

Minutes of Regular Assembly Meeting – Rescheduled from July 28, 2020

Held on August 11, 2020

Mayor Prysunka called the held Rescheduled Regular Assembly meeting to order at 7:00 p.m., August 11, 2020 by Zoom teleconference. The pledge was led by Assembly Member Powell and the roll was called.

PRESENT: POWELL, GILBERT, PRYSUNKA, MORRISON (joined at 7:02pm), HOWE

ABSENT: DECKER

Borough Manager Von Barga and Borough Clerk Lane were also in attendance by teleconference.

CEREMONIAL MATTERS

Mayor Prysunka presented a Certificate of Service to Mya DeLong for her service on the Borough Assembly.

Mayor Prysunka expressed his deepest sympathies to the Decker's who recently suffered a great loss. The Decker's are a huge part of the Communities fabric and their children have been enjoyed by everyone on the Community. This loss is felt by so many. Cannot express enough the love that we all have for Gig and Julie; Prysunka also acknowledged the incredible upswell of support in the Community.

PERSONS TO BE HEARD

Jim Nelson Sr., resident stated that he wanted to wait to speak until Agenda Item 13c came up on the Agenda (Nelson land item).

Dale Parkinson, resident stated that he believed that because the mask covering item was not enforceable, it appeared that it was a political statement.

Dr. Debbe Lancaster, WPS Superintendent provided a brief update on the School's plans on reopening this fall.

AMENDMENTS TO THE AGENDA

Prysunka asked that Item 13c be moved up to be considered before Item 13a. There were no objections from the Assembly.

CONFLICT OF INTEREST

Gilbert declared a conflict of interest to Item 11a (ORDINANCE No. 979 OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE WITHDRAWAL FROM THE PORT AUTHORITY KNOWN AS THE "INTER-ISLAND FERRY AUTHORITY" AND CALLING A REFERENDUM ON THE PROPOSITION TO WITHDRAW FROM SAID PORT AUTHORITY) since she is currently a seated member of the IFA Board. Prysunka declared that he did not see that she had a conflict of interest, since he had no financial gain. There were no objections from the Assembly.

CONSENT AGENDA

- a. Minutes from the June 23, 2020 Regular Assembly Meeting
- b. Minutes from the July 21, 2020 Special Assembly Meeting

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

BOROUGH MANAGER'S REPORT

Von Barga provided updates on the following:

- COVID-19 Update:
 - Working with School District Re-opening (Community Risk Assessment)
 - Jamie Roberts (Thank you) for researching and coming up with the community risk
 - EOC working on Mask recommendation; intention is positive encouragement
 - Internal Borough Mask Policy
 - Working on Borough Travel Policy & Screening Policy
 - As of Friday (August 7), we have received 133 borough grant applications totaling just over \$156,000 has been approved for payment
- Library wrapping up the Summer Reading Program
- AMHS two-minute testimonial submitted to AML
- Met with St. Francis volunteer cat shelter and they will be closing; asking for options to possibly partner with the Borough
- Landless issue: Delegation is planning on submitting legislation in September of this year; lobbyist is monitoring closely; draft report will be provided to the Assembly, when available; with loss of federal land in our area, there will be PILT impacts
- IBEW Negotiating ground rules were accepted by the IBEW
- Professional Services Agreement on Public Safety Building; Amber contacted state to see if we were selected for grant funds by WCA and we were not selected
- Investment Committee meeting scheduled for next week; quarterly thereafter
- Zirembo abandoned vehicles: contacted Clint at the Forest Service; will start meeting again
- Chugach Ranger Boat exhibit: Forest Service requested that the Borough donate the fill since filling the area will be necessary to place the Chugach in the desired location at the Nolan Center; Port Commissioner Mitchell offered to donate that fill – Thank you!

In response to Powell on where we were at in moving the Capital Facilities Department to the Electric Department, Amber Al-Haddad stated that with the reduced staff, we need to get the phone system set up; lots of items boxed up so we are just about ready

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR AND ASSEMBLY BUSINESS – None.

MAYOR AND ASSEMBLY APPOINTMENTS

Appointment to fill the Vacancy on the Wrangell Borough Assembly

M/S: Gilbert/Morrison to approve the appointment of Bob Dalrymple to the Wrangell Borough Assembly for the Unexpired Term ending October 2020. Motion approved unanimously by polled vote.

