



**City and Borough of Wrangell
Borough Assembly Meeting
AGENDA**

February 11, 2014 – 7:00 p.m.

Location: Assembly Chambers, City Hall

- 1. CALL TO ORDER**
 - a. PLEDGE OF ALLEGIANCE led by Assembly Member Daniel Blake
 - b. INVOCATION to be given by Don McConachie
 - c. CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

- 2. ROLL CALL**

- 3. AMENDMENTS TO THE AGENDA**

- 4. CONFLICT OF INTEREST**

- 5. CONSENT AGENDA**
 - a. Items (*) 6a, 7a, & 7b

- 6. APPROVAL OF MINUTES**
 - *a. Minutes of the Public Hearing and Regular Assembly meetings held on January 28, 2014

- 7. COMMUNICATIONS**
 - *a. Minutes of the Thomas Bay Power Commission meeting held December 19, 2013
 - *b. Wrangell Chamber of Commerce request to set 2014 tax free days for Saturday, May 3rd and Saturday, October 11th, 2014

- 8. BOROUGH MANAGER’S REPORT**

- 9. BOROUGH CLERK’S FILE**

- 10. MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS**
 - a. Reports by Assembly Members
 - b. Appointment to fill the vacancies on the following Committees:
 - **Cemetery Committee**
One vacancy (*unexpired term until **October 2016***)
 - **Parks & Recreation Committee**
One vacancy (*unexpired term until **October 2014***)

- 11. PERSONS TO BE HEARD**

- 12. UNFINISHED BUSINESS**

- a. Approval to provide the TBPA Commission with a letter that commits to the future funding of TBPA Non-net billable funding
- b. Discussion and Possible Action on Forming an Energy Committee
- c. Discussion and possible action to make Brueger Street a One-Way Street

13. NEW BUSINESS

- a. PROPOSED ORDINANCE No. 874: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 2, ELECTIONS, OF THE WRANGELL MUNICIPAL CODE TO CLARIFY SECTION 2.04.050 ON WHO IS DECLARED ELECTED TO OFFICE AND SECTION 2.20.060 ON THE BALLOT FORM FOR OFFICES AND CANDIDATES (*first reading*)
- b. Approval to dispose of City Surplus Property
- c. Request for partial funding for a SEAPA Board Members' travel expenses
- d. Approval to allow SEAPA to run a Fiber Optic Line, utilizing CBW Power Poles, to improve communications

14. ATTORNEY'S FILE

15. EXECUTIVE SESSION

16. ADJOURNMENT

Agenda Items 1 - 6

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY

AGENDA ITEM

February 11, 2014

ITEM NO. 1 CALL TO ORDER:

INFORMATION: *The Mayor, by code, is required to call the meeting to order at 7:00 p.m. in the Borough Assembly Chambers. Special meetings or continued meetings may be called for at differing times but at the same location. Notice of such will be required by the Borough Clerk. The Mayor will call the meeting to order according to such special or continued meeting notice. At all meetings of the assembly, four assembly members or three members and the mayor shall constitute a quorum for the transaction of business, but a smaller number less than a quorum may adjourn a meeting to a later date.*

RECOMMENDED ACTION:

The Mayor, as presiding officer, is to call the meeting of the Borough Assembly to order, with the following actions to follow:

- a. Pledge of Allegiance to be given by Assembly Member Daniel Blake
- b. Invocation to be given by Don McConachie
- c. Ceremonial Matters – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

ITEM NO. 2 ROLL CALL - BOROUGH CLERK:

INFORMATION: *The Borough Clerk shall conduct a roll call of each elected and duly qualified Assembly Member. Such call shall result in an entry of those present or absent from the meeting. The roll call is primarily utilized in determining if sufficient member(s) are present to conduct a meeting. The Borough Clerk may randomly change the conduct of the roll to be fair to the members of the governing body unless the council determined an adopted procedure for roll call which is different than currently in use.*

RECOMMENDED ACTION:

Borough Clerk to conduct a roll call by voice vote. Each member to signify by saying here, present (or equal) to give evidence of attendance.

