

Minutes of Regular Assembly Meeting

Held on July 23, 2019

Vice-Mayor Patty Gilbert called the Regular Assembly meeting to order at 7:00 p.m., July 23, 2019, in the Borough Assembly Chambers. The pledge was led by Assembly Member Jim DeBord and the roll was called.

PRESENT: MORRISON, DELONG, GILBERT POWELL, DECKER, DEBORD

ABSENT: PRYSUNKA

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

CEREMONIAL MATTERS

Police Officer Connor Phillips was introduced to the Assembly.

PERSONS TO BE HEARD

Joan Sargent, resident signed up to be heard under Item 11a.

AMENDMENTS TO THE AGENDA – None.

CONFLICT OF INTEREST – None.

CONSENT AGENDA

- a. Assembly Minutes - June 25, 2019 (Regular)
- b. Approval of Final Plat of Fennimore/Roland Replat
- c. CORRESPONDENCE School Board Minutes (Regular 5-20-19)
- d. CORRESPONDENCE - Municipal Sales Tax in Alaska (update)

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

BOROUGH MANAGER'S REPORT

Manager Von Bargaen's reported on the following items:

- Working on the Draft Contract for IT Services (SEARHC)
- Industrial Subdivision – Notices that were sent to property owners from the U.S. Army Corps of Engineers regarding permits needed for the property owners
- Scrap Metal – Barge

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR AND ASSEMBLY BUSINESS

DeLong reported that Bearfest starts Wednesday, July 24th; encourages everyone to get involved.

Morrison thanked everyone who attended the event at the museum last week; first event of many that we hope will be occurring at the Nolan Center.

Gilbert reported that the IFA appointed Ronald Curtis as their General Manager.

MAYOR AND ASSEMBLY APPOINTMENTS – None.

PUBLIC HEARING

11a PROPOSED ORDINANCE NO. 965 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 15.12, ELECTRICITY, BY ADDING SECTION 15.12.193 RATE STABILIZATION

Vice-Mayor Gilbert declared the Public Hearing open on this item.

Joan Sargent, resident said that she generally supports the amendment; asked for clarification and on certain sections of the ordinance; believes that the sufficient level should be written into the amendment (ordinance); asked that the sentence in Section E that states “The Assembly may amend the surcharge by subsequent resolutions within the same year”, either be removed or clarified.

Vice-Mayor Gilbert declared the Public Hearing closed on this item.

M/S: Decker/Powell to approve Second reading of Ordinance No. 965, with amendments and move to a third reading with a Public Hearing to be held on August 27, 2019.

Von Bargaen explained and clarified the changes to the proposed ordinance. In response to Ms. Sargent’s comments and suggestions, Von Bargaen stated:

- Offset amount: might be a better option to set an amount in the Ordinance; six weeks of diesel run, just this year, was 1.5 million dollars; protection is that the money collected, goes into a separate rate stabilization fund that can only be used to offset the cost to rate payers for diesel runs; safeguards are in place.
- Ongoing funding: concern that if we had a bad year that forced us have a substantive diesel run in a year, we need to have the option to have the Assembly pass an additional Resolution to change the surcharge amount.

There was extensive discussion on the Offset Amount and Ongoing Funding sections. Von Bargaen stated that Staff would work on the Ordinance and bring it back to the Assembly for a third Public Hearing and consideration on August 27, 2019; may need to have a fourth Public Hearing as well if there are considerable changes.

Powell stated that he believed that we need to establish a limit to the fund.

Motion approved unanimously by polled vote.

UNFINISHED BUSINESS – None.

NEW BUSINESS – None.

13a Approval of Access Agreement with Albert & Twyla Nore

M/S: DeLong/Morrison to approve Limited Access Agreement with Dan & Twyla Nore for a Portion of Lot 6A, Dan Nore Subdivision. Motion approved unanimously by polled vote.

13b Approval to Disperse Funds to the Wrangell Mariners Memorial

M/S: Decker/DeLong to approve dispersal of funds to the Wrangell Mariners Memorial. Motion approved unanimously by polled vote.

13c Approval to Request Reimbursement from SEAPA for Additional Diesel Run Expenses

M/S: Powell/Morrison to approve Reimbursement Request from SEAPA for Additional Diesel Run Expenses.

Von Bargaen stated that the SEAPA Board approved the reimbursement for the diesel run however Wrangell and Petersburg were not reimbursed for the fully loaded rate; difference between the actual amount paid and the fully loaded rate is \$46,549; hesitant in asking for this; not sure how the SEAPA Board will receive this request.

Powell and Decker stated that they were not in favor of asking for the additional reimbursement; DeLong agreed.

Gilbert stated that she would be voting for this; amount reimbursed was not the true expenditures that the City incurred; should try to recoup the money that was paid by our rate payers.

Motion failed with DeLong, Decker, Powell, DeBord, and Morrison voting no; Gilbert voted yes.

13d ORDINANCE NO. 966 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 3.05.020, ORDER OF BUSINESS, OF THE WRANGELL MUNICIPAL CODE

M/S: Morrison/DeLong to approve first reading of Ordinance No. 966, and move to a second reading, with a Public Hearing, to be held on August 27, 2019. Motion approved unanimously by polled vote.

13e ORDINANCE NO. 967 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING SECTIONS OF 1.20, IN THEIR ENTIRETY AND ESTABLISHING A NEW PROCESS FOR INTRODUCING AND ADOPTING ORDINANCES AND AMENDING SECTION 1.12.070, RESOLUTIONS, OF THE WRANGELL MUNICIPAL CODE

M/S: Morrison/Powell to approve first reading of Ordinance No. 967, and move to a second reading, with a Public Hearing, to be held on August 27, 2019. Motion approved unanimously by polled vote.

13f ORDINANCE NO. 968 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING SECTION 15.18.070, COLLECTION OR DISPOSAL FEES, IN ITS ENTIRETY AND ESTABLISHING A NEW PROCESS FOR FEES IN CHAPTER 15.18 GARBAGE OF THE WRANGELL MUNICIPAL CODE

M/S: Decker/DeLong to approve first reading of Ordinance No. 968, and move to a second reading, with a Public Hearing, to be held on August 27, 2019. Motion approved unanimously by polled vote.

13g RESOLUTION NO. 07-19-1474 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, THE NEGOTIATED SALE OF BOROUGH OWNED LOT 8, BLOCK 53 WRANGELL TOWNSITE FOR PUBLIC INTEREST

M/S: DeLong/Morrison to approve Resolution No. 07-19-1474, authorizing the sale of Borough owned Lot 8, Block 53, Wrangell Townsite, for Public Interest.

Powell asked if Lot 8 had been assessed along with the other two lots that were owned by Mr. Lund and if they had been on the tax rolls. Von Barga said that no, Lot 8 had not been on the tax rolls and had not been assessed.

Mary Montoy, property owner of Lots 8A and 7A stated that she had asked for proof (documents) on if taxes had been paid on Lot 8; wants to know where the proof is; documentation that she has says that the assessment was based on all three lots.

Aleisha Mollen, Accounting Generalist stated that in August of 2018, received a request from a Title Company to sign a Quitclaim Deed because there was no proof that Mr. Lund had ever purchased that Lot; Mr. Lund came in and told her that he never did purchase Lot 8; Tax Assessors reviewed the lots and determined that the value of Mr. Lund's lots was based only on the square footage of Lots 8A and 7A; a square footage was never assigned to Lot 8; not calculated into any assessed value or tax roll; Mr. Lund had never paid property taxes on Lot 8.

Powell stated that there must be a way to prove or disprove if Lot 8 had been assessed.

Mollen stated that yes, when the Assessors did an assessment of Lot 8, they looked at the total value that had been assessed and in totaling up the square footage value of Lots 8A and 7A, the assessed value was confirmed to be for just those two lots and not to include Lot 8; Assessor stated that they had never put a square footage or value on Lot 8.

Powell stated that the Fitzgerald lot that looks to be about the same size as all three of the lots (8A, 7A and 8 (in question)); is Fitzgerald's lot more or the same in terms of value that Lund's lots were assessed?

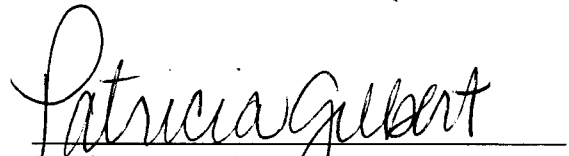
Mollen stated that Fitzgerald's lot was more because the assessed square footage was more than what had been assessed for Lund's property.

Von Bargen stated that we had confirmed with the attorney that even if taxes had been paid, that does not give them right to ownership; if taxes had been paid, it could mean that a refund was owed but there is case law that shows that it does not give them right to ownership.

Motion approved unanimously by polled vote.

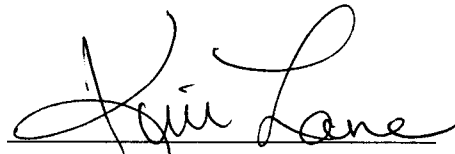
EXECUTIVE SESSION – None.

Regular Assembly meeting adjourned at 8:43 p.m.



Stephen Prysunka, Mayor

ATTEST:



Kim Lane, MMC, Borough Clerk