PUBLIC HEARING

11a ORDINANCE No 979 OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE WITHDRAWAL FROM THE PORT AUTHORITY KNOWN AS THE "INTER-ISLAND FERRY AUTHORITY" AND CALLING A REFERENDUM ON THE PROPOSITION TO WITHDRAW FROM SAID PORT AUTHORITY

Mayor Prysunka declared the Public Hearing open for Ordinance No. 979.

There were no persons who wished to speak under the Public Hearing.

Prysunka declared the Public Hearing closed on this item and entertained a motion.

M/S: Gilbert/Howe to approve Ordinance No. 979. Motion approved unanimously by polled vote.

UNFINISHED BUSINESS – None.

NEW BUSINESS

13c a Approval to Negotiate Sale, Lease or Access Easement, Addressing Borough Access and Utility Easements Requirements, for a Portion of Lot 11, Block 83, USS 1119 with Jim and Sue Nelson

M/S: Powell/Morrison to Approve the Negotiation of the Sale, Lease or Access Easement, Addressing Borough Access, and Utility Easements Requirements, for a Portion of Lot 11, Block 83, USS 1119 with Jim and Sue Nelson.

Von Bargaen stated that Mr. Nelson came to the Borough several months ago, requesting to purchase this city owned property; went before the Planning & Zoning Commission and they recommended the sale of the parcel with the caveat that access and utility easement issues be addresses; parcel has a major waterline running through it as well as electrical utility infrastructure running through it; if parcel is sold, access and utility easements would need to be platted; would prohibit the Nelson's from placing any permanent structures on it; Administration believes however, that instead of selling the parcel to the Nelson's, would be a better alternative to provide an access easement since the Nelson's can never really do anything with this property. The approval by the Assembly would allow negotiations to start.

Mr. Nelson stated that he wanted to purchase the property; get it on the tax rolls; does not want to build on the parcel; just wants to have the driveway; also stated that the electrical superintendent had told him that he wanted to put up a fence across it, on the property line; spoke with Von Bargaen and she had told him not to worry about that then saw that the Electrical Superintendent was up there surveying it; called Electrical Superintendent and was told that "yes" we are putting a fence across there; wants not to have to worry about it. Stated that there is a water line going through the property but there is no electrical lines going through it.

Von Bargaen stated that she was the one who told the electrical superintendent to get a survey of the property to establish the property line, both on the top in where the Nelson's house is and on the lower property line as well.

Von Bargaen stated that this item was before the Assembly because if the direction were to move forward with negotiations, expenses would be incurred.

Mr. Nelson stated that if the Assembly agreed to sell it, they were willing to allow the easements.

Von Bargaen stated that she would address the fence issue with Mr. Nelson.

Powell stated that he was in favor with moving forward with negotiating the sale of the property.

Gilbert stated that she was also in favor with selling the property.

Motion approved unanimously by polled vote.

13a b RESOLUTION No. 08-20-1534 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA ENCOURAGING THE RESIDENTS OF AND VISITORS TO THE CITY AND BOROUGH OF WRANGELL TO WEAR FACE COVERINGS IN PUBLIC PLACES

M/S: Gilbert/Powell to approve Resolution No. 08-20-1534.

Von Bargaen stated that following item was being brought forward, based on the Assembly's direction on the discussion had by the Assembly at the Special Assembly meeting on August 4, 2020; no enforcement on this Resolution; this is a friendly recommendation.

Motion approved unanimously by polled vote.

13b c Approval of the FY 2019 Audit

M/S: Powell/Howe to approve the FY 2019 Audit.

Von Bargaen stated that there were four findings in this audit; this audit covers July 2018 to June 2019; findings have been addressed by Finance Director Mason; measures have been put in place to prevent future findings. Von Bargaen stated that Ms. Mason has prepared an RFP to see about getting a different auditor for the Borough.

Prysunka questioned if there was anyone from the audit firm on the line to speak to the findings. Von Bargaen stated that no, they were not on the line and that if the Assembly wanted them on the line, the Assembly could postpone action on this item and put it on the next agenda and have the auditors on the line.

Prysunka stated that there are a significant number of findings; he would like them to be on the line to give the Assembly a full report and speak to the findings; believes that it should be a part of their service.