ITEM NO. 3 AMENDMENTS TO THE AGENDA:

INFORMATION: *The assembly may amend the agenda at the beginning of its meeting. The outline of the agenda shall be as from time to time prescribed and amended by resolution of the assembly. (WMC 3.04.100)*

RECOMMENDED ACTION:

The Mayor should request of the members if there are any amendments to the posted agenda. **THE MAYOR MAY RULE ON ANY REQUEST OR THE ASSEMBLY MEMBERS MAY VOTE ON EACH AMENDMENT.**

ITEM NO. 4 CONFLICT OF INTEREST:

INFORMATION: *The purpose of this agenda item is to set reasonable standards of conduct for elected and appointed public officials and for city employees, so that the public may be assured that its trust in such persons is well placed and that the officials and employees themselves are aware of the high standards of conduct demanded of persons in like office and position.*

An elected city official may not participate in any official action in which he/she or a member of his/her household has a substantial financial interest.

ITEM NO. 5 CONSENT AGENDA:

INFORMATION: *Items listed on the Consent Agenda or marked with an asterisk (*) are considered part of the Consent Agenda and will be passed in one motion unless the item has been removed by an Assembly Member or the Mayor and placed on the regular agenda under Unfinished Business.*

RECOMMENDED ACTION:

Move to approve those Agenda items listed under the Consent Agenda and those marked with an asterisk (*) Items:

***6a, 7a, & 7b**

ITEM NO. 6 APPROVAL OF MINUTES:

INFORMATION:

6a *Minutes of the Public Hearing and Regular Assembly meetings held January 28, 2014*

**Minutes of Public Hearing
Held January 28, 2014**

Mayor David L. Jack called the Public Hearing to order at 6:30 p.m., January 28, 2014, in the Borough Assembly Chambers. Assembly Members Wiederspohn, Stokes, Blake, and Wiederspohn were present. Assembly Members Decker and McCloskey were absent. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane were also in attendance.

Public Hearing Items

- a. PROPOSED ORDINANCE No. 873: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 6.04 OF THE WRANGELL MUNICIPAL CODE RELATING TO ALCOHOLIC BEVERAGES TO AMEND SECTION 6.04.100 ON HOURS OF SALE (*second reading*)

WRITTEN TESTIMONY

There was no written testimony.

ORAL TESTIMONY

Ramee Privett, 139 Second Street, spoke in favor of the proposed ordinance. He requested that the language on "clearing the premises" be added.

Doug McCloskey, Wrangell Police Chief, spoke in favor of the proposed ordinance. He stated that the revised language was to clarify the ordinance.

- b. Proposed Zone Change from Waterfront Development to Rural Residential for a portion of Lot 12, USS 2589 and a portion of Lot 5, USS 2589 owned by Mark and Margaret Mitchell, and Lot 19, USS 2589 owned by the State of Alaska, Department of Natural Resources, requested by Mark and Margaret Mitchell

WRITTEN TESTIMONY

There was no written testimony.

ORAL TESTIMONY

Mark Mitchell, 11.1 Zimovia Hwy., provided clarification as to why he was requesting the zone change.

Don McConachie, Planning & Zoning Commissioner, 622 Zimovia Hwy., stated that the Planning & Zoning Commission was recommending the zone change.

Public Hearing adjourned at: 6:48 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, CMC, Borough Clerk

**Minutes of Regular Assembly Meeting
Held on January 28, 2014**

Mayor David L. Jack called the Regular Assembly meeting to order at 7:00 p.m., January 28, 2014, in the Borough Assembly Chambers. Assembly Members Stough, Blake, Stokes, and Wiederspohn were present. Assembly Member Decker was absent. Assembly Member McCloskey arrived at 7:08 p.m. Borough Manager Jeff Jabusch and Borough Clerk Kim Lane was also in attendance.

Pledge of Allegiance was led by Assembly Member James Stough.

Invocation was given by Nettie Covalt from the Presbyterian Church.

CEREMONIAL MATTERS – *Community Presentations, Proclamations, Certificates of Service, Guest Introductions*

AMENDMENTS TO THE AGENDA

There were no amendments to the agenda.

CONFLICT OF INTEREST

There were no Conflicts of Interest declared.

CONSENT AGENDA

M/S: Stough/Blake, to approve Consent Agenda Items marked with an (*) asterisk; 6a, 7a, 7b, & 7c. Motion approved unanimously by polled vote.

APPROVAL OF MINUTES

The Minutes of the Public Hearing and Regular Assembly meetings held January 14, 2014 were approved, as presented.

COMMUNICATIONS

- *a. Renewal of Alcoholic Beverage Application received from Bob's IGA Package Store
- *b. Gaming Permit Application from the Wrangell Fire Fighters Association
- *c. Acknowledge receipt of the City and Borough of Wrangell's Year End 06-30-2013 Basic Financial Statements, Required Supplementary Information, and Single Audit Reports

BOROUGH MANAGER'S REPORT

Borough Manager Jabusch provided a verbal report.

BOROUGH CLERK'S FILE

Borough Clerk Lane's Report was provided.

M/S: Blake/Stough, to approve the travel and training in May for the Borough Clerk. Motion approved unanimously by polled vote.

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS

10a Reports by Assembly Members

Assembly Member Stough reported on the Wrangell Medical Board meeting that was held on January 15, 2014. He gave a special thank you to Alice Rooney who will be leaving the hospital staff to pursue other avenues in Africa.

Assembly Member Stough reported that he was elected President on the TBPA Commission at their meeting held on January 27, 2014; he stated that he wanted the Borough Clerk to read some things into the record; he further stated that he wanted to add this item, for discussion, to the next meeting's agenda.

Mayor Jack stated that if there was correspondence to be read into the record, it should be done at the next meeting; to have items read into the record would be going beyond giving a report.

Assembly Member Stough stated that it would be difficult to give the report that was provided by the Thomas Bay Manager without giving the background. He further stated that it would be difficult to follow the letter without having the items that he had, read into the record.

In response to Assembly Member McCloskey's request for clarification on the issue, Clerk Lane stated that Assembly Member Stough was wanting to read a letter from the Thomas Bay Power Authority Manager and to have the Clerk read into the record: 1) the Petersburg Resolution, 2) the Wrangell Resolution, 3) the questions that Assembly Member Stough had provided to be given to the attorney, and 4) the responses to those questions by Manager Jabusch.

Mayor Jack requested that the Assembly make a decision on if the items should be read into the record; also if there should be discussion.

Assembly Member Blake suggested that the Assembly allow Assembly Member Stough to read the letter, with no discussion. He said that if the item were to be added to the next agenda for discussion, it would allow the public and the Assembly to be more informed; it would also allow the Assembly to do any necessary research and to also be more prepared when the item was discussed at the next meeting.

Mayor Jack asked if he would like to make a motion.

M/S: Blake/Wiederspohn, to approve reading the letter, with no discussion, and to place it on the agenda for the next meeting. Motion approved unanimously by polled vote.

Assembly Member Stough read the letter; he stated that the letter was brought forward by the TBPA General Manager.

10b Appointment to fill the vacancies on the following Committees:

- **Cemetery Committee**

One vacancy (*unexpired term until **October 2016***)

- **Parks & Recreation Committee**

One vacancy (*unexpired term until October 2014*)

As there were no letters received for the Cemetery or the Parks & Recreation Committee vacancies, Mayor Jack directed the Borough Clerk to continue advertising for the those seats.

PERSONS TO BE HEARD

Wilma E. Leslie, provided written correspondence regarding Item 13c – Discussion and possible action concerning the possibility of changing Brueger Street to a One-way street.

Ms. Leslie was not in attendance. Therefore, Clerk Lane read the correspondence to the Assembly and listening public.

UNFINISHED BUSINESS

12a PROPOSED ORDINANCE No. 873: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING CHAPTER 6.04 OF THE WRANGELL MUNICIPAL CODE RELATING TO ALCOHOLIC BEVERAGES TO AMEND SECTION 6.04.100 ON HOURS OF SALE (*second reading*)

M/S: Stough/Blake, to approve Ordinance No. 873 with the changes to add Sections B and C on “Clearing the premises”.

Clerk Lane stated that there was a revised Item 12a placed “on the table” for the Assembly, that addressed the proposed changes from Chief McCloskey and Mr. Privett.

M/S: Stough/McCloskey, to add to the motion to replace the word “may” with “shall” in Sections A 1 & 2.

Motion approved unanimously by polled vote.

NEW BUSINESS

13a Authorize the sale of City Tidelands as requested by David Svendsen, dba Svendsen Marine Works

M/S: McCloskey/Wiederspohn, to authorize the sale of a portion of ATS 83, Wrangell Tidelands Addition, adjacent to Lot 3A, Block 24A, Wrangell Tidelands Addition, as requested by David Svendsen, dba Svendsen Marine Works. Motion approved unanimously by polled vote.

13b Proposed Zone Change, requested by Mark and Margaret Mitchell

M/S: Blake/Wiederspohn, to approve the proposed zone change from Waterfront Development to Rural Residential for a portion of Lot 12, USS 2589 and a portion of Lot 5, USS 2589 owned by Mark and Margaret Mitchell, and Lot 19, USS 2589 owned by

State of Alaska, Department of Natural Resources, requested by Mark and Margaret Mitchell. Motion approved unanimously by polled vote.

13c Discussion and possible action concerning the possibility of changing Brueger Street to a One-way street

M/S: Stough/Wiederspohn, to schedule a public hearing and to notify all businesses that would be directly affected prior to making a final decision to make Brueger Street a One-way street. Motion approved unanimously by polled vote.

13d Approval to purchase a Ford F550 Flat-bed Truck from Cal Worthington Ford

M/S: McCloskey/Blake, to approve the purchase of a Ford F550 Flat-bed truck from Cal Worthington Ford through the State of Alaska's procurement contract for the price of \$34,005.00 to be paid with budgeted Capital Project Funds.

In response to Assembly Member McCloskey's question, Manager Jabusch stated that this vehicle would replace an existing flat-bed truck that was rusting out; the Public Works department would use this vehicle for various heavy lifting.

Motion approved unanimously by polled vote.

13e Discussion and possible action on forming an Energy Committee

M/S: Blake/McCloskey, to table this item until the next meeting. Motion approved unanimously by polled vote.

13f Approval of the Wrangell Medical Center Budget for FY 2014, as presented

M/S: McCloskey/Blake, to approve the Wrangell Medical Center Budget for FY 2014, as presented. Motion approved unanimously by polled vote.

ATTORNEY'S FILE

There was no Attorney's File.

EXECUTIVE SESSION

There was no Executive Session.

ADJOURNMENT: 7:40 p.m.

David L. Jack, Mayor

ATTEST: _____
Kim Lane, CMC, Borough Clerk

Agenda Item 7

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM February 11, 2014

COMMUNICATIONS:

INFORMATION: The Assembly may receive items for Communications, reasons only which do not require separate action. This is an avenue to keep the Assembly informed, for the public to enter items on the record, if necessary. The Assembly also receives agenda communications directly by their constituents, Borough Manager, other agencies' Officers and Department Directors.

A MAIL BOX IS ALSO AVAILABLE IN THE BOROUGH CLERK'S OFFICE FOR EACH MEMBER OF THE ASSEMBLY AND SHOULD BE CHECKED ON A ROUTINE SCHEDULE.

All items appearing under Communications on the Agenda have been approved under the Consent Agenda unless removed by an Assembly Member or the Mayor and placed on the regular agenda under Unfinished Business.

*7a Minutes of the Thomas Bay Power Commission meeting held December 19, 2013

*7b Wrangell Chamber of Commerce request to set 2014 tax free days for Saturday, May 3rd and Saturday, October 11th, 2014



— TYEE LAKE HYDROELECTRIC PROJECT —
P. O. BOX 1318 WRANGELL, ALASKA 99929 (907) 874-3834 FAX (907) 874-2581

**THOMAS BAY POWER COMMISSION
TELECONFERENCE REGULAR COMMISSION MEETING**

**Minutes of
Thursday, December 19th, 2013
FY2014**

MEETING LOCATION

**THOMAS BAY POWER AUTHORITY OFFICE
4498 ZIMOVIA HIGHWAY – WRANGELL, AK 99929
~And~
PETERSBURG MUNICIPAL POWER AND LIGHT OFFICE
11 SOUTH NORDIC DRIVE – WRANGELL, AK 99929**

Summary of Items Discussed at this meeting:

Meeting minutes of September 24th, 2013, Consideration to develop a plan to transfer the O&M to SEAPA, Former GM Contract, Director s and Officers Liability and Travel Insurance 2014.

Thomas Bay Power Authority's Regular Commission Meeting was called to order by President John Jensen on Thursday December 19th, 2013 at 10:00 am.

Present were: Commissioners President John Jensen, Vice President Robert Larson, Member at Large Brian Ashton, Commissioners Joe Nelson, Clay Hammer and James Stough.

Excused Absence: David Galla.

A QUORUM was established: 6/0

Also present were: TBPA General Manager Michael (Mick) Nicholls and Secretary Rhonda Christian.

Visitors Acknowledged: Brian O'Connor Wrangell Sentinel, Michael Nash Attorney for Paul Southland and John Hoag Petersburg Council Member.

Amendments to the Agenda:

1. Item 10-C November 2013 Tyee Power Plant Reports.

**** It was the consensus of the commission to allow this amendment to the agenda. ****

Persons to be heard: None

Commission Meeting Minutes of September 24th, 2013:

Commissioner Robert Larson **MADE A MOTION** to approve the regular commission meeting minutes of September 24th, 2013 as presented. Commissioner Clay Hammer **SECONDED the MOTION.**

Discussion was called for:

Hearing None.

Roll Call Vote:

Yes – Commissioner James Stough
Yes – Commissioner Clay Hammer
Yes – Commissioner Robert Larson
Yes – Commissioner Brian Ashton
Yes – Commissioner Joe Nelson
Yes – Commissioner President John Jensen

MOTION CARRIED 6/0.

13-A Directors and Officers Liability and Travel Insurance:

Commissioner James Stough **MADE A MOTION** to accept the NNB Insurance Coverage. Commissioner Robert Larson **SECONDED THE MOTION.**

Discussion was called for:

Mrs. Christian provided a report to the Commission of the difference in price from the following year along with the Insurance policy for the Commissions review. Questions were asked if we could do a 6 month policy and if TBPA is done can we get the money back. The Commissioner took a 10 minute break so Mrs. Christian could contact the Alaska USA Insurance to answer the Commissions questions. The answer was no a (6) month policy is not an option and yes if TBPA was dismissed there can be a reimbursement of funds for what is not used. There was discussion if there is money in the budget. TBPA is doing business as normally and customary until formally notified differently.

Roll Call Vote:

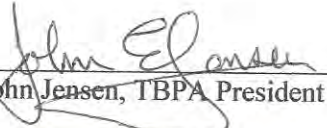
Yes – Commissioner Clay Hammer
Yes – Commissioner Robert Larson
Yes – Commissioner Brian Ashton
No – Commissioner Joe Nelson
Yes – Commissioner James Stough
Yes – Commissioner President John Jensen
MOTION CARRIED 5/1.

****It was the consensus of the Commission to include on the next agenda under new business.**

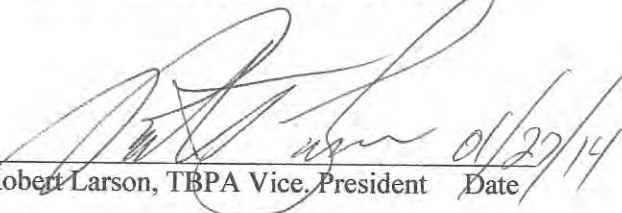
- 1. Discussion of the camera at Tye. It was requested the GM bring forth the cost and if this system would disturb anything.**
- 2. What's the future for TBPA.**

**** It was the consensus of the Commission to adjourn the meeting at 11:36 am.**

The next tentative scheduled TBPC Meeting will take place Monday January 27th, 2013 in Petersburg for a face to face meeting.



John Jensen, TBPA President Date 01/27/14



Robert Larson, TBPA Vice. President Date 01/27/14

Thomas Bay Power Commission– P.O. Box 1318 – Wrangell, Alaska 99929 – ph: (907) 874-3834 FX: (907) 874-2581



Wrangell Chamber of Commerce
P. O. Box 49
Wrangell, AK 99929
(907) 874-3901
www.wrangellchamber.org

January 29, 2014

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

Dear Assembly Members,

Re: 2014 Tax Free Days

The Wrangell Chamber of Commerce would respectfully request that the tax free days for 2014 be set for **Saturday, May 3rd** and Saturday, **October 11th**.

Thank you for your consideration, and please feel free to contact the Chamber office with any questions.

Sincerely,

Wrangell Chamber of Commerce
cyni@wrangellchamber.org

RECEIVED
JAN 31 2014
WRANGELL CITY HALL

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

RE: BOROUGH MANAGER'S REPORT

DATED: FEBRUARY 5, 2014



MANAGERIAL:

New Finance Director - We have hired Lee Burgess as our new finance director and he will start on February 18th. We will immediately begin his in house training which will take several years as some things we only do once a year or every other year. We plan to have other out of town training that he will need to take to be able to fully utilize some of our accounting programs. We look forward to having him part of our team.

*Lee Burgess,
New Finance Director, City & Borough of Wrangell*

PUBLIC WORKS ACTIVITIES:

Cassiar Street Improvements - Cassiar is in its final stages before we can go to bid. We have been in contact with the two people we need easements from and hope to have them completed by mid February. In addition, the State's Department of Environmental Conservation (DEC) is again needing to approve the drawings. They have put this on a fast track and also said they would be complete by mid February. Once these two items are complete we will go to bid which should be by the end of February.

Sewer Pump Station Project - The Sewer Pump Station does not sound very glamorous, but is extremely important. The current two pump stations that will be replaced under this project are located adjacent to Ramey's Bar and adjacent to the inner harbor boat launch. We are currently advertising for a Request for Proposals (RFP) for engineers to propose engineering services on this project. The proposals will be rated and then a recommendation will come from staff to the assembly to pick the engineer and begin the design phase of the project. The current 35 year old pump stations are in dire need of replacement as these two pump stations move most of the sewage from town to the treatment plant near the city park.

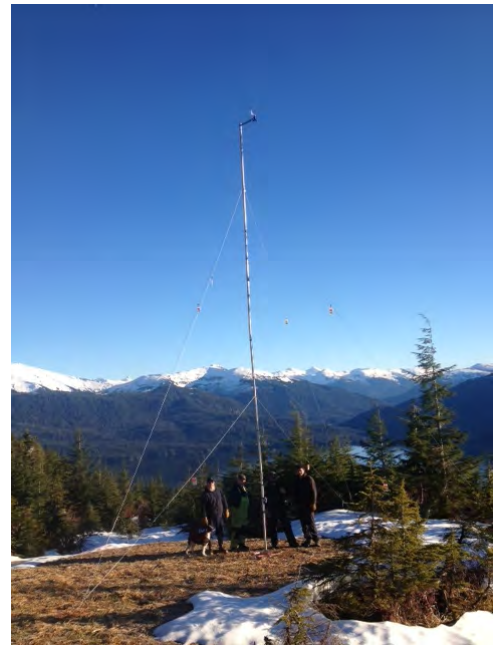
LIGHT DEPARTMENT:

The Service Monitor -has come in for the WML&P admin office heat pump. This is a data logging device that allows the tracking of power consumed by whatever device it is connected to. This week we have had the coldest weather since our heat pump was installed and the Power Monitor shows that we use approximately \$3.00 per day to maintain the Electric Admin office at a comfortable level.



The Power Lift hydraulic Doors - approved in our Capital Improvements budget are in and installed. For the first time in history the WML&P admin building is completely weather proof. These doors replaced aging uninsulated sliding plywood doors that were in no way weatherproof allowing heat to constantly escape. With the new doors in place we expect to see a dramatic savings in heating costs for the building as a whole plus substantially extended service life for the vehicles stored within.

MET Towers on Wrangell Island - The paperwork has been signed on the Forest Service Special Use Permit allowing the installation of the 2nd of two MET towers on Wrangell Island. That tower has been installed and data is now being collected. The MET towers are essentially a 30 foot tall pole held in place with guy wires with a small anemometer (wind gauge) on top. These are part of a joint effort between WML&P and AEA (Alaska Energy Authority) to collect wind data from the island in an effort to establish whether or not the potential for wind generation exists. The towers will be in place for two years with data being sampled monthly. AEA is providing the equipment, data interpretation and analysis as well as all non-Forest Service permitting. WML&P is providing local support, data sampling and the one local Forest Service permit required for the project.



The Pats Creek Right of Way Project - is close to being wrapped up. A total of 17 free firewood permits were issued allowing Wrangell residents to make use of the salvaged logs. At this point all the decked wood that was available (several log truck loads) has been picked clean. Pending further approval from Alaska Mental Health Land Trust all that remains is the select removal of a limited number of High Risk trees on the North side of the creek.

LIBRARY ACTIVITIES:

- The Pajama Story time - in December was attended by 125-130 children and adults. The children were treated to cocoa, homemade cookies & marshmallows. Due to the overwhelming attendance, we will probably need to start offering this event for two evenings.
- The library staff participated in an Overview of Service Animal Requirements under the ADA videoconference. It was presented by the Alaska State ADA Coordinator and cover the Federal and State service animal requirements under the American with Disabilities Act.
- The library also offered the Tour the Dena'ina Exhibition videoconference. This event centered about the original people of South central Alaska and the exhibit at the Anchorage Museum.
- Summer Reading Program - The library staff has started the planning for the Summer Reading Program. Previously, the program was not available to the high school students. However, due to requests from some high school students the library is purchasing the licensing to make this possible. This will be funded from a grant from the Institute of Libraries and Museums (IMLS).
- Alaska State Library Early Literacy Space Grant - The library recently applied for and received an Alaska State Library Early Literacy Space competitive grant. These funds were used to purchase *Ride Around the Town Train Set with Table*, a *Sea Life Play Cube*, and a *See and Store cart*.

These items have been assembled and children have been interacting with the colorful additions to the library.



- Digital Learning Day - was Wednesday, February 5th and the library has asked community members to “like” them. If anyone signs up as a friend by the end of February, they will be automatically entered into a drawing for a trout pole; there will be 5 drawings

MUSEUM ACTIVITIES:

- The Museum will begin our winter Chautauqua lecture series on Thursday, February 6. Due to one sponsoring organization dropping out of the program, and the Forest service being unable to secure more than 2 speakers, the presentations in February will all be given by Museum Director Megan Clark.
- Weekend Family Programming is going well, and we have hopes that the recent newspaper article will boost attendance. Our next program will be Saturday, February 15.
- Finally, we have received a lovely collection of antique medical equipment from Wrangell Medical Center. The collection is being processed right now, and will be put in a lobby display as soon as possible. A recently repatriated Tlingit Clan Hat has also arrived at the museum, and is being held in storage until it's return ceremony scheduled for this spring. The WCA has informed the museum that there will be 6 more hats returning to Wrangell in the near future.

City Hall Window Replacement - We will have finished our window replacement project that was budgeted in this year's budget. This included all of the windows in the old part of city hall. The old windows were very inefficient and had got to the point that they were getting cloudy so they looked dirty even after cleaning them. The new windows should help with our heating bill. At some point Clay has planned to put a heat pump system in city hall so that customers can see how they work and what they look like.

Agenda Item 9

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM

BOROUGH CLERK'S FILE:

Mark Your Calendar:

- 2/13 Planning & Zoning Commission mtg. scheduled @ 7 pm in the Assembly Chambers
- 2/17 President's Day – City Hall will be closed
- 2/19 Hospital Board Mtg. to be held @ 5:30 pm at the Nolan Center
- 2/17 Presidents Day, City Hall Closed
- 2/20 Wrangell CVB Mtg. scheduled @ 6:30 pm in the Assembly Chambers
- 2/25 Assembly Mtg. to be held @ 7 pm in the Assembly Chambers

- TBD TBP Commission Mtg.
- 3/3-4 SEAPA Board Mtg. to be held in Petersburg, with times TBD

AML/Alaska Conference of Mayors (ACoM) Winter Legislative Conference February 17-20, 2014 in Juneau

Mayor Jack will be traveling to Juneau from February 17-19, 2014 to attend the AML/ACoM Winter Legislative Conference. Assembly Member Decker will be in Juneau at that time and will be attending the Conference on February 19th.

2014 Southeast Conference Mid-Session Summit March 12-14, 2014 in Juneau

Assembly Member Decker will be traveling to Juneau from March