

**Minutes of Regular Assembly Meeting
Held on July 23, 2024**

Mayor Patricia Gilbert called the Regular Assembly meeting to order at 6:00 p.m., July 23, 2024, in the Borough Assembly Chambers. Assembly Member Powell led the pledge of allegiance.

PRESENT – GILBERT, POWELL, DEBORD, DALRYMPLE, ROBBINS, OTTESEN, MORRISON

ABSENT –

Borough Manager Villarma and Clerk Lane were also present.

CEREMONIAL MATTERS – None.

PERSONS TO BE HEARD

EMAILED CORRESPONDENCE from *Joan Sargent (Annual Budget)* was included in the packet.

EMAILED CORRESPONDENCE from *Bruce and Nancy McQueen (Old Wrangell Medical Center)* was included in the packet.

Lorane Allen, resident questioned what the protocol was for setting up a payment plan for past due utility bills; was told that she needed to pay in full or she would be sent to collections.

Manager Villarma stated that we allow people to make payments unless there are extenuating circumstances or unless the account has already been sent to collections.

AMENDMENTS TO THE AGENDA – None.

CONFLICT OF INTEREST – None.

CONSENT AGENDA

6a Minutes from the June 25, 2024, Regular Assembly Meeting

6b Minutes from the July 1, 2024, Special Assembly Meeting

6c Minutes from the July 16, 2024, Special Assembly Meeting

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

BOROUGH MANAGER'S REPORT

Amber Al-Haddad, Capital Projects Director's report was provided.

Manager Villarma provided his report.

Steve Miller, Port & Harbor Director's report was provided.

Jeanie Arnold, Nolan Center Director's report was provided.

Sarah Scambler, Library Director's report was provided.

BOROUGH CLERK'S REPORT

Clerk Lane's report was provided.

MAYOR AND ASSEMBLY BUSINESS

Gilbert thanked the public and borough staff for their efforts on the Fourth of July.

MAYOR AND ASSEMBLY APPOINTMENTS – None.

PUBLIC HEARING

11a ORDINANCE No. 1062 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE ZONING MAP TO EFFECT A CHANGE TO LOT A-2, TORGRAMSEN-GLASNER SUBDIVISION FROM SINGLE-FAMILY RESIDENTIAL TO LIGHT INDUSTRIAL

Gilbert called the Public Hearing to order and asked for an administrative report. Villarma stated that this ordinance was being brought forward by a petition to rezone from Single Family Residential to Light Industrial; was brought to the Planning & Zoning Commission and they denied the recommendation to approve a Contract Zone instead; Villarma stated that precedence has been set with multiple properties being issued Contract Zone; recommending moving forward with a rezone of the property and requesting that the Planning & Zoning Commission look at the area holistically to possibly rezone the area to Mixed-Use.

Gilbert asked if there was anyone who wanted to speak on this item.

Phillip Mach, co-owner of property and resident, requesting to rezone to Light Industrial for the purpose of erecting storage units; spoke to the other properties that have Contract Zone agreements and other zoning designations; proposal will not negatively impact the surrounding area.

John Ester, co-owner of property, when researching for an area to purchase, saw that the surrounding area properties were mixed zones, with the upcoming availability of Alder Top, believes that this would provide economic growth for the town.

Bruce Smith, resident, owned the property adjacent to the property in question; opposes the rezoning of the property to Light Industrial; a Contract Zone agreement would be approved with conditions; rezoning the property would allow for operations that would impact the residential properties.

Terri Henson, Planning & Zoning Commission, stated that the Contract Zone agreements were for the purpose of creating a buffer for the residential lots; a Mixed-Use rezone would not work; the Commission really took into consideration the request for the rezone; recommendation is not to approve the rezone.

Gilbert closed the Public Hearing and asked for a motion.

M/S: Powell/Robbins to approve first reading of Ordinance No. 1062 and move to a second reading with a Public Hearing to be held on August 27, 2024.

Villarma stated that our borough attorney stated that we should not have Contract Zone agreements because it could create inequities and it's more like spot-zoning; recommends moving forward with a zone change to Light Industrial and then to have the Planning & Zoning Commission look at rezoning the area to Mixed-Use.

Villarma stated that he would recommend passing this ordinance, as presented and then having Planning & Zoning look at the whole area to possibly create a new zone for Mixed-Use; stated that having Contract Zone agreements has legal implications to the borough.

Terri Henson, Planning & Zoning Commission Chair, stated that a Contract Zone agreement allowed for conditions and for a buffer for the residential lots; if this area were to be rezoned, the conditions are not applied.

Morrison questioned why a variance wasn't being proposed instead.

Villarma stated that a code change would be required to go that route; would need Planning & Zoning to look at that.

After extensive discussion, the assembly by consent, stated that if this ordinance passed in the first reading, they would like to see it come back for the second reading after the Planning & Zoning Commission has reviewed the area for possible Mixed-Use Residential or Multi-Use Light Industrial code addition and the code for Variances as possible solutions and not specifically on August 27, 2024.

DeBord stated that there is a resident here that purchased a single-family lot, if building a single-family home and in looking at fairness and equity, we need to look at that as well.

Motion approved with Morrison, Ottesen, Dalrymple, Powell and Gilbert voting yes; Robbins and DeBord voted no.

11b ORDINANCE No. 1058 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING AND REPEALING-REPLACING CERTAIN SECTIONS OF CHAPTER 2.24 - ABSENTEE VOTING TO ALLOW FOR EARLY VOTING AND ELECTRONIC VOTING, IN THE WRANGELL MUNICIPAL CODE

Gilbert called the Public Hearing to order and asked for an administrative report. Lane stated that this ordinance would amend the code by making changes to early voting to essentially have the clerk's office run like it does on election day, making the process more seamless and transparent; also, by adding voting by email during absentee voting.

Gilbert asked if there was anyone who wanted to speak on this item.

Hearing none, Gilbert closed the Public Hearing and asked for a motion.

M/S: Morrison/Ottesen to approve Ordinance No. 1058. Motion approved by polled vote.

11c RESOLUTION No. 07-24-1873 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, APPROVING THE AMENDED FEE AND RATE SCHEDULE FOR THE HARBOR AND PORT FACILITIES DEPARTMENT AND PROVIDING FOR AN EFFECTIVE DATE

Gilbert called the Public Hearing to order and asked for an administrative report. Villarma stated that this resolution was being brought forward at the assembly's request since it is a difficult time for operators; this would account for a 3% deduction for annual moorage and a deduction in cruise ship water charges.

Gilbert asked if there was anyone who wanted to speak on this item.

Hearing none, Gilbert closed the Public Hearing and asked for a motion.

M/S: Morrison/Robbins to approve Resolution No. 07-24-1873.

Dalrymple mentioned that in April of 2021, the fee and rate schedule stated that if you had an annual stall, there was no fee for launching your boat; that was changed on a subsequent fee and

rate schedule without highlighting that change; would like to see that come back with the fee removed.

Port Director Miller stated that it was never free but that it was half the cost; Port Commission is looking at this; no communities in Southeast Alaska gives launch permits for free; asked that the Assembly allow the Port Commission to review and then bring something back to the Assembly to approve the Fee & Rate Schedule.

It was the consensus of the assembly to bring this back to the assembly for consideration after the Port Commission had considered this.

Motion approved by polled vote.

UNFINISHED BUSINESS – None.

NEW BUSINESS

Recessed at 7:55 p.m.

Reconvened at 8:05 p.m.

13a Approval to Cancel the Existing Loal Contractor's Policy and continue to follow the Wrangell Municipal Code, Chapter 5.10 Purchases and Sales

M/S: Powell/Robbins to Approve cancelling the Local Contractor's Policy and continue to follow the Wrangell Municipal Code, Chapter 5.10 Purchases and Sales. Motion approved by polled vote.

13b Approval of Amendment 5 to the Professional Services Agreement with DOWL for the Water Treatment Plant Improvements Design in the amount of \$405,639

M/S: Powell/Morrison to approve Amendment 5 to the Professional Services Agreement with DOWL for the Water Treatment Plant Improvements Design in the amount of \$405,639.

At the request of Dalrymple on the detailed costs for this project, Capital Projects Director Al-Haddad provided those costs.

Motion approved by polled vote.

13c Approval of Revised Water Shortage Management Plan

M/S: Powell/Robbins to approve the revised Water Shortage Management Plan. Motion approved by polled vote.

13d Approval of Amendment 1 to USFS Chugach Lease Agreement for the purpose of replacing the termination clause such that both parties must mutually consent to termination.

M/S: Morrison/Powell to approve Amendment 1 to the USFS Chugach Lease Agreement. Motion approved by polled vote.

13e ORDINANCE No. 1059 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING AND REPLACING SECTION 3.04.112, CONFLICT OF INTEREST IN ITS ENTIRETY, IN THE WRANGELL MUNICIPAL CODE

M/S: Powell/Robbins to approve first reading of Ordinance No. 1059 and move to a second reading with a Public Hearing to be held on August 27, 2024. Motion approved by polled vote.

13f ORDINANCE No. 1060 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 15.16.080 – UNIFORMITY OF GROUNDS AND MARKERS, IN THE WRANGELL MUNICIPAL CODE

M/S: Robbins/Powell to approve first reading of Ordinance No. 1060 and move to a second reading with a Public Hearing to be held on August 27, 2024. Motion approved by polled vote.

13g ORDINANCE No. 1061 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING ORDINANCE 1027 and REPLACING IT WITH ORDINANCE 1061 by AMENDING THE ZONING MAP TO EFFECT A CHANGE TO A PORTION OF TRACT Y, U.S.S. 2321, PARCEL NO. 03-006-305, FROM LIGHT INDUSTRIAL TO RURAL RESIDENTIAL 1

M/S: Morrison/Robbins to approve first reading of Ordinance No. 1061 and move to a second reading with a Public Hearing to be held on August 27, 2024. Motion approved by polled vote.

13h ORDINANCE No. 1063 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUBMITTING TO QUALIFIED VOTERS A PROPOSITION TO AMEND SECTION 2-3 OF THE HOME RULE CHARTER FOR THE CITY AND BOROUGH OF WRANGELL

M/S: Powell/Robbins to approve first reading of Ordinance No. 1063 and move to a second reading with a Public Hearing to be held on August 27, 2024. Motion approved with Robbins, Morrison, Ottesen, Powell, DeBord and Gilbert voting yes; Dalrymple voted no.

13i Approval to hold a Special Assembly meeting on July 29, 2024, for the purpose of an Executive Session to hold interviews for the Municipal Legal Services candidates

M/S: Robbins/Morrison to approve holding a Special Assembly meeting on July 29, 2024, for the purpose of an Executive Session to hold interviews for the Municipal Legal Services candidates. Motion approved by polled vote.

13j Approval of City & Borough Tidelands Annual 2024 Five-Year Reassessments

M/S: Powell/Robbins to approve the five-year City Tidelands Reassessments for tax year 2024, as presented. Motion approved by polled vote.

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

EXECUTIVE SESSION – None.

At the consensus of the Assembly, the rules of order were suspended to allow Manager Villarma to report that the Wrangell Fire Chief and Borough Manager were looking at incentivizing the Wrangell Fire Department volunteers.

Meeting adjourned at 8:47 p.m.

ATTEST


Kim Lane, MMC, Borough Clerk


Patricia Gilbert, Borough Mayor



