

**Minutes of Regular Assembly Meeting
Held on February 11, 2025**

Mayor Patricia Gilbert called the Regular Assembly meeting to order at 6:00 p.m., February 11, 2025, in the Borough Assembly Chambers. Assembly Member DeBord led the pledge of allegiance.

PRESENT – ROBBINS (by phone), GILBERT, POWELL, DALRYMPLE, DEBORD, OTTESEN

ABSENT –

Borough Manager Villarma and Clerk Lane were also present.

CEREMONIAL MATTERS

A Proclamation was presented to the Wrangell Wrestling Team.

PERSONS TO BE HEARD

Greg Meissner, resident, spoke in opposition to the proposed Ordinance that addresses sewer lift stations; the way that this is written, it doesn't seem fair; believes that all pump stations should be part of the city's sewer maintenance program.

Dr. Greg Duncan, resident, spoke in response to Mr. Borgford's responses to his questions; asked twelve questions; ten of those, Mr. Borgford provided no substantive answers to at all; no data was presented to back up his responses; one of Mr. Borgford's answers stated that his plan would bring hazardous materials to the island; acknowledge that his plant would produce toxic wastewater that would need to be treated; also acknowledged that his plant would produce ash that would need to be shipped to Washington State; said that his garbage would burn "spotless cleaning" but he now states that his plant will create airborne pollutants; did not provide any details or data to back up his plan to Washington State, Department of Ecology who regulates burners either; asked about the known risk of explosion risk and Mr. Borgford said that he would be coordinating with the local emergency response personnel authorities to fully inform them of our response needs and to how we will mitigate the risks.

Dr. Anne Marie Duncan, resident, spoke to why she and her husband chose to live in Wrangell; Mr. Borgford is calling his newly formed company Alaska Bioenergy but is not bio energy, it's garbage burning; former Mill Site is a great opportunity for industry, commercial development; let's not sell it to someone who wants to burn garbage.

Phillip Mach, resident stated that he had submitted a letter of interest for the Borough Assembly; spoke to why he wanted to serve on the Borough Assembly; interested in taking his skills in operation management and bring that to the community; would love the chance to give back to the community.

AMENDMENTS TO THE AGENDA – None.

CONFLICT OF INTEREST – None.

CONSENT AGENDA

6a Minutes from the January 28, 2025, Regular Assembly Meeting

M/S: Powell/Ottesen to approve the consent agenda, as presented. Motion approved by polled vote.

The Economic Development Report on Travel and Adventure Show was provided.

The Police Department Report was provided.

The Library Director's Report was provided.

The Fire Chief's Report was provided.

The Capital Projects Department Report was provided.

Manager Villarma provided his report.

BOROUGH CLERKS REPORT

The Borough Clerk's Report was provided.

MAYOR AND ASSEMBLY BUSINESS

Dalrymple reported on the Board of Fisheries vote; shows that people recognize the importance of hatcheries.

Dalrymple also reported on the ongoing planning efforts through the Forest Service; a national amendment that was brought forward to overlay all Forest Service plans was pulled by the Chief of Forestry; stated that the Forest Service prepared an assessment for review however, was told today that the Forest Service workers are on "pause"; so that is on hold for the time being.

Villarma expressed how important the Forest Service is here in Wrangell; working to ensure that the Forest Service continues to have an office here.

Powell gave "kudos" to Sarah and her team at the library; staff and library is very inviting with the children's projects, etc.

DeBord asked that there be an agenda item on Playground revitalization for discussion and possible action on the next agenda.

Powell stated that he would like the Borough Manager to check into the property just past the Keller property out to the DNR property; look into possibly selling that property. There were no objections to having the Manager check into that and report on that at the next meeting.

Powell stated that if we can, we should check into all of the DNR lands.

Manager Villarma provided a Follow-up Memo to Planning and Zoning RE: Rezone Entitlement Lands TM.

MAYOR AND ASSEMBLY APPOINTMENTS

10a Appointment to fill the Vacancy on the Wrangell Borough Assembly with the term ending October 2025

Lane stated that because there were four letters of interest received, she would call on each member of the Assembly to state who they wished to nominate.

The following is the result from that tally vote:

Robbins: Phillip Mach; Dalrymple: Phillip Mach; Powell: Scott McAuliffe; Gilbert: Phillip Mach; Ottesen: Scott McAuliffe; and DeBord: Phillip Mach.

Lane stated that Phillip Mach received the most tally votes; Gilbert requested that an assembly member make a motion to appoint that candidate.

M/S: Powell/Ottesen to approve the appointment of Phillip Mach to the Wrangell Borough Assembly for the Unexpired Term ending October 2025. Motion approved by polled vote.

Lane gave the Oath of Office to newly appointed Assembly Member Phillip Mach and he took his seat at the dias.

10b Appointment to fill the Vacancy on the Wrangell Port Commission with the term ending October 2025

M/S: Ottesen/Powell to approve the appointment of Antonio Silva to the Wrangell Port Commission for the Unexpired Term ending October 2025. Motion approved by polled vote.

10c Code Review Committee Appointment

Gilbert appointed herself to the Code Review Committee. There were no objections from the Assembly.

10b Finance Committee Appointments

Gilbert appointed Phillip Mach to the Finance Committee. There were no objections from the Assembly.

There were no community member letters of interest received for this vacancy.

10e Appointment of an At-Large Community Member to the Barge Service Yard Transition Special Committee

Gilbert appointed Frank Murkowski to the Barge Service Yard Transition Special Committee as the At-Large Community Member. There were no objections from the assembly.

PUBLIC HEARING

11a ORDINANCE No. 1071 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING SECTION 5-14(A) – CONTRACTS AND SALES, OF THE HOME RULE CHARTER BASED UPON THE RECOMMENDATION AND LEGAL OPINION OF THE BOROUGH ATTORNEY THAT SECTION 5-14(A) – CONTRACTS AND SALES, OF THE HOME RULE CHARTER IS UNCONSTITUTIONAL AND NOT LEGALLY ENFORCEABLE

Mayor Gilbert called the Public Hearing for Ordinance No. 1071 to order and asked for an administrative report.

Attorney Luce stated that according to Charter Section 12.2, the Assembly has the power to repeal or amend the Charter since any binding provision of the state constitution or law regulating such a manner shall prevail over any conflicting provision of this charter or of any ordinance. He provided a legal analysis that stated that having this provision in our Municipal Code is deemed unconstitutional; no legal reason to keep something in the Municipal Code or Charter that is unconstitutional; recommendation is to repeal section 5-15(A) and Wrangell Municipal Code Section 5.10.035(A); stated that because this is unconstitutional, it is not enforceable.

Gilbert asked if anyone wanted to speak on this item. Hearing none, Gilbert closed the Public Hearing and asked for a motion.

M/S: Powell/Ottesen to approve Ordinance No. 1071. Motion approved by polled vote.

11b ORDINANCE No. 1072 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, REPEALING SECTION 5.10.035(A) - WHEN PRIOR APPROVAL BY THE VOTERS IS REQUIRED, OF THE WRANGELL MUNICIPAL CODE BASED UPON THE RECOMMENDATION AND LEGAL OPINION OF THE BOROUGH ATTORNEY THAT SECTION 5.10.035(A) IS UNCONSTITUTIONAL AND NOT LEGALLY ENFORCEABLE

Mayor Gilbert called the Public Hearing for Ordinance No. 1071 to order and asked for an administrative report.

Attorney Luce provided a legal analysis that stated that having this provision in our Municipal Code and is deemed unconstitutional; no legal reason to keep something in the Municipal Code or Charter that is unconstitutional; recommendation is to repeal section 5-15(A) and Wrangell Municipal Code Section 5.10.035(A).

M/S: Powell/Dalrymple to approve Ordinance No. 1072. Motion approved by polled vote.

UNFINISHED BUSINESS - None.

NEW BUSINESS

13a ORDINANCE No. 1073 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTIONS OF CHAPTER 15 - SEWERS TO ADDRESS SEWER LIFT STATIONS, IN THE WRANGELL MUNICIPAL CODE

M/S: Ottesen/DeBord to approve first reading of Ordinance NO. 1073 and move to a second reading with a Public Hearing to be held on February 25, 2025.

Dalrymple questioned that if we went with a hybrid process; what would the responsibility be to the city and to the property owner; also, should there be a maintenance fee for repairs if the infrastructure was put into the property owner's hands.

Mach stated that his concern is that if one of these pumps went out, the toilet couldn't be flushed; could be an issue for someone who would need to have someone come and fix it and if there was no one to fix it, what would they do; possibly call the city to fix it and have it added to their bill.

Powell stated that the Borough maintaining responsibility and maintaining pumps that are on private property is a liability.

DeBord asked that we investigate possible property easements with property owners who have pumps on their property; check to see if they would be willing to allow for an easement so that they don't have to take ownership of the pump.

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

13b ORDINANCE No. 1074 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE MINOR OFFENSE FINE SCHEDULE IN CHAPTER 1.20 - GENERAL PENALTY, BY ADDING SECTION 15.08.020 - CONNECTION TO BOROUGH PUBLIC SEWER MAIN REQUIRED AND UNLAWFUL SEWAGE DISPOSAL METHODS DESIGNATED, IN THE WRANGELL

MUNICIPAL CODE

M/S: Powell/Ottesen to approve first reading of Ordinance No. 1074 and move to a second reading with a Public Hearing to be held on February 25, 2025. Motion approved by polled vote.

13c Approval of an Extension to an Existing Contract with Republic Services for Municipal Solid Waste Disposal

M/S: Powell/Ottesen to approve an Extension to an Existing Contract with Republic Services for Municipal Solid Waste Disposal. Motion approved by polled vote.

13d RESOLUTION No. 02-25-1917 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FISCAL YEAR 2025 BUDGET BY TRANSFERRING \$24,000 FROM THE GENERAL FUND RESERVE TO THE SPECIAL REVENUE HOSPITAL LEGACY FUND BUDGET FOR COSTS RELATED TO THE RESTORATION OF POWER TO THE WRANGELL MEDICAL CENTER (WMC)

M/S: Ottesen/Powell to approve Resolution No. 02-25-1917. Motion approved by polled vote.

13e RESOLUTION No. 02-25-1918 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA AMENDING THE FY 25 BUDGET TO INCREASE FUNDING FOR TEMPORARY WAGES RELATED TO NOLAN CENTER PROGRAMMING

M/S: Powell/Ottesen to approve Resolution No. 02-25-1918. Motion approved by polled vote.

13f RESOLUTION No. 02-25-1919 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY25 CAPITAL BUDGET FOR THE SEWER OUTFALL REPAIRS PROJECT

M/S: Powell/Ottesen to approve Resolution No. 02-25-1919. Motion approved by polled vote.

13g RESOLUTION No. 02-25-1920 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING SEAPA'S WRANGELL SUBSTATION TRANSFORMER UPGRADE PROJECT SUBMITTED TO SENATOR MURKOWSKI FOR CONGRESSIONALLY DIRECTED SPENDING (CDS)

M/S: Ottesen/Dalrymple to approve Resolution No. 02-25-1920. Motion approved by polled vote.

13h RESOLUTION No. 02-25-1921 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING A BLIND SLOUGH AREA MANAGEMENT PLAN THAT PROVIDES ADEQUATE BROODSTOCK FOR ANITA BAY TERMINAL HARVEST AREA KING SALMON

M/S: Ottesen/Powell to approve Resolution No. 02-25-1921. Motion approved by polled vote.

13i RESOLUTION No. 02-25-1922 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, IN SUPPORT OF ALASKA LEGISLATURE HOUSE JOINT RESOLUTION NO. 5, URGING THE UNITED STATES CONGRESS AND THE PRESIDENT OF THE UNITED STATES TO REINSTATE THE SECURE RURAL SCHOOLS AND COMMUNITY SELF-DETERMINATION ACT OF 2000 AND MAKE ITS FUNDING MECHANISM PERMANENT

M/S: Powell/Ottesen to approve Resolution No. 02-25-1922. Motion approved by polled vote.

13j Approval of City & Borough Tidelands Annual 2025 Five-Year Reassessments

M/S: Powell/Ottesen to approve the five-year City Tidelands Reassessments for tax year 2025, as presented.

Mach declared a potential conflict of interest on this item. Gilbert stated that yes, he does have a conflict. There were no objections from the Assembly.

Motion approved by polled vote (Mach did not participate in debate or vote).

13k RESOLUTION No. 02-25-1923 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING SSRAA'S CDS REQUEST

M/S: Powell/Ottesen to approve Resolution No. 02-25-1923. Motion approved by polled vote.

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

EXECUTIVE SESSION

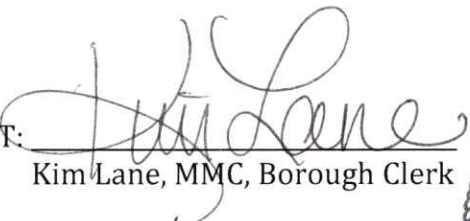
15a Executive Session: To discuss the Approach for the IBEW Police Department Collective Bargaining Negotiations

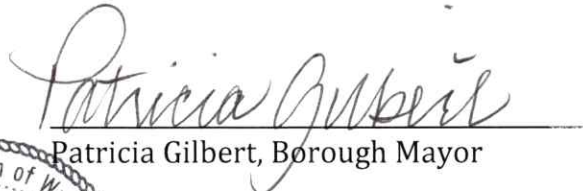
M/S: Dalrymple/Powell moved pursuant to 44.62.310 (c)(1), that we recess into executive session and invite the Borough Manager into the session, to discuss the approach to the upcoming IBEW Police Department Negotiations. Motion approved by polled vote.

Regular Assembly Meeting recessed into Executive Session at 8:40 p.m.

Regular Assembly Meeting reconvened from Executive Session at 8:57 p.m.

Regular Assembly Meeting adjourned at 8:57 p.m.

ATTEST: 
Kim Lane, MMC, Borough Clerk


Patricia Gilbert, Borough Mayor