M/S: Morrison/Powell to postpone the approval of the FY 2019 audit.

It was stated that this item will be on the August 25, 2020 Assembly meeting Agenda.

Postponement of this item was approved unanimously by polled vote.

13d Approval of Second Modification to Wrangell Marine Service Center Mill Dock 1 Lease, as requested by Steve Thomassen

M/S: Gilbert/Morrison to approve the Second Modification to Wrangell Marine Service Center Mill Dock 1 Lease, as requested by Steve Thomassen. Motion approved unanimously by polled vote.

13e Approval of a Professional Services Agreement with Black Point IT Services for Managed IT Services in the amount of \$52,140

M/S: Morrison/Howe to approve a Professional Services Agreement with Blackpoint-IT Services for Managed for IT Services in the Amount of \$52,140. Motion approved unanimously by polled vote

13f Discussion Item: EPA Targeted Brownfields Assessment Program

Amber Al-Haddad stated that the property that this addressed was at the corner of Front Street and Campbell Drive (across from Twisted Roots); explained in detail that upon exhuming the underground storage tanks several years ago, it was found that there was contaminated soil in the ground; removed about 40 cubic yards of contaminated soil then; assessment done still shows that the perimeter of the pit still shows contamination; DEC wants additional sampling to be done to determine the level of contamination. Shannon & Wilson has submitted a work plan; EPA Brownfields Program is an alternative for funding of this project, however they would perform the additional site assessment to determine the level of contamination; to finalize eligibility, EPA needs to determine if the contamination was caused by one of the 2 prior owners before the City was financially viable to pay for the clean-up; EPA would reach out to the individual and would require 3 years of back tax returns to determine financial viability; the two options are to go through the EPA Brownfields Assessment program and have them contact the prior owner or the City would need to use local funding to pay for the project.

Powell stated that he has a hard time pursuing financial responsibility of a prior owner when the contamination could have been caused by several owners back.

Prysunka questioned at what point is the prior seller released from the responsibility for the activities that took place on the property. Al-Haddad stated that according to EPA and DEC, it's forever; Von Barga stated that yes, it's forever for hazardous materials.

After further discussion, Prysunka requested that Staff reach out to the prior owner to discuss this with them. There were no objections from the Assembly.

13g Approval of Professional Services Agreement with AMC Engineers in the Amount of \$164,605 for the Wrangell Public Safety Building Assessment

M/S: Morrison/Gilbert to approve the Professional Services Agreement with AMC Engineers in the Amount of \$164,605 for the Wrangell Public Safety Building Assessment. Motion approved unanimously by polled vote.

13h RESOLUTION No. 08-20-1535 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AMENDING THE FY21 BUDGET IN THE CIP FUND BY TRANSFERING \$9,605 FROM GENERAL FUND RESERVES TO THE PUBLIC SAFETY BUILDING ASSESSMENT PROJECT AND AUTHORIZING ITS EXPENDITURE

M/S: Powell/Morrison to approve Resolution No. 08-20-1535. Motion approved unanimously by polled vote

13i RESOLUTION No. 08-20-1536 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AMENDING THE JOB DESCRIPTION OF THE FACILITIES MAINTENANCE SPECIALIST POSITION

M/S: Powell/Gilbert to approve Resolution No. 08-20-1536.

Von Bargaen stated that the job description attachment did not include the tract changes; Amber Al-Haddad also stated that there was an error in the Resolution.

M/S: Gilbert/Morrison moved to postpone this item until Friday, August 14, 2020 at 5:30 p.m. Motion approved unanimously by polled vote.

ATTORNEY'S FILE

14 Available for Assembly review in the Borough Clerk's office.

EXECUTIVE SESSION

15 Executive Session: IBEW Grievance COW-20-02

M/S: Gilbert/Morrison moved pursuant to 44.62.310 (c) (1), that we recess into executive session and invite the Borough Manager into the session, to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough, specifically to receive an update on and discuss IBEW Grievance COW-20-02. Motion approved unanimously by polled vote.

Regular Assembly meeting recessed into Executive Session at 8:54 p.m.

Regular Assembly meeting reconvened back into Regular Session at 10:12 p.m.

Prysunka stated that there was no further business to discuss.

Regular Assembly meeting adjourned at 10:13 p.m.

Stephen Prysunka, Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk