,9,10, Block 63B; Lots 1,2,9,10 Block 64; Lots 1,2,9,10 Block 65; Lots 1,2, 14,15, Block 66; a portion of Howell Avenue, Third Avenue, Fourth Avenue and Fifth Avenue just east of Mission Street adjacent to the preceding lots described above; Lots 6B, 7B, 8B, Block 64; Lot 3A, Block 61; Fourth Avenue right-of-way between St. Michael's Street and Bennett Street right-ofways, all as platted and recorded in the Wrangell Recording District, Plat No. 2000-9 dated December 15, 2000.

WHEREAS, the City of Wrangell has been issued a Department of the Army Revised Permit, No. M-97-00702, Stikine Strait, which authorizes placement of fill in wetlands of the United States for the construction of roads and installation of utilities, and

WHEREAS, the Corps of Engineers issued a Department of the Army Modified General Permit, No. 98.01 Stikine Strait, which authorizes placement of fill on wetlands of the United States, and

WHEREAS, Special Condition 2 of the Permit requires the City of Wrangell to place restrictive covenants on a portion of the City's Industrial property prior to the placement of fill material pursuant to this permit or GP 98-01, and

WHEREAS, the City of Wrangell, as owner of the Property, agrees that these Covenants shall be placed upon the identified portions of the Property for the purpose of satisfying the City of Wrangell's obligation under Special Condition 2 of the Permit.

NOW, in consideration of the above and the mutual restrictive covenants, the City of Wrangell hereby imposes, places and restricts the use of the Property in accordance with the conditions set forth below.

1. <u>Purpose.</u> It is the purpose of these covenants to assure the portion of this Industrial Property, subject to existing conditions, will be retained in its natural, wetland condition and for the City of Wrangell to take reasonable efforts to prevent use of the property that will significantly impair the ecological functions and values of the set aside areas, including discouraging use of motorized vehicles. 2. <u>Prohibited Activities.</u> Any construction activity on this restricted area is prohibited, except in the right-of-way pursuant to the permit. It will stay in its undisturbed, natural state as wetlands, except in the right-of-ways, if necessary to extend utilities to lands outside the boundary area. The City will return any land disturbed from the utility extensions to its natural state.

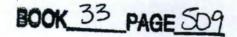
BOOK 33 PAGE SC

<u>Reserved Rights.</u> The City of Wrangell reserves to itself as well as successors all rights accruing from its ownership of the Property. The following rights are expressly reserved.

- Normal and acceptable silvicultural practices necessary for emergency response to forest fires;
- (b) The right to continued use of foot access for ingress and egress, and historic public use of the area for food gathering;
- (c) All water rights within the Property;
- (d) The right to survey the site;

3.

- (e) Continued existing ingress and egress to Lot 12, Block A, Dewey Heights Subdivision.
- 4. Acts Beyond the City of Wrangell's Control. Nothing contained in these Covenants shall be construed as a violation of these Covenants for any injury to or change in the Property resulting from causes beyond the City of Wrangell's control, including, without limitation, unforeseeable and unauthorized actions of third parties, fire, flood, storm and earth movement, or from any prudent action taken by the City of Wrangell under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.
- <u>Transfer of Ownership</u>. The City of Wrangell reserves unto itself and under the terms of the Permits the right to sell the restricted area to a third party.
- 6. <u>Recording and Signing</u>. The City of Wrangell shall record this instrument in timely fashion in the official records of the Wrangell Recording District (Ketchikan), First Judicial District, State of Alaska.
- 7. General Provisions.
 - (a) Nothing contained herein will result in a forfeiture or reversion of the City of Wrangell's title in any respect.
 - (b) The parties approve that the terms and conditions set forth in these Covenants shall not act as a precedent nor be binding upon either party in regards to any future dealings between the parties.



CITY OF WRANGELL

Robert B. Prunella, City Manager

NOTARY:

Before me, the undersigned Notary Public, personally appeared <u>Robert B.</u> <u>Prunella, City Manager</u> and acknowledged to me that she/he executed the above instrument on behalf of the City of Wrangell as her/his free and voluntary act and with knowledge of its contents for the purposes expressed.

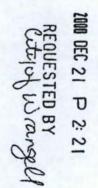
My hand and official seal this 19th day of <u>December</u>, 2000.

Notary Public for the State of Alaska

My commission expires: 7-2-2002



Please return to: City Clerk City of Wrangell P.O. Box 531 Wrangell, AK 99929

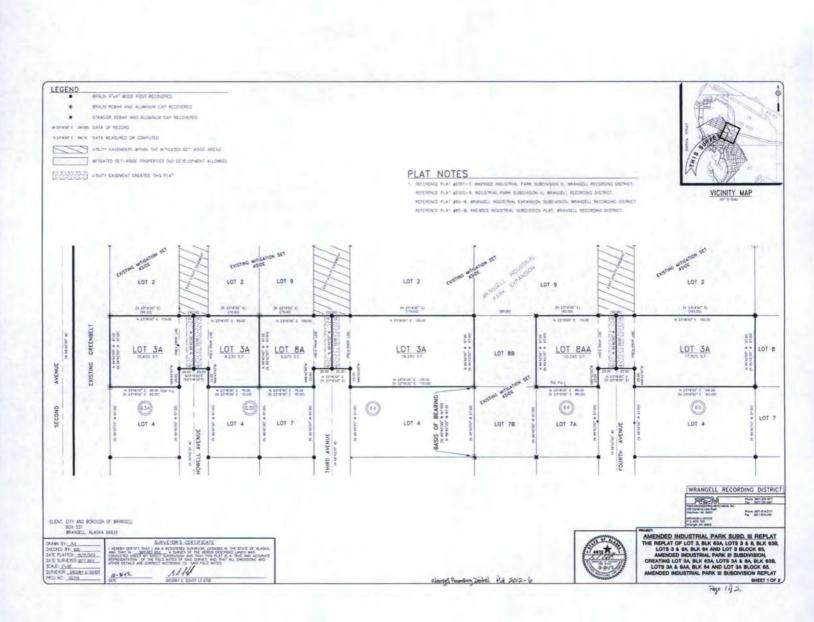


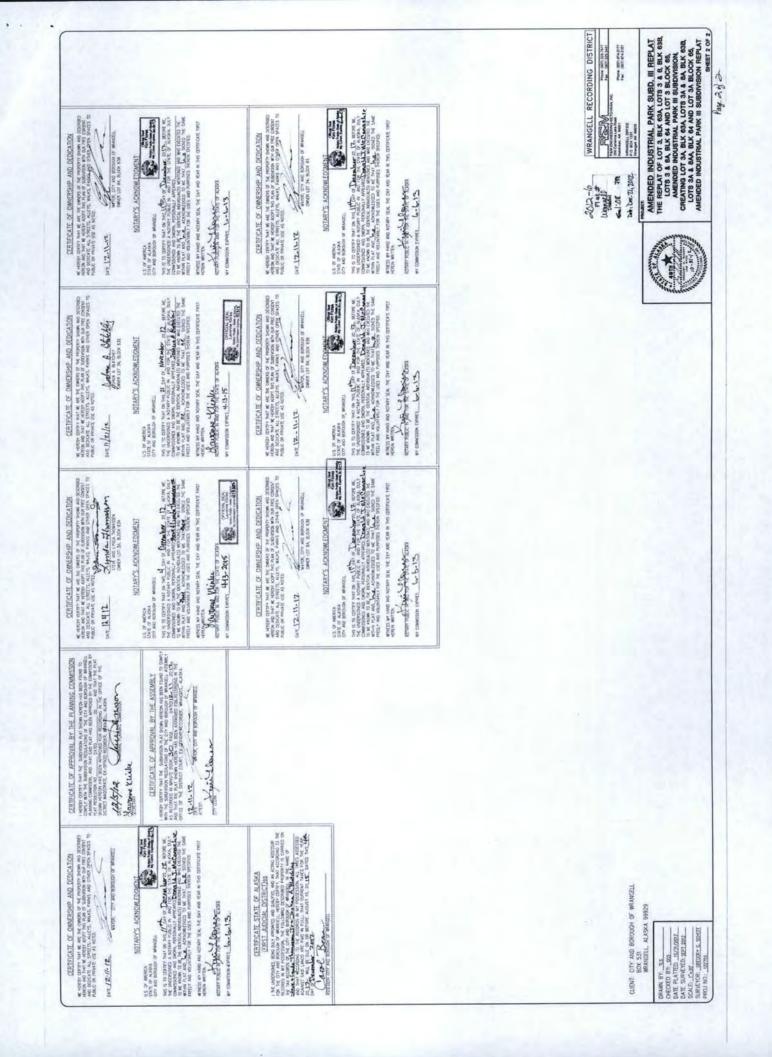
RECORDING DISTRICT

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Department of Commerce, Community, and Economic Development

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DIVISION OF COMMUNITY AND REGIONAL AFFAIRS

455 3rd Avenue, Suite 140 Fairbanks, Alaska 99701-4737 Main: 907.451.2718 Programs fax: 907.451.2742

March 1, 2018

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

Dear Municipal Official:

I am pleased to announce the payment amount for the FY18 DCCED Shared Fisheries Business Tax for FMA 18: Central Southeast Area for the City and Borough of Wrangell. The total payment amount is \$11,155.61, which is comprised of the allocations for the Fisheries Business Tax \$11,116.63 and the Resource Landing Tax \$38.98.

This payment must be used to help reduce the effect of fisheries business activities on your municipality, which may include the expenses of any municipal service.

The payment was requested on March 15, 2018 and it should be processed shortly. If you do not receive your payment by April 15, 2018, please contact me. If you have previously signed up for electronic payments (ACH), the funds will go directly into your bank account that you established. If you do not have direct deposit, a check will be mailed to the municipal address on record.

If you have questions regarding this payment, please feel free to contact me by telephone at 907-451-2718 or you may email me at: <u>kimberly.phillips@alaska.gov</u>.

Sincerely,

Kimberly Phillips

Grants Administrator II

1. CALL TO ORDER 7:00PM

2. ROLL CALL

Morrison, Mitchell, Hammer, Martin, Yeager, in attendance.

3. APPROVAL OF MINUTES

a. January 10, 2017 Regular Meeting Minutes M/S: Yeager/Hammer approved minutes of the Regular Port commission as presented Approved/Unanimous consent.

4. AMENDMENTS TO THE AGENDA

None

5. CORRESPONDENCE

Correspondence from HealthCare Committee to join the health fair regarding the Mariner Memorial.

6. PERSONS TO BE HEARD

During this section of the agenda, the Port Commission will invite and listen to topics not on the agenda. The Commission will note the topics and will not take any official action on any of the topics presented, but will refer items to the administration to be researched. Members of the public will be given the opportunity to speak on agenda items at the time the item is introduced for action and/or discussion. *None*

7. REPORTS

a. Harbormaster

- Condolences for loss of family member Carol Rushmore.
- SMB-Project pretty much complete with design and hope to have project out for bid in March. Soil samples that were tested for metals and petroleum came back good. He stated that Borough manager is working with Bond Bank and once application has been accepted we will be good to go. Plan is going to be to give the facility to the contractors in 9/2018 and get it back in May 2019. All vessels will be out by the first of the week of September.
- Harbor Master will be meeting with Board of Directors of the AK Association of Harbormasters and Port Administrators in Juneau, February 14th-16th to meet with legislators for continued funding for matching grants program.
- * Seattle boat show is going on now.
- * Staff built a 30' finger for Inner Harbor and is waiting for cleats to install it and see if the floatation estimate is correct before making more. Then they will build more and start replacing them a few at a time.
- * Sand blast medium was discovered and was dumped in the water in the boatlift slot. City is looking into new regulation regarding sand blast procedures within the MSC.

b. Commissioners

Commission Yeager-spoke to the Commissioners about Boat Show in Seattle

c. Port and harbor safety concerns

- Commissioner Morrison-state he was glad to see the ladder at the harbor
- Commission Mitchell-stated he would like to see more salt on the main docks
- Commission Hammer-commented in regards to the buckets for the animals in the harbors.
- d. Mariner's Memorial
 - Commissioner-stated Saturday, February 14 event drive for membership at the Elks

8. UNFINISHED BUSINESS

- a. Marine Service Center Lease Options
 - City Manager is working with attorney to get verbiage drawn up and how to implement things.
- b. Skiff Rates for bow tie
 - * Commissioners discuss rates and skiff limits

M/S Hammer/Mitchell makes a motion to implement bow tie skiff rate of \$35 a month, bow tie only in designated areas, limited to vessels 18' feet in length, only open skiffs without cabins and rate increase of 2% each year. Poll Vote taken.

Motion approved unanimously.

Lightering

Harbormaster discussed the fees with the Commissioners. M/S Hammer/Yeager makes a motion to establish a percentage based lightering fee-40% of dock rate and port development fee Poll Vote

Motion approved unanimously

d. Meyers Chuck update

Harbormaster spoke to commissioners and told them how much money was received from Meyers Chuck for a full year since rates were implemented.

9. NEW BUSINESS

None

10. CLOSING

C.

- a. Next Agenda Items
 - Marine Service Center Lease Options Skiff Rates for Bow Tie-Language Lightering Meyers Chuck update

Adjourn meeting 8:08 PM Next Meeting March 1st, 2018

Port Chairman-John Martin

benert - Collan

Recording Secretary-Sherri D. Cowan

Wrangell Port Commission Regular Meeting Minutes February 1, 2018

WRANGELL PORT COMMISSION REGULAR MEETING MINUTES Thursday, January 10, 2018 at 7:00 p.m. Wrangell Borough Assembly Chambers

1. CALL TO ORDER 7:05 PM

Morrison, Hammer, Martin, Yeager in attendance. Mitchell is absent.

ROLL CALL APPROVAL OF MINUTES

a. October 5, 2017 Regular Meeting Minutes

M/S: Hammer/Yeager approved minutes of the Regular Port commission as presented Approved/Unanimous consent.

4. AMENDMENTS TO THE AGENDA

None

CORRESPONDENCE

None

5.

6. PERSONS TO BE HEARD

During this section of the agenda, the Port Commission will invite and listen to topics not on the agenda. The Commission will note the topics and will not take any official action on any of the topics presented, but will refer items to the administration to be researched. Members of the public will be given the opportunity to speak on agenda items at the time the item is introduced for action and/or discussion.

7. REPORTS

None

a. Harbormaster

Commissioner Martin wanted to acknowledge Jerry Knapp on his retirement.

b. Commissioners

Commissioner Hammer-wanted to wish Meissner condolences due to death in the family.

Commissioner Martin-stated he was exciting to have a plan to go forward in regards to the Marine Service Center Lease Options.

Martin-Removing of the carving shed. WCA addressed it. We are having to replace dock at Shakes Harbor. WCA is going to act on it.

c. Port and harbor safety concerns

Commissioner Morrison-wants to see a Ladder at the Heritage Harbor launch. Steve Miller will look to see what they have.

Commissioner Hammer-would like to see Locker for Life Jackets for "The Kids Don't Float Program". And a light flickering by the Gray Sea in the harbor

Commissioner Yeager-commented on the harbor for keeping up with the salting, icing and clearing of the docks.

Commissioner Hammer-commented on ice, snow and sanding at the barge ramp yard by Samson and who maintains it. Steve Miller responded it was the City who takes care of it.

d. Mariner's Memorial

Commissioner Yeager-stated that the date of Feb 3rd the Memorial is having a wine and cheese auction and membership drive fundraiser at the Stikine Inn.

8. UNFINISHED BUSINESS

a. Marine Service Center Lease Options

Commissioner Martin-stated it was a good discussion at workshop and the Port are waiting on attorney to give the port paperwork documents to go over. Also wanted to know the cost of the marine service center. He also commented on the temporary shelter and how nice they are.

Commission Yeager- commented on Commission Hammer, as Chair he has given us a lot of thoughts and help on the lease options. He also wanted to comment on the talent we have in the yard.

Commissioner Martin-spoke about the cost and the replacement costs of The Marine Service Center. He also spoke of the quality of the shelters they have built.

b. Skiff Rates for bow tie

Commissioner Hammer-stated they were looking at the bottom of ramp in Reliance and eventually expand to Heritage. They will be tying off to boat rail.

16' Skiff Zone bow tie proposed rate of \$35.00 per month calendar month

16' Skiff Side Tie proposed rate of\$65.28 @ 4.08 per calendar month.

He proposed language of skiff and what is not. Qualification tiller handle and center console skiffs less than 20' overall without roof or cover with specific areas. He also suggests a sticker to place on their boats.

He wants to have the Harbor Master draw up the rates and present at the next meeting.

Lightering

Commissioner Hammer-stated that he thinks that we should defer till next meeting when Harbor Master returns.

Commissioner Yeager-stated we need to be on top of this. We will have multiple ships here and need to have something in place.

d. Meyers Chuck update

Commissioner Hammer-stated we need to have a baseline on subsidizing. Commissioner Yeager-stated thought we had a line item in budget for those funds. He stated that he thought the first year was going to be on an honor system regarding money verses boats.

Commissioner Martin-commented that if we have a separate account for their contributions it is always good information to share with them

9. NEW BUSINESS

None

10. CLOSING

c,

- Next Agenda Items
 - Unfinished Business Lease Rates Skiff Rates Lightering Meyers Chuck Extend invitation for Lisa for Lease and Rate options

Next Meeting Feb 1, 2018 Adjourn meeting 7:49 PM

Recording Secretary-Sherri D. Cowan

mile Come

Commissioner Chair-John Martin

Wrangell Port Commission Regular Meeting Minutes January 10, 2018

STATE CAPITOL P.O. Box 110001 Juneau, AK 99811-0001 907-465-3500 fax: 907-465-3532



Governor Bill Walker STATE OF ALASKA 550 West Seventh Avenue, Suite Anchorage, AK 99501 907-269-7450 fax 907-269-7461 www.Gov.Alaska.Gov Governor@Alaska.Gov

March 8, 2018

Ms. Kay Jabusch P.O. Box 1691 Wrangell, AK 99929

Dear Ms. Jabusch:

I am pleased you have accepted reappointment to the Advisory Council on Libraries effective March 2, 2018, for a term ending January 1, 2021.

The willingness of Alaskans like you to volunteer your expertise and perspective as public policy is shaped and implemented is crucial for a healthy Alaska. Thank you for continuing to give your time and talents to serve the people of Alaska in this capacity.

Sincerely,

1 Walker

Bill Walker Governor

cc: Tracy Swaim, Grants and Statistics Librarian, Department of Education and Early Development

6h



WRANGELL MEDICAL CENTER BOARD OF DIRECTORS MEETING MINUTES March 9, 2018, 5:00 p.m. Location: WMC Conference Room

CALL TO ORDER: Meeting was called to order at 5:00 pm by President, Patrick Mayer

ROLL CALL:

Present: Maxi Wiederspohn, Jennifer Bates, Don McConachie, Rebecca (Lynne) Christiansen, Marlene Messmer, Patrick Mayer, Olinda White Quorum established Assembly representative Rolland Howell was not present

PERSONS TO BE HEARD: None

ACTION ITEMS:

Motion to approve the appointment of two Wrangell Medical Center Board Members to the city's Healthcare Solutions for Wrangell Steering Committee was made by Olinda White and seconded by Don McConachie.

Board President Patrick Mayer recused himself from consideration, Olinda White was nominated by Don McConachie, Jennifer Bates offered to serve, and Don McConachie declined a nomination by Patrick Mayer.

A question was asked as to the role of the remainder of the board members in the process and it was noted that the meetings are open, that the members of the committee speak for the board (rather than from their own personal perspective) and that any decisions requiring board approval would be brought back to the full board.

Don McConachie revised the original motion to add the names of the board members who would be serving on the committee... "representatives Olinda White and Jennifer Bates serve on the City's steering committee." Marlene Messmer seconded the motion which passed unanimously.

ADJOURN: With no further business, the special meeting adjourned at 5:08 p.m.

Marlene Messmer Board Secretary

nellosmo

Date Certified: 3/21/18

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



WRANGELL MEDICAL CENTER BOARD OF DIRECTORS MEETING MINUTES February 21, 2018 - 5:30 p.m. Location: Nolan Center

CALL TO ORDER: Meeting was called to order at 5:30 by President, Patrick Mayer

ROLL CALL:

Present: Maxi Wiederspohn, Jennifer Bates, Don McConachie, Rebecca (Lynne) Christiansen, Marlene Messmer, Patrick Mayer, Olinda White Quorum established Assembly representative Becky Rooney has resigned, a new representative will be appointed soon.

AMENDMENTS TO THE AGENDA: None

CONFLICT OF INTEREST: None

CONSENT ITEMS:

Motion made by Maxi Wiederspohn to approve consent item 5.a minutes of the regular meeting held January 17, 2018, and item 5.b statistics for January 2018, Don McConachie seconded, passed unanimously.

PERSONS TO BE HEARD: None

CORRESPONDENCE: None

REPORTS AND COMMUNICATIONS FROM WMC STAFF:

QUALITY REPORT: In addition to re-capping the written report:

- Noted that, for the quality measures, the pain management questions might soon be retired (in light of the recent nation-wide focus on reducing opioid use).
- Partnership for Patients graphs overview: 53 charts were reviewed in the 3rd quarter of 2017:
 - A few measures were compared to 4 other small hospitals in Alaska (Cordova, Kotzebue, Petersburg and Valdez) to get a better sense for where WMC was falling in the cohort. Hard with hospitals as small as ours one patient can severely skew statistics.
 - Noted that, with the "Undue Exposure to Radiation" measures, some of the statistics for Wrangell are high because we have the oldest CT scanner in the state and that many of the 'measuring points' are pre-sets in the programming of the equipment and not something the techs can change. There is a "Safe Imaging" tool kit being used by the providers to help further reduce the level of exposure each patient receives and "Quality Projects" will be added to the orientation that new providers receive so they are aware of the work being done to reduce exposure.

COMPLIANCE REPORT: In addition to re-capping the written report, added:

- Compliance plan needs to be reviewed, the code of conduct will be part of that
- Annual training is taking place on a number of subjects staff have through the end of March to
 complete their training, about half the staff have fully completed these online lessons.
- Long Term Care patient satisfaction survey completed on February 15th 4 of 6 residents responded and 2 of 6 resident families responded. Results will be looked at by the LTC leadership team to determine areas of improvement.

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

BOARD OF DIRECTORS MEETING February 21, 2018 - 5:30 p.m.

REPORTS AND COMMUNICATIONS FROM WMC STAFF (CONTINUED):

CFO REPORT: In addition to the written report:

- Currently have 24.8 days cash on hand
- The \$250K line of credit from the Borough is included in the balance sheet,
- January was a rough month, down -17% from budgeted revenue, though staff have been good at watching cost and have kept expenditures at -6% of budget. This does reinforce the need for something to happen in terms of increasing revenue – either through other sources or by management by a larger organization
- (Robert Rang, CEO added: we have made significant progress on collecting the monies owed, but business is down and costs are fixed so without more business, the trend will be downward. On a brighter note, though ER visits have been about the same, fewer are being transferred to other facilities, due in part to the stability of the nursing staff and confidence in the level of care here.)

CEO REPORT: In addition to the written report:

- Thanked the WMC Foundation for a gift of \$150K that will help purchase a new ultrasound machine and partially cover the cost of some new scopes equipment.
- Health Fair blood draws begin Monday, March 5 and will go through the 30th of March
- Over 45 people, in two different sessions, attended the Palliative Care Training by Dr. Smith
- The Development Coordinator position has been posted as a half-time position, in part due to budgetary considerations and the ability of other staff to take on smaller parts of the overall job.
- The 2007 edition of office (currently being used in the building) is no longer supported so IT will be helping to upgrade that suite of programs throughout the building.
- A Nonviolent Crisis Intervention training took place for non-clinical staff (and new hires) early in February. An ALICE training will be held a little later in the spring for new hires and folks wishing to have a refresher. The ALICE training may become a reoccurring event.
- Congratulations to the LTC staff for their efforts resulting in WMC being the number one nursing home in the state in December for the reduction of HAC's great job team!

MEDICAL STAFF REPORT: No report this month

ACTION ITEMS: None this month

DISCUSSION ITEMS: None this month

INFORMATION ITEMS:

- a. New Hospital Project Update: Special guest, City Manager, Lisa Von Bargen, addressed the Board,
 - A work session has been organized for Monday (February 26) at 5:30 pm in the Assembly Chambers (City Hall) for the WMC Board, Assembly, Leadership Staff and SEARHC to look at Community Healthcare Solutions.
 - The Assembly has approved the contract with a consulting firm.

BOARD COMMENTS:

Don McConachie: Congratulations to the LTC staff that helped make it to #1 in the state, and thanks to the lady (Brenda Rang) who made the cake!

Patrick Mayer: Great job to the staff for a successful ombudsman visit, and, to echo Don, congrats to the LTC staff for their work. Thanks also for the upcoming work on the Health Fair.

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

BOARD OF DIRECTORS MEETING February 21, 2018 - 5:30 p.m.

EXECUTIVE SESSION:

Don McConachie moved that the board recess into executive session to discuss matters the immediate knowledge of which could prejudice the reputation and character of a person, specifically the annual review of the CEO, Maxi Wiederspohn seconded and the motion passed unanimously.

Meeting recessed into executive session at 6:22 p.m. Meeting reconvened into regular session at 6:58 p.m.

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

Marlene Messmer

Indessme

Kris Reed, Leek Date Certified: 3/1/18

CITY & BOROUGH OF WRANGELL, ALASKA							
BOROUGH ASSEMBLY AGENDA STATEMENT							
AGEND/	A ITEM TITLE:	<u>NO.</u>	7		DATE:	March 27, 2018	
Borough I	Manager's Repor	t					
				FISCAL NOTE:			
SUBMITTED BY:			Expenditure Required:				
			\$0				
				Amount Budgeted:			
Lisa Von Bargen, Borough Manager			\$0				
			Account Number(s):				
				N//	4		
				Account Name(s):			
<u>Reviews</u>	/Approvals/Reco	<u>ommenda</u>	ations	N/A			
	Commission, Boa	rd or Com	mittee	Un	encumbere	ed Balance(s) (prior to expenditure):	
Name(s)				N//	Ą		
	Attorney						
	Insurance						
ATTACHN	<u>IENTS:</u>						
1. Manager's	s Report						

RECOMMENDATION:

None. Report only.

SUMMARY STATEMENT:

Please see the attached Borough Manager's Report.

MEMORANDUM

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

FROM: LISA VON BARGEN BOROUGH MANAGER

SUBJECT: MANAGER'S REPORT

DATE: March 27, 2018

INFORMATION:

Federal Priorities Update:

Staff received an update from our Federal Lobbyist on Thursday, March 22nd regarding important components of the FY 2018 Omnibus Appropriations Bill which was released on the 21st and is expected to pass both houses of Congress on the 23rd. The bill text is 2,200 pages and is accompanied by a similar amount of report language. However, Seb, our lobbyist was able to pull out three items very important to Wrangell. First, the bill includes a two-year extension of Secure Rural Schools (SRS) funding. Second, it includes a two-year extension of federal PILT payments with a 14% funding increase. The last SRS payment received by the CBW was in April of 2016 and was \$922.952. The last PILT payment was in June of 2017 and was \$425,515. A 14% increase to the PILT means an estimated payment of \$485,087 in June of this year. Finally, Seb was able to pull out the following from the Conference Report on Tongass Management:

Tongass National Forest.-Without a comprehensive stand-level inventory, the transition plan described by the Tongass Land and Resource Management Plan Amendment lacks the scientific basis needed for success, and no less than \$1,000,000 is provided for the continuation of the inventory currently underway. The Committees expect the Service to meet the requirements of section 705(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 539d(a)) and to consider a plan revision or new plan amendment based on the results of the inventory. Any plan revision or amendment should include a timber management program sufficient to preserve a viable timber industry in the region. Until the Service has determined, based on a completed stand-level inventory, the timing and supply of economic young growth needed for a successful final transition and whether the 2016 Forest Plan should be amended or revised, the Service is directed not to implement a final transition away from its Tongass old growth timber program to a program based primarily on young growth.

Evergreen Avenue Rehabilitation and Pedestrian Access Project: (CBW-owned, DOT-managed)

The Alaska Department of Transportation released the notice inviting bids for the construction of the Evergreen Avenue Rehabilitation project on March 13th. Bids will be opened publicly at 2:00 PM local time, at 6860 Glacier Highway, Juneau, AK, Construction Contracts Office, First Floor on the 05th of April, 2018. With a substantial completion date of October 31, 2018, the project is scheduled to occur in one season. The Engineer's Estimate is between \$2,500,000 and \$5,000,000. The full advertisement, along with the bidding documents, can be found on DOT's website, through the following link: <u>http://www.dot.state.ak.us/apps/contracts?ACTION=BIDCAL®ION_CODE=S</u>. The Plan Holder's list can also be viewed through this link: <u>http://www.dot.state.ak.us/cts/plan.cfm?cid=46410</u>

The general description reads: The project will construct a sidewalk along the ocean side of the road and rehabilitate the existing asphalt pavement. Major work items include concrete curb, gutter, sidewalk and

barriers; embankment widening, retaining walls, drainage improvements, guardrail, base course, and hot mix asphalt.

- The Commissioner's project cover letter encourages the hiring of local contractors and employees and touts the benefits of hiring locally.
- This project requires the use of both Federal and State Wage Rates.
- This project includes a 15% goal for utilizing registered apprentices in certain job categories.

The Public Works Director will coordinate with the Chief of Police to begin clearing the Right of Way of vehicles, boats and any other found unauthorized encroachments, in advance of the mobilization of the successful contractor to the site.

There is a hard copy set of the construction bidding set of engineered drawings available for the public's review both at City Hall and at the Public Works office.

FY 2018 Audit Status:

The audited financial statements as prepared by our auditing firm, BDO USA, LLP, will be issued no later than March 31st. The later than usual issuance is due to field work occurring later than usual, as well as additional work required related to the mid-year change in accounting software and chart of accounts. This means the audit should be brought to the Assembly for approval the first meeting in April.

Staff Changes:

Theater Manager: As the Assembly is aware Kris Reed is moving out of Wrangell. She has vacated her position as Theater Manager and Greg Acuna, the previous Assistant Theater Manager has been promoted to Theater Manager.

Diesel Mechanic: Royce Cowen moved from Diesel Mechanic in the Electric Department to Mechanic Lead in the Garage. The Diesel Mechanic position remains open at this time specifically because the Collective Bargaining Agreement allows the employee 45 days to determine if the move is the right fit. The Borough actually has 90 days to determine the same. At a work session regarding staffing the idea of moving the Diesel Mechanic position to Public Works was discussed. That way all mechanics would be working together spending time on the most important tasks at hand. When work at the Diesel plant is required, a qualified mechanic would be dispatched to address the work. This concept is still being explored.

Electric Superintendent: Administration is requesting some minor changes to the job description associated with this position. The job description is before the Assembly at this meeting for approval. If approved the position will be posted on Wednesday of next week.

Nolan Center Director: Work on this position is being finalized. Administration hopes to post the position next week as Terri Henson is scheduled to retire in just five weeks. Proposed amendments to the job description will be brought to the Assembly for approval, but the draft job description will need to be posted in advance.

FY 2019 Budget:

The Finance Director will have the draft operational budget finished by the end of next week. Individual meetings with Department Directors, the Manager and the Finance Director will be taking place the first week of April. The Department Directors and other stakeholders (hospital, school district) will be addressing Capital and Major Maintenance needs next week.

Water Treatment:

Sand Filter Water Recapture Project:

Early Friday the 23^{rd} the CBW received an informal approval from ADEC to move forward with the sand filter's freeboard water capture project. This is a tremendous advancement for the CBW as this will serve to maintain anywhere from 20M - 30M gallons, annually, of pretreated water that we currently discharge to waste to allow for filter cleaning. According to ADEC staff, they will soon provide a written Approval

to Construct. With Friday's approval the Public Works Director is moving forward to procure the materials we need for the project, as well as the core drill to make the tie in to the clearwell. Staff believes we can construct this project in house, and the Public Works Director will be reviewing this with staff to develop a construction plan to commence the work as soon as possible. While we don't have a cost for the materials yet, they will likely fall under the previously mentioned \$15,000. Administration will keep the Assembly posted on the costs and procurement method as we identify costs.

Water Supply Status:

We remain at Stage II Water Watch. As of Friday the 23^{rd} the upper reservoir had gained another 1.5 feet. We will remain at Stage II until we understand what impact the start of fish processing season will have on our water levels.

Roughing Filter (Forsta Filter) Pilot Test:

The Forsta Filter pilot plant arrived at the beginning of last week and is testing is currently underway. While it does seem to be removing material from the water, staff is unable to accurately determine how much as it seems to be infusing the water with air. They suspect this is due to the fine (5 and 10 micron) screen and high pressure. This air interferes with the turbidity monitoring equipment causing the apparent reading to be higher than it truly is. There are a couple of ways to measure the effectiveness with some other lab equipment onsite at the plant, and staff will begin doing so. Another option being considered is to gather a few samples weekly from the influent and effluent of the filter and have the lab that does our quarterly work do a few suspended solids tests for removal. That way we have certainty regarding the effectiveness of the pilot filter.

Roughing Filter Contract & Funding:

At the Special Meeting on the 22nd the Assembly confirmed the expedited procurement process for the full roughing filter installation project by approving a sole source contract with O'Brien & Sons. The contractor is already moving forward sourcing known materials for the job as the lead time for material procurement seems to be taking longer than normal for some reason. Approval of this action also provides the back-up documentation necessary for ADEC to move forward approving a loan of \$450,000 to be used for this project.

Full Water System Upgrades:

At the special meeting on March 15th the Assembly approved the DAF Plant as the water treatment plant solution for Wrangell (along with the associated funding plan). That discussion also included a comprehensive list of all upgrades necessary for the entire water storage, treatment and distribution system. Staff will be developing a comprehensive water system upgrade program in the coming weeks. That will be reported back to the Assembly and portions of it will be included in the FY 2019 Budget.

Healthcare Continuum:

At a special meeting March 22nd, the Assembly approved the non-binding letter of intent with SEARHC. Staff will be working with SEARHC to call together the previously approved Steering Committee and move forward with planning for the Feasibility Work Session sometime in early April.

I am meeting with Robert Rang weekly to address hospital issues. I attended the WMC Board meeting on Wednesday the 21st and have a meeting scheduled with the WMC staff the first week of April.

Wrangell Junkyard Cleanup:

The Assembly discussed this item at length at the last regular meeting. Prior to offering a formal opinion about the project the Assembly is waiting to hear a response from ADEC regarding the concerns raised by Kendra Zamzow. At the moment the project start is delayed pending addition testing to obtain baseline date as requested by WCA.

Shoemaker Bay Harbor Project Update:

The Bond Bank application was submitted on March 26th. As soon as we have an update from the Bond Bank it will be provided to the Assembly. The final design engineering, mostly related to the monofill for the dredge material dumping should be finished in approximately two weeks. Staff hopes to be going out to bid no later than mid April.

IT Assessment:

Lee Burgess worked with the owner of the IT company in Petersburg to come to Wrangell on March 5th to conduct an in-depth inspection and evaluation of all aspects of the CBW IT infrastructure and needs. We are waiting the results of that evaluation and expect to have those in the next couple of weeks. This information will be used to develop the IT aspects of the 2019 budget. A huge thanks to Lee for organizing this visit.

Report from the Economic Development Director:

Alaska Regional Environmental Analysis and Decision Making Partner Roundtable

Participated in the Alaska Regional Environmental Analysis and Decision Making Partner Roundtable (EADM Roundtable)

This is a national effort to look at the way the USFS looks at how they get to the point to implement work. Trying to determine why it takes so much time, costs so much, and are results what are expected.

There are currently 36 bills before Congress telling the USFS to do things differently. Amount of time for the agency to get through process is too much. Everyone says the review, or the issuance of partners, or the EIS process is taking way to long and not meeting expectations. This effort is part of 4 other priority efforts the USFS is looking into for changes:

- 1) Sexual harassment
- 2) Reducing cost of forest fire responses
- 3) Environmental analysis and decision making
- 4) Analyzing contracts, agreements, approaches as we recognizing our approach is modeled from a time that may no longer be reflective of what state or industry is doing.

Received 35000 comments from the public when announcement was put out about wanting to change regulations - about how could change, what are the key issues.

- 1) Time consuming processes
- 2) Organizational culture way we train, show up, prioritize, work through process, cumbersome, hierarchical, decentralized
- 3) Doing environmental analysis that has things that are unnecessary go back to the original regulation and focus on those issues.

Why the regional table was established..., what trying to do: Want to make good, high quality decisions. Authorize more work and in a more effective way. But do in a cost effective, time effective way

There was a full day of presentations and discussion. The information gathered from the 10 roundtables will be provided to participants.

EDA – Water Plant financing

The proposal application to Economic Development Administration for the water treatment plant improvements for a \$3 million grant was submitted on Wednesday March 21. Match is the USDA Rural Development loan. The final application, according to EDA earlier this month, will be due in early April unless they give us a different timeline.

COE – Spur Road Monofill Permit

The Corps of Engineers Permit application for the Spur Road Monofill, for potential disposal of the Shoemaker Bay Harbor dredge material, was submitted on March 21. The Corps may require more detailed information, surveys, or even mitigation. Once they review the application we will know what additional work will need to be done and an estimated timeline.

Please see the attached report from the Public Works Director regarding the Public Safety Building project.

MEMORANDUM

TO: LISA VON BARGEN, BOROUGH MANAGER

FROM: AMBER AL-HADDAD, PUBLIC WORKS DIRECTOR

SUBJECT: PUBLIC SAFETY BUILDING – SIDING PROJECT STATUS

DATE: March 22, 2018

SUMMARY

On March 5th, the CBW received a letter from the Department of Commerce, Community, and Economic Development advising us that Wrangell's application to the FY17 Community Development Block Grant (CDBG) program for the Fire Station Exterior Envelope Rehabilitation project was not selected for CDGB funding.

The full scope of the Public Safety Building's siding project was dependent on the level of success at securing the CDBG funding for the Fire Station's portion of the rehabilitation. We anticipated that if CDBG funding was not secured, the CBW would move forward with a phased project, pursuing rehabilitation of life and safety-related issues and the most critical exterior siding systems replacement needs that available funding would allow. With this funding plan, the project was placed on hold until a response to the CBW's CDBG grant application was received. Following the news of our unsuccessful application, we now need to return to the project to determine next steps.

To further recap the work to date, Jensen Yorba Lott (JYL) provided an on-site building envelope assessment and recommendations for Public Safety Building repairs and we have their 95% level architectural design for the building's exterior siding replacement. JYL also developed construction cost estimates for the building's siding repairs. It was this project cost estimate on which the CBW's application to the CDBG was based.

Soon after we submitted our application to the CDBG, in November 2017, the CBW hired a third-party consultant, Advance Look, to perform air quality sampling and a moisture survey in the Public Safety Building. Their report indicated that interior wallboard and flooring systems were in fair to good condition, with minimal areas suffering from high moisture content, and the interior drywall was reported to be functioning as designed.

In other parts of Advance Look's report, they address moisture intrusion in the exterior wall system, which was also documented through Jensen Yorba Lott's building envelope assessment. Advance Look recommends that additional moisture remediation efforts be implemented during the future siding replacement project, including consideration of the IICRC S520 Mold Remediation Standard, a review of our air intake system, roofing repairs (although JYL's exterior building assessment only identified the parapet walls portion of the flat roofs as a problem associated with moisture intrusion, and this is included in the project design),

reconsideration of the reuse of an exterior gypboard sheathing material, and the extent of work associated with any structurally-damaged framing members' requiring replacement and its potential to effect interior drywall work. Some of these recommendation were not earlier considered in the project designed by JYL and should be revisited before proceeding with a Phase I construction project.

We continue to communicate the status of the project with the Alaska Court System's facilities staff, and to date they are aware that the CDBG funding is not available to us for the Fire Hall portion of this project. They understand that the building's siding sections associated with their leased space is the number-one priority if pursuing a phased project. Based on the understanding that the siding replacement project's completion will be a ways in the future yet, and includes repairs to the one, interior office where the drywall has been removed, they have asked us to assist them in some minor interior efforts, such as moving furniture for staff relocation, to help them through this additional interim period.

Jensen Yorba Lott's cost estimate identified the replacement of all exterior walls associated with the Fire Hall's portion of the building, including the replacement of the north wall's eyebrow, at a cost of \$295,000. The building's remaining exterior walls, except for the south wall which was replaced in 2008, is estimated at a cost of \$256,000.

Considering the shortfall in funding to replace the entire building's siding system, a phased approach, based on available funding, would prioritize the walls in the worst condition, those being the east and west walls in line with the flat roof's parapet walls. The walls' associated roofing system would also be included in the work since it is the parapet walls that have been identified as the main point of water intrusion into the walls' cavities. Additionally, the north wall's eyebrow structure is identified as critical for replacement due to its potential for structural failure.

To date, we have available FY18 funding for the siding project in an amount of approximately \$330,000 through a combination of PSB CIP budgeted funds and a balance of funds remaining from other projects including a pool project and the 911 replacement project. This figure also accounts for the money already spent with JYL and Advance Look for their services to date.

Next steps for this critical Wrangell project is to reconvene with JYL to discuss mold remediation and additional work that is not yet identified in our project, which could be caused by the unknown framing efforts discovered during construction. Once these issues have been thoroughly investigated, we will identify the scope of work for a phased siding replacement project and will make any necessary adjustments to the project budget based on the available \$330,000. Alternatively, an additional funding request may be included in the upcoming FY19 budget for this much-needed project.

CITY & BOROUGH OF WRANGELL, ALASKA								
BOROUGH ASSEMBLY AGENDA STATEMENT								
AGENDA ITEM TITLE:								
Clerk's File	<u>NO.</u>	8	Date	March 27, 2018				
SUBMITTED BY:								
Kim Lane, Boroug	h Clerk							

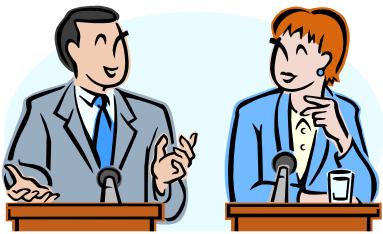
CALENDAR:

 4-4 Parks & Recreation Board meeting @ 7pm in the Assembly Chambers 4-5 Port commission meeting @ 7pm in the Assembly Chambers 4-7 WMC Health Fair beginning at 8am @ the Nolan Center 4-10 	Port commission meeting @ 7pm in the Assembly Chambers							
4-10 Regular Assembly Mtg. @ 7pm in the Assembly Chambers	Regular Assembly Mtg. @ 7pm in the Assembly Chambers							
SEAPA Scheduled for April 17 th in Ketchikan								
UPCOMING Meetings / Work Sessions:								
April 10 (6:30 p.m.) SEAPA Presentation to provide a quarterly update to the Assembly and the public								
April 24 (6:30 p.m.) SE ALASKA WATERSHED COALITION – Angie Flickinger to provide information and updates on the Watersheds in our area								
May 1 & 2 (5:30 p.m.) BUDGET Work Session's to discuss the FY 2018-19 Budget								
May 7 (5:30 p.m.) BOARD OF EQUALIZATION Meeting								

May 22 PUBLIC HEARING on the FY 2018-19 Budget

When debating.....

- Remarks must be confined to the merits of the pending question
- A member's motives must not be attacked.
- All remarks should be addressed to or through the chair.
- Members may not speak directly to one another.



What are minutes?

Official record of the proceedings of a deliberative assembly

- >Legal public record of a meeting
- Should reflect what was done in the meeting, not what was said by the members
- Should <u>never</u> reflect the recorder's opinion, favorable or otherwise, on anything said or done

Point of Order ... how does this look?
 Member Smith raised a point of order that ...
 The chair ruled the point of order well taken because... OR
 The chair ruled the point of order not well taken because ...

> Appeal

Member Smith appealed from the decision of the chair.

The ruling of the chair was sustained OR The ruling of the chair was overturned.

CITY	& BOR	DUGH (DF \	WRANGELL,	ALASKA
BORC	DUGH AS	SSEMBI		AGENDA ST	ATEMENT
AGENDA ITEM TITLE:	<u>NO.</u>	9		<u>Date</u>	March 27, 2018
	Mayo	r and As	sse	mbly Busine	255
SUBMITTED	<u>BY:</u>				
Kim Lane, Boroug	h Clerk				
ATTACHMENTS:					
None.					

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS:

INFORMATION: This agenda item is reserved for the mayor and assembly to provide reports or comments and to introduce items not previously on the agenda which need to be brought to the attention of the entire assembly or the staff. Assembly members may hold limited discussion on these topics or ask the borough manager or the borough clerk for clarifying information. By majority consent of the assembly, the mayor or assembly may give direction to the borough manager or the borough clerk to add an item for consideration for the next regular assembly meeting. Other than as described in this subsection I, no action may be taken by the assembly under this agenda item.

CITY	& BOR	DUGH C	DF۱	WRANGELL,	, ALASKA
BORC	DUGH AS	SSEMBL	Y /	AGENDA ST	ATEMENT
AGENDA ITEM TITLE:	<u>NO.</u>	10		<u>Date</u>	March 27, 2018
Ν	/layor ai	nd Asse	mb	ly Appointr	nents
SUBMITTED	<u>BY:</u>				
Kim Lane, Boroug	h Clerk				
ATTACHMENTS:					

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 City Boards and Committee Appointments

• Planning & Zoning Commission

Planning & Zoning Commission

(unexp. until 10-2019) (unexp. until 10-2020)

There were <u>no</u> letters received for the above vacancies.

** If the Ordinance to reduce the number of members on the Planning & Zoning passes this evening, these vacancies will no longer be available.

Item 10b Appointment to fill the ALTERNATE vacancy on the SEAPA Board

There were <u>no</u> letters received for the above vacancy.

Appointment to be filled by the Mayor with the consent of the assembly.

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

Motion: Move to appoint ______ to fill the vacancy on the SEAPA Board for the <u>(alternate member seat)</u> for the term up until December 31, 2018.

	CITY	& BOR	DUGH (OF '	WRANG	ELL, ALASKA
E	BOROUGH ASS	SEMBLY	PUBLI	<u>C H</u>	EARING	AGENDA STATEMENT
<u>AGEND</u>	A ITEM TITLE:	<u>NO.</u>	11a		<u>DATE:</u>	March 27, 2018
BOROUGH		LL, ALAS	SKA, REI	PEA	LING CHA	THE ASSEMBLY OF THE CITY AND APTER 3.54 OF THE WRANGELL BOARD
(first readin	g)					
						FISCAL NOTE:
	<u>SUBMITTED I</u>	<u>3Y:</u>		Ex	penditure R	equired: none
	Kim Lane, Borough	n Clerk		An	nount Budg	eted: none
				Ac	count Numl	ber(s): none
				Ac	count Name	e(s): n/a
<u>Reviews</u>	/Approvals/Reco	mmenda	ations			
n/a	Commission, Boa	rd or Com	mittee	Un	encumbere	d Balance(s) (prior to expenditure):
Name(s)					n/a	
	Attorney					
n/a	Insurance					
ATTACHM				N 1 -	040/200	
1. Proposed	Ordinance No. 940; 2	2. Adopted	Ordinance	NO.	919 (approv	ed by the voters 10-2016).

Procedure: Mayor Jack shall declare the Public Hearing open. The Mayor shall ask if there is any administrative report on the Public Hearing Item. Clerk Lane shall retrieve the list of those who signed up to speak. When the item comes up, Persons on the list will be called by the mayor to speak in the order in which they signed up for the Public Hearing Agenda Item.

Mayor Jack shall declare the Public Hearing closed <u>before</u> the Assembly takes action on the item.

Once the Public Hearing has CLOSED......

RECOMMENDATION MOTION:

Move to Adopt Ordinance No. 940.

SUMMARY STATEMENT:

The Borough Assembly voted to approve repealing Chapter 3.54, James and Elsie Nolan Museum and Civic Center Board from the Wrangell Municipal Code. This ordinance is essentially a housekeeping item.

The Assembly adopted Ordinance No. 919 on July 26, 2016 that allowed for the question to be taken to the Voters of Wrangell to repeal section 3-10 of the Charter of the City and Borough of Wrangell. The Voters did vote to repeal section 3-10 and the Charter has been amended.

Upon approval of Ordinance No. 919 by the Voters, Section 3.54 James and Elsie Nolan Museum and Civic Center Board should have been repealed as well.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. <u>940</u>

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING CHAPTER 3.54 OF THE WRANGELL MUNICIPAL CODE, NOLAN MUSEUM AND CIVIC CENTER BOARD

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

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

WHEREAS, the Assembly determined that the Nolan Board, established by Chapter 3.54 as an advisory board, was no longer necessary or cost effective as its functions are provided by the Friends of the Wrangell Museum, Inc., a charitable and educational nonprofit corporation operated by a board of directors; and

WHEREAS, because Section 3-10 of the Charter of the City and Borough of Wrangell provided that the museum and civic center was to be operated by a board established by ordinance and appointed by the Assembly, the first step in this process was to submit to the voters the question of whether the Charter should be amended to repeal Section 3-10; and

WHEREAS, the Assembly adopted Ordinance No. 919 on July 26, 2016, asking the voters of the City and Borough of Wrangell whether the Charter should be amended to repeal Section 3-10; and

WHEREAS, at the regular municipal election held on October 4, 2016, the voters approved the proposed Charter amendment repealing Section 3-10; and

WHEREAS, upon approval of the Charter amendment by the voters, Chapter 3.54 of the Wrangell Municipal Code should have been repealed; and

WHEREAS, this ordinance takes that action so as to bring the code into conformity with the Charter amendment.

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

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

SEC. 1. <u>Action</u>. The purpose of this ordinance is to repeal Chapter 3.54 of the Wrangell Municipal Code, James and Elsie Nolan Museum and Civic Center Board.

SEC. 2. Repeal of Chapter. Chapter 3.54 of the Wrangell Municipal Code is repealed in its entirety as follows:

[Chapter 3.54 JAMES AND ELSIE NOLAN MUSEUM AND CIVIC CENTER BOARD

Sections:

3.54.010 Established – Membership – Organization.

3.54.020 Powers and duties.

3.54.010 Established – Membership – Organization.

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

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

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

C. The board shall give reasonable public notice of its meetings, its meetings shall be

open to the public, and reasonable opportunity shall be provided for the public to be heard at each meeting.

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

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

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

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

H. The board may establish its own rules, regulations and policies consistent with this chapter and subject to the approval of the assembly.

3.54.020 Powers and duties.

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

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

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

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

D. Strive to create public interest in and public support for the programs and activities of the museum and civic center.]

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

SEC. 4. <u>Effective Date</u>. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: <u>March 13</u>, 2018.

PASSED IN SECOND READING: _____, 2018.

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 919

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

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

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

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

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

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

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

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

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

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

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND

BOROUGH OF WRANGELL, ALASKA:

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

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

SEC. 2. <u>Charter Amendment</u>. The purpose of this ordinance is to repeal Section 3-10, Nolan Museum and Civic Center, of the Wrangell Home Rule Charter, as follows:

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

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

SEC. 3. <u>Submission of Question to the Voters</u>. An amendment to repeal Section 3-10 of the Home Rule Charter of the City and Borough of Wrangell, Alaska, shall be submitted to the voters of the City and Borough of Wrangell at the next regular borough election. The Borough Clerk shall prepare the proposition and perform all necessary steps in accordance with law to submit this proposition to the qualified voters of the Borough for approval or rejection at the next regular borough election, to be held October 4, 2016.

SEC. 4. <u>Proposition</u>. The proposition shall read substantially as follows:

PROPOSITION 1

Explanation

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

CHARTER AMENDMENT

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

> YES (oval) (oval) NO

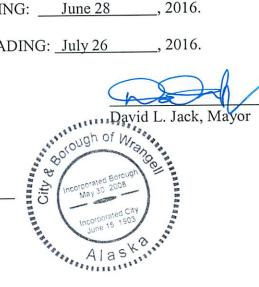
Effective Date. (a) The Charter amendment proposed in Section 2 of this SEC. 5. ordinance shall become effective on the day following the date the election results are certified for the regular municipal election held on October 4, 2016, if approved by a majority of the qualified voters voting on the proposition set forth in Section 4.

(b) Sections 3 and 4 of this ordinance authorizing the submission of the proposition to the qualified voters of the City and Borough shall become effective upon adoption.

PASSED IN FIRST READING: June 28, 2016.

PASSED IN SECOND READING: July 26, 2016.

Kim Lane, Borough Clerk



	CITY	& BORC	DUGH (DF \	WRANGE	ELL, ALASKA
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<u>AGENDA</u>	A ITEM TITLE:	<u>NO.</u>	11b		<u>DATE:</u>	March 27, 2018
AND BOR AND ZONI NUMBER	OUGH OF WRA NG COMMISSIC OF MEMBERS O ANSITION PROVI	NGELL, A N, OF TH N THE CC	ALASKA, E WRAN MMISS	AN IGE ION	MENDING LL MUNIC I FROM SE	THE ASSEMBLY OF THE CITY CHAPTER 3.44, PLANNING IPAL CODE, TO REDUCE THE EVEN TO FIVE AND PROVIDE DINANCE
FISCAL NOTE: SUBMITTED BY: Expenditure Required: none						
	SOBINITIED	<u>51.</u>		EX	penditure k	equired: none
Carol Ru	ushmore, Economi	•	nent	An	nount Budg	eted: none
	Director and Kim Lane, Boroug			Ac	count Numl	per(s): none
				Ac	count Name	e(s): n/a
<u>Reviews</u>	/Approvals/Reco	ommenda	<u>tions</u>			
n/a	Commission, Boa	rd or Comr	nittee	Un	encumbere	d Balance(s) (prior to expenditure):
Name(s)					n/a	
	1					
	Attorney					
n/a	Insurance					
ATTACHM		0.14	<u> </u>	- r		
1. Proposed Ordinance No. 941; 2. Memo from the P&Z Commission						

Procedure: Mayor Jack shall declare the Public Hearing open. The Mayor shall ask if there is any administrative report on the Public Hearing Item. Clerk Lane shall retrieve the list of those who signed up to speak. When the item comes up, Persons on the list will be called by the mayor to speak in the order in which they signed up for the Public Hearing Agenda Item.

Mayor Jack shall declare the Public Hearing closed <u>before</u> the Assembly takes action on the item.

Once the Public Hearing has CLOSED......

RECOMMENDATION MOTION:

Move to Adopt Ordinance No. 941.

SUMMARY STATEMENT:

Since July of 2017, the Commission has been seeking to fill one or two vacancies on the seven member Commission. Currently there are two and it has been several months with no one submitting a letter of interest. The Commission has had a difficult time getting quorums on regularly scheduled meeting dates as someone usually is traveling and/or sick or other conflict. Business of the Commission must move forward so by reducing the number to 5 members requiring a quorum of only 3, the Commission should be able to hold regular scheduled meetings. This request will be on the Commission's agenda in March, which is postponed two weeks to March 20, so that a quorum will be obtained. Their recommendation will be available by the hearing date for this item.

According to a previous review of this issue by the Borough Attorney, a smaller Planning Commission would make it easier for the body to get a quorum and presumably it would not be as difficult to fill out the membership with fewer seats. The downside is that a smaller membership would be less representative of the community, and actions could be taken with two votes; some may think that is not sufficient for deliberative decision making on issues before the commission (particularly given that issues may be controversial or difficult).

Should the Commission face a controversial issue, it is up to them to hold necessary workshops/hearings to obtain community input and appealing the decision of the Commission is and always will be an option to the public participants.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 941

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 3.44, PLANNING AND ZONING COMMISSION, OF THE WRANGELL MUNICIPAL CODE, TO REDUCE THE NUMBER OF MEMBERS ON THE COMMISSION FROM SEVEN TO FIVE AND PROVIDE FOR A TRANSITION PROVISION TO IMPLEMENT THIS ORDINANCE

WHEREAS, the Planning & Zoning Commission has had two vacant seats on the Planning & Zoning Commission since July 2017; and

WHEREAS, since that time, the borough has advertised for letters of interest from citizens who may wish to serve on the Commission; and

WHEREAS, these ongoing vacant seats and the lack of interested applicants for the seats has at times resulted in difficulties in obtaining a quorum for Commission meetings; and

WHEREAS, to address this situation and improve efficiency in conducting the business of the Commission, the Economic Development Director recommends that the number of members on the Planning & Zoning Commission be reduced seven to five; and

WHEREAS, this reduction would reduce from three to two, the number of seats whose terms expire October 2019 and reduce from two to one, the number of seats whose terms expire October 2020; and

WHEREAS, this ordinance will not impact the terms of the Commission seats that expire in 2018 (two seats); and

WHEREAS, upon implementation of this ordinance, the staggered 3-year terms on the Commission will rotate annually as follows: 2-2-1, instead of the current 2-3-2 rotation.

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

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

SEC. 1. <u>Action</u>. The purpose of this ordinance is to amend Section 3.44.020, Composition, and Section 3.44.080, Quorum, of the Wrangell Municipal Code, to reduce number of members on the Planning & Zoning Commission from seven to five, and reduce the quorum requirement from four to three members, and provide for a Transition Provision to implement this ordinance.

SEC. 2. <u>Amendment of Sections</u>. Sections 3.44.020 and 3.44.080 of the Wrangell Municipal Code are amended to read:

3.44.020 Composition.

The commission shall consist of **[seven]**<u>five</u> members from the general public, nominated by the mayor and confirmed by the assembly. Appointed members shall not include members of the assembly or of the port commission. They shall be selected with a view toward achieving a broad geographical representation for all areas of the borough.

3.44.080 Quorum.

[Four]<u>Three</u> members of the commission shall constitute a quorum. For voting purposes, the vote of a majority of the quorum shall be sufficient for a subject matter's passage or enactment.

SEC. 3. <u>Transition Provision</u>. The transition from seven to five Commission members, as provided in Section 2 of this ordinance, shall be implemented as follows:

- 1. The two members holding the two Commission seats with terms expiring October 2018 shall continue to serve and fulfill their terms on the Commission;
- 2. The Borough Clerk shall advertise for applicants for two seats each with a 3-year term on the Commission during the declaration for candidacy period for the upcoming October 2, 2018 regular election;
- 3. As provided in WMC 3.44.030, following the October 2, 2018 regular election, the Assembly will appoint two successful applicants to fill the two seats with 3-year terms expiring October 2021;
- 4. The Commission seat that expires October 2019 and is currently vacant shall be eliminated upon the effective date of this ordinance; the two seats that expire October 2019 and are currently filled shall not be affected by this ordinance;
- 5. The Commission seat that expires October 2020 and is currently vacant shall be eliminated upon the effective date of this ordinance, and the one seat that expires October 2020 and is currently filled shall not be affected by this ordinance.
- SEC. 4. <u>Classification</u>. Sections 2 of this ordinance is of a permanent nature and

shall be codified in the Wrangell Municipal Code. Section 3 of this ordinance is a Transition Provision and shall not be codified in the Wrangell Municipal Code.

SEC. 5. <u>Severability</u>. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

SEC. 6. <u>Effective Date</u>. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: March 13, 2018.

PASSED IN SECOND READING:_____, 2018.

ATTEST:

David L. Jack, Mayor

Kim Lane, Borough Clerk

MEMORANDUM

- TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY CITY AND BOROUGH OF WRANGELL
- FROM: MS. CAROL RUSHMORE ECONOMIC DEVELOPMENT DIRECTOR
- SUBJECT: Ordinance 941 Reducing the members of the Planning and Zoning Commission

DATE: March 22, 2018

BACKGROUND:

Due to the length of time that the PZ Commission has not been at full membership and the ongoing difficulty in obtaining quorums for regular meetings, there was a consideration by staff to consider reducing the Commission from 7 members to 5 members.

RECOMMENDATION:

The Planning and Zoning Commission reviewed the issue at their last rescheduled meeting on March 20, 2018. While they would like to retain the 7 members for diversity, the acknowledge the problems they have had in getting quorums and the loss of volunteerism across the community.

The Commission moved to recommend to the Assembly to reduce their membership from 7 to 5.

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	BORC	UGH AS	SEMBI	LY A	AGENDA	STATEMENT		
AGEND/	A ITEM TITLE:	<u>NO.</u>	12a		DATE:	March 27, 2018		
AND BOR DESCRIPT OF THE PC UNION W	OUGH OF WRAN ION FOR THE PO	GELL, AL SITION C DMAN/M E TABLE	ASKA PR F GROU 1ETER TE	OVI NDI ECH	IDING FOF MAN/MET NICIAN II	N OF THE ASSEMBLY OF THE CITY R THE AMENDMENT OF THE JOB TER TECHNICIAN I, THE CREATION AND THE AMENDMENT OF THE		
FISCAL NOTE:								
	<u>SUBMITTED </u>	<u>BY:</u>		Exp	oenditure R	equired:		
Amount Budgeted:								
Clay Hammer Electrical, Superintendent Account Number(s):								
				A cc	count Name	o(c):		
Reviews	/Approvals/Reco	ommenda	ations			=(5).		
	Commission, Boa			Un	encumbere	ed Balance(s) (prior to expenditure):		
Name(s)						<u>·</u>		
Attorney								
	Insurance							
Grou	olution No. 03-18-139	I-II; 3. Exhil				4 & New Job Description for n. 4. Exhibit C, Wage Comparison		

Mayor:

There is a motion on the floor from the March 13th Regular meeting. That motion is:

Move to approve Resolution No. 03-18-1391 providing for the amendment of the job description for the Meter Technician I, the Creation of the Position Meter Technician II and the Amendment of the Union Wage and Grade Table.

SUMMARY STATEMENT:

At the last meeting the Assembly discussed the merits of changing the job description of this position; creating two different classifications of the same position to allow for position advancement; and upgrading the wage scale to compensate the position according to its true value. A significant portion of the conversation centered on whether this is the right time to address these issues, or if it should wait until the next "official negotiations" of the Collective Bargaining Agreement. Several of the Assembly members asked for action to wait until that time. However, Assembly member Gilbert reminded the Assembly action had recently been taken on the Mechanic Lead position – outside of Collective Bargaining – and so perhaps precedent had been set. Upon discussing this the Assembly asked for a reminder of what transpired with the Mechanic Lead position and a more clear description of the changes associated with this position.

Mechanic Lead -

Following the retirement of Jim Lebo in December the position description was reviewed and amended so the Mechanic Lead position was on par with the other supervisory positions within the Public Works Department. On January 4th the Assembly approved a resolution authorizing amendments to the job description and an amendment to the Union Wage & Grade Table moving the position from a 20 to a 23.

Groundsman/ Meter Technician -

This position remains one position, but has two levels as it allows the person in the position to advance from an introductory level employee to a fully trained and certified employee. A person with no, or little, experience will enter as a Technician I at a specific wage. Upon obtaining all the appropriate certifications and on-the-job training, that employee has the ability to ascend to the level of Technician II at a slightly higher wager level. A new employee entering this position that comes to the job with all required certifications who already has significant experience may enter has a Tech II, rather than a Tech I, if all the qualifications are met.

The position of Tech I has been amended, not necessarily to add duties, but to clarify the actual work that is being done by the person in that position here in Wrangell. In the opinion of Administration, the salary associated with the actual work is undervalued and the wage grade should be increased as recommended in the agenda statement. Clay Hammer, former Superintendent, did considerable research to identify the pay range of other similar positions around the state. The recommended wage grade for this position (at both levels) is based on this research.

Administration recommends moving forward with this amendment to the position and the wage and grade table. It is, however, the Assembly's prerogative to direct this change to wait until the official Collective Bargaining work begins again.

The remainder of this agenda statement remains unchanged from the previous meeting.

The City and Borough believes that its employees are critical in achieving the Borough's mission, goals, and objectives. To be successful, the Borough must employ and retain qualified and productive people. Further, in order to be a high performing organization, the Borough must attract and retain

employees who demonstrate initiative while also accepting responsibility and accountability for their work performance. To support, encourage and reward employees, the Borough uses a classification and compensation system to operate in a fair and equitable manner.

Positions are classified into job grades and pay levels according to the nature and difficulty of duties and responsibilities assigned to employees in their positions. Classification of a position often is determined based on the level of decision-making, discretion, independence of action, complexity, consequence of error, and impact on the unit or organization.

The existing Groundman/meter reader position has long been considered an entry level position but there has never been an actual review of the job description, qualifications, and responsibilities or wage to see how it compares with other entry level positions within the Borough and regional standards among other utilities for the same worker. It has long been the opinion by the Electrical Superintendent that this position is undervalued. The Borough Manager came to the same conclusion when reviewing the Meter position job description in comparison to that of the Lineman Apprentice position.

Attached is Exhibit A, revised job descriptions that accurately reflect what is expected of this position. Attached is Exhibit B, Revised IBEW Pay Plan

Attached is Exhibit C, the results of a review of (6) other electrical utilities within our region performing essentially the same tasks with similar responsibilities. The review compares essential qualifications, duties, and responsibilities as well as hourly pay range.

Due to the difficulty in finding available recruits for this position that have the necessary skills and qualifications, staff recommends the position be re-titled as "Groundman/Meter Technician I" and "Groundman/Meter Technician II".

Groundman/Meter Tech I would start at step #1 Grade 17. This grade level presumes an above average level of responsibility for the work they will be doing with experience and documentation meeting as many of the requirements for the position possible. This person is expected to safely work on and around live electricity, carry a current CDL, learn to operate municipal generators as well as enroll in a meter training program and obtain any other documentation that will advance them to Meter Tech II.

Groundman Meter Tech II Would advance to Grade 20 starting at the first step that would offer a bump in hourly pay. Advancement to this level would require obtaining all required licenses and certificates and completing year (4) of the provided Meter classes. Grade 20 is still below the industry standard for comparable workers but is consistent with other highly skilled non-licensed positions within the borough.

Both the Electric Department Superintendent and the Borough Manager support the job description changes and related pay grade increase for the Groundman/Meter Technician position.

The proposed, revised job description also required concurrence from the IBEW before proceeding to the Borough Assembly for approval. The job descriptions submitted herein and the corresponding Wage Grade increases, has been approved by Jay Rhodes, the IBEW representative.

12a-1

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION No. <u>03-18-1391</u>

WHEREAS, the amendment of this position description allows the City and Borough of Wrangell's Administration Department the ability to appropriately update the duties and responsibilities of the Groundman/Meter Reader position to that of a Groundman/Meter Technician I and a Groundman/Meter Technician II; and

WHEREAS, the current rate of pay for the Groundman/Meter Reader position is a grade 13 with the pay range from \$18.55 to \$23.32 and based on the proposed changes to the job descriptions, this will change to grade (17) for the Groundman/Meter Technician I position with the pay range from \$22.17 to \$27.92 and grade (20) for the Groundman/Meter Technician II position with the pay range of \$25.44 to \$32.07; and

WHEREAS, this positions have been reviewed and job description updated to accurately reflect actual duties, responsibilities, and qualifications; and

WHEREAS, this position title needs to be modified to better accommodate different levels of training and added responsibility; and

WHEREAS, the revised job descriptions need to reflect a commensurate rate of pay.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA,

Section 1. The attached Exhibit "A" includes the job descriptions which describe the duties, responsibilities and qualifications for the Groundman/Meter Technician I and the Groundman/Meter Technician II.

Section 2. The new job description for the Groundman/Meter Technician I, Groundman/Meter Technician II position will be effective as of February 1, 2018.

Section 3. The attached Exhibit "B" is the Union Wage and Grade Table reflecting the change of the Groundman/Meter Technician I from grade 13 to grade 17 and the creation of the Groundman/Meter Technician II position at a grade 20.

Section 4. The attached Exhibit "B" repeals all other previous Union Pay Plans and becomes effective February 1, 2018.

Section 5. The attached Exhibit "C" is Meter Reader/Meter Technician job and hourly wage as compared to other utilities within the region.

ADOPTED: _____, 2018

David L. Jack, Mayor

ATTEST: ____

Kim Lane, Borough Clerk

Exhibit A

City & Borough of Wrangell	Position Description
Position: Groundman/Meter Reader Technician-(I) (II)	Position Number:
Department/Site: Light Department	FLSA: Non-exempt
Evaluated by: Electrical Line Foreman	Salary Grade: 13 (17) (20)

Summary

To assist line crews in the installation and maintenance of electrical distribution systems, operate electrical generation systems, and read electric meters citywide. To install, service and read all WML&P electrical revenue meters. To provide ground support for line crew as well as operate municipal generators when required.

Distinguishing Career Features

The Groundman/Meter Reader is essential to the support of Wrangell Municipal Light & Power operations. The Groundman/Meter Reader assists lineworkers and operates various heavy equipment to do so, in addition to monitoring Wrangell's electrical grid. This position exposes the occupant to a wide range of technical instruction and training in the electrical and distribution field. Occupant will need to travel at least (1) week per year for training for first (5) years of employment. learn to install, read, test single and three phase electrical services up to 500 volts. Will have or acquire a Class A CDL within six (6) months of employmenta specified period of time. Know or learn how to operate various pieces of heavy and light equipment including but not limited to Boom Trucks, Bucket Trucks, Chainsaws, Brush Chipper, and Municipal Generators. Occupant will be advanced from Groundman/Meter Tech I to Groundman Meter Tech II after obtaining all required licenses and certificates and successful completion of year (4) of the departments meter training program.

Essential Duties and Responsibilities

Provides assistance to lineworkers in maintaining the City's electrical distribution systems. Assists with materials and equipment. From the ground, monitors the safety of lineworkers. Assists in brush cutting and tree falling around power lines. Performs scheduled or assigned meter reading duties to record customer power • usage. Observes and reports meter abnormalities or malfunctions. Performs other related duties as required or assigned. Works cooperatively with other employees, city departments, external agencies, and the public. Must quickly learn needed skills and perform such duties as operate diesel generators and operate city equipment including the department's boom and bucket trucks. Performs routine inventory inspections on all trucks and supply materials. Maintains complete and accurate records of all inventories. Confers with Supervisor for supply purchases. Read and Record all electrical revenue meters on monthly basis Perform daily Work Orders as needed including but not limited to Reads, Installs, and Disconnects. Program, Test and Troubleshoot electrical meters.

- Maintain meter inventory, ordering additional stock when needed.
- Identify and install correct metering devices for single and three phase electrical services up to 600 volts.

Groundman/Meter Reader

Comment [CH1]: ,

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Operate boom truck, bucket trucks, Chainsaws, brush chipper, municipal generators. • Flagging and traffic control as required. Qualifications **Knowledge and Skills** Requires knowledge of or the ability to learn basic and advanced electric principles and safety procedures. Working knowledge of computers Certified traffic flagger Class A CDL CPR/First Aid card Abilities Ability to work cooperatively with line crews. Ability to accurately read and record meter readings. Willingness to perform various job related duties as required or assigned. Must have a strong sense of teamwork and the ability to work cooperatively with others. Requires the ability to learn to operate heavy equipment and the boom and bucket trucks safely and efficiently. Requires inventory and record keeping skills to maintain appropriate supplies for the department. Requires some mechanical knowledge of vehicles and equipment to ensure that they are in good and safe operating condition. Requires good verbal interpersonal skills and interaction skills. Formatted: Indent: Left: 0.25", No bullets or numberina **Physical Abilities** Ability to perform physically active duties such as lifting heavy materials. Must be able to work outside in severe conditions, to stand for long periods of time, and to bend, stoop, and crouch. Must be physically able to to walk long distances, stand for long periods of time and lift loads of at least 50 pounds often under adverse weather conditions. **Education and Experience** High School Diploma or GED required Some knowledge of basic electric principles and safety procedures desirable Formatted: Indent: Left: 0.25", No bullets or Prior Electrical experience desirable numbering . Licenses and Certificates Requires CDL and Medical Certificate. Requires the ability to obtain a State of Alaska Certificate of Fitness. Requires the following be held at the time of employment or obtained within the specified timeframe. Current Class A CDL (Within 6 months of employment.) CPR/First aid card (Within 6 months of employment.) Flagger certification (As soon as class attendance can be arranged by Supervisor.) Groundman/Meter Reader Rev. 9/28/2011

Serve as Groundman for Linecrew providing assistance from the ground and maintaining safety overwatch over crews working off poles and elevated structures.

Assist in brush cutting and Right of Way maintenance.

Working Conditions

Ability to work irregular hours in sometimes severe weather and working conditions.

This job/class description, describes the general nature of the work performed, representative duties as well as the typical qualifications needed for acceptable performance. It is not intended to be a complete list of all responsibilities, duties, work steps, and skills required of the job.

Exhibit A

City & Borough of Wrangell	Position Description
Position: Groundman/Meter Reader Technician-(1) (II)	Position Number:
Department/Site: Light Department	FLSA: Non-exempt
Evaluated by: Electrical Line Foreman	Salary Grade: 13 (17) (20)

Summary

To assist line crews in the installation and maintenance of electrical distribution systems, operate electrical generation systems, and read electric meters citywide. To install, service and read all WML&P electrical revenue meters. To provide ground support for line crew as well as operate municipal generators when required.

Distinguishing Career Features

The Groundman/Meter Reader is essential to the support of Wrangell Municipal Light & Power operations. The Groundman/Meter Reader assists lineworkers and operates various heavy equipment to do so, in addition to monitoring Wrangell's electrical grid. This position exposes the occupant to a wide range of technical instruction and training in the electrical and distribution field. Occupant will need to travel at least (1) week per year for training for first (5) years of employment. learn to install, read, test single and three phase electrical services up to 500 volts. Will have or acquire a Class A CDL within six months of employment.a specified period of time. Know or learn how to operate various pieces of heavy and light equipment including but not limited to Boom Trucks, Bucket Trucks, Chainsaws, Brush Chipper, and Municipal Generators. Occupant will be advanced from Groundman/Meter Tech I to Groundman Meter Tech II after obtaining all required licenses and certificates and successful completion of year (4) of the departments meter training program.

Essential Duties and Responsibilities

Provides assistance to lineworkers in maintaining the City's electrical distribution Assists with materials and equipment. From the ground, monitors the safety of systems lineworkers. Assists in brush cutting and tree falling around power lines. Performs scheduled or assigned meter reading duties to record customer power • usage. Observes and reports meter abnormalities or malfunctions. Performs other related duties as required or assigned. Works cooperatively with other employees, city departments, external agencies, and the public. Must quickly learn needed skills and perform such duties as operate diesel generators and operate city equipment including the department's boom and bucket trucks. Performs routine inventory inspections on all trucks and supply materials. Maintains complete and accurate records of all inventories. Confers with Supervisor for supply purchases. Read and Record all electrical revenue meters on monthly basis Perform daily Work Orders as needed including but not limited to Reads, Installs, and Disconnects. Program, Test and Troubleshoot electrical meters.

• Maintain meter inventory, ordering additional stock when needed.

 Identify and install correct metering devices for single and three phase electrical services up to 600 volts.

Groundman/Meter Reader

Comment [CH1]: ,

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Operate boom truck, bucket trucks, Chainsaws, brush chipper, municipal generators. • Flagging and traffic control as required. Qualifications **Knowledge and Skills** Requires knowledge of or the ability to learn basic and advanced electric principles and safety procedures. Working knowledge of computers Certified traffic flagger Class A CDL CPR/First Aid card Abilities Ability to work cooperatively with line crews. Ability to accurately read and record meter readings. Willingness to perform various job related duties as required or assigned. Must have a strong sense of teamwork and the ability to work cooperatively with others. Requires the ability to learn to operate heavy equipment and the boom and bucket trucks safely and efficiently. Requires inventory and record keeping skills to maintain appropriate supplies for the department. Requires some mechanical knowledge of vehicles and equipment to ensure that they are in good and safe operating condition. Requires good verbal interpersonal skills and interaction skills. Formatted: Indent: Left: 0.25", No bullets or numberina **Physical Abilities** Ability to perform physically active duties such as lifting heavy materials. Must be able to work outside in severe conditions, to stand for long periods of time, and to bend, stoop, and crouch. Must be physically able to to walk long distances, stand for long periods of time and lift loads of at least 50 pounds often under adverse weather conditions. **Education and Experience** High School Diploma or GED required Some knowledge of basic electric principles and safety procedures desirable Formatted: Indent: Left: 0.25", No bullets or Prior Electrical experience desirable numbering • Licenses and Certificates Requires CDL and Medical Certificate. Requires the ability to obtain a State of Alaska Certificate of Fitness. Requires the following be held at the time of employment or obtained within the specified timeframe. Current Class A CDL (Within 6 months of employment.) CPR/First aid card (Within 6 months of employment.) Flagger certification (As soon as class attendance can be arranged by Supervisor.) Groundman/Meter Reader Rev. 9/28/2011

Serve as Groundman for Linecrew providing assistance from the ground and maintaining safety overwatch over crews working off poles and elevated structures.

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Ability to work irregular hours in sometimes severe weather and working conditions.

This job/class description, describes the general nature of the work performed, representative duties as well as the typical qualifications needed for acceptable performance. It is not intended to be a complete list of all responsibilities, duties, work steps, and skills required of the job.

Exhibit B

EXHIBIT "B' to REOLUTION 01-18-1391

to Groundman/Meter Technician I from Grade 13 to Grade 17 and Groundman/Meter Technician II at Grade 20 Proposed Revisions to Pay Plan based on Recommended Change in Groundman/Meter Reader

1/23/2018

Wage Scale, IBEW-represented positions, July 1, 2017 to June 30, 2020

City & Borough of Wrangell

		NEW													
Grade	e Step	p STEP 1	1 2	(1)	~	4	5	9	7	8	6	10	11	12	13
11	Groundman/Meter Reader	-18.5	5 18. (.01 06	1 9 7 6	9.63	20.00	20.40	20.79	21.19	21.59	22.02	22.45	22.88	23.32
13	Harbor Maintenance/Security	18.5				9.63	20.00	20.40	20.79	21.19	21.59	22.02	22.45	22.88	23.32
14	Maint Specialist I	19.38	8 19.75			20.53	20.92	21.32	21.74	22.16	22.58	23.01	23.46	23.91	24.37
15	Administrative Assistant-Harbors	20.2				1.44	21.87	22.29	22.72	23.15	23.61	24.06	24.53	25.00	25.49
15	Water Trt. Plt. Apprentice	20.2				1.44	21.87	22.29	22.72	23.15	23.61	24.06	24.53	25.00	25.49
15	Maintenance Specialist	20.2				1.44	21.87	22.29	22.72	23.15	23.61	24.06	24.53	25.00	25.49
15	Custodian - Light Maintenance	20.2				1.44	21.87	22.29	22.72	23.15	23.61	24.06	24.53	25.00	25.49
16	Electrical Dispatch Secretary	21.1				2.43	22.86	23.30	23.77	24.22	24.68	25.16	25.65	26.15	26.65
16	Sanitation Worker	21.1				2.43	22.86	23.30	23.77	24.22	24.68	25.16	25.65	26.15	26.65
17	Groundman/Meter Technician I	22.1				3.47	23.93	24.39	24.86	25.36	25.85	26.35	26.86	27.38	27.92
17	Port & Harbor Maintenance	22.1				3.47	23.93	24.39	24.86	25.36	25.85	26.35	26.86	27.38	27.92
19	Mechanic	24.2				5.72	26.21	26.71	27.24	27.76	28.29	28.85	29.41	29.99	30.57
19	Maint. Specialist II/Heavy Equip Operator				25.24 2	5.72	26.21	26.71	27.24	27.76	28.29	28.85	29.41	29.99	30.57
19	Water/Wastewater Treatment Operator	24.2				5.72	26.21	26.71	27.24	27.76	28.29	28.85	29.41	29.99	30.57
19	Marine Service Ctr & Harbor Team Leader					5.72	26.21	26.71	27.24	27.76	28.29	28.85	29.41	29.99	30.57
20	Diesel Electric Mechanic	25.4				6.96	27.48	28.01	28.56	29.12	29.68	30.26	30.85	31.45	32.07
20	Groundman/Meter Technician II	25.4				6.96	27.48	28.01	28.56	29.12	29.68	30.26	30.85	31.45	32.07
20	Maint. Specialist III/Heavy Equip Operator		4 25.93			6.96	27.48	28.01	28.56	29.12	29.68	30.26	30.85	31.45	32.07
23	Public Works Foreman	28.5	5 29.11		(,,	0.25	30.84	31.43	32.06	32.68	33.31	33.97	34.63	35.31	36.00
23	Water Treatment Leadman	28.55	5 29.11		(,,	0.25	30.84	31.43	32.06	32.68	33.31	33.97	34.63	35.31	36.00
23	Wastewater Treatment Leadman	28.5	5 29.11		(1)	0.25	30.84	31.43	32.06	32.68	33.31	33.97	34.63	35.31	36.00
23	Mechanic Lead	28.5	5 29.11		(1)	0.25	30.84	31.43	32.06	32.68	33.31	33.97	34.63	35.31	36.00
27	Electrical Lineman	33.58	8 34.24		m	5.60	36.29	37.00	37.73	38.46	39.23	39.99	40.77	41.58	42.39
29	Electrical Line Foreman	36.53	3 37	26 37.	m	8.74	39.49	40.27	41.06	41.87	42.69	43.53	44.39	45.26	46.15

Exhibit C

Exhibit C, Wage Comparison Groundman/Meter Technician-Groundman

In all (6) different local utilities were reviewed for comparison.

- Matanuska
- Homer
- Juneau
- Sitka
- Petersburg
- Ketchikan

Of note, all utilities polled pay a given wage for an employee that meets the qualifications for the job. This is usually a percentage based wage with Journeyman line wage serving as the benchmark. Some use a 3-year probationary period for entry level positions, but terms do not exceed (3) years in length unless part of an apprenticeship program. Wrangell has a Grade based system with step increases for years of service spanning (13) years.

Also of note, most utilities polled do not have a full time Groundman on the crew. If needed Meter Readers may be assigned to this on an as-needed basis but usually a member of the Line Crew does this work effectively putting the Groundman wage within the realm of the Line Man scale.

Matanuska (Palmer)

Wage: 50-100% Line Man Scale or (23.82) to (47.65) per hour.

Two to three work classes cover this work, Meter Reader, Meter/Relay Tech, Lineman.

Meter Reader reads all meters, connect/disconnect single phase meters. Other duties as assigned. Wage starts at 50% Line an Scale with 5% bump every 6 months until 75% line man scale. (3.82 to 35.73 per hour)

Meter/relay tech (or Lineman) removes, installs, tests and calibrates all residential and commercial grade meters. Assists in disconnect/reconnects, monthly substation reads. Performs installation of complex metering installations. Trouble shoot power complaints. Wage is 100% Line Man scale or 47.65 per hour.

<u>Homer</u>

Wage: 65% to 100% of Line Man Scale or 31.57 to 48.57 per hour.

Two classes of workers fill this position. Meter Reader and Metering/Apparatus Tech.

The Tech inspects and tests meters, performs installation of complex metering systems and also maintains and services protective relays and SCADA systems. Wage is 100% line scale.

Meter Reader takes care of meter reading, delivers shut off notices, serves as Groundman for Line crew.

Wage is 65% Line Scale

Juneau (AEL&P)

Wage: 70% to 100% Line Man Scale or 31.26 to 44.66 per hour

Two classes of worker fill this position, Meter Reader and Meterman.

The Meterman is an apprenticed tech position that requires 7000 hours of documented time with a Journeyman Meterman in a valid apprenticeship program. Meterman programs, installs and tests complex metering installations, performs disconnects/reconnects. Shut off's for non-pays, investigate suspect usage and meter tampering.

Wage is 100% line scale or 44.66 per hour.

Meter Reader reads meters, delivers shut off notices and collects re-reads as needed. Installation and removal of single phase self-contained meters only as necessary. Other duties as assigned.

Wage is 70-80 % Lineman scale. Start at 70% (31.26) then receive 5% bump at 6 months then at one year for 80% or 35.72 per hour.

<u>Sitka</u>

Wage: 65-100% line Man scale or 29.36 to 45.17 per hour

Two classes of worker fill this position, Meter Reader and Meter Tech.

Meter Tech manages operation of metering department. Supervises reading, testing, installation and repair of all residential, commercial and industrial electric meters. Performs special reads, operates and calibrates test equipment. Maintains metering equipment inventory. Wage is 100% lineman scale or 45.17 per hour

Meter Reader reads electric meters and records energy consumption. Performs special reads as required. performs meter disconnects and reconnects as requested. Tests single phase meters. Related work as required.

Wage is 50-65% Lineman scale. Position starts at 50% (22.58) and then receives 5% bump annually until 65% or (29.36) per hour.

Petersburg

Wage: 25.98 per hour to 42.81 per hour.

Two classes of worker fill this position, Meter Reader and Electrician.

Meter Reader reads electric AND water meters monthly and serves as mapping technician for borough. Also serves as Groundman for Line crew when required. Wage is 25.98 per hour for Tier 4, 27.06 per hour for Tier 1-3.

Job description states that Meter Reader connects, disconnects, tests, calibrates and repairs electric meters as well as programs metering installations for commercial services. Staff within that department tell me this is not actually the case and that the departments Electrician performs those duties. Electrician is a journeyman level position with a listed wage of 41.10 per hour for Tier 4 and 42.81 for Tier 1-3 employees.

<u>Ketchikan</u>

Wage: 65% to 100% Lineman Scale or (25.34-38.39) per hour. (Licensed Line Men receive additional 6.50 per hour premium over the 38.39 other workers rated at 100% receive)

Two classes of worker, Meter Reader, and Journeyman Meterman.

Meter Reader reads and records electrical meter readings. creates routs and uploads data to handheld electronic device and downloads to central system. Performs related duties as required.

Wage is 65% line scale (25.34) per hour.

Journeyman Meterman tests, calibrates, and installs electric meters and other devices used to measure electricity. Coordinates new meter installs. Maintains electrical testing and load checking equipment, repairs meter reading equipment and software upgrades.

Wage is 100% Line Scale or (38.39) per hour.

<u>Wrangell</u>

Wage: 18.55 to 23.32 per hour spread over 13 years.

One worker covers meter reading, meter tech and line crew groundman duties. Responsibilities include read, calibrate, test, program and install single and three phase meter installations. Perform required software upgrades to meter test equipment. Perform disconnect/reconnects and related work orders. Troubleshoot customer consumption complaints. Down load stored meter data for customer consumption analysis. Serve Line Crew as Groundman aiding from the ground and maintaining safety over watch for crews working off poles and elevated structures. Operate municipal generators when required.

Summary

We can see that basically there are two positions that typically cover this work, a Meter Reader and a Meter Tech

Looking at average wages for the two positions represented and we come up with:

Generally speaking the Meter Reader position is entry level and this is reflected in the wage.

The Meter Tech positions are much more technical and most other utilities tie that position to a Skilled Trades position requiring advanced training or completion of a documented apprenticeship program. This too is reflected in the wage.

Wrangell does not have a journeyman program as part of our meter department. We do send our meter reader off to a recognized meter school for (1) week per year for a total of (5) years or (5) weeks of training. While this does provide the training needed to safely do the required work it does not give them a license or other universally accepted documentation that would allow them to necessarily assume the same level of responsibility in another utility. Because the meters and related equipment are the property of our utility we are exempt from State Department of Labor statutes requiring licensing or other advanced documentation for our worker. (see chapter 40 Alaska State Statutes) What I Propose is this:

Create a "Groundman-Meter Technician I" position and a "Groundman-Meter Technician II" position.

Tech I would start at Step #1 Grade 17. This Grade level presumes an above average level of responsibility for the work they will be doing with either experience and or documentation meeting as many of the requirements for the position as possible. Anyone expected to work on or around live electricity and carry a CDL should be worth this much.

Tech II would move them up to Grade 20 starting at whatever year would allow them a bump in pay. Advancement to Tech II would require obtaining all required licenses and certificates and completing year (4) of the provided Meter Classes. Grade 20, while still far below the polled average, is consistent with the Borough's other skilled non-licensed positions yet below most union lead positions.

Justification:

When comparing our wage and scale to other utilities we do not come close to paying the average wage for a Meter Reader. If we add the Meter Tech aspect of the job and then throw in the requirement that they serve as Groundman then we fall even further behind.

One of the reasons this has been a low paying position is that it has always been considered entry level. In all fairness, pay grades 13-17 of the listed IBEW positions are all entry level too. None of those positions require the worker to be exposed to live unguarded electrical components, operate boom/ bucket trucks/municipal generators or any of the risks associated with Line Work. This is inherently dangerous work, but the grade level does not reflect this. Indeed, this position falls well behind even the Custodian level job grades.

Further consider the technical aspects of the position and that other utilities pay a wage for those services that is at minimum on par with year (8) of our Line Man Scale. This is serious work; an improperly selected or installed meter service can

explode within minutes of being energized so it is imperative that it be done right the first time. Training is required to do the work correctly and safely, but the current grade does not reflect the level expertise required.

Historically it has been difficult to recruit and retain good help for this position. We typically invest in recruitment and training of able candidates only to lose them to another position or department that pays more. Turn over is higher in this job than any other in this department. I would like to be able to offer a program and wage scale that will not only allow me to recruit able candidates but also offer incentive for upward advancement and encourage longevity.

Clay Hammer Electrical Superintendent Wrangell Municipal Light and Power

CITY & BOROUGH OF WRANGELL, ALASKA									
BOROUGH ASSEMBLY AGENDA STATEMENT									
AGEND/	A ITEM TITLE:	<u>NO.</u>	12b	DATE: March 27, 2018					
Discussion Item: Credit Card processing fees for larger Utility Payments									
	FISCAL NOTE:								
	SUBMITTED	<u>BY:</u>		Expenditure Required: none					
	D	D : 1		An	nount Budg	eted: none			
LE	e Burgess, Finance	Director		Account Number(s): none					
				Ac	count Nam	e(s): none			
Reviews	/Approvals/Reco	ommenda	ations						
	Port Commission			Un	encumbere	ed Balance(s) (prior to expenditure):			
	P&Z Commission				none				
	Attorney								
n/a									
ATTACHMENTS:									
1. Memo from Finance Director Burgess.									

RECOMMENDATION:

<mark>Discussion only.</mark>

SUMMARY STATEMENT:

MEMORANDUM

To:	Mayor Jack and Assembly
From:	Lee Burgess, Finance Director
Subject:	Transaction limit for credit card utility payments
Date:	March 8, 2018

Background:

In January, the Finance Department began offering online utility payments through JetPay, a credit card processor and partner of the Borough's utility billing software company. The success of this feature has exceeded my expectations, as over a third of the Borough's customers have already signed up for this option in the first two months.

During implementation and setup, we elected to absorb customers' processing fees, consistent with previous practice. The Borough has never passed along a related "convenience fee" or other fee to customers. The advantage of this has been broader and more rapid adoption of these more efficient methods of paying bills, which the department wants to continue encouraging.

JetPay therefore advised and is continuing to recommend a credit card transaction limit, which is common practice and financially protects the billing organization from significant fees. I also suspect based on the urgency expressed in JetPay's recommendation that unlimited credit card transactions is financially disadvantageous to them (JetPay) as well, so my other concern is that if we do not change this practice, JetPay may end up asking to increase their original fixed processing rate, which was very competitive. Large organizations like to pay with cards to accumulate benefits offered by the credit card companies or banks (e.g., airline miles).

The Borough has never previously established a credit card transaction dollar limit. Large utility customers that would be affected by this cap represent just 4% of total number of transactions processed through online payments since January, yet represent 35% of the total fees the Borough's utility funds are absorbing. Payments received to date that exceed the proposed \$1,000 credit card limit, as well as the associated fees, are shown on the next page.

It should also be noted that numerous other customers with very large monthly utility bills during certain times of year do not typically pay their utility bill with a credit card, but could begin to do so and we would have no basis for not allowing it, which could significantly increase the fees absorbed by the utility funds, incurring higher costs for small and residential customers at the disproportionate benefit of large commercial customers.

If the cap is implemented, organizations with utility bills exceeding the proposed cap would be able to pay using the e-check method, which has dramatically lower associated fees (\$0.75 per transaction regardless of amount, instead of 2.2% of the transaction amount). See for example on the following page the \$0.75 fee associated with Armstrong Rents (who paid by e-check) relative to the fee associated with other similarly large amounts (who paid by credit card).

	Date Effective	Name	Amount	Fee Amount
651	2/23/2018	Alaska Housing Finance Corp.	15,318.56	321.94
310	2/2/2018	Alaska Housing Finance Corp.	14,641.34	307.72
54	1/5/2018	Alaska Housing Finance Corp.	12,997.75	273.20
311	2/2/2018	Wrangell Medical Center	9,574.97	201.32
31	1/4/2018	Wrangell Medical Center	8,122.47	170.82
396	2/9/2018	Wrangell High School	5,337.65	112.34
589	2/20/2018	Brett Woodbury	2,884.34	60.82
477	2/16/2018	Armstrong Rents	2,710.26	0.75
395	2/9/2018	Wrangell Public Schools	2,518.95	53.15
65	1/8/2018	Harbor House	2,500.00	52.75
335	2/5/2018	Harbor House	2,500.00	52.75
341	2/5/2018	Joshua Young	2,215.00	46.77
394	2/9/2018	Wrangell Elementary School	2,201.77	46.49
576	2/20/2018	Wimberley-Curtis Investments LLC	2,047.81	43.25
437	2/13/2018	John agostine	1,954.65	41.30
610	2/20/2018	Kelly Ellis	1,939.12	40.97
534	2/20/2018	City & Borough of Wrangell	1,808.28	38.22
371	2/7/2018	SOUTHEAST ALASKA POWER	1,747.53	36.95
100	1/9/2018	Wimberley-Curtis Investments LLC	1,745.87	36.91
166	1/16/2018	Wimberley-Curtis Investments LLC	1,745.87	36.91
274	1/29/2018	Jimmy Pritchett	1,733.82	36.66
590	2/20/2018	Wrangell Boat Shop LLC	1,616.70	34.20
20	1/3/2018	Harley Johnson	1,303.28	27.62
509	2/19/2018	David G Wilson	1,266.78	26.85
445	2/14/2018	Petro Marine Services	1,254.23	26.59
30	1/3/2018	Dani easterly	1,241.58	26.32
137	1/11/2018	John Agostine	1,194.24	25.33
397	2/9/2018	Thomas Roland	1,174.24	24.91
334	2/5/2018	Leslie Cummings	1,125.41	23.88
221	1/19/2018	Petro Marine Services	1,108.42	23.53
68	1/8/2018	Elizabeth A Massin	1,095.00	23.25
				2,274.47

Recommendation:

Authorize the Finance Director to implement a \$1,000 transaction limit on utility payments paid by credit card, and inform affected customers of the change accordingly.

Respectfully submitted,

Lee Burgess Finance Director

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA STATEMENT

AGENDA ITEM TITLE:	<u>NO.</u>	13a	DATE:	March 13, 2018
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PROPOSED ORDINANCE No. 942: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING AND REENACTING SECTION 3.04.114, NEPOTISM, OF THE WRANGELL MUNICIPAL CODE, THE REENACTED SECTION TO BE ENTITLED EMPLOYMENT OF RELATIVES

(first reading)

		FISCAL NOTE:
	SUBMITTED BY:	Expenditure Required: none
Lisa V	on Bargen, Borough Manager &	Amount Budgeted: none
	Kim Lane, Borough Clerk	
		Account Number(s): none
		Account Name(s): none
<u>Reviews</u>	/Approvals/Recommendations	
	Port Commission	Unencumbered Balance(s) (prior to expenditure):
	P&Z Commission	
\square	Attorney	
n/a	Insurance	
ATTACHMENTS:		
1. Proposed Ordinance 942.		

RECOMMENDATION:

Move to approve the first reading of Ordinance No. 942 and move to a second reading with a Public Hearing to be held on April 10, 2018.

SUMMARY STATEMENT:

Following the "almost" hiring of a relative of an Assembly Member, and subsequent disqualification of that applicant, the applicant requested an item be put on the Assembly agenda for consideration of amending the code and policy related to nepotism. The Assembly had a very healthy discussion regarding the issue at the February 6th meeting. The Assembly gave direction for Administration to bring options back for consideration, making the code less restrictive.

The Clerk work with the Borough's attorney who reviewed other nepotism codes around the state and developed a summary paper offer options to consider. A copy of that memo is attached. Both the Clerk and the Manager recommend adopting Option 1. This option eliminates the prohibition of hiring relatives of an Assembly member. It also more clearly defines the prohibition of relatives or married (and dating) persons to supervise each other. It also outlines the procedure for what happens if relatives or married persons end up in a supervisory role due to hiring, transfer, or promotion. This option further retains the ability for a relative or spouse of the manager to be hired or remain working if it is approved by the Assembly.

The attached ordinance outlines the proposed code revisions to Section 3.04.114. The attorney is also recommending the title of this section be changed from "Nepotism" to "Hiring of Relatives." In addition to the code, Section 105 of Personnel Policy must also be amended. A resolution making that change will be brought back to the Assembly at the second reading of the ordinance – if the Assembly decides to approve this ordinance at first reading.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE No. 942

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING AND REENACTING SECTION 3.04.114, NEPOTISM, OF THE WRANGELL MUNICIPAL CODE, THE REENACTED SECTION TO BE ENTITLED EMPLOYMENT OF RELATIVES

WHEREAS, the City and Borough of Wrangell is dedicated to providing equal opportunity for employment to all qualified applicants and ensuring fair treatment for all employees; and

WHEREAS, notwithstanding this policy, the Borough retains the right, and has the responsibility, to ensure that in making employment decisions the Borough prohibits and avoids creating or maintaining circumstances in borough employment that may cause or result in the appearance or possibility of favoritism, improper influence, conflicts of interest, management disruption, or problems with employee morale; and

WHEREAS, the Assembly has carefully reviewed and considered the nepotism section of the code, Section 3.04.114, in light of these policies and management rights and responsibilities; and

WHEREAS, the Assembly has determined that Section 3.04.114 should be revised to more thoroughly and clearly describe the types of relationships and employment circumstances that are covered by the ordinance, and to narrow its scope by removing provisions that the Assembly has determined may be unnecessary; and

WHEREAS, following the enactment of this ordinance, the Assembly intends to review and revise Section 105 of the Wrangell Personnel Policy, Hiring of Relatives, to be consistent with and address the changes made by this ordinance.

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

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

SEC. 1. <u>Action</u>. The purpose of this ordinance is to repeal and reenact Section 3.04.114 of the Wrangell Municipal Code relating to nepotism.

SEC. 2. <u>Repeal and Reenactment of Section</u>. Section 3.04.114 of the Wrangell Municipal Code is repealed and reenacted to read:

[3.04.114 Nepotism.]

[A. Except as provided in subsection (B) of this section, neither the borough manager, the assembly nor any other authority of the borough government may appoint any person related to the mayor or any other assembly member, to the borough manager, or to such person, or, in the case of a plural authority, to one of its members, by affinity or consanguinity within the second degree, to any office or position of profit in the borough government; but this shall not prohibit an officer or employee from continuing in the service of the borough.

B. Relatives, within the second degree of affinity or consanguinity to the borough manager cannot be appointed to an office or position of profit in the borough government without the prior approval of the borough assembly. If an employee is currently working for the borough government and a relative within the second degree of affinity or consanguinity is hired as the borough manager, that person cannot continue their employment with the borough without approval of the borough assembly.]

3.04.114 Employment of Relatives.

A. Definitions. As used in this section, the following words, terms and phrases shall have the following meanings:

1. "Immediate relative" means a person's spouse and the following individuals, whether in a full, half, or step relationship to the person: parent, child, brother, sister, grandparent, or grandchild; and the following individuals related to the person's spouse, whether in a full, half, or step relationship to the spouse: parent, child, brother, sister, grandparent, or grandchild. Persons related by adoption are treated the same as persons related by blood.

2. "Domestic partner" means a person cohabitating with the employee in a committed relationship with the intent to reside together indefinitely where each person is each other's sole domestic partner and both parties are responsible for the common welfare of the other.

3. "Dating relationship" means an intimate association primarily characterized by the expectation of affectionate or romantic involvement over a period of time. The term does not include a casual relationship or an association between persons in a business or social context.

B. Appointment prohibited under certain circumstances. Except as provided in subsections (C) and (D) of this section, a person may not be appointed to employment with the borough if, upon his or her appointment, the person would be in:

<u>1. A position under the direct supervision of an immediate relative, domestic partner, or anyone with whom he or she is in a dating relationship;</u>

2. A position in which the person directly supervises an immediate relative, domestic partner, or anyone with whom he or she is in a dating relationship; or

3. A position in which the person and an immediate relative, domestic partner, or anyone with whom he or she is in a dating relationship, work directly under and report to the same supervisor.

C. Current employees; relatives of current employees.

1. Subsection (B) of this section does not prohibit a current employee from continuing to be employed by the borough provided that the current employee may not be transferred, reassigned, or promoted to a position in which he or she would be under the direct supervision of, or directly supervise, an immediate relative, domestic partner, or anyone with whom he or she is in a dating relationship, or to a position in which the current employee and an immediate relative, domestic partner, or anyone with whom he or she is in a dating relationship would work directly under and report to the same supervisor.

2. An immediate relative or domestic partner of a current employee, or a person in a dating relationship with a current employee, may not hold a position in which that person is under the direct supervision of, or directly supervises, or works directly under and reports to the same supervisor as the current employee.

D. Relatives of the manager.

1. An immediate relative of the borough manager, a domestic partner of the manager, or anyone with whom the manager is in a dating relationship, may not be appointed to a position of employment with the borough without the prior approval of the borough assembly.

2. A current employee may not, without the approval of the borough assembly, continue their employment with the borough if an immediate relative of the employee, the employee's domestic partner, or anyone with whom the employee is in a dating relationship, is hired as the borough manager.

E. Persons who become related after appointment.

1. If after appointment to borough employment two employees become immediate relatives or domestic partners, or if a dating relationship is established between them, and those employees hold positions that are in one of the supervisory or reporting situations described in

subsection (B) of this section, the borough manager will take steps to transfer one of the employees to another open position if such position exists and is suitable; if a transfer cannot be accomplished due to the unavailability or unsuitability of an open position, the borough manager may, if the manager deems it appropriate, reassign the supervisory or reporting responsibilities of one of the employees to another employee who is not so related or, if necessary, one of the employees must resign, or the manager may terminate one of the employees.

2. All decisions on transfer, reassignment, resignation, or termination, shall be made by the manager and will be based on the best interests of the borough. The manager's decisions shall be final.

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

SEC. 4. <u>Severability</u>. 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. <u>Effective Date</u>. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: _____, 2018.

PASSED IN SECOND READING: _____, 2018.

ATTEST:

David L. Jack, Mayor

Kim Lane, Borough Clerk

Yes:	
No:	
Absent:	
Abstaining:	_

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CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA STATEMENT

PROPOSED ORDINANCE No. 943: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 14.01, GENERAL PROVISIONS, CHAPTER 14.07, PORT OPERATIONS AND OTHER SERVICES, AND CHAPTER 14.11, FEES, OF TITLE 14, HARBOR AND PORT FACILTIES, OF THE WRANGELL MUNICIPAL CODE, TO AMEND SECTION 14.01.030, DEFINITIONS, AMEND SECTION 14.07.013, PORT DEVELOPMENT FEE, ADD NEW SECTION 14.07.014, LIGHTERING FEE, AND AMEND SECTION 14.11.005, FEE SCHEDULE

(first reading)

		FISCAL NOTE:			
	SUBMITTED BY:	Expenditure Required: none			
		Amount Budgeted: none			
G	reg Meissner, Harbormaster				
		Account Number(s): none			
		Account Name(s): none			
<u>Reviews</u>	Approvals/Recommendations				
\square	Port Commission	Unencumbered Balance(s) (prior to expenditure):			
	P&Z Commission				
\square	Attorney				
n/a	Insurance				
ATTACHN	<u>1ENTS:</u>				
1. Proposed	Ordinance 943; 2. Memo's from the F	Port Commission.			

RECOMMENDATION:

Move to approve the first reading of Ordinance No. 943 and move to a second reading with a Public Hearing to be held on April 10, 2018.

SUMMARY STATEMENT:

See memo's from Port Commission.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 943

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 14.01, GENERAL PROVISIONS, CHAPTER 14.07, PORT OPERATIONS AND OTHER SERVICES, AND CHAPTER 14.11, FEES, OF TITLE 14, HARBOR AND PORT FACILTIES, OF THE WRANGELL MUNICIPAL CODE, TO AMEND SECTION 14.01.030, DEFINITIONS, AMEND SECTION 14.07.013, PORT DEVELOPMENT FEE, ADD NEW SECTION 14.07.014, LIGHTERING FEE, AND AMEND SECTION 14.11.005, FEE SCHEDULE

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

SEC. 1. <u>Action</u>. The purpose of this ordinance is to amend Title 14, Harbor and Port Facilities, of the Wrangell Municipal Code, specifically Chapter 14.01, General Provisions, Chapter 14.07, Port Operations and Other Services, and Chapter 14.11, Fees.

SEC. 2. <u>Amendment</u>. Section 14.01.030 of the Wrangell Municipal Code is amended to add two new definitions to read:

14.01.030 Definitions.

Whenever the words, terms, phrases and their derivations set forth in this section are used in this title, they shall have the meaning set forth in this section.

•••

KK. "Vessel Lightering Fee" means the charge assessed to certain vessels as provided in WMC 14.07.013 for dropping-off or picking-up passengers at any Wrangell port and harbor facilities.

LL. "Designated Bow Tie Skiff Zone" means any area designated by the Harbor Department for bow tying only by skiffs; such skiffs must be open without cabins and no more than eighteen (18) feet in length. SEC. 2. <u>Amendment</u>. Chapter 14.07 of the Wrangell Municipal Code is amended to add a new Section 14.07.014, Lightering Fees, and to amend Section 14.07.13, Port Development Fees.

14.07

PORT OPERATIONS AND OTHER SERVICES

Sections:

Sections.	
14.07.005	Wrangell dock and barge ramp facilities.
<u>14.07.010</u>	Wharfage and transfer of freight.
<u>14.07.013</u>	Port development fees.
<u>14.07.014</u>	Lightering fee.
14.07.015	Impoundment of cargo or stored property.
14.07.020	Storage.
14.07.025	Gridiron.
14.07.030	Launch ramps.
14.07.035	Parking.
14.07.040	Services of the harbormaster.
14.07.045	Electrical service.
<u>14.07.050</u>	Water supplied from Wrangell dock.
14.07.055	Hoists.
14.07.060	Work float.
14.07.065	Gear float.
14.07.070	Vendor shelter.
14.07.075	Fish processing.
14.07.080	Signs.
14.07.085	Seaplane float.
14.07.090	Dolphin moorage storage.
14.07.095	Marine Service Center.

14.07.013 Port development fees.

A. In addition to any other fees assessed pursuant to this chapter, a port development fee shall be assessed against each vessel which exceeds 120 feet in length overall and carries revenue[s] generating passengers [at] and docks to any Port of Wrangell facilities or lighters to any such facilities. This additional fee shall be assessed each time the vessel uses Port of Wrangell facilities [during the period of May 1st through September 30th of each year]. A vessel will be considered to have used Port of Wrangell facilities once [each time] it has [is] moored to a Port of Wrangell facility, or lightered to a Port of Wrangell facility as described and provided in WMC 14.07.014.

B. The additional fee shall be assessed as listed in WMC 14.11.005.

C. The master or agent of each vessel shall provide the length overall of the vessel upon request of the borough.

E. Proceeds from this fee shall be dedicated for the <u>operation</u>, maintenance, design and construction of port facilities.

14.07.014 Lightering Fee

- A. In addition to any other fees assessed pursuant to this chapter, a lightering fee shall be assessed against each vessel which exceeds 120 feet in length overall and carries revenue generating passengers when the vessel drops off or picks up its passengers at any Port of Wrangell facility. A vessel will be considered to be lightering once the first tender has unloaded or loaded passengers until the last tender has loaded or unloaded passengers, and the period of time for which the lightering fee shall be assessed will commence when the first tender has moored and will continue until the last tender has cast off and vacated the position allocated.
- B. The lightering fee shall be assessed as listed in WMC 14.11.005.
- C. <u>The master or agent of each vessel shall provide the length overall of the vessel upon</u> request of the borough.
- D. <u>The lightering fee will consist of a portion of the applicable dockage and Port</u> <u>Development fees.</u>
- E. <u>Proceeds from this fee shall be dedicated for the operation, maintenance, design and construction of port facilities.</u>

SEC. 3. <u>Amendment</u>. Section 14.11.005 of the Wrangell Municipal Code is amended to remove the FY 2017 fee schedule and add the FY 2022 fee schedule, and to add a fee in Section A for Designated Bow Tie Skiff Zone, and a fee in Section AA for Lightering.

14.11.005 Fee schedule.

The following fees shall be charged for the uses indicated:

Fee

Fee shall increase 2% each year through FY [2021]2022

A. Transient Moorage – WMC		[FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	<u>FY 2022</u>
14.05.010. Daily – Prepaid	0 – 30 feet	\$0.45/ foot	\$0.46/ foot	\$0.47/ foot	\$0.48/ foot	\$0.49/ foot	<u>\$0.50/</u> foot
	31 – 55 feet	\$0.55/ foot	\$0.56/ foot	\$0.57/ foot	\$0.58/ foot	\$0.59/ foot	<u>\$0.60/</u> foot
	56 - 100 feet	\$0.65/ foot	\$0.66/ foot	\$0.67/ foot	\$0.68/ foot	\$0.69/ foot	<u>\$0.70/</u> foot
	101 feet and up	\$1.00/ foot]	\$1.02/ foot	\$1.04/ foot	\$1.06/ foot	\$1.08/ foot	<u>\$1.10/</u> foot
Daily – Invoiced	Two times the o	daily prepaid					
Monthly	0 – 30 feet	[\$4.00/ foot	\$4.08/ foot	\$4.16/ foot	\$4.24/ foot	\$4.32/ foot	<u>\$4.41/</u> foot
	31 – 55 feet	\$4.50/ foot	\$4.59/ foot	\$4.68/ foot	\$4.77/ foot	\$4.87/ foot	<u>\$4.97/</u> foot
	56 - 100 feet	\$5.00/ foot	\$5.10/ foot	\$5.20/ foot	\$5.30/ foot	\$5.40/ foot	<u>\$5.51/</u> foot
	101 feet and up	\$6.00/ Foot]	\$6.12/ foot	\$6.24/ foot	\$6.36/ foot	\$6.49/ foot	<u>\$6.62/</u> foot
Designated Bow Tie Skiff Zone	<u>\$35.00 flat fee</u>	Per month					
Annual	Same as reserve	ed moorage					
B. Reserved Moorage – WMC 14.05.015. Wait list deposit	\$50.00 each						
	Fee shall incre	ase 2% each ye	ar through FY	[2021] <u>2022</u>			
Annual		[FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	<u>FY 2022</u>
	0 - 30 feet	\$28.00/ foot	\$28.56/ foot	\$29.13/ foot	\$29.71/ foot	\$30.30/ foot	<u>\$30.91/</u> foot
	31 – 55 feet	\$33.00/ foot	\$33.66/ foot	\$34.33/ foot	\$35.02/ foot	\$35.72/ foot	<u>\$36.43/</u> foot
	56 feet and up	\$38.00/ foot]	\$38.76/ foot	\$39.54/ foot	\$40.33/ foot	\$41.14/ foot	<u>\$41.96/</u> foot
C. Customer Service Moorage – WMC 14.05.020.							
Wait list deposit	\$50.00 each						
Annual	1.5 times the ar	nual rate					
D. Electric Utility Service – WMC 14.07.045.							
Daily							
20 amp 120 v	\$5.00/day						
30 amp 120 v	\$8.00/day						
50 amp single phase	\$10.00/day						

50 amp 3 phase	\$30.00/day
100 amp 3 phase	\$50.00/day

Fee shall increase 2% each year through FY [2021]2022

E. Outside Dock Face Moorage – WMC 14.07.005(C).	[FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	<u>FY 2022</u>
1.00 – 99 feet	\$0.99/	\$1.01/	\$1.03/	\$1.05/	\$1.07/	<u>\$1.09/</u>
	foot	foot	foot	foot	foot	foot
2. 100 – 199 feet	\$1.27/	\$1.30/	\$1.33/	\$1.36/	\$1.39/	<u>\$1.42/</u>
	foot	foot	foot	foot	foot	foot
3. 200 – 299 feet	\$1.43/	\$1.46/	\$1.49/	\$1.52/	\$1.55/	<u>\$1.58/</u>
	foot	foot	foot	foot	foot	foot
4. 300 – 499 feet	\$1.65/	\$1.68/	\$1.71/	\$1.74/	\$1.77/	<u>\$1.81/</u>
	foot	foot	foot	foot	foot	foot
5. 500 – 599 feet	\$1.93/	\$1.97/	\$2.01/	\$2.05/	\$2.09/	<u>\$2.13/</u>
	foot	foot	foot	foot	foot	foot
6. 600 feet and up	\$2.20/	\$2.24/	\$2.28/	\$2.33/	\$2.38/	<u>\$2.43/</u>
	foot]	foot	foot	foot	foot	foot

Fee shall increase 2% each year through FY [2021]2022

F. Inside Dock Face Moorage – WMC 14.07.005(C).	[FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	<u>FY 2022</u>
1.00 – 99 feet	\$0.99/	\$1.01/	\$1.03/	\$1.05/	\$1.07/	<u>\$1.09/</u>
	foot	foot	foot	foot	foot	foot
2. 100 – 199 feet	\$1.27/	\$1.30/	\$1.33/	\$1.36/	\$1.39/	<u>\$1.42/</u>
	foot	foot	foot	foot	foot	foot
3. 200 – 299 feet	\$1.43/	\$1.46/	\$1.49/	\$1.52/	\$1.55/	<u>\$1.58/</u>
	foot	foot	foot	foot	foot	foot
4. 300 – 499 feet	\$1.65/	\$1.68/	\$1.71/	\$1.74/	\$1.77/	<u>\$1.81/</u>
	foot	foot	foot	foot	foot	foot
5. 500 – 599 feet	\$1.93/	\$1.97/	\$2.01/	\$2.05/	\$2.09/	<u>\$2.13/</u>
	foot	foot	foot	foot	foot	foot
6. 600 feet and up	\$2.20/	\$2.24/	\$2.28/	\$2.33/	\$2.38/	<u>\$2.43/</u>
	foot]	foot	foot	foot	foot	foot

G. Barge Ramp Facility Moorage/Mill Dock/Borough Dock – WMC 14.07.005(C).

Daily (\$500.00 minimum)	\$2.00/lineal foot
Beach landing (\$25.00 minimum)	\$0.10/lineal foot

Call outs and overtime will be charged at actual employee costs.

H. Net and Gear Work on Dock – WMC 14.07.005(D).	
First two rental periods	\$25.00
Each additional rental period	\$20.00
I. Wharfage – WMC 14.07.010(C).	
General cargo	\$2.50/ton
Vehicles	\$2.50/ton

	Explosives	\$6.25/ton
	-	
	Lumber	\$1.00/thousand milled board feet
	Empty containers	\$3.75 each
	Sand and gravel	
	500 tons	\$1.00/ton
	501 - 1500 tons	\$500.00 + \$0.20/ton for each ton over 500
	1,500+ tons	\$800.00 + \$0.05/ton for each ton over 1,500
J. St	orage – WMC 14.07.020(B).	
	Outside storage (\$6.25 minimum)	\$0.33/square foot monthly
	Inside storage	\$0.55/square foot monthly
	Floating log storage	\$0.10/thousand milled board feet monthly
	Vending storage	50% of covered vendor storage rate
K. G	ridiron – WMC 14.07.025(B).	
	Daily (after first two rental periods)	\$1.00/foot
L. Li	aunch Ramp – WMC 14.07.030.	
	Daily Fee	\$10.00 per launch
	Annual Permit	\$25.00 per calendar year if the person has a stall for a boat other than the one being launched.
		\$50.00 per calendar year if the person does not have a stall.
		If the boat being launched has a stall there is no fee assessed.
M. P	arking – WMC 14.07.035.	
	No charge	\$0.00
	ervices of the Harbormaster – C 14.07.040.	
	Replace mooring lines	\$10.00 + cost of line
	Skiff rental with personnel	\$150.00 per hour (1 hour minimum)
	Pumping	\$25.00 + labor
	Labor	Labor costs will be the actual costs of the employee. They will include wages and employee costs. Overtime and callout rules will also apply.
	Raising of boats	\$150.00 + cost of materials and professional services
Mon	or rates, see WMC 15.04.640, thly Water Rates, Class B – mercial and Industrial – Flat s.	
P. H	oists – WMC 14.07.055.	
	Hourly (billed in 6-minute increments)	\$10.00/hour
	6-minute minimum	\$1.00
	Resident access card (original	\$10.00

	issue)	
	Transient access card (original issue)	\$20.00
	Replacement access card (lost or damaged)	\$20.00
	Access card refund	1/2 original fee
Q. W	ork float – WMC 14.07.060.	
	Trespass fee	\$50.00/rental period
R. G	ear float - WMC 14.07.065.	
	Trespass fee	\$100.00/rental period
S. Ve	endor Shelter - WMC 14.07.070.	
	Annual reserved	12 times the reserved season rate
	Reserved for entire season	\$77.81/month
	Month to month	\$90.31/month
	Day to day	\$18.06/month
T. Se	aplane Float – WMC 14.07.085.	
	Daily	\$5.00
	Monthly	\$100.00
	Annual reserved	\$420.00
	npoundment Storage – WMC 3.025.	
	Minimum of \$50.00 per month	\$0.01/sq. ft. per day
	npoundment Fee – WMC 8.025.	
	This fee is in addition to other related costs	\$100.00
W. T Float	ransient Moorage at Summer s.	
	0 - 80 feet	\$0.65/foot/day
	81 feet and up	\$0.95/foot/day
	oorage for Mill Dock and Back of Borough Dock Monthly Dock 3.	
	0 - 80 feet	\$4.00/foot/month
	81 feet and up	\$5.00/foot/month
Y. Tı	avel and Adventure Services.	
	Transportation vehicles	\$50.00/monthly
	10 by 10 space	\$20.00/monthly
	Passenger vessels - motorized	
	Daily	\$10.00/departure
	Monthly	\$2.00/per foot per month

Annual	\$400.00				
Passenger vessels – nonmotorized					
Water vessel	\$1.00/launch				
Land vehicle	\$0.50/rental				

Fees shall increase 2% each year through FY [2021]2022

Z. Port Development Fees.	[FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
120 - 499	\$1.38/	\$1.41/	\$1.44/	\$1.47/	\$1.50/	<u>\$1.53/</u>
	foot	foot	foot	foot	foot	foot
500 and up	\$2.20/	\$2.24/	\$2.28/	\$2.33/	\$2.38/	<u>\$2.43/</u>
	foot]	foot	foot	foot	foot	foot

AA. Lightering Fee	AA. Lightering Fee 40% of applicable Dockage Fees and Port Development Fees, combined								
Fee shall increase 2% each year through FY [2021]2022									
[AA] <u>BB</u> . Marine Servio Fees.	ce Center	[FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	<u>FY 2022</u>		
Round trip lift fee	es								
0-40 feet		\$12.10/ foot	\$12.34/ foot	\$12.59/ foot	\$12.84/ foot	\$13.10/ foot	<u>\$13.36/</u> foot		
41 - 58 feet		\$13.20/ foot	\$13.46/ foot	\$13.73/ foot	\$14.00/ foot	\$14.28/ foot	<u>\$14.57/</u> foot		
59 – 75 feet		\$14.30/ foot	\$14.59/ foot	\$14.88/ foot	\$15.18/ foot	\$15.48/ foot	<u>\$15.79/</u> foot		
76 – 90 feet		\$16.50/ foot	\$16.83/ foot	\$17.17/ foot	\$17.51/ foot	\$17.86/ foot	<u>\$18.22/</u> foot		
91 – 120 feet		\$18.70/ foot	\$19.07/ foot	\$19.45/ foot	\$19.84/ foot	\$20.24/ foot	<u>\$20.64/</u> foot		
121 - 140 feet		\$20.90/ foot	\$21.32/ foot	\$21.75/ foot	\$22.19/ foot	\$22.63/ foot	<u>\$23.08/</u> foot		
141 feet and up		\$23.10/ foot]	\$23.56/ foot	\$24.03/ foot	\$24.51/ foot	\$25.00/ foot	<u>\$25.50/</u> foot		

Fees shall increase 2% each year through FY [2021]2022

Boat lift minimum	[FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	<u>FY 2022</u>
150-ton	\$330.00/hour	\$336.60/hour	\$343.33/hour	\$350.20/hour	\$357.20/hour	<u>\$364.34/hour</u>
300-ton	\$550.00/hour]	\$561.00/hour	\$572.22/hour	\$583.66/hour	\$595.33/hour	<u>\$607.24/hour</u>

Fees shall increase 2% each year through FY [2021]2022

	[FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	<u>FY 2022</u>
Work area storage	\$0.55/	\$0.56/	\$0.57/	\$0.58/	\$0.59/	<u>\$0.60/</u>
	sq. ft./	<u>sq. ft./</u>				
	month]	month	month	month	month	<u>month</u>

Fees shall increase 2% each year through FY [2021]2022

			[FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	<u>FY 2022</u>
	Long-term storage		\$0.33/ sq. ft./ month]	\$0.34/ sq. ft./ month	\$0.35/ sq. ft./ month	\$0.36/ sq. ft./ month	\$0.37/ sq. ft./ month	<u>\$0.38/</u> <u>sq. ft./</u> <u>month</u>
		After 12 conse	cutive months, le	ong-term storag	ge rate doubles			
	Cancellation	\$330.00						
	Inspection hoist							
	Up to 2 hours of hoist time	60% of round t	rip					
	After first 2 hours of hoist time	150-ton	\$82.50/15 min	nutes				
		300-ton	\$137.50/15 mi	inutes				
	Pressure washer	\$2.00/foot						
	Electrical	Refer to subsec	ction (D) of this	section.				
	Environmental fee	\$15.00 per hau	lout or per mont	h				
	Hydraulic trailer fees							
	Round trip	\$10.46 per foot	t					
	One-way	Half of round t	rip					
	Minimum fee	\$247.50						
	Off-site transport fee	Round trip or o	one-way fee plus	travel time at S	\$350.00 per hou	ur with a one-h	our minimum	
	Long-term storage reservation fee	\$100.00						
[<u>BB</u>]	CC. Port Security Personnel.							
	Cruise Ship Security Fee	\$20.00 per hou dock.	r for a security p	person at the do	ck while a crui	se ship is moor	ed to the CBW	
[CC]DD. Meyer's Chuck Moorage.							
	1. Transient Moorage – WMC 14.05.010							
	Daily – Prepaid	\$0.20/foot						
	Daily – Invoiced	Two times the	daily prepaid rat	te				
	Monthly	\$1.75/foot						
	2. Reserved Moorage – WMC 14.05.015							
	Annual	\$12.00/foot						

SEC. 4. <u>Classification</u>. This ordinance is of a permanent nature and shall be

codified in the Wrangell Municipal Code.

SEC. 5. <u>Severability</u>. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

SEC. 6. <u>Effective Date</u>. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: _____, 2018.

PASSED IN SECOND READING: _____, 2018.

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

Wrangell Port Commission

Memo

To: City and Borough of Wrangell Assembly

From: Sherri Cowan, Recording Secretary

Date: 03-01-2018

Re: Ordinance Change

At the regular meeting of March 01, 2018 the Port Commission made the "Motion to Approve the Proposed Ordinance Change: An Ordinance amending and adding a subsection to section 14.01.030 and 14.11.005 of the City and Borough of Wrangell Municipal Code relating to Vessel Lightering Fee and Designated Bow Tie Skiff Zone.

Wrangell Port Commission

MEMO

- TO: THE HONORABLE MAYOR AND ASSEMBLY CITY AND BOROUGH OF WRANGELL
- FROM: SHERRI COWAN, PORT RECORDING SECRETARY
- SUBJECT: ESTABLISH A PERCENTAGE BASED LIGHTERING FEE
- DATE: FEBRUARY 1, 2018

At their February 1, 2018 Regular Meeting, the Port Commission made the motion to establish a percentage based lightering fee-40% of dock rate and port development fee.

CITY & BOROUGH OF WRANGELL, ALASKA								
BOROUGH ASSEMBLY AGENDA STATEMENT								
AGENDA	A ITEM TITLE:	<u>NO.</u>	13c		DATE:	March 27, 2018		
PROPOSED ORDINANCE No. 944: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ADDING A NEW CHAPTER 11.70, ATV'S, TO TITLE 11, VEHICLES AND TRAFFIC, OF THE WRANGELL MUNICIPAL CODE (first reading)								
						FISCAL NOTE:		
	SUBMITTED	<u>BY:</u>		Expenditure Required: none				
Kim Lane, Borough Clerk (Assembly Member Powell)			Amount Budgeted: none Account Number(s): none					
				Account Number(3). none				
				Account Name(s): none				
<u>Reviews</u>	/Approvals/Reco	ommenda	ations					
	Port Commission			Unencumbered Balance(s) (prior to expenditure):				
	P&Z Commission							
\square	Attorney							
n/a Insurance								
<u>ATTACHM</u>								
1. Proposed Ordinance 944.								

RECOMMENDATION:

Move to approve the first reading of Ordinance No. 944 and move to a second reading with a Public Hearing to be held on April 10, 2018.

SUMMARY STATEMENT:

The Assembly held a Public Hearing/Work Session on March 13th to allow the public to comment and ask questions about the proposed ordinance to allow ATV's on City Roadways. There were no objections to what was being proposed. Therefore, the Assembly is considering the 1st reading of this Ordinance this evening.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 944

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ADDING A NEW CHAPTER 11.70, ATVs, TO TITLE 11, VEHICLES AND TRAFFIC, 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 <u>underlined are</u> to be added and the words that are **[bolded and in brackets are to be deleted]**.]

SEC. 1. <u>Action</u>. The purpose of this ordinance is to add a new Chapter 11.70, ATVs, to Title 11, Vehicles and Traffic, of the Wrangell Municipal Code.

SEC. 2. <u>New Chapter</u>. A new Chapter 11.70, ATVs, is added to Title 11, Vehicles and Traffic, of the Wrangell Municipal Code to read:

ATVs

Definitions.
Operators required to be licensed.
Registration required.
Hours of operation.
Helmets required.
Lights.
Citation for defective equipment.
Failure to stop at direction of a peace officer.
Public nuisance and impoundment.
Parental responsibility.
Owner responsibility.
Penalty for violation and impoundment.

11.70.010 Definitions.

When used in this chapter, the following words and phrases shall have the meanings set forth in this section:

"ATV" means motorized all-terrain vehicles primarily designed for off-road use. The term ATV includes "four wheelers," golf carts, tractors, six- and eight-wheeled vehicles such as an ARGO, a Max, and six-wheeled vehicles that are configured the same as a "four wheelers."

"Police officer" or "peace officer" means and includes the chief of police, any officer or employee of the police department and other persons authorized by the police chief to perform the duties of a "police officer."

"Roadway owned and maintained by the city and borough" means any roadway within the city and borough of Wrangell that is owned and maintained by the city and borough, and does not include the state owned and maintained roadways identified as Bennet Street, Zimovia Highway, and Airport Loop Road.

11.70.015 Operators required to be licensed.

(a) No person shall operate an ATV on any roadway owned and operated by the city and borough unless they have a valid driver's license in their possession.

(b) No person shall operate an ATV in violation of any condition or limitation on the person's driver's license.

11.70.016 Registration required.

No person shall operate an ATV on any roadway owned and maintained by the city and borough or on public property within the borough without a current State of Alaska Snowmachine registration affixed to each side of the ATV in a clearly visible location or on a flag. Registration decals may be obtained at the DMV office.

11.70.020 Hours of operation.

Operation of ATVs is allowed on roadways owned and maintained by the city and borough only between the hours of 6:00 a.m. and 8:00 p.m.

11.70.021 Prohibited areas of operation

(a) No person shall operate an ATV on any of the following city and borough public properties without the prior permission of the borough:

School Grounds; Shooting Range; Parks and Play grounds; Recreation areas; and Walking/Hiking Trails.

(b) No person shall operate an ATV on the following private properties without the prior permission of the property owner or property manager:

Golf Course; and Any other private property.

11.70.025 Helmets required.

All persons under 18 years of age operating an ATV, and all ATV passengers, on a roadway owned and maintained by the city and borough must wear a helmet which meets safety standards set by the Federal Motor Vehicle Safety Standard 218.

11.70.030 Lights.

All ATVs to which this chapter applies shall be equipped with at least one functional headlight, taillight and brake light that meet the requirements of Title 13 of the Alaska Administrative Code for this equipment. The headlight and taillight must be illuminated whenever the ATV is being operated.

11.70.035 Citation for defective equipment.

(a) A police officer may issue a "fix it" citation to the operator of an ATV which is not in safe mechanical condition or properly equipped as required by Title 28 of the Alaska Statutes, Title 13 of the Alaska Administrative Code, or the provisions of this chapter. A citation issued under this section shall specify the repair or adjustment to be made.

(b) An operator or owner receiving a "fix it" citation under this section shall within a time specified by the inspecting officer appear at the office of the Wrangell police department and present acceptable evidence of having made the repairs or adjustment or present the ATV for reinspection. If the defective part or item is at that time determined to be operating in good repair, and the vehicle otherwise meets the requirements of Title 28 of the Alaska Statutes, Title 13 of the Alaska Administrative Code and the provisions of this chapter, the inspecting officer shall void the "fix it" citation. Failure to present evidence of repair or adjustment or to present the vehicle for re-inspection within the time specified will result in the fine being owed and payment due as ordered on the citation.

11.70.040 Failure to stop at direction of peace officer.

(a) No person, while operating an ATV shall fail to stop as soon as practical and in a reasonably safe manner under the circumstances when requested or signaled to do so by a peace officer.

(b) When used in this section "signal" means a hand motion, audible mechanical or electronic noise device, visual light device, or combination of them, used in a manner that a reasonable person would understand to mean that the peace officer intends that the person stop.

11.70.045 Public nuisance and impoundment.

(a) The purposes of this section include protecting the public, removing public nuisances, and deterring violations of this chapter, but do not include the generation of revenue for the borough.

(b) Any ATV operated or modified in a manner that violates the Wrangell Municipal Code or State law is hereby declared a public nuisance.

(c) Any ATV that is a public nuisance may be impounded immediately by any police officer. Impoundment may be accomplished through a seizure of the ATV at the time the citation is issued, or pursuant to a court order entered in the course of civil or criminal enforcement proceedings. Impoundment at the time of issuance of a citation is at the discretion of the citing officer.

(d) An ATV operated by, or driven by, or in the actual physical control of, an individual cited for violation of any section of this chapter is presumed to have been so operated by the owner(s) thereof, or having been operated by another person with the knowledge and consent of the owner(s). An ATV so operated is declared to be a public nuisance for which the owner(s) hold legal responsibility subject only to the defenses as set forth by law.

(e) A person contesting the impoundment of their ATV may be heard and decided by the borough manager. Hearings before the borough manager shall take place no less than three days, and no more than thirty days, after the owner(s) of the ATV requests a hearing.

(f) At the hearing, a person who claims an ownership interest in an ATV may avoid impound if the claimant can establish by a preponderance of the evidence that:

(1) The claimant had an interest in the ATV at the time of the alleged violation;

(2) A person other than the claimant was in possession of the ATV and was responsible for or caused the act which resulted in impound; and

(3) That the ATV was stolen and used without his permission.

(g) At any impoundment hearing, the borough must establish by a preponderance of the evidence the ATV was operated or driven or in the actual physical control of an individual whose actions violated this chapter.

(h) The owner(s) of an ATV impounded by the borough may obtain the release of the ATV upon providing proof of ownership and payment of a \$150 impound fee with an additional \$10 per day storage fee plus any additional costs incurred during the impoundment.

(i) An ATV seized for impoundment shall be held in the custody of the public safety department. Any ATV not claimed within 30 days of impound shall be considered abandoned and may be disposed of in accordance to Section 11.72.

(j) The borough manager may appoint another borough employee to act as the borough manager's designee. The borough manager's designee shall have the same responsibilities as the borough manager at an impoundment hearing.

11.70.050 Parental responsibility.

A parent or guardian of a minor under the age of 16 violates this chapter if he or she knowingly permits, or by insufficient control, allows their child or ward to operate an ATV in violation of this chapter. Indifference as to the activities or whereabouts of the minor under the age of 16 shall be prima facie evidence of insufficient control.

11.70.055 Owner responsibility.

No person who owns or controls an ATV shall permit a person to operate the ATV if he or she knows or should reasonably know that it is likely to be operated in violation of this chapter.

11.70.060 Penalty for violation and impoundment.

A. Any person violating any provision of this chapter is guilty of an infraction and shall be punished by the fine established in the WMC 1.20.050 fine schedule if the offense is listed in that fine schedule or by a fine of up to \$500.00 if the offense is not listed in the WMC 1.20.050 fine schedule.

B. If a person is operating an ATV in violation of the Wrangell Municipal Code or State law as incident to an arrest or other situation where the vehicle may require protection, the ATV may be

impounded immediately by a police officer or other authorized official. The ATV shall be released only upon proof of ownership, and payment in full of impoundment and storage charges.

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

SEC. 4. <u>Effective Date</u>. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: _____, 2018.

PASSED IN SECOND READING: _____, 2018.

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

CITY & BOROUGH OF WRANGELL, ALASKA							
BOROUGH ASSEMBLY AGENDA STATEMENT							
AGENDA	A ITEM TITLE:	<u>NO.</u>	13d		DATE:	March 27, 2018	
PROPOSED ORDINANCE No. 945: 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)							
SUBMITTED BY:					FISCAL NOTE:		
			Expenditure Required: none				
Kim Lane, Borough Clerk			Amount Budgeted: none				
			Ac	count Num	ber(s): none		
			Ac	count Nam	e(s): none		
Reviews/Approvals/Recommendations							
	Port Commission		Un		encumbere	ed Balance(s) (prior to expenditure):	
	P&Z Commission						
\square	Attorney						
n/a	Insurance						
ATTACHMENTS:							
1. Proposed Ordinance 945.							

RECOMMENDATION:

Move to approve the first reading of Ordinance No. 945 and move to a second reading with a Public Hearing to be held on April 10, 2018.

SUMMARY STATEMENT:

When Sections of the Wrangell Municipal Code are amended to include or define fines, it is a requirement of the State of Alaska Court System to maintain those fines in our WMC. Since the Ordinance to add a Section in the WMC is being considered this evening, and that Ordinance has penalties for violations, Title 1 must also be amended.

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE No. 945

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. <u>Action</u>. 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 the code sections relating to violations of new Chapter 11.70, ATVs.

SEC. 2. <u>Amendment</u>. 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	\$500.00 fine for each offense.

	marijuana facility	
7.04.010	Cruelty – Abandonment	\$200
7.04.020	Animals at large prohibited	First offense - \$15, second offense -
1.01.020		\$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	First offense - \$15, second offense -
	declared	\$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 -
1001022		\$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.
7.00.040	Destasint as arrive as to	
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
7 00 045 0 7 00 050		maximum fine of \$500.00.
7.08.045 & 7.08.050	Off-leash areas & Off –leash	First offense - \$15, second offense -
	area rules	\$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	First offense - \$200. Second and
	dangerous dogs: violation of	subsequent offenses are mandatory
	restrictions, confinement	court appearance offenses with a
	requirements, and sign	minimum fine of \$300 and a
	requirements	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	First offense - \$200 Second and
	during epidemic	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	First offense - \$200 Second and
	enforcement agents	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,	Fireworks where prohibited;	First offense - \$200. Second and
& 9.12.040	sale where prohibited; display	subsequent offenses are mandatory
	violations	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	0-1 pound = \$50.00 fine, 1-5 pounds =
	vehicles prohibited	\$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	0-1 pound = \$50.00 fine, 1-5 pounds =
	prohibited	\$150.00 fine, 6-10 pounds = \$250.00,
		11-15 pounds = \$350.00 fine, 15 + 11-15 pounds = 11-15 p
		pounds = \$500.00 fine.
9.16.070	Property owner's responsibility	\$75.00 fine for each offense.
	to maintain premises	
9.16.080	Handbills – Restrictions generally	\$75.00 fine for each offense.
9.16.090	Handbills – Distribution on	\$75.00 fine for each offense.
	private property	
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	First offense - \$200. Second and
	weapons prohibited within	subsequent offenses are mandatory
	certain areas	court appearance offenses with a
		minimum fine of \$300 and a
		maximum fine of \$500.00.

10.44.010	Possession, Control, or	\$500.00 fine for each offense.
10111010	Consumption of Alcoholic	
	Beverages by persons under 21	
	years of age	
10.46.010(A)(1)	Consumption of marijuana in a	\$100.00 fine for each offense.
	public place prohibited	
10.46.010(A)(2)	Consume marijuana outdoors	\$100.00 fine for each offense.
	adjacent public place without	
	consent of property owner	
10.48.010	Possession of tobacco by a	\$75.00 fine for each offense.
	minor under 19 years of age	
11.28.020	Prohibited parking places	\$50.00 fine for each offense.
11.28.030	Red-painted curbs and signs –	\$50.00 fine for each offense.
	No parking	
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 –	\$50.00 fine for each offense.
	Parking prohibited	
11.28.100	Loading and unloading	\$50.00 fine for each offense.
	materials	
11.28.130	Method of parking – Loading	\$50.00 fine for each offense.
	permits	
11.30.030	Parking in excess of posted time	\$50.00 fine for each offense.
	limit – Parking lots	
11.30.040	Proper parking required –	\$50.00 fine for each offense.
	Parking lots	
11.30.050	Vehicles and objects prohibited	\$75.00 fine for each offense.
	– Parking lots	
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	\$50.00 fine for each offense.
	vehicles	
11.36.160	Use of coaster, rollerskates,	\$50.00 fine for each offense.
	skateboards, sleds and skis	
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.
<u>11.70.015</u>	Unlicensed operators	\$50.00 fine for each offense.
<u>11.70.016</u>	Registration required	\$50.00 fine for each offense.
<u>11.70.020</u>	Hours of operation	\$50.00 fine for each offense.
<u>11.70.021</u>	Prohibited areas of operation	\$50.00 fine for each offense.
11.70.025	Helmets required	\$50.00 fine for each offense.

<u>11.70.030</u>	Lights	\$50.00 fine for each offense.
11.70.035	Citation for defective equipment	\$150.00 fine for each offense.
11.70.040	Failure to stop at direction of	\$150.00 fine plus four points off of
	peace officer	Driver's License for each offense.
<u>11.70.050</u>	Parental responsibility	\$50.00 fine for each offense.
11.70.055	Owner responsibility	\$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	\$100.00 fine for each offense.
1	disposal	
14.09.050	Improper care and control of	\$25.00 fine for each offense.
	animals	
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,	\$100.00 fine for each offense.
	regulations or procedures.	
14.09.100	Obstruct or impede use of any	\$50.00 fine for each offense.
	launch ramp	
15.04.550	Unauthorized turning on or off	\$250.00 fine for each offense.
	of service	
15.04.620	Fire hydrant restrictions	\$250.00 fine for each offense.
15.04.650	Water Shortage Management	Stage II water shortage:
	Plan – Violations and Charges –	First offense - written warning.
	non-industrial/non-commercial	Second and subsequent offenses -
	water customers	\$250.00 fine for each offense.
15.04.650	Water Shortage Management	Stage III water shortage:
	Plan – Violations and Charges –	First offense – written warning.
	non-industrial/non-commercial	Second and subsequent offenses -
	water customers	\$500.00 fine for each offense.
15.04.650	Water Shortage Management	Stage II water shortage:
	Plan – Violations and Charges –	First offense - written warning.
	industrial or commercial water	Second and subsequent offenses -

	customers	\$750.00 fine for each offense.
15.04.650	Water Shortage Management	Stage III water shortage:
	Plan – Violations and Charges –	First offense – written warning.
	industrial or commercial water	Second and subsequent offenses -
	customers	\$1,500.00 fine for each offense.
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	Building/Structure declared unlawful & a public nuisance	\$100.00 fine for each offense.

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

SEC. 4. <u>Severability</u>. 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. <u>Effective Date</u>. This ordinance shall be effective upon adoption.

PASSED IN SECOND READING:_____, 2018

PASSED IN SECOND READING: _____, 2018

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

CITY & BOROUGH OF WRANGELL, ALASKA									
BOROUGH ASSEMBLY AGENDA STATEMENT									
AGEND	A ITEM TITLE:	<u>NO.</u>	13e	13e <u>DATE:</u> March 27, 2018					
PROPOSED RESOLUTION NO. 03-18-1401: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE ELECTRICAL UTILITY SUPERINTENDENT AND PROVIDING FOR AN EFFECTIVE DATE									
					FISCAL NOTE:				
	SUBMITTED	<u>BY:</u>		Expenditure Required:					
				\$0					
				Amount Budg	geted:				
Lisa	Von Bargen, Borou	gh Manag	er	\$0					
				Account Number(s):					
				N/A					
				Account Nam	Name(s):				
<u>Reviews</u>	s/Approvals/Reco	ommend	ations	N/A					
	Commission, Boa	rd or Com	mittee	Unencumber	ed Balance(s) (prior to expenditure):				
Name(s)				N/A					
	Attorney								
	Insurance								
ATTACHN	<u>/IENTS:</u>								
1. Resolutio	on 03-18-1401; 2. Revi	sed positic	on descripti	on.					

RECOMMENDED MOTION:

Move to approve Proposed Resolution No. 03-18-1401 providing for the amendment of the job description for the Electric Utility Superintendent and providing for an effective date.

SUMMARY STATEMENT:

Clay Hammer vacated the position of Electric Supervisor on March 16th. Anytime a position is vacated it is a good idea to review the job description to ensure it accurately reflects the work most needed by the organization.

There are a few changes to the Electric Utility Supervisor position job description. Most are housekeeping items. The most substantive change is the 4th bullet under Knowledge & Skills. The job description requires the person have the skill to maintain and repair diesel generators. The Manager and Clerk "assume" this change was made once Mr. Hammer took this position as he had previously

been the diesel mechanic. It is not necessary for the Supervisor to be able to repair the diesel generators. The 5th bullet under Knowledge & Skills has been eliminated as it is duplicate text from bullet one under this same section.

There is no wage change recommended in connection with the amendments to the job description.

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION No. <u>03-18-1401</u>

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR THE ELECTRICAL UTILITY SUPERINTENDENT AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the amendment of this position description allows the City and Borough of Wrangell's Administration Department the ability to appropriately update the duties and responsibilities of the Electrical Utility Superintendent position; and

WHEREAS, the rate of pay for the Electrical Utility Superintendent position is a grade 30 with the pay range from \$38.12 to \$48.15 and based on the proposed changes to the job description, this will not change; and

WHEREAS, it is the desire of the City and Borough of Wrangell to bring all job descriptions in compliance with current standards.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA,

<u>Section 1.</u> The attached Exhibit "A" is the job description which describes the duties, responsibilities and qualifications for the Electrical Utility Superintendent.

<u>Section 2.</u> The new job description for the Electrical Utility Superintendent position will be effective as of March 28, 2018.

PASSED AND APPROVED BY THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA this 27th DAY OF MARCH, 2018.

CITY & BOROUGH OF WRANGELL

David L. Jack, Mayor

ATTEST:

Kim Lane, Borough Clerk

City & Borough of Wrangell	Position Description
Position: Electrical Utility Superintendent	Position Number:
Department/Site: Light Department (Wrangell Municipal Light & Power)	FLSA: Non-exempt
Supervised and Evaluated by: Borough Manager	Salary Grade: 30

<u>Summary</u>

Under the direction of the Borough Manager, plans, directs, coordinates and supervises the activities and personnel of Wrangell Municipal Light & Power, including all construction, operations, personnel, and maintenance activities in the department. Supervise and manage all City electrical generators and distribution systems and utility operations.

Distinguishing Career Features

The Superintendent of the Electrical Utility is in charge of Wrangell's <u>generation and</u> electric distribution systems, and must manage all the employees of the <u>electrical</u> department. The Superintendent is a management position with attendant responsibilities.

Essential Duties and Responsibilities

•	Provides leadership to all electrical employees and coordinates their projects and
	assignments. Prepares annual budget for electrical department and presents to the
	City-Borough Manager. Provides monthly reports for the City-Borough Manager on
	the electrical department's operations. Interacts with employees, other city
	departments, external agencies, and rate payers, as well as the general public to bring
	project efforts to completion. Facilitates use and care of equipment. Maintains
	control of department budget and personnel hourly payroll. Keeps the City-Borough
	Manager apprised of critical department needs.
	Responds to customer queries and complaints and tries to resolve problems as they
	arise. Evaluates electrical service to homes and businesses, determines cause of poor
	or lack of electrical connections, and makes necessary corrections to distribute lines
	and services.
	Performs routine <u>residential and commercial</u> building electrical inspections to ensure
	construction compliance and safety compliance according to Municipal
	Ordinancesthe Wrangell Municipal Code and the National Electric Code (NEC).
	Maintains complete records and prepares appropriate forms.
	Performs regular evaluations and directs maintenance tasks to ensure proper
	generation and distribution operation. Oversees the operation, maintenance and
	repair of the diesel generating plant and distribution system. Responsible for all
	electrical maintenance, new work in power plant, overseeing and performing
	building maintenance, and repair duties to ensure that all power plant structures and
	distribution infrastructure are safe and operating efficiently sound.
	Oversees capital projects and installation of new equipment for generation and
	distribution operations. Determines specifications and ensures that construction
	procedures are safe and efficient. May request contractor bids for large projects.
	Prepares agenda statements and reports for the Assembly; and attends Assembly
	meetings as necessary.
-	Performs other related duties as required or assigned. Works cooperatively with
	other employees, other city departments, external agencies, rate payers as well as the
	general public.

Qualifications

Knowledge and Skills

- Requires considerable and in depth knowledge of <u>electric</u> generation and distribution operations to ensure that equipment installation and construction is done safely, efficiently, and according to specifications. Requires experience with contract bidding and the ability to interact with private contractors' prior to and during projects. Requires knowledge of safety standards and expertise necessary to ensure conformance to those standards.
- Requires good verbal and interpersonal skills to courteously and effectively resolve any utility customer problems.
- Requires thorough knowledge of required electrical codes and standards as well as the ability to inspect building electrical systems. Requires record-keeping skills and knowledge of forms necessary for programs.
- Requires mechanical knowledge and skill to <u>oversee</u> operat<u>ionse</u>, maint<u>ainenance</u> and repair<u>of</u> diesel generators safely and efficiently. Requires organizational skill to delegate maintenance<u>and repair</u> tasks.
- Requires intimate knowledge of power plant design and operations to ensure that equipment installation and construction is done safely, efficiently, and according to specifications. Requires experience with contract bidding and the ability to negotiate and advise private contractor projects.
- Requires willingness to perform other job-related duties as situations arise. Requires a strong sense of teamwork, and the ability to work cooperatively with others.

Abilities

Requires the ability to coordinate employee <u>maintenance and</u> repair activities. Requires ability to determine source of electrical failures, (sometimes not obvious), whether they be on the customer's premises or the secondary electrical source.

Physical Abilities

Ability to be physically active, demanding duties such as elimbing power poles and lifting heavy materials, and working with heavy equipment during irregular hours and in severe weather

Education and Experience

Requires the equivalent of a high school diploma, completion of an electrical apprenticeship program or trade school diploma, as well as extensive industrial maintenance and electrical work experience.

Licenses and Certificates

Requires a valid Alaska Driver's License.

Working Conditions

This is a full salaried administrative position inclusive of any overtime, or related monetary compensation. Requires additional hours beyond the normal work day as sometimes dictated by failures of equipment, power outages, or weather conditions.

This job/class description, describes the general nature of the work performed, representative duties as well as the typical qualifications needed for acceptable performance. It is not intended to be a complete list of all responsibilities, duties, work steps, and skills required of the job.

Department:	<u>Electric</u>
Supervisor:	Borough Manager
Prior Revision Date:	<u>2009</u>
Last Revision Date:	March 2018
Revision Made By:	LVB
Revision Approved By:	Assembly March 27, 2018
Date Provided to Bargaining Unit:	<u>N/A</u>

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH ASSEMBLY AGENDA STATEMENT

AGENDA ITEM TITLE:

<u>NO.</u>

DATE: March 27, 2018

PROPOSED RESOLUTION No. 03-18-1402: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ACCEPTING THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) MUNICIPAL MATCHING GRANT, MMG #91722, IN THE AMOUNT OF \$696,415 FOR THE WATER MAINS REPLACEMENT PROJECT AND AMENDING THE FY 2018 BUDGET IN THE WATER FUND AUTHORIZING ITS EXPENDITURE

13f

		FISCAL NOTE:	
	SUBMITTED BY:	Expenditure Required:	
		\$696,415	
Amber	Al-Haddad, Public Works Director	Amount Budgeted:	
		\$696,415	
		Account Number(s):	
		72320-000-4590	
		Account Name(s):	
Reviews	/Approvals/Recommendations	Water Dept.'s Capital Improvements – Water Main	
		Replacement Project	
\checkmark	Borough Assembly	Unencumbered Balance (prior to expenditure):	
n/a	Attorney		
n/a Insurance			

ATTACHMENTS:

1. Resolution 03-18-1402, Accepting ADEC MMG 91722 for the Water Mains Replacement Project.

- 2. ADEC Grant Offer: Water Main Replacement (MMG #91722) dated January 5, 2018.
- 3. Resolution 08-14-1299, Accepting Loan Funds (previously adopted).

RECOMMENDATION:

Move to approve Resolution 03-18-1402, accepting the State of Alaska Department of Environmental Conservation (ADEC) Municipal Matching Grant, MMG #91722, in the amount of \$696,415 for the Water Mains Replacement Project and authorizing its expenditure.

SUMMARY STATEMENT:

The City and Borough of Wrangell applied for and secured an ADEC Municipal Matching Grant in the amount of \$696,415 toward the replacement of water main utility distribution lines. The required local match for this project is scheduled to be provided for through the previously accepted ADEC loan in the amount of \$542,249. This loan was approved by the State and accepted by the Assembly via Resolution No. 08-14-1299. A copy of that resolution is attached for reference. Although the 2014 resolution accepts the loan and authorizes the manager to execute the loan documents, it does not authorize its expenditure. A new resolution authorizing the

expenditure of these loan funds is also on this agenda.

In accepting the Grant, MMG 91722, the City and Borough of Wrangell agrees to the terms and conditions of the grant offer (attached), agrees to operate and maintain the completed improvement project, shall adhere to any governing state regulations, and authorizes the Borough Manager to execute the appropriate documents.

As a reminder, the Borough has contracted for leak detection in the water main distribution system to begin March 26th. If significant leaks are found in areas different than those identified for replacement in the grant and loan paperwork, the CBW will ask ADEC for an amendment to use the funds to replace those sections of the water main distribution system with the most critical need.

CITY AND BOROUGH OF WRAGELL, ALASKA RESOLUTION No. <u>03-18-1402</u>

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA ACCEPTING THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) MUNICIPAL MATCHING GRANT, MMG #91722, IN THE AMOUNT OF \$696,415 FOR THE WATER MAINS REPLACEMENT PROJECT AND AMENDING THE FY18 BUDGET IN THE WATER FUND AUTHORIZING ITS EXPENDITURE

WHEREAS, the State of Alaska, Department of Environmental Conservation has appropriated a Municipal Matching Grant, MMG #91722, in the amount of \$696,415 to the City and Borough of Wrangell to be applied towards the Water Mains Replacement Project; and

WHEREAS, Resolution 08-14-1299 accepted an ADEC loan in the amount of \$542,249 in 2014 and will utilize this loan to provide for the local match; and

WHEREAS, the City and Borough of Wrangell agrees to the terms and conditions of the grant and shall adhere to any governing state regulations; and

WHEREAS, the City and Borough of Wrangell agrees to operate and maintain the completed improvement project constructed with said grant.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, that:

<u>Section 1</u>: The City and Borough of Wrangell hereby accepts the ADEC Municipal Matching Grant #91722 and the conditions of the grant agreement and authorizes the Borough Manager to execute the appropriate documents.

<u>Section 2:</u> The FY 2018 Budget in the Water Fund is amended by accepting the ADEC Municipal Matching Grant #91722 increasing the amount of \$696,415 in Project Account Number 72320-000-4690.

<u>Section 3:</u> The FY 2018 Budget in the Water Fund is further amended authorizing the expenditure of the ADEC Municipal Matching Grant #91722 increasing the amount of authorized expenditures in the amount of \$696,415 out of the appropriate expense accounts associated with project number 72320.

PASSED AND APPROVED BY THE WRANGELL ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, this <u>27th day of March</u>, <u>2018</u>.

CITY AND BOROUGH OF WRANGELL, ALASKA

Dave L. Jack, Mayor

ATTEST:

Kim Lane, MMC, Borough Clerk



CITY & BOROUGH OF WRANGELL

INCORPORATED MAY 30, 2008

Dept. of Public Works & Capital Projects

PO Box 531 Wrangell, AK 99929 Phone (907)-874-3904 Fax (907)-874-2699

March 28, 2018

Carrie Bohan Division of Water Alaska Department of Environmental Conservation PO Box 111800 410 Willoughby Avenue, Suite 303 Juneau, Alaska 99811-1800

Dear Carrie:

Please find enclosed the required documentation related to the Grant Offer for Wrangell's Water Main Replacement project, your grant project number MMG 91722. These include the following:

- 1. The Grant offer, signed by Lisa Von Bargen, Wrangell Borough Manager
- 2. Certification Regarding Lobbying (EPA Form 6600-06), signed by lisa Von Bargen, Wrangell Borough Manager.
- 3. Resolution

We trust these documents meet our obligation for submission. If you have any concerns about the information provided herein, please contact me directly at 874-3904. We look forward to working with your department on another important water project for the community of Wrangell.

Best,

Amber Al-Haddad Public Works Director

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 08-14-1299

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, TO ACCEPT A LOAN IN THE AMOUNT OF UP TO \$542,249 FROM THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, the City and Borough of Wrangell has determined that several of Wrangell's water mains are corroding and starting to fail; and

WHEREAS, the costs to maintain sections of the water mains continue to escalate, and replacement of these corroding mains would result in lower operating and maintenance costs; and

WHEREAS, the City and Borough of Wrangell seeks to obtain the necessary financial assistance to replace water mains and make water system improvements; and

WHEREAS, the State of Alaska, Department of Environmental Conservation is able to offer loan funding through the Alaska Drinking Water Fund; and

WHEREAS, the City and Borough of Wrangell applied for and received priority funding in the State's FY15 Intended Use Plan to apply for loan term that would be 20 years at 1.5% interest; and

WHEREAS, the City and Borough of Wrangell is authorized under WMC Chapter 6.3 to borrow money when authorized by the Assembly for use by a utility or enterprise of the borough and that repayment of the loan including interest comes exclusively from said utility.

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

The Assembly hereby authorizes and directs the Borough Manager to make, accept, and execute a loan agreement up to \$542,249 for funding in the form of a loan through the State of Alaska Department of Environmental Conservation Drinking Water Fund for the replacement of water mains and water system improvements.

CUS+26,2014 ADOPTED: David Jack, Mayor CIW & BOrough ATTEST: APRESSESSESSES Kim Lane, Borough Clerk

CITY & BOROUGH OF WRANGELL, ALASKA								
	BOROUGH ASSEMBLY AGENDA STATEMENT							
AGEND	A ITEM TITLE:	<u>NO.</u>	13g		DATE:	March 27, 2018		
PROPOSED RESOLUTION NO. 03-18-1403: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ACCEPTING THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) LOAN FROM THE ALASKA DRINKING WATER FUND, PREVIOUSLY AUTHORIZED IN RESOLUTION NO. 08-14-1299, IN THE AMOUNT OF \$542,249 FOR THE WATER MAINS REPLACEMENT PROJECT AND AMENDING THE FY 2018 BUDGET IN THE WATER FUND AUTHORIZING ITS EXPENDITURE								
SUBMITTED BY:				_	enditure R 42,249	FISCAL NOTE: Required:		
Lisa Vor	n Bargen, Borough I	Manager		Amount Budgeted: \$542,249				
				Account Number(s): 72321-000-4590 Account Name(s):				
Reviews/Approvals/Recommendations		ations						
⊠ n/a	Borough Assemb Attorney	У		Une	encumbere	ed Balance (prior to expenditure):		
n/a	Insurance							
ATTACHMENTS: 1. Resolution 03-18-1403, Accepting ADEC ACWF Loan for the Water Mains Replacement Project. 2. Resolution 08-14-1299, Accepting Loan Funds.								

RECOMMENDATION:

Move to approve Resolution 03-18-1403, accepting the State of Alaska Department of Environmental Conservation (ADEC) Alaska Clean Water Fund Loan, previously authorized in Resolution No. 08-14-1299, in the amount of \$542,249 for the Water Mains Replacement Project and authorizing its expenditure.

SUMMARY STATEMENT:

In the previous agenda item the funding package for the Water Mains Replacement Project was outlined including an ADEC Municipal Matching Grant, and this Alaska Clean Water Fund Loan in the amount of\$542,249 previously authorized by resolution in 2014. This new resolution addresses the "housekeeping task" of accepting the loan funds and amending the FY 2018 Budget to authorize the expenditure of the money.

CITY AND BOROUGH OF WRAGELL, ALASKA RESOLUTION No. <u>03-18-1403</u>

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA ACCEPTING THE STATE OF ALASKA DEPARTMENT OF ENVIRONMENTAL CONSERVATION (ADEC) LOAN FROM THE ALASKA DRINKING WATER FUND, PREVIOUSLY AUTHORIZED IN RESOLUTION NO. 08-14-1299, IN THE AMOUNT OF \$542,249 FOR THE WATER MAINS REPLACEMENT PROJECT AND AMENDING THE FY18 BUDGET IN THE WATER FUND AUTHORIZING ITS EXPENDITURE

WHEREAS, the State of Alaska, Department of Environmental Conservation has appropriated a Municipal Matching Grant, MMG #91722, in the amount of \$696,415 to the City and Borough of Wrangell to be applied towards the Water Mains Replacement Project; and

WHEREAS, Resolution 08-14-1299 accepted an ADEC loan in the amount of \$542,249 in 2014 and will utilize this loan to provide for the local match; and

WHEREAS, this resolution formally accepts the loan and amends the FY 2018 Budget to authorize its expenditure; and

WHEREAS, the City and Borough of Wrangell agrees to operate and maintain the completed improvement project constructed with said grant and loan funds.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, that:

<u>Section 1</u>: The City and Borough of Wrangell hereby accepts the ADEC Alaska Clean Water Fund Loan in the amount of \$542,249.

<u>Section 2:</u> The FY 2018 Budget in the Water Fund is amended by accepting the ADEC ACWF Loan increasing the amount by \$542,249 in Project Account Number 72321-000-4690.

<u>Section 3:</u> The FY 2018 Budget in the Water Fund is further amended authorizing the expenditure of the ADEC ACWF Loan increasing the amount of authorized expenditures in the amount of \$542,249 out of the appropriate expense accounts associated with project number 72321.

PASSED AND APPROVED BY THE WRANGELL ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, this <u>27th day of March, 2018</u>.

CITY AND BOROUGH OF WRANGELL, ALASKA

Dave L. Jack, Mayor

Kim Lane, MMC, Borough Clerk

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO. 08-14-1299

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, TO ACCEPT A LOAN IN THE AMOUNT OF UP TO \$542,249 FROM THE STATE OF ALASKA, DEPARTMENT OF ENVIRONMENTAL CONSERVATION

WHEREAS, the City and Borough of Wrangell has determined that several of Wrangell's water mains are corroding and starting to fail; and

WHEREAS, the costs to maintain sections of the water mains continue to escalate, and replacement of these corroding mains would result in lower operating and maintenance costs; and

WHEREAS, the City and Borough of Wrangell seeks to obtain the necessary financial assistance to replace water mains and make water system improvements; and

WHEREAS, the State of Alaska, Department of Environmental Conservation is able to offer loan funding through the Alaska Drinking Water Fund; and

WHEREAS, the City and Borough of Wrangell applied for and received priority funding in the State's FY15 Intended Use Plan to apply for loan term that would be 20 years at 1.5% interest; and

WHEREAS, the City and Borough of Wrangell is authorized under WMC Chapter 6.3 to borrow money when authorized by the Assembly for use by a utility or enterprise of the borough and that repayment of the loan including interest comes exclusively from said utility.

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

The Assembly hereby authorizes and directs the Borough Manager to make, accept, and execute a loan agreement up to \$542,249 for funding in the form of a loan through the State of Alaska Department of Environmental Conservation Drinking Water Fund for the replacement of water mains and water system improvements.

CUS+26,2014 ADOPTED: David Jack, Mayor CITY & BOLOUGH ON ATTEST: ****************** Kim Lane, Borough Clerk ka ************

CITY & BOROUGH OF WRANGELL, ALASKA					
BOROUGH ASSEMBLY AGENDA STATEMENT					
AGENDA ITEM TITLE: NO. 14 Date March 27, 2018					
SUBMITTED BY:					
Kim Lane, Borough Clerk					

INFORMATION:

ATTORNEY'S FILE – The latest attorney's billing is available for the Borough Assembly to view in the Clerk's office.

CITY & BOROUGH OF WRANGELL, ALASKA						
BOROUGH ASSEMBLY AGENDA STATEMENT						
AGENDA ITEM TITLE: NO. 15 Date March 27, 2018						
None.	None.					
SUBMITTED BY:						
Kim Lane, Borough Clerk						