



Tuesday, February 28, 2023

Location: Borough Assembly Chambers

Work Session from 6:00 to 7:00 PM / Regular Assembly meeting at 7:00 PM

WORK SESSION (6:00 - 7:00 PM)

- a. Assessments and Property Taxes (no attachments to this item)

1. CALL TO ORDER

- a. PLEDGE OF ALLEGIANCE led by Assembly Member Dalrymple.
b. CEREMONIAL MATTERS - None.

2. ROLL CALL

3. PERSONS TO BE HEARD

4. AMENDMENTS TO THE AGENDA

5. CONFLICT OF INTEREST

6. CONSENT AGENDA

Matters listed under the consent agenda are routine and will be enacted by one motion and one vote. there will be no separate discussion of these items. If the borough mayor, assembly member, manager, or clerk requests discussion on any item, that item will be removed from the consent agenda and will be considered under unfinished business (no motion is necessary to move an item from the consent agenda).

MOTION ONLY: *Move to Approve the Consent Agenda, as submitted.*

- [a.](#) Minutes from the February 14, 2023 Regular Assembly meeting
[b.](#) Minutes from the February 17, 2023 Special Assembly Meeting
[c.](#) Marijuana Retail Store and Cultivation Facility License Renewal for Happy Cannabis

7. BOROUGH MANAGER'S REPORT

- a. Infrastructure Report / Update

8. BOROUGH CLERK'S REPORT

- [a.](#) Borough Clerk's Report

9. MAYOR AND ASSEMBLY BUSINESS

10. MAYOR AND ASSEMBLY APPOINTMENTS

- [a.](#) Investment Committee Vacancy Appointment

11. PUBLIC HEARING

- [a.](#) **ORDINANCE No. 1036 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS IN CHAPTER 18.04, BUILDING CODE; CHAPTER 20.68, CONDITIONAL USE PERMITS; CHAPTER 20.72, VARIANCES; AND CHAPTER 20.76,**

AMENDMENTS, AND ESTABLISHING A NEW PROCESS FOR RATES AND FEES IN THE WRANGELL MUNICIPAL CODE BY ADDING THE FEES TO THE ESTABLISHED FEE AND RATE SCHEDULE

- b.** **RESOLUTION No. 02-23-1755** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ESTABLISHING THE FEE AND RATE SCHEDULE FOR PERMIT AND REZONE PETITION APPLICATIONS IN CHAPTERS 18.04, 20.68, 20.72 AND 20.76

12. UNFINISHED BUSINESS

- a.** **RESOLUTION No. 02-23-1753** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE CONVEYANCE OF PUBLIC TIDELANDS, LOT 15, BLOCK 1-A, ATS 83, TO JAMES D. LESLIE
- b.** **RESOLUTION No. 02-23-1757** A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AGAINST THE PETITION TO LIST THE WOLF IN SOUTHEAST ALASKA AS THREATED OR ENDANGERED UNDER THE U.S. ENDANGRED SPECIES ACT

13. NEW BUSINESS

- a.** **ORDINANCE No. 1037** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTIONS 3.15.010, INVESTMENT COMMITTEE – ESTABLISHED AND 3.15.020, ANNUAL APPOINTMENT AND CONSENT IN CHAPTER 3.15, INVESTMENT COMMITTEE IN THE WRANGELL MUNICIPAL CODE
- b.** **RESOLUTION No. 02-23-1754** OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2023 BUDGET IN THE RESIDENTIAL CONSTRUCTION FUND BY ACCEPTING REVENUE FROM THE SALE OF BYFORD REPLAT LOT Y-B IN THE AMOUNT OF \$100,000

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

15. EXECUTIVE SESSION

16. ADJOURNMENT

**Minutes of Regular Assembly Meeting
Held on February 14, 2023**

Mayor Patricia Gilbert called the Regular Assembly meeting to order at 6:00 p.m., February 14, 2023, in the Borough Assembly Chambers. Assembly Member Howe led the pledge of allegiance, and the roll was called.

Mayor Gilbert and Public Works Director, Tom Wetor presented Brian Christian, Wastewater Treatment Plant Leadman with the 2022 Alaska Rural Water Association award.

PRESENT - HOWE, ROBBINS, DALRYMPLE, GILBERT, DEBORD, POWELL, MORRISON

ABSENT -

Borough Manager Jeff Good and Clerk Lane were also present.

PERSONS TO BE HEARD

Brett Stillwaugh, resident with the Alaska Trollers Association, asked the Assembly to submit a Resolution that opposes the lawsuit that has been filed by the Wild Fish Conservancy to shut down the Southeast troll fisheries for chinook salmon; asked the Assembly to contribute to the legal fund to help fight this lawsuit; stated that other Southeast communities have signed on as well.

AJ, Wrangell Girl Scouts spoke about the new recycling bins that will be arriving; are used for fundraising.

Alaya, Wrangell Girl Scouts spoke about what it means to be a strong leader.

The Girl Scouts presented the Assembly, Manager, and Clerk with valentines.

AMENDMENTS TO THE AGENDA - None.

CONFLICT OF INTEREST

Powell stated that he has a potential conflict to Item 13e since he has a trolling permit. Gilbert stated that because he belonged to a class of trollers, he did not have a conflict. There were no objections from the Assembly.

Dalrymple and Morrison stated that they have a potential conflict to Item 13c since they are both members of the Friends of the Museum. Gilbert stated that they do not have a conflict. There were no objections from the Assembly.

CONSENT AGENDA

- 6a Minutes from the January 24, 2023, Regular Assembly Meeting
- 6b Renewal Liquor License Notice for License No. 370 (BPO Elks Lodge #1595)
- 6c CORRESPONDENCE: Minutes from the Regular School Board meeting of December 19, 2022

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

BOROUGH MANAGER'S REPORT

Manager Good's report was given.

Finance Director Villarma provided a Financial Report.

BOROUGH CLERK'S REPORT

Clerk Lane's report was given.

MAYOR AND ASSEMBLY BUSINESS

Robbins stated that community members have asked her about upcoming projects and are noticing things happening in town.

MAYOR AND ASSEMBLY APPOINTMENTS

10a Investment Committee Vacancy Appointment

There were no letters of interest received for this appointment.

PUBLIC HEARING

11a ORDINANCE No. 1035 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS IN CHAPTER 5.10, PURCHASES AND SALES, OF THE WRANGELL MUNICIPAL CODE

Mayor Gilbert declared the Public Hearing open and asked for an Administrative Report.

Good explained that this would essentially raise the spending authority threshold for the borough manager.

Gilbert asked if there were any persons to wished to speak on this Public Hearing item. Hearing none, Gilbert closed the Public Hearing and asked for a motion.

M/S: Powell/Howe to approve Ordinance No. 1035. Motion approved unanimously by polled vote.

UNFINISHED BUSINESS - None.

NEW BUSINESS

13a ORDINANCE No. 1036 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS IN CHAPTER 18.04, BUILDING CODE; CHAPTER 20.68, CONDITIONAL USE PERMITS; CHAPTER 20.72, VARIANCES; AND CHAPTER 20.76, AMENDMENTS, AND ESTABLISHING A NEW PROCESS FOR RATES AND FEES IN THE WRANGELL MUNICIPAL CODE BY ADDING THE FEES TO THE ESTABLISHED FEE AND RATE SCHEDULE

M/S: Powell/Morrison to approve first reading of Ordinance No. 1036 and move to a second reading with a Public Hearing to be held on February 28, 2023. Motion approved by polled vote.

13b Approval of Consent to Assignment of Leased Tidelands from Patty Kautz to Rolland Wimberley, dba Wolf's Den Rentals LLC

M/S: Morrison/Powell to approve Consent to Assignment of Leased Tidelands from Patty Kautz to Rolland Wimberley, dba Wolf's Den Rentals LLC. Motion approved unanimously by polled vote.

13c Approval to move the Art Gallery into the Nolan Center's Small Theater

M/S: Robbins/Morrison to approve moving the Art Gallery into the Nolan Center's Small Theater. Motion approved unanimously by polled vote.

13d Approval of Tidelands Lease Renewal for Lot 7, Block 83-A, Wrangell Tidelands Addition for Lynne Campbell

M/S: Powell/Morrison to approve the renewal of the Tidelands Lease, described as Lot 7, Block 83-A, requested by Lynne Campbell. Motion approved unanimously by polled vote.

13e Discussion and possible direction for a resolution to support the Alaska Trollers Association against a lawsuit to stop the Chinook Salmon fishery in Southeast Alaska

Dalrymple stated that he has often seen organizations that are not in the effected areas try to bring forward lawsuits; this would have a direct affect on our fisheries; in favor of submitting a resolution in the format that was submitted from the AK Trollers.

Howe agreed with what Dalrymple; believes that the Alaska fisheries are well managed and sustainable; this lawsuit is baffling.

The Assembly approved holding a Special Assembly meeting on Friday, February 17, 2023, at 2:00 pm by Zoom to consider a Resolution to support the Alaska Trollers Association against the lawsuit to stop the Chinook Salmon fishery in Southeast Alaska.

13f Approval to add the City and Borough of Wrangell to the Klawock, AK Fish and Game Advisory Council petition against placing the Alexander Archipelago Wolf in Southeast Alaska as threatened or endangered under the U.S. Endangered Species Act

Dalrymple stated that he would like to see us submitting a Resolution that better suits our community views.

After some discussion, direction was given to Manager Good to draft a Resolution that would be more specific to Wrangell for the Assembly to consider at the next Assembly meeting.

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

EXECUTIVE SESSION - None.

Regular Meeting adjourned at 7:33 p.m.

Patricia Gilbert, Borough Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

**Minutes of Special Assembly Meeting
Held on February 17, 2023**

Mayor Patricia Gilbert called the Special Assembly meeting to order at 2:00 p.m., February 17, 2023, by zoom teleconference.

PRESENT - ROBBINS, DALRYMPLE, GILBERT, MORRISON

ABSENT – HOWE, DEBORD

Borough Manager Jeff Good and Clerk Lane were also present.

PERSONS TO BE HEARD – None.

CONFLICT OF INTEREST

Powell stated that he has a potential conflict since he has a trolling permit. Gilbert stated that because he belonged to a class of trollers, he did not have a conflict. There were no objections from the Assembly.

ITEM(S) OF BUSINESS

5a RESOLUTION No. 02-23-1756 A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, SUPPORTING THE ALASKA TROLLERS ASSOCIATION AGAINST A LAWSUIT TO STOP THE CHINOOK SALMON FISHERY IN SOUTHEAST ALASKA

M/S: Powell/Robbins to approve Resolution No. 02-23-1756. Motion approved unanimously by polled vote.

Special Assembly Meeting adjourned at 2:02 p.m.

Patricia Gilbert, Borough Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk



THE STATE of ALASKA GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community, and Economic Development

ALCOHOL & MARIJUANA CONTROL OFFICE 550 West 7th Avenue, Suite 1600 Anchorage, AK 99501 Main: 907.269.0350

February 14, 2023

Wrangell, City and Borough Via email: clerk@wrangell.com

Table with 4 columns: License ID, License Type, Licensee Name, and Location. Rows include 10200 (Retail Marijuana Store) and 10201 (Standard Marijuana Cultivation Facility).

[X] License Renewal Application (no OCE in this list) [] Endorsement Renewal Application

AMCO has received a complete renewal application and/or endorsement renewal application for a marijuana establishment within your jurisdiction. This notice is required under 3 AAC 306.035(c)(2). Application documents will be sent to you separately via ZendTo.

To protest the approval of this application pursuant to 3 AAC 306.060, you must furnish the director and the applicant with a clear and concise written statement of reasons for the protest within 60 days of the date of this notice and provide AMCO proof of service of the protest upon the applicant.

3 AAC 306.060 states that the board will uphold a local government protest and deny an application for a marijuana establishment license unless the board finds that a protest by a local government is arbitrary, capricious, and unreasonable. If the protest is a "conditional protest" as defined in 3 AAC 306.060(d)(2) and the application otherwise meets all the criteria set forth by the regulations, the Marijuana Control Board may approve the license renewal, but require the applicant to show to the board's satisfaction that the requirements of the local government have been met before the director issues the license.

At the May 15, 2017, Marijuana Control Board meeting, the board delegated to AMCO Director the authority to approve renewal applications with no protests, objections, or notices of violation. However, if a timely protest or objection is filed for this application, or if any notices of violation have been issued for this license, the board will consider the application. In those situations, a temporary license will be issued pending board consideration.

If you have any questions, please email amco.localgovernmentonly@alaska.gov.

Sincerely,

Handwritten signature of Joan M. Wilson

Joan M. Wilson, Director

CITY & BOROUGH OF WRANGELL, ALASKA

BOROUGH CLERK'S REPORT

SUBMITTED BY: Kim Lane, MMC, Borough Clerk

Upcoming Meetings & Other Informational dates:

Other City Boards/Commissions:

March 3 – Port Commission mtg. at 6pm in the Assembly Chambers

March 8 – Parks & Recreation Board mtg. at 5:30 pm in the Assembly Chambers

March 9 – Planning & Zoning Commission mtg. at 5:30 pm in the Assembly Chambers

March 23 – Wrangell Convention & Visitors Bureau mtg. at 5:30 for the purpose of holding a public meeting to discuss the draft Tourism Best Management Practices program. This meeting will be held in the Assembly Chambers.

Community Events:

Meetings and Other events of the Borough Assembly:

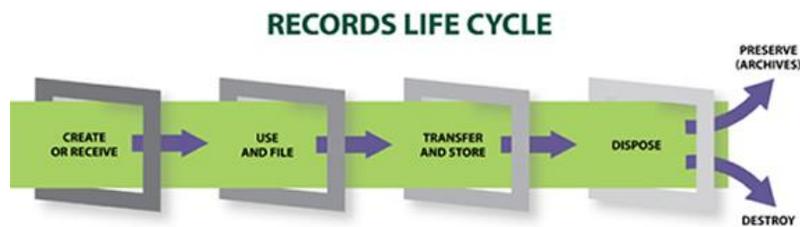
Please see below for the list of upcoming meetings for the Assembly.

Upcoming 2023 Work Sessions (scheduled), Public Hearings (scheduled), Regular Assembly Meetings, and Other Meetings (scheduled)

Date	Time	Purpose
February 28	6-7pm	WS: Assessments & Property Taxes
<i>February 28</i>	<i>7pm</i>	<i>Regular Assembly Meeting</i>
March 6 (Monday)	5:30pm	WS: School, Assembly, and Staff on School Budget & Facilities
March 14		WS: Fee and Rate Schedule
<i>March 14</i>	<i>6pm</i>	<i>Regular Assembly Meeting</i>
March 28	6-7pm	WS: Insurance
March 28		Public Hearing for Fee & Rate Schedule
<i>March 28</i>	<i>7pm</i>	<i>Regular Assembly Meeting</i>
April 11		NEW! Audit Review FY 2022
<i>April 11</i>	<i>7pm</i>	<i>Regular Assembly Meeting</i>
April 24 (Monday)	5:30pm	WS: FY 2023-24 Budget
<i>April 25</i>	<i>6pm</i>	<i>Regular Assembly Meeting</i>
May 8 (Monday)	5:30pm	Board of Equalization Meeting
<i>May 9</i>	<i>6pm</i>	<i>Regular Assembly Meeting</i>
May 23		Public Hearing for FY 2023-24 Budget
<i>June 13</i>	<i>6pm</i>	<i>Regular Assembly Meeting (Mill Rate & FY 2023-24 Budget Adoption)</i>
<i>June 27</i>	<i>6pm</i>	<i>Regular Assembly Meeting</i>

Laserfiche:

Two of my biggest goals with Laserfiche is using the platform to store and manage records. As I have stated in the past, the current process I use for maintaining and processing records is through by using Excel. At the end of each year, I pull up my main Excel spreadsheet and using a formula, I can pull the records that are ready for disposition. Of course, there IS a better way to do this. By using the Records Management module in Laserfiche, I will be able to go through this process with greater efficiency. I have been working with Laserfiche on how to make this happen as it's not an easy process. There is a lot to learn and processes to change.



The other goal with Laserfiche is to make it so the public can click on a tab on our website to view public records! This is an amazing tool and hopefully soon, we will be able to offer it. Providing transparency is so important in municipal government!

Senator Sullivan's Visit:

The Senator's visit to Wrangell started off with a drive around town to see first-hand, the projects that are on the forefront on our CIP list. After the drive, the Senator and his staff met with Wrangell Cooperative Association. In the afternoon, the Senator, his staff, City staff, some Assembly members, Wrangell Cooperative Association, the Chamber of Commerce and some community members met informally with the Senator to receive a brief update on what he has been doing and to answer questions and hear concerns from the attendees. Overall, it was a good visit! Below are Senator Sullivan's key goals:

- Economic Development
- Resource Development (roads and other)
- Infrastructure Bill
- Ferry System
- Telecommunications
- Coast Guard Build-up (Mill Site, possible location)
- Fisheries (Against the lawsuit to stop the Trolling fishing in SE)
- Social Challenges (mental assistance, physical and sexual abuse)

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 28, 2023
	<u>Agenda Section</u>	10

Investment Committee Vacancy Appointment

<u>SUBMITTED BY:</u>		
Kim Lane, Borough Clerk		

RECOMMENDATION

Appointments are to be made by the Mayor, with the consent of the Assembly for the following vacancy:

<i>Board/Committee/Commission</i>	<i>Letter of Interest Received from:</i>
Investment Committee (1 avail. - Community Member)	1. None.

Procedure - Mayor: "I will appoint _____ to fill the vacancy on the _____ until October 2023.

If there are seats that are left vacant (no letters received), the Borough Clerk will advertise for the vacancies.

Appointments to be filled by the Mayor with the consent of the assembly for the various seats.

Recommended Action if not approved with the consent of the Assembly:

Motion: Move to appoint _____ to fill the vacancy on the _____ for the term up until October 2023.

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 28, 2023
	<u>Agenda Section</u>	11

ORDINANCE No. 1036 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS IN CHAPTER 18.04, BUILDING CODE; CHAPTER 20.68, CONDITIONAL USE PERMITS; CHAPTER 20.72, VARIANCES; AND CHAPTER 20.76, AMENDMENTS, AND ESTABLISHING A NEW PROCESS FOR RATES AND FEES IN THE WRANGELL MUNICIPAL CODE BY ADDING THE FEES TO THE ESTABLISHED FEE AND RATE SCHEDULE

SUBMITTED BY:

Kim Lane, Borough Clerk

FISCAL NOTE:

Expenditure Required: \$XXX Total		
FY 21: \$	FY 22: \$	FY23: \$
Amount Budgeted:		
	FY22 \$XXX	
Account Number(s):		
	XXXXX XXX XXXX	
Account Name(s):		
	Enter Text Here	
Unencumbered Balance(s) (prior to expenditure):		
	\$XXX	

Reviews/Approvals/Recommendations

<input type="checkbox"/>	Commission, Board or Committee
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS: 1. ORD 1036

MAYOR PROCEDURE: Declare the Public Hearing open. The Mayor shall ask if there is any administrative report on the Public Hearing Item. Persons who signed up to talk on this item shall be called to the podium.

Once all persons have been heard, declare the Public Hearing closed and entertain a motion.

RECOMMENDATION MOTION:
Move to Approve Ordinance 1036.

SUMMARY STATEMENT:

This Agenda Statement remains unchanged from the Feb 14th meeting.

This ordinance will remove the fees for Permits, After-the-Fact Applications, Applications, and Initiations and place them into the collective Fee and Rate Schedule for the Borough.

Fees and Rates are to be reviewed annually by the Assembly with a Public Hearing occurring before assembly consideration. After the Public Hearing, the assembly may approve the schedule by Resolution, with a Public Hearing for the Resolution also held beforehand.

As stated above, if the Assembly approves this Ordinance in its first reading, there will be a Public Hearing for the Resolution that will approve the Rate and Fee Schedule, following the Public Hearing and approval of the Ordinance.

Please note that this Ordinance does not amend the building code procedures, it just removes the fees from the code so that they can be added to the approved Fee and Rate Schedule.

CITY AND BOROUGH OF WRANGELL, ALASKA
ORDINANCE NO. 1036

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CERTAIN SECTIONS IN CHAPTER 18.04, BUILDING CODE; CHAPTER 20.68, CONDITIONAL USE PERMITS; CHAPTER 20.72, VARIANCES; AND CHAPTER 20.76, AMENDMENTS, AND ESTABLISHING A NEW PROCESS FOR RATES AND FEES IN THE WRANGELL MUNICIPAL CODE BY ADDING THE FEES TO THE ESTABLISHED FEE AND RATE SCHEDULE

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are bolded and in brackets are to be deleted.]

SEC. 1. Action. The purpose of this ordinance is to amend Sections 18.04.080 Permit Fees, 20.68.035 Fees – After-the-fact application, 20.72.020 Application, and 20.76.020, Initiation, to establish a new process for rates and fees, of the Wrangell Municipal Code by adding such fees to the established Fee and Rate Schedule.

SEC. 2. Amendment. Section 18.04.080 - Section 107.2 amended – Permit Fees is hereby amended as follows:

18.04.080 Section 107.2 amended – Permit fees.

Section 107.2 of the Uniform Building Code is amended to read as follows:

- A. No building permit fees shall be charged for improvements or construction of less than two thousand dollars valuation.
- B. All building permit fees for permits for construction of valuation of two thousand dollars or more shall be listed on the approved Fee and Rate Schedule. **[as follows:**
 - 1. All residential construction, one hundred dollars;**
 - 2. Commercial construction, one hundred-fifty dollars;**
 - 3. Remodeling and miscellaneous construction, fifty dollars.]**

The assembly shall, by resolution, establish fees and rates for the building permit fees. A Public Hearing shall be required on the resolution that establishes such fees and rates.

SEC. 3. Amendment. Section 20.68.035 Fees – After-the-fact applications is hereby amended as follows:

20.68.035 Fees – After-the-fact applications.

A. All conditional use permit applications must be accompanied by the [a \$50.00] application fee listed on the approved Fee and Rate Schedule, unless a higher after-the-fact application fee is required.

B. After-the-fact conditional use permit applications must be accompanied by the [a \$150.00] application fee listed on the approved Fee and Rate Schedule, unless:

...

The assembly shall, by resolution, establish fees and rates for the building permit fees. A Public Hearing shall be required on the resolution that establishes such fees and rates.

SEC. 4. Amendment. Section 20.72.020 Application for Variances – is hereby amended as follows:

20.72.020 Application.

A. A written application shall be filed with the commission through the zoning administrator.

B. The application shall include the following:

...

4. The fees for an after-the-fact application and after-the-fact variance applications shall be listed on the approved Fee and Rate Schedule. [A fee of \$50.00 unless a higher after-the-fact application fee is required;

5. **The fee for after-the-fact variance applications is \$150.00 unless:]**

...

The assembly shall, by resolution, establish fees and rates for the building permit fees. A Public Hearing shall be required on the resolution that establishes such fees and rates.

SEC. 5. Amendment. Section 20.76.020 Initiation for rezone petition – is hereby amended as follows:

20.76.020 Initiation.

...

4. [A fee of \$75.00] The fee to cover legal notices and administrative costs shall be listed on the approved Fee and Rate Schedule.

The assembly shall, by resolution, establish fees and rates for the building permit fees. A Public Hearing shall be required on the resolution that establishes such fees and rates.

SEC. 6. Severability. If any provision of this ordinance, or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to all other persons or circumstances shall not be affected thereby.

SEC. 7. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 8. Effective Date. This ordinance shall be effective upon adoption. However, until which time that a new fee schedule is duly adopted, the fees reflected in the former sections amended herein shall remain as an interim fee schedule.

PASSED IN FIRST READING: February 14 _____, 2023

PASSED IN SECOND READING: _____, 2023

Patricia Gilbert, Borough Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

18.04.080 Section 107.2 amended – Permit fees.

Section 107.2 of the Uniform Building Code is amended to read as follows:

- A. No building permit fees shall be charged for improvements or construction of less than two thousand dollars valuation.
- B. All building permit fees for permits for construction of valuation of two thousand dollars or more shall be as follows:
 - 1. All residential construction, one hundred dollars;
 - 2. Commercial construction, one hundred-fifty dollars;
 - 3. Remodeling and miscellaneous construction, fifty dollars.

[Ord. 920 § 2, 2016; Ord. 691 § 4, 2000. Formerly § 18.04.107.2.]

20.68.035 Fees – After-the-fact applications.

A. All conditional use permit applications must be accompanied by a \$50.00 application fee unless a higher after-the-fact application fee is required.

B. After-the-fact conditional use permit applications must be accompanied by a \$150.00 application fee unless:

- 1. The applicant did not own the property prior to:
 - a. November 1, 2006, in the case of a lot located within the boundaries of the former City of Wrangell, as those boundaries existed immediately prior to borough formation; or
 - b. May 30, 2008, in the case of a lot located outside the boundaries of the former City of Wrangell, as those boundaries existed immediately prior to borough formation;
- 2. The violation existed prior to the applicant owning the property;
- 3. The violation was not disclosed to the applicant at the time the applicant acquired ownership; and
- 4. An application is submitted within 60 days of the applicant receiving notice or otherwise becoming aware of the violation.

C. “After-the-fact” means an application for a conditional use permit which is received by the borough after the use for which the permit is required has commenced. [Ord. 867 § 1, 2013; Ord. 833 § 53, 2009; Ord. 788 § 1, 2006.]

20.72.020 Application.

A. A written application shall be filed with the commission through the zoning administrator.

B. The application shall include the following:

- 1. A description by lot and block of the property involved;
- 2. The signature of the owner of the property concerned;
- 3. Site plans showing the location of all existing and proposed buildings or alterations, elevations of such buildings or alterations, and such other data as may be required;
- 4. A fee of \$50.00 unless a higher after-the-fact application fee is required;
- 5. The fee for after-the-fact variance applications is \$150.00 unless:

- a. The applicant did not own the property prior to:
 - i. November 1, 2006, in the case of a lot located within the boundaries of the former City of Wrangell, as those boundaries existed immediately prior to borough formation; or
 - ii. May 30, 2008, in the case of a lot located outside the boundaries of the former City of Wrangell, as those boundaries existed immediately prior to borough formation;
- b. The violation existed prior to the applicant owning the property;
- c. The violation was not disclosed to the applicant at the time the applicant acquired ownership; and
- d. An application is submitted within 60 days of the applicant receiving notice or otherwise becoming aware of the violation.

C. "After-the-fact" means an application for a variance which is received by the borough after the construction, alteration or use for which the variance is required has commenced. [Ord. 867 § 1, 2013; Ord. 833 § 54, 2009; Ord. 788 § 3, 4, 2006; Ord. 485 § 5, 1985; prior code § 95.65.030(2)(a).]

20.76.020 Initiation.

Changes in this title may be initiated by the following means:

- A. By the borough assembly on its own motion;
- B. By the commission on its own motion;
- C. By petition signed by the owners of 50 percent of the property within an area proposed for rezoning; the petition shall be filed with the commission through the zoning administrator. The zoning administrator shall not accept incomplete or incorrect petitions for filing. If the borough assembly finds that it is in the public's best interest to disapprove a petition, another petition requesting substantially the same zoning change may not be filed within six months after disapproval of the original petition. Besides the necessary signatures, the petition shall contain the following:
 - 1. A description by lot and block and general location of the property involved;
 - 2. Reasons for the proposed change;
 - 3. A statement describing the effect of the proposed change on the objectives of the comprehensive plan; and
 - 4. A fee of \$75.00 to cover legal notice and administrative costs. [Ord. 867 § 1, 2013; Ord. 485 § 6, 1985; prior code § 95.75.020(1).]

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	2/28/2023
	<u>Agenda Section</u>	11

RESOLUTION No. 02-23-1755 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ESTABLISHING THE FEE AND RATE SCHEDULE FOR PERMIT AND REZONE PETITION APPLICATIONS IN CHAPTERS 18.04, 20.68, 20.72 AND 20.76

SUBMITTED BY:

Kim Lane, Borough Clerk

FISCAL NOTE:

Expenditure Required: \$0		
FY 21: \$0	FY 22: \$0	FY23: \$0
Amount Budgeted:		
	FY22 \$0	
Account Number(s):		
Account Name(s):		
	n/a	
Unencumbered Balance(s) (prior to expenditure):		
	\$0	

Reviews/Approvals/Recommendations

<input checked="" type="checkbox"/>	Commission, Board or Committee
Name(s)	Wrangell Convention and Visitor Bureau
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS: 1. Res 02-23-1755

MAYOR PROCEDURE: Declare the Public Hearing open. The Mayor shall ask if there is any administrative report on the Public Hearing Item. Persons who signed up to talk on this item shall be called to the podium.

Once all persons have been heard, declare the Public Hearing closed and entertain a motion.

RECOMMENDATION MOTION:
Move to Approve Resolution No. 02-23-1755.

SUMMARY STATEMENT:

With the adoption of Ordinance, No 1036, a Public Hearing will be held before the adoption of this fee and rate schedule. Upon adoption of this Resolution, this fee and rate schedule will be added to the collective Rate and Fee Schedule for the Borough.

Rates and Fees are to be reviewed annually by the Assembly with a Public Hearing occurring and the approval shall be by Resolution.

With the adoption of this Resolution, all fees and rates for Building Permits, Conditional Use Permits, Variance Permits and Rezone Petition Applications have all increased.

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION No. 02-23-1755

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, ESTABLISHING THE FEE AND RATE SCHEDULE FOR PERMIT AND REZONE PETITION APPLICATIONS IN CHAPTERS 18.04, 20.68, 20.72 AND 20.76

WHEREAS, with the adoption of Ordinance No. 1036, it is necessary to adopt a fee and rate schedule for Permits and Applications for Building Permits, Conditional Use Permits, Variance Permits, and Rezone Petition Applications; and

WHEREAS, the fees and rates for the Permits and Applications for Building Permits, Conditional Use Permits, Variance Permits, and Rezone Petition Applications are established by Resolution with a Public Hearing and proper Public Notice before adoption; and

WHEREAS, all Permits and Applications for Building Permits, Conditional Use Permits, Variance Permits, and Rezone Petition Applications are processed under the jurisdiction of the City and Borough of Wrangell.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, THAT:

Section 1. The attached schedule of fees shall govern Permits and Applications for Building Permits, Conditional Use Permits, Variance Permits, and Rezone Petition Applications.

Section 2. The attached Exhibit “A” includes the fees and rates for Permits and Applications.

Section 3. This resolution shall become effective upon approval.

PASSED AND APPROVED BY THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA THIS 28TH day of February 2023.

CITY & BOROUGH OF WRANGELL

Patricia Gilbert, Borough Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

City and Borough of Wrangell Schedule of Fees and Rates

Effective: _____

PERMITS and APPLICATIONS

Building Permit	Residential	[\$100.00] \$200.00
	Commercial	[\$150.00] \$300.00
	Remodeling and Miscellaneous (residential)	[\$50.00] \$100.00
	Remodeling and Miscellaneous (commercial)	[\$100.00] \$200.00
Conditional Use Permit	Application	[\$50.00] \$100.00
	After-the-fact application	[\$150.00] \$300.00
Variance Permit	Application	[\$50.00] \$100.00
	After-the-fact application	[\$150.00] \$300.00
Application for rezone petition	Application	[\$75.00] \$150.00

end of section

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	January 24, 2023
	<u>Agenda Section</u>	12

RESOLUTION No. 02-23-1753 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE CONVEYANCE OF PUBLIC TIDELANDS, LOT 15, BLOCK 1-A, ATS 83, TO JAMES D. LESLIE

<u>SUBMITTED BY:</u>
Kim Lane, Borough Clerk

<u>FISCAL NOTE:</u>		
Expenditure Required:		
FY 20: \$	FY 21:	FY22:
Amount Budgeted:		
FY22 \$0		
Account Number(s):		
Account Name(s):		
Unencumbered Balance(s) (prior to expenditure): See Agenda Statement		

<u>Reviews/Approvals/Recommendations</u>	
<input type="checkbox"/>	
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS: 1.) Resolution No. 02-23-1753 2) Appraisal 3) Leslie Request 4) map of area 5) memos from Port and P&Z Commissions

RECOMMENDATION MOTION:

Move to approve Resolution No. 02-23-1753.

SUMMARY STATEMENT:

At the Assembly meeting held January 24, 2023, the Borough Assembly approved moving forward with the sale of city-owned tidelands, as requested by James D. Leslie.

Following the assembly meeting, I ordered the appraisal and started advertising for those who wished to protest the sale to do so by February 24, 2023, as required by WMC 16.12.040. We received no protests for the sale.

Therefore, we recommend that the conveyance of Tidelands be approved and sold to James D. Leslie for the full market value of \$34,400.

The following information has not changed since the January 24th Assembly meeting.

We received a request from James D. Leslie to purchase the filled City-Owned Tidelands that they are currently leasing.

WMC Section on the Sale of Tidelands

WMC 16-12-030 – Sale of Tidelands: The policy of outright disposal by sale of tide and submerged lands is not favored; the orderly development of the borough with due consideration toward ocean resource harvesting, municipal revenue and public recreation would indicate a strong preference toward tidelands leasing. However, when it is in the public interest, the assembly may, by resolution, authorize the sale of tracts of tide and submerged lands in the manner provided for the sale of other real property owned by the borough. Tidelands, which may be sold pursuant to this section, as that term is used herein, refers only to those tide and submerged lands conveyed by the state of Alaska to the then-City of Wrangell pursuant to AS [38.05.820](#).

WMC 16.12.040(9) - Additionally, no sale of tidelands shall occur except upon a public hearing as per WMC 16.12.040(2). At the public hearing, the applicant must clearly demonstrate the benefits of sale of the subject tidelands tract that could not be realized by the borough through leasing; a determination by the assembly adverse to the applicant may not be appealed unless clearly erroneous. An applicant for purchase of tidelands must conclusively demonstrate the outright sale of the nominated tidelands tract, as contrasted with the lease of such tract, is in the borough's best interest. The borough reserves the right to refuse sale of any tidelands tracts, regardless of sufficiency of proof.

The reasoning behind the request is because 1) the tidelands may be classified as "tidelands" however, they are filled. The lot is approximately 100 yards from the tidelands, with city hall between the lot and the tideline. 2) Since the lease began in 1977, there have been extensive improvements on the property, including a structure that has an office space on the bottom, and an apartment above. 3) If sold, the property would be on the tax rolls and would most likely bring in more or around the same in taxes, than the annual rental is currently.

The Port Commission and Planning & Zoning Commission have both written memos on this request and those memos are attached.

If the Assembly approves moving forward with the sale of these tidelands, the next step will be to obtain an appraisal and post the public notice, inviting those who want to protest the sale, to do so. This will be done 30-days prior to the approval of the tidelands comes to the Assembly for approval. Although the tidelands are currently leased to the applicant, the last assessment was done back in

April/May of 2022. Therefore, these tidelands would need a new assessment. The cost would be borne by the applicant.

CITY AND BOROUGH OF WRANGELL, ALASKA

RESOLUTION NO: 02-23-1753

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AUTHORIZING THE CONVEYANCE OF PUBLIC TIDELANDS, LOT 15, BLOCK 1-A, ATS 83, TO JAMES D. LESLIE

WHEREAS, the Borough Assembly, at their meeting held January 24, 2023, approved moving forward with the sale of city-owned tidelands, Lot 15, Block 1-A, ATS 83, Wrangell Tidelands Addition; and

WHEREAS, said tidelands are currently leased by James D. Leslie; and

WHEREAS, all requirements as per WMC 16.12.030 – Sale of tidelands have been followed; and

WHEREAS, all property owners within 300-feet of the proposed tidelands were notified of the public hearing on January 24, 2023; and

WHEREAS, a Public Hearing was held (as per WMC 16.12.030 – Sale of tidelands) to hear public testimony and for the Assembly to vote to move forward with the sale of said tidelands; and

WHEREAS, the Wrangell Planning & Zoning and Port Commissions both provided written memos in the affirmative to sell the leased Tidelands; and

WHEREAS, as per WMC 16.12.040, following the public hearing on January 24, 2023, a public notice was published three times in the newspaper, inviting those who wished to protest the sale, to do so by February 24, 2023; and

WHEREAS, there were no protests for the sale of said tidelands received; and

WHEREAS, the Borough Assembly is approving the sale of the above described tidelands to James D. Leslie, P.O. Box 1978, Wrangell, Alaska 99929, for the amount of \$34,400.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA THAT:

Section 1. The Assembly of the City & Borough of Wrangell, Alaska authorizes the sale of the Borough-owned tidelands more particularly known as: Lot 15, Block 1-A, ATS 83, Wrangell Tidelands Addition.

Section 2. The Borough Mayor and Clerk are authorized to execute a quit claim deed to James D. Leslie, to convey the public tidelands, when the full price of \$35,501 which includes the advertising, appraisal fee, recording fee and fair market value amounts are paid.

Section 3. This resolution takes effect upon approval.

PASSED AND APPROVED BY THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA THIS 28th DAY OF FEBRUARY 2023.

CITY & BOROUGH OF WRANGELL

Patricia Gilbert, Borough Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

A RESTRICTED USE APPRAISAL OF
LOT 15 BLOCK 1-A WRANGELL TOWNSITE
WRANGELL RECORDING DISTRICT
WRANGELL, ALASKA 99929

FOR
Kim Lane
Borough Clerk
CITY AND BOROUGH OF WRANGELL
P. O. BOX 531
WRANGELL, ALASKA 99929

VALUATION DATE
JANUARY 30, 2023

FILE 23-3429

BY
MICHAEL C. RENFRO
Assessor
City and Borough of Wrangell, Alaska

APPRAISAL COMPANY OF ALASKA, LLC
341 W. TUDOR ROAD SUITE 202
ANCHORAGE, ALASKA 99503



January 30, 2023

Kim Lane, Borough Clerk
City and Borough of Wrangell
P. O. Box 531
Wrangell, AK 99929

Re: Lot 15 Block 1-A Wrangell Townsite
Wrangell, Alaska 99929

Dear Ms. Lane,

As requested, I have prepared a Restricted Use Appraisal Report on the fair market value of the above referenced property. The appraisal date is January 30, 2023. The purpose of the report is to determine the fair market value for sale purposes. A description and valuation follows.

As a result of the investigation and analysis, subject to the assumptions and limiting conditions, it is my opinion the market value of the property as of January 30, 2023 is:

\$34,400

This Restricted Use Report is intended to meet the current Uniform Standards of Professional Appraisal Practice as formulated by the Appraisal Foundation

A description of the site and the analysis which lead to the fair market value conclusion follows. A complete description of the comparable data is included in a separate report which is retained in the appraiser's work file.

If you have any questions regarding this Restricted Use Appraisal Report please do not hesitate to call me.

Sincerely,

APPRAISAL COMPANY OF ALASKA

Michael C. Renfro
Assessor
City and Borough of Wrangell, Alaska



RESTRICTED USE APPRAISAL

This is a Restricted Use Appraisal Report. As such, it presents only a Restricted Use discussion of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning and analyses is retained in the appraiser's work file. The depth of discussion contained in this report is specific to the needs of the client and for the intended use stated below. The appraiser is not responsible for unauthorized use of this report.

CLIENT: Kim Lane, Borough Clerk
City and Borough of Wrangell
P.O. Box 531
Wrangell, Alaska 99929

APPRAISER : Michael C. Renfro, Assessor
City and Borough of Wrangell
341 W Tudor Rd. Suite 202
Anchorage, Alaska 99503

SUBJECT: Fee Simple Estate

Land Only - Lot 15 Block 1-A Wrangell Townsite, Wrangell,
Alaska 99929

OWNER: City and Borough of Wrangell

PURPOSE OF THE APPRAISAL: The purpose of this appraisal is to estimate the fair market value of the subject property. **Market value** is defined by the federal financial institutions regulatory agencies as follows:

"The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in the definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- (1) buyer and seller are typically motivated;
- (2) both parties are well informed or well advised, and acting in what they consider their own best interests;
- (3) a reasonable time is allowed for exposure in the open market;
- (4) payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- (5) the price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.



INTENDED USE OF REPORT:

This appraisal is intended to assist the client in determining the subject's market value for Sale Purposes.

INTEREST VALUED: Fee Simple estate which is defined as "Absolute ownership unencumbered by any other interest or estate; subject only to the limitations of eminent domain, escheat, police power, and taxation."

EFFECTIVE DATE OF VALUE: January 30, 2023

DATE OF REPORT: January 30, 2023

SALES HISTORY: There are no reported sales of the property over the last three years.

APPRAISAL DEVELOPMENT AND REPORTING PROCESS: In preparing this appraisal, the appraiser:

- Inspected the subject property prior to January 30, 2023
- Reviewed available records.
- Applied the market approach to arrive at an indication of value.

The appraiser believes the primary approach to value is the sales comparison approach. The appraisal process therefore involved no departures from Standards Rule 1-4(b) i, ii, iv, v and vi.



This Restricted Use Appraisal Report is a brief recapitulation of the available data, analyses and conclusions.

SUMMARY OF PROPERTY APPRAISED: The property that is the subject of this report is situated on the Northwest corner of Lynch Street and Brueger Street, Wrangell, Alaska

Legal Description: Lot 15 Block 1-A Wrangell Townsite, Wrangell, Alaska.

Address: 109 Lynch Street, Wrangell, Alaska, 99929

Land: The subject is a level corner lot, with sidewalks and paved streets.

Utilities: All utilities are available to the site.

Improvements: The site is improved with a wood frame two story office/apartment building.

Environmental Condition: No warranties as to environmental issues have been addressed by the appraiser. A visual inspection showed no evidence of contamination. If this is a concern of the seller or purchaser, it should be inspected by a qualified inspector.

Zoning: The subject is zoned Waterfront development.

HIGHEST AND BEST USE: In common appraisal practice, the concept of highest and best use represents the premise upon which the value estimated is based.

As if vacant, the subject's highest and best use would be for development consistent with the current zoning requirements. Waterfront development or uses associated with waterfront development.

Appraisal: The appraisal is for land only.



WRANGELL TIDELANDS LEASE

Lease No. 21

LOCATION: Northeast corner of Brueger Street and Lynch Street, Wrangell Alaska

LEGAL DESCRIPTION: Lot 15, Block 1-A, Wrangell Townsite

LESSOR: City of Wrangell

INSTRUMENT: Lease

LESSEE: James Leslie

FEE VALUE: \$34,400

DATE OF LEASE: 12-31-77

REVALUE: 12-31-82, 87,02,07,12,17, 23

TERMS: 6% of fee value per year
5 year revalue

ZONING: WFD

AREA: 2,867 sq.ft.

USE AT LEASE: Retail and
apartment

ANTICIPATED USE: Commercial use

ACCESS: Very good

ASSESSMENTS: None noted

UTILITIES: All available

EASEMENTS/RESTRICTIONS: 228
sq.ft., sidewalk along two
boundaries

CONFIRMED WITH: City of Wrangell

BY/DATE: MCR/ 1/23

PROPERTY DESCRIPTION: Level lot at street grade improved with a two story retail store and apartment.

ANALYSIS: 2023\$ 12.00/ 2,867 sq.ft. = \$34,400/sq.ft. rounded.



COMPARABLE LAND SALES

NO.	Legal	Date	Sale Price	Area/SF	Price/SF	Remarks
1	Lot 1 Sealevel II Lot 2B Saelevel III	02/22	\$73,300*	8913	\$8.00	Level lots on Zimovia Hwy
2	Lot 9 Blk 83 USS119 & Lot 4 Blk 83A WTA	10/20	\$150,000	17,655	\$8.50	Inter Harbor Waterfront Lot Sale with Tidelands
3	A Ptn of Lot 15 Blk 12A ATS 83 Wrangell, AK	11/21	\$113,000	12,220	\$9.25	Filled Tideland Near Ferry Terminal

Capitalized Lease Value*

Analysis of Comparable Land Sales:

Time: With a limited amount of sales it is difficult to obtain paired sales for analysis to arrive at the adjustments needed to bring the available sales into conformity with the subject. However, in general, values are increasing in Wrangell. The CPI indicates an increase around 2% per year prior to mid 2021 when the market increased approximately one-half percent each month.

Terms:

None of the sales used in the analysis is believed to require consideration for special financing or other sale conditions.

Size:

Smaller parcels tend to sell for more per unit of comparison than larger parcels, all other factors being equal. In relation to the subject all of the comparables are larger and requires an upward adjustment..

Location and Access:

Location and access is somewhat subjective on the part of the appraiser in relation to the comparable data utilized. However, analysis of other sales contained in our separate report on Wrangell sales and lease transactions indicates that location and access can account for up to 20% difference between superior and inferior locations. The subject's location and access is felt to be superior to all of the comparables.

Utilities:

All of the comparables have similar utilities.

Topography:

All of the comparables have similar topography.



Adjustment Grid: The following grid shows the estimated adjustment for each sale, bringing it into conformity with the subject:

Sale No.	#1	#2	#3
Price/SF	\$8.00	\$8.50	\$9.25
Time	+5%	+9%	+7%
Net After Time	\$8.40	\$9.27	\$9.90
Terms	0	0	0
Size	+10%	+20%	+20%
Location/Access	+20%	+10%	+10%
Utilities	0	0	0
Topography	0	0	0
Net Adjustment	+30%	+30%	+30%
Indicated Value/Acre	\$10.92	\$12.05	\$12.87



Conclusion:

Comparable one is a current lease located on Zimovia Highway just as you leave downtown. It is adjusted for date of sale and its larger size and inferior location.

Comparable two is the combined sale of two lots, one uplands the other adjoining tidelands. This sale is located in Reliance Harbor off of Case Avenue. The combined indicated value per square foot lot is \$8.50 before adjusting for the time, size and location.

Comparable three is the sale of a filled tideland behind the State Ferry Terminal. This sale is adjusted for time, date of sale, size, smaller and slightly inferior location.

The range in indicated value after adjustments is \$10.92 to \$12.87 per square foot.

All of the Comparables have their pluses and minuses and are given equal weight in final analysis.

In conclusion the final fair market value of the subject is:

The estimated market value is:
2,867 sq. ft. X \$12.00 /sq. ft. = \$34,400 Rounded.



ASSUMPTIONS AND LIMITING CONDITIONS:

1. As agreed upon with the client prior to the preparation of this appraisal, this is a Limited Appraisal because it invokes the Departure Provision of the Uniform Standards of Professional Appraisal Practice. As such, information pertinent to the valuation has not been considered and/or the full valuation process has not been applied. Depending on the type and degree of limitations, the reliability of the value conclusion provided herein may be reduced.
2. This is a Restricted Use appraisal report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a Restricted Use Appraisal Report. As such, it might not include full discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
3. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
4. The property is appraised free and clear of any or all liens and encumbrances unless otherwise stated in this report.
5. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
6. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
7. All engineering is assumed to be correct. Any maps, sketches, plot plans and illustrative material in this report are included only to assist the reader in visualizing the property.
8. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.



9. It is assumed that there is full compliance with all applicable federal, state, and local regulations and laws unless otherwise stated in this report.
10. It is assumed that the utilization of the land and improvements is within the boundaries or property lines of the property described and that there are no encroachments or trespass unless otherwise stated in this report.
11. The valuation assumes the appraised property (site and improvements) is free and clear of hazardous contaminants, unless specifically noted. If the appraised property is suspected of contamination, then the client is urged to retain an engineer's report. The appraiser(s) reserve the right to review value conclusions if documentation, including cost-to-cure estimates, is provided.
12. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only with proper written qualification and only in its entirety.
13. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraiser.



CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and is my personal, unbiased professional analyses, opinions, and conclusions.
3. I have no present or prospective interest in the property that is the subject of this report and I have no personal interest or bias with respect to the parties involved.
4. My compensation is not contingent upon the reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event.
5. This appraisal was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
6. My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
7. I made a personal inspection of the property that is the subject of this report, prior to the date of this report.
8. No one provided significant professional assistance to the person signing this report.
9. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
10. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.

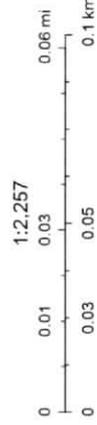


Michael C. Renfro

Wrangell Public Map



February 2, 2023



City and Borough of Wrangell, Esri Canada, Esri, HERE, Garmin, USGS, EPA, USDA, AAFIC, NRCAN

Item a.

Wrangell Assembly members,

I would like you to take my request to purchase the tideland into consideration. The land I am requesting to purchase from the city is Lot 15, Block 1-A, Alaska Tidelands Survey 83. This lot has been leased as tidelands since 1978. I had the lease transferred to me, from my mother in the winter of 2021, with an expiration date of December 13, 2032.

There is a building owned by me on the land leased from the city. The building is currently being leased as both commercial space, and residential. I operate a rental company as J. Leslie Rentals, Alaska Business License # 2086999. Owning a building on leased land has made it difficult to conduct business. To obtain loans, lines of credit, potential future sales of the building are very difficult due to banks not willing to work with parties on leased land.

At one time, the location was tidelands. The landscape of down town Wrangell has changed over the years. Now the lot is approximately 100 yards from the tidelands, with city hall between the lot and the tide line. Under sections (A 16.12.030) of Sale of tidelands, Tidelands is defined as those tide and submerged lands, conveyed by the state of Alaska the the then-City of Wrangell pursuant to AS 38.05.820.

For the reasons stated above, I believe the lot should be considered to be sold.

Thank you,

James D. Leslie II

MEMORANDUM

**TO: HONORABLE MAYOR AND MEMBERS OF THE ASSEMBLY
CITY AND BOROUGH OF WRANGELL**

**FROM: Steve Miller
Port Director**

**SUBJECT: The Port Commission on January 5th, 2023, approved James D. Leslie II
request to purchase City and Borough tidelands Lot 15, Block 1-A Alaska
Tideland Survey 83**

DATE: January 9th, 2023

The Port Commission at their regular meeting of January 9, 2023, reviewed the request from James D. Leslie II to purchase the above tidelands. The Port Commission agreed that the Ports and Harbors had no interest or use for the now uplands requested to be sold to James D. Leslie II.

RECOMMENDATION:

The Port Commission voted to recommend to the Assembly to move forward with the sale of Borough Tidelands Lot 15, Block 1-A Alaska Tideland Survey 83.

City and Borough of Wrangell

Date: January 17, 2023

To: Jeff Good, Borough Manager

From: Carol Rushmore, Economic Development Director

Re: James D. Leslie Jr. request to purchase tidelands, Lot 15, Block 1-A, ATS 83

The Planning and Zoning Commission at their regular meeting of January 12, 2023 unanimously voted to recommend to the Assembly to sell to James D. Leslie Jr. the requested tidelands of Lot 15, Block 1-A, ATS 83.

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 28, 2023
	<u>Agenda Section</u>	12

RESOLUTION No. 02-23-1757 A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AGAINST THE PETITION TO LIST THE WOLF IN SOUTHEAST ALASKA AS THREATENED OR ENDANGERED UNDER THE U.S. ENDANGRED SPECIES ACT

<u>SUBMITTED BY:</u>
Jeff Good, Borough Manager

<u>FISCAL NOTE:</u>		
Expenditure Required:		
FY 20: \$	FY 21:	FY22:
Amount Budgeted:		
	FY22 \$0	
Account Number(s):		
Account Name(s):		
Unencumbered Balance(s) (prior to expenditure): See Agenda Statement		

<u>Reviews/Approvals/Recommendations</u>	
<input type="checkbox"/>	
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS:

RECOMMENDATION MOTION:

Move to approve Resolution No. 02-23-1757.

SUMMARY STATEMENT:

This resolution against the petition to list the wolf in Southeast Alaska as threatened or endangered under the U.S. Endangered Species Act. The Wrangell Borough joins the Klawock Fish and Game Advisory Council and others opposing the petition by

Center for Biological Diversity, Alaska Rainforest Defenders and Defenders of Wildlife to list the wolf under the Endangered Species Act.

The citizens of the Borough of Wrangell use the Borough and the Prince of Wales area for subsistence, sport hunting and trapping. The Wrangell Borough over 2,582 square miles of land and 883 square miles of submerged land and lies at the center of the 17 million-acre Tongass National Forest sharing a boundary with Prince of Wales Island. The Wrangell Borough provides extensive habitat for wolves and deer. the Borough's populations of wolves and deer are healthy and sustainably managed by Alaska Fish and Game. The wolf and deer habitats are also managed to provide for sustainable populations. There are no terrestrial species that are currently listed or endangered or are at risk in Southeast Alaska.

Alexander Archipelago Wolf is mischaracterized as a distinct population or subspecies. Wolves are mobile and easily transit between the mainland and the islands in Southeast Alaska. The Wrangell Borough provides a corridor for wolves and deer to travel between the mainland and the islands within the Borough and the adjacent Prince of Wales Island. Wrangell and the small rural communities on Prince of Wales will suffer from increase regulations that further restrict economic opportunities and growth.

RESOLUTION No. 02-23-1757

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AGAINST THE PETITION TO LIST THE WOLF IN SOUTHEAST ALASKA AS THREATENED OR ENDANGERED UNDER THE U.S. ENDANGERED SPECIES ACT

WHEREAS, the Wrangell Borough joins the Klawock Fish and Game Advisory Council and others opposing the petition by Center for Biological Diversity, Alaska Rainforest Defenders and Defenders of Wildlife to list the wolf under the Endangered Species Act; and

WHEREAS, the Citizens of the Borough of Wrangell use the Borough and the Prince of Wales area for subsistence, sport hunting and trapping; and

WHEREAS, the Wrangell Borough is over 2,582 square miles of land and 883 square miles of submerged land in size and lies at the center of the 17 million-acre Tongass National Forest sharing a boundary with Prince of Wales Island; and

WHEREAS, the Wrangell Borough provides extensive habitat for wolves and deer; and

WHEREAS, the Borough's populations of wolves and deer are healthy and sustainably managed by Alaska Fish and Game. The wolf and deer habitats are also managed to provide for sustainable populations. There are no terrestrial species that are currently listed or endangered or are at risk in Southeast Alaska; and

WHEREAS, Alexander Archipelago Wolf is mischaracterized as a distinct population or subspecies. Wolves are mobile and easily transit between the mainland and the islands in Southeast Alaska. The Wrangell Borough provides a corridor for wolves and deer to travel between the mainland and the islands within the Borough and the adjacent Prince of Wales Island; and

WHEREAS Wrangell and the small rural communities on Prince of Wales will suffer from increased regulatory burdens and diminished economic opportunities if the wolf is listed; and

WHEREAS, these serial petitions are an abuse of the Endangered Species Act with the aim of stopping forest management and development in Southeast Alaska.

NOW WHEREAS BE IT RESOLVED THAT THE WRANGELL BOROUGH ASSEMBLY URGES THE U. S. FISH AND WILDLIFE SERVICE TO:

1. Prioritize the preparation of the necessary analysis, documentation, and process to come to a timely decision regarding the petition to list the wolf;
2. Use credible scientific population data in making any determinations or conclusions.
3. Consider the scientific data in the context of the overall habitat conditions, habitat connectivity, and the transitory nature of wolves in Southeast Alaska and Canada.
4. Consult with the ADF&G on population data and wolf management factors in the analysis;
5. Consider the newly imposed restrictions on forest management and development imposed on the Tongass National Forest in assessing any risk to wolves or their

habitats;

6. Reconsider the previous determination that the Alexander Archipelago wolf is a unique subspecies and therefore eligible for listing under the Endangered Species Act using the latest scientific information and genetics analysis.
7. Find that the wolf is not a risk of becoming threatened or endangered and no designation of critical habitat is warranted.
8. Find that the petition provides no new information to change the current status of the wolf.

Item b.

PASSED AND APPROVED BY THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA THIS 28th DAY OF FEBRUARY 2023.

CITY & BOROUGH OF WRANGELL

Patricia Gilbert, Borough Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	February 28, 2023
	<u>Agenda Section</u>	13

ORDINANCE No. 1037 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTIONS 3.15.010, INVESTMENT COMMITTEE – ESTABLISHED AND 3.15.020, ANNUAL APPOINTMENT AND CONSENT IN CHAPTER 3.15, INVESTMENT COMMITTEE IN THE WRANGELL MUNICIPAL CODE

SUBMITTED BY:

Mason Villarma, Finance Director

FISCAL NOTE:

Expenditure Required:		
FY 21: \$	FY 22:	FY23: \$
Amount Budgeted:		
FY21 \$0		
Account Number(s):		
Detail provided below		
Account Name(s):		
Detail provided below		
Unencumbered Balance(s) (prior to expenditure):		
Detail provided below		

Reviews/Approvals/Recommendations

<input type="checkbox"/>	Commission, Board or Committee
Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS: 1. Ord 1037 2. Existing Code Sections

RECOMMENDATION MOTION:
Move to approve First Reading of Ordinance No. 1037 and move to a Second Reading with a Public Hearing to be held on March 14, 2023.

SUMMARY STATEMENT:

With the regular meetings of the Investment Committee, it has become evident that the committee should actually be called the Finance Committee so that the name reflects a broader scope of financial allowable discussions during the committee meetings.

CITY AND BOROUGH OF WRANGELL, ALASKA
ORDINANCE NO. 1037

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTIONS 3.15.010, INVESTMENT COMMITTEE – ESTABLISHED AND 3.15.020, ANNUAL APPOINTMENT AND CONSENT IN CHAPTER 3.15, INVESTMENT COMMITTEE IN THE WRANGELL MUNICIPAL CODE

BE IT ORDAINED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA:

[The changes to the existing code are shown as follows: the words that are underlined are to be added and the words that are bolded and in brackets are to be deleted.]

SEC. 1. Action. The purpose of this ordinance is to amend Sections 3.15.010, Investment Committee – Established and 3.15.020, Annual Appointment and Consent in Chapter 3.15, Investment Committee in the Wrangell Municipal Code.

SEC. 2. Amendment. The title for Chapter 3.15 – Investment Committee is hereby amended as follows:

Chapter 3.15
[INVESTMENT] FINANCE COMMITTEE

SEC. 3. Amendment. Sections 3.15.010 – Investment Committee - Established and Section 3.15.020 – Annual appointment and consent are hereby amended as follows:

- Sections:
- 3.15.010 **[Investment]Finance** committee – Established.
- 3.15.020 Annual appointment and consent.

3.15.010 [Investment]Finance committee – Established.

A. The **[investment]finance** committee shall be permanently established as a regular committee of the City and Borough of Wrangell, Alaska.

B. Purpose. The **[investment]finance** committee exists in a purely advisory capacity to locate, investigate and, when suitable, recommend to the assembly prudent investments that the City and Borough of Wrangell may make in compliance with the provisions of Chapters 5.02 and 5.20 WMC, and other applicable local, state, and federal laws. No recommendation of the **[investment]finance** committee shall be construed as binding on the assembly. However, the borough may rely on research and due diligence carried out by the **[investment]finance** committee.

C. Composition. The **[investment]finance** committee shall be composed of the borough manager, the finance director, two assembly members and one community member appointed by the mayor.

D. Term. The borough manager and the finance director shall serve by virtue of their employment for so long as they remain employed by the City and Borough of Wrangell in one of these capacities. The appointed assembly and community members shall serve at the pleasure of the mayor subject to consent of the assembly.

E. Meetings. The [investment]finance committee shall meet at least quarterly, or at the call of the finance director [borough manager].

3.15.020 Annual appointment and consent.

A. Appointment. The mayor shall appoint new and continuing appointed members of the [investment]finance committee at the first regular assembly meeting following certification of the regular election, at the start of the new term, pursuant to WMC 2.12.010 and 3.04.030.

...

SEC. 4. Severability. If any provision of this ordinance, or any application thereof to any person or circumstances is held invalid, the remainder of this ordinance and the application to all other persons or circumstances shall not be affected thereby.

SEC. 5. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 6. Effective Date. This ordinance shall be effective upon adoption. However, until which time that a new fee schedule is duly adopted, the fees reflected in the former sections amended herein shall remain as an interim fee schedule.

PASSED IN FIRST READING: _____, 2023

PASSED IN SECOND READING: _____, 2023

Patricia Gilbert, Borough Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk

Chapter 3.15

INVESTMENT COMMITTEE

Sections:

- 3.15.010 Investment committee – Established.
- 3.15.020 Annual appointment and consent.

3.15.010 Investment committee – Established.

A. The investment committee shall be permanently established as a regular committee of the City and Borough of Wrangell, Alaska.

B. Purpose. The investment committee exists in a purely advisory capacity to locate, investigate and, when suitable, recommend to the assembly prudent investments that the City and Borough of Wrangell may make in compliance with the provisions of Chapters 5.02 and 5.20 WMC, and other applicable local, state and federal laws. No recommendation of the investment committee shall be construed as binding on the assembly. However, the borough may rely on research and due diligence carried out by the investment committee.

C. Composition. The investment committee shall be composed of the borough manager, the finance director, two assembly members and one community member appointed by the mayor.

D. Term. The borough manager and the finance director shall serve by virtue of their employment for so long as they remain employed by the City and Borough of Wrangell in one of these capacities. The appointed assembly and community members shall serve at the pleasure of the mayor subject to consent of the assembly.

E. Meetings. The investment committee shall meet at least quarterly, or at the call of the borough manager. [Ord. 974 § 3, 2020.]

3.15.020 Annual appointment and consent.

A. Appointment. The mayor shall appoint new and continuing appointed members of the investment committee at the first regular assembly meeting following certification of the regular election, at the start of the new term, pursuant to WMC 2.12.010 and 3.04.030.

B. Confirmation. Each member not serving by virtue of their employment with the borough pursuant to WMC 3.15.010, whether continuing or newly appointed, shall be subject to consent by the borough assembly.

C. Service. Newly appointed members shall serve immediately.

D. Replacement. Replacement appointments for any appointment not confirmed shall be put forward by the mayor at the next regular assembly meeting. [Ord. 974 § 3, 2020.]

**CITY & BOROUGH OF WRANGELL, ALASKA
BOROUGH ASSEMBLY AGENDA STATEMENT**

<u>AGENDA ITEM TITLE:</u>	<u>DATE:</u>	2/28/2023
	<u>Agenda Section</u>	13

RESOLUTION No. 02-23-1754 OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2023 BUDGET IN THE RESIDENTIAL CONSTRUCTION FUND BY ACCEPTING REVENUE FROM THE SALE OF BYFORD REPLAT LOT Y-B IN THE AMOUNT OF \$100,000

SUBMITTED BY:

Kim Lane, Borough Clerk

FISCAL NOTE:

Expenditure Required: \$0		
FY 21: \$0	FY 22: \$0	FY23: \$0
Amount Budgeted:		
	FY22 \$0	
Account Number(s):		
Account Name(s):		
n/a		
Unencumbered Balance(s) (prior to expenditure):		
\$0		

Reviews/Approvals/Recommendations

Name(s)	
Name(s)	
<input type="checkbox"/>	Attorney
<input type="checkbox"/>	Insurance

ATTACHMENTS: 1. Res 02-23-1754

RECOMMENDATION MOTION:
Move to Approve Resolution No. 02-23-1754.

SUMMARY STATEMENT:
The Assembly approved the sale the two Byford Lots (Lot Y-A and Lot Y-B) by Resolution NO. 09-22-1721 in September 2022.

Both lots were listed on the Public Surplus site for 30 total days. Lot Y-A did not receive any bids during the initial bid timeframe but did receive a bid for the asking price of \$120,000. Once

payment has been made in full for Lot Y-A, we will bring a resolution to the assembly to accept that revenue.

This resolution is to accept the revenue for Byford Lot Y-B, which did receive six bids and ended up selling for \$100,000 (\$3,115 over the initial bid amount).

Final payment for Lot Y-B has been received. This resolution accepts the revenue for Lot Y-B and puts the revenue into the Residential Construction Fund for future residential lot preparation and/or development.

CITY AND BOROUGH OF WRANGELL

RESOLUTION No. 02-23-1754

A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING THE FY 2023 BUDGET IN THE RESIDENTIAL CONSTRUCTION FUND BY ACCEPTING REVENUE FROM THE SALE OF BYFORD REPLAT LOT Y-B IN THE AMOUNT OF \$100,000

WHEREAS, the Borough Assembly authorized the terms of the sale of Byford Replat Lots Y-A and Y-B by Resolution (09-22-1721) in September of 2022; and

WHEREAS, the final bid amount for Lot Y-B was \$100,000; and

WHEREAS, the FY 2023 Budget must be amended to accept this revenue.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA THAT:

Section 1: Lot Y-B received a final bid of \$100,000.

Section 2: Lot Y-B was purchased using the Public Surplus Auction Site.

Section 3: The FY 2023 Budget in the Residential Construction Fund is amended to reflect an increase in revenue to account 50000-000-4650 Residential Construction Fund Revenue in the total amount of \$100,000.

PASSED AND APPROVED BY THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA THIS 28th DAY OF FEBRUARY, 2023.

CITY & BOROUGH OF WRANGELL

Patricia Gilbert, Borough Mayor

ATTEST: _____
Kim Lane, MMC, Borough Clerk