

## **Minutes of Regular Assembly Meeting**

**Held on October 22, 2019**

Mayor Stephen Prysunka called the Regular Assembly meeting to order at 6:00 p.m., October 22, 2019, in the Borough Assembly Chambers. The pledge was led by Julie Decker and the roll was called.

PRESENT: DECKER, PRYSUNKA, MORRISON, GILBERT, LARRABEE

ABSENT: POWELL, DELONG

Borough Manager Von Bargaen and Borough Clerk Lane were also in attendance.

### CEREMONIAL MATTERS

Mayor Prysunka presented a Proclamation for *Extra Mile Day*- November 1<sup>st</sup>, 2019.

### PERSONS TO BE HEARD

*Don McConachie* gave the invocation.

*Vance Jacobsen, Compensation Study Consultant*, gave a brief introduction and summarized what he would be doing for the City regarding the Compensation Study.

*Heather Evoy, SEACC*, Discussed transboundary issues and asked that the Assembly consider adopting a Transboundary Relations Resolution that essentially highlights an opportunity that surrounds the rights of indigenous people and focuses on the Southern Southeast (downstream) communities; sets the framework moving forward.

Manager Von Bargaen stated that we will put this on the November 12<sup>th</sup> Assembly Meeting.

### AMENDMENTS TO THE AGENDA

Von Bargaen asked that Agenda Item 13a (Approval of Private Driveway Access & Rock Usage Agreement on Borough-Owned Property with Royce & Sherri Cowan for a Portion of Tract A, ASLS 94-135 and Section 27, Township 62 South, Range 84 East, Copper River Meridian), be removed from the Agenda so that Carol Rushmore could be here to answer questions on the item. There were no objections from the Assembly.

Agenda Items 13h and 13i were moved to be considered after 13n. There were no objections from the Assembly.

Decker requested to add a discussion item: Institute Development Options. There were no objections from the Assembly to add this discussion item. Prysunka stated that this would be Agenda Item 13p.

### CONFLICT OF INTEREST

Morrison declared a conflict of interest on the appointment to the Port Commission because the candidate is her spouse.

Prysunka stated that his daughter was hired on at the Nolan Center and if any items come before the Assembly on the Museum, he will declare a conflict.

### CONSENT AGENDA

- a. Assembly Minutes - Regular from September 24, 2019

- b. Assembly Minutes - from Special October 3, 2019
- c. DNR Lease for ADL 108078 Robert Meyer III for storage in Meyer's Chuck 10, 2019

***M/S: Morrison/Decker to approve the Consent Agenda, as presented. Motion approved unanimously by polled vote.***

#### BOROUGH MANAGER'S REPORT

Austin O'Brien, Forest Service was present and provided an overview of the Report that the District Ranger, Clint Kolarich submitted for the Assembly.

Cyni Crary, Nolan Center Director announced that a new exhibit that will be presented at the Nolan Center on November 8<sup>th</sup>: Wrangell Remembers - Shipwrecks Close to Home (1908 – 1952).

Amber Al-Haddad, Capital Facilities Director, provided the Assembly with an update on the Wrangell Powerhouse.

Manager Von Bargen's reported on the following items:

- Continuing with Police Chief Interviews
- Traveling down South tomorrow for personal travel; will be back on October 31st
- CBW has been the victim of Check Fraud; Finance Department found 7 fraudulent checks; working with law enforcement and the Wells Fargo fraudulent department on this issue
- Compensation Study is underway
- Green Barn at Shoemaker Bay Park; have identified quite a few items that are trash (not surplus); for item that are surplus items, might do an on-site surplus sale
- Thank you to the IGAP staff on the waste stream study (Waste Management Plan)
- Joyce and Lisa attended PERS training in Anchorage
- Shane Levesque will be here on November 11<sup>th</sup>
- Post season Cruise Ship season meeting; will look at scheduling a community meeting as well
- USDA Grant and Loan on the Water Treatment Plant
- Draft revision on the MOU has been sent to WCA; hopefully, this will be on the next Agenda
- Updated the Assembly on the Chugach

#### BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

#### MAYOR AND ASSEMBLY BUSINESS

Decker gave an overview of the SSRAA (Southern Southeast Regional Aquaculture Association); one of the Salmon enhancement operators, runs the SE Region; will have their Board meeting in Wrangell at the Nolan Center on November 1<sup>st</sup>.

Prysunka provided the Assembly with a SEAPA level update; up about 80-90 feet currently; installed new "snow pillows" that allow for real time measurement of the snow as it falls; explained on the handout that he provided when sales are made; revenues from the sales to the South go into our coffers; working on repairing a "hole" in one of the cables.

Prysunka gave an update on the Prince Rupert issue (Alaska Marine Highway System); Mayor of Prince Rupert and Rep. Dan Ortiz is working hard to keep service to and from Prince Rupert; hopeful that AML and SE Conference will help in the fight.

Recessed at 7:26 p.m.  
Reconvened at 7:39 p.m.

MAYOR AND ASSEMBLY APPOINTMENTS

a. Nomination of Vice-Mayor

***M/S: Decker/Morrison to nominate Patty Gilbert for Vice-Mayor until October 2020. Motion approved unanimously by polled vote.***

b. City Board and Commission Appointments (Annual)

Hearing no objections, Mayor Prysunka appointed *Terri Henson and Apryl Hutchinson to the Planning & Zoning Commission; Annya Ritchie to the Parks & Recreation Advisory Board; Brenda Schwartz-Yeager and Stephanie Cook to the Wrangell Convention & Visitors Bureau; and Bob Dalrymple to the Economic Development Committee.*

Prysunka requested that the appointment of Caitilin Cardinell be postponed so that Manager Von Bargaen could meet with Ms. Cardinell to ensure that she fully understands that if appointed, she would not be representing the Jet Boat Association on behalf of the City; based on Ms. Cardinell's letter of interest, it was unclear if she understood that. There were no objections from the Assembly to postpone the appointment.

c. Appointment to the Southern Southeast Regional Aquaculture Association (SSRAA) Board Mayor Prysunka was appointed to the SSRAA Board with the understanding that if Powell wanted to remain on the Board, Prysunka would step aside and let him serve. There were not objections from the Assembly.

d. Appointment to fill the Vacancy on the Port Commission

***M/S: Gilbert/Larrabee to appoint Gary Morrison to the Port Commission with the term expiring October 2020. Motion approved unanimously by polled vote with Morrison not voting due to her Conflict of Interest.***

PUBLIC HEARING – None.

UNFINISHED BUSINESS – None.

NEW BUSINESS

*This item was removed from the Agenda under the Consent Agenda*

~~13a Approval of Private Driveway Access & Rock Usage Agreement on Borough-Owned Property with Royce & Sherri Cowan for a Portion of Tract A, ASLS 94-135 and Section 27, Township 62 South, Range 84 East, Copper River Meridian~~

13b Approval of the Parks and Recreation Membership Purchasing Policy

***M/S: Gilbert/Morrison to approve the P&R Membership Purchasing Policy. Motion approved unanimously by polled vote.***

13c Approval of the Parks and Recreation User Group Policy

***M/S: Morrison/Gilbert to approve the P&R User Group Policy. Motion approved unanimously by polled vote.***

**13d** Approval to Dispose of Derelict Vessel F/V Tres Suertes

***M/S: Gilbert/Morrison to approve the disposal of the vessel F/V Tres Suertes. Motion approved unanimously by polled vote.***

**13e RESOLUTION No 10-19-1492** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING RESOLUTION 08-19-1484 BY PROVIDING FOR THE AMENDMENT OF THE POSITION TITLE OF THE PREVIOUSLY APPROVED DIESEL ELECTRIC MECHANIC APPRENTICE POSITION TO DIESEL ELECTRIC MECHANIC ASSISTANT AND GROUNDMAN

***M/S: Gilbert/Decker to approve Resolution No. 10-19-1492.***

Von Bargen stated that the only change is to the job title (from apprentice to assistant and groundman).

In response to an inquiry from Gilbert, Von Bargen stated that the job description requirement that the position be able to function at a fully skilled, journeyman level within four years is still a requirement.

***Motion approved unanimously by polled vote.***

**13f** Approval of Disposition and Development Plan for Borough-Owned Property Lot Y2, Tract Y, USS 2321 (Former Junkyard Property at 4.5 Mile Zimovia Highway)

***M/S: Morrison/Gilbert to approve Disposition and Development Plan for Borough-Owned Property Lot Y2, Tract Y, USS 2321 (Former Junkyard Property at 4.5 Mile Zimovia Highway).***

Terri Henson, Planning & Zoning Commissioner reported that the commissions recommendation was to proceed with selling the two lots to Byford and Molinek and to look at how to sell off the remaining lots.

Von Bargen stated that they were looking at selling the two lots to Byford and Molinek and having the property owners combine their existing lot with the proposed lot; looking at having the remaining parcel sold as one lot so that the Borough would not have to pay to the property developed; requirement of purchaser would be to subdivide the lots into a minimum of 3 lots and a maximum of 4 lots; zoning be changed to residential from light industrial.

Prysunka stated that he was concerned that by placing residential lots between the two currently zoned light industrial lots might pose a problem in the future.

Larrabee questioned the minimum (three) and maximum (four) lots; what if a developer wants to put in a larger condominium building; just don't want to limit the options for that site.

Decker agreed that if we set limitations (three or four lots), a developer might not be able to do what they want.

Von Bargen stated that was a reasonable option and would check into that.

Ms. Henson stated that Planning & Zoning talked about smaller lots as well because it would allow those residents who wanted small homes, to build on the smaller lots.

Von Bargen clarified that the Assembly was wanting Staff to come back with lot size and zoning options.

Prysunka stated that he was concerned with having mixed zoning in the area so that issues that might arise in the future, don't happen.

Von Bargen said that she would reach out to Mr. Molinek and Byford to see if they would be in favor with changing their zoning from light industrial to residential.

***M/S: Decker/Gilbert moved to postpone. Motion to postpone approved unanimously by polled vote.***

**13g RESOLUTION No 10-19-1493** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2020 BUDGET IN THE GENERAL FUND BY ACCEPTING REVENUE FROM THE STIKINE SPORTSMEN ASSOCIATION IN THE AMOUNT OF \$5,118 FOR PARKS AND RECREATION'S OUTDOOR SHOOTING RANGE IMPROVEMENTS, AND AUTHORIZING ITS EXPENDITURE

***M/S: Gilbert/Larrabee to approve Resolution No. 10-19-1493. Motion approved unanimously by polled vote.***

**13jh RESOLUTION No 10-19-1495** OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2020 BUDGET IN THE ELECTRIC FUND BY TRANSFERRING \$522,524 FROM ELECTRIC FUND RESERVES TO THE ELECTRIC FUND CIP POWER GENERATION SOLUTION PROJECT ACCOUNT AND AUTHORIZING ITS EXPENDITURE

***M/S: Gilbert/Morrison to approve Resolution No. 10-19-1495.***

Von Bargen gave an overview on the budget amendment request.

Rod Rhoades, Electrical Superintendent, further explained the need for the budget amendment.

***Motion approved unanimously by polled vote.***

**13ki** Approval of a Sole Source Professional Services Agreement with Electric Power Systems, Inc., in Conformance with Wrangell Municipal Code Section 5.10.050 F, in the Amount of \$340,012 for the Power Generation Solution Project

***M/S: Morrison/Decker to approve to Approve a Sole Source Professional Service Agreement with Electric Power Systems, Inc. in conformance with Wrangell Municipal Code Section 5.10.050 F in the amount of \$340,012 for the Power Generation Solutions Project. Motion approved unanimously by polled vote.***

**13hj RESOLUTION No 10-19-1496** OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2020 BUDGET IN THE GENERAL FUND ACCEPTING UNDERPAID FEDERAL PILT REVENUE IN THE AMOUNT OF \$11,096 RESULTING FROM THE KANE COUNTY, UT V. UNITED STATES SETTLEMENT AND AUTHORIZING ITS EXPENDITURE

***M/S: Decker/Gilbert to approve Resolution No. 10-19-1496. Motion approved unanimously by polled vote.***

**13mk** Approval of Change Order No. 1 to Tamico-RNR JV in the amount of \$318,264.26 for the Shoemaker Bay Harbor Replacement Project

***M/S: Decker/Gilbert to approve Change Order No. 1 to Tamico-RNR JV in the amount of \$318,264.26 for the Shoemaker Bay Harbor Replacement Project. Motion approved unanimously by polled vote.***

**13nl RESOLUTION No 10-19-1497** OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2020 BUDGET IN THE GENERAL FUND BY TRANSFERRING \$80,000 FROM GENERAL FUND RESERVES TO THE PUBLIC WORKS CAPITAL EQUIPMENT ACCOUNT FOR ACQUISITION OF A USED REPLACEMENT DUMP TRUCK

***M/S: Gilbert/Morrison to approve Resolution No. 10-19-1497.***

Von Bargen gave a detailed explanation as to why this dump truck was necessary.

Rolland Howell, Public Works Director, further explained that Staff had searched for the cross-member part that broke on the truck and found that it is obsolete and cannot be replaced; to rent a dump truck would be too expensive.

Prysunka expressed concern on spending \$80,000 on a new (used) dump truck; realizes the need for a dump truck, just not sure if we should spend \$80,000 for one; wants to make sure that Staff is looking at all options.

Von Bargen stated that the Assembly would still need to approve the purchase of a dump truck, once one was found; she assured the Assembly that Staff will look at alternatives and bring the Assembly some options.

***Motion approved unanimously by polled vote.***

**13hm ORDINANCE No 969** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ESTABLISHING SECTION 05.11, REMOTE SELLER SALES TAX OF THE WRANGELL MUNICIPAL CODE

***M/S: Gilbert/Morrison to approve first reading of Ordinance No. 969 and move to a second reading with a Public Hearing to be held on November 12, 2019. Motion approved unanimously by polled vote.***

**13in RESOLUTION No 10-19-1494** OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE CITY & BOROUGH OF WRANGELL TO JOIN THE ALASKA REMOTE SELLER SALES TAX COMMISSION FOR THE PURPOSE OF DEVELOPING, IMPLEMENTING, AND ENFORCING A REMOTE SELLERS SALES TAX CODE

***M/S: Morrison/Gilbert to approve Resolution No. 10-19-1494. Motion approved unanimously by polled vote.***

**13o ORDINANCE No 970** REPEALING AND REENACTING CHAPTER 5.20 OF THE WRANGELL MUNICIPAL CODE RELATED TO THE PERMANENT FUND INVESTMENT POLICY, OBJECTIVES AND GUIDELINES

***M/S: Decker/Gilbert to approve first reading of Ordinance No. 970 and move to a second reading with a Public Hearing to be held on November 12, 2019.***

Von Bargen stated that Gilbert had reported several necessary changes to the proposed Ordinance prior to the meeting, this evening; Von Bargen addressed each amendment and stated that the Ordinance would come back to the Assembly at the November 12 meeting with the amended language and corrections; she also

stated that the Borough Attorney assured her that there would not need to be a third reading of the Ordinance.

There were no objections from the Assembly on any of the amendments or changes to the proposed Ordinance.

***Motion approved unanimously by polled vote.***

**13p** Discussion regarding the Institute Property Development (*added under Amendments to the Agenda by Decker*)

Decker stated that she would like to see this project moved up on our list of priorities; believes that this property is a large piece of the future of Wrangell; has received numerous requests by members of the community for information on when the lots would be available for sale and what the plan is; there is a large need for housing right now.

Morrison agreed; understands that we need a survey first; what type of housing will be allowed there; lots of concerns.

Decker stated that this will take a lot of money to develop but we need to come up with a plan; possibly partnering with WCA; possibly develop in phases might be the answer.

Von Bargen stated that she would try and get the key Staff together and try and come up with some ideas and options before the next Assembly Meeting.

Decker suggested that Staff consider all options such as possibly hiring a consultant.

Von Bargen agreed.

*Recessed at 9:32 p.m.*

*Reconvened at 9:42 p.m.*

#### EXECUTIVE SESSION

**15a Executive Session:** Mill Property Purchase Update

***M/S: Gilbert/Decker moved, pursuant to AS 44.62.310 (c)(1), that we recess into executive session to discuss matters in which the immediate knowledge would clearly have an adverse effect upon the finances of the borough, specifically the update to the proposed purchase of the Mill Site property and invite the Borough Manager into the session. Motion approved unanimously by polled vote.***

**15b Executive Session:** Transitional Housing Acquisition

***M/S: Decker/Morrison moved, I move, pursuant to AS 44.62.310 (c)(1), that we recess into executive session to discuss matters in which the immediate knowledge would clearly have an adverse effect upon the finances of the borough, specifically the update to the proposed acquisition of transitional housing for the Borough and invite the Borough Manager into the Session. Motion approved unanimously by polled vote.***

*Recessed into Executive Session at 9:44 p.m.*

*Reconvened back into Regular Session at 10:33 p.m.*

Regular Assembly meeting adjourned at 10:33 p.m.

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Stephen Prysunka, Mayor

ATTEST: \_\_\_\_\_  
Kim Lane, MMC, Borough Clerk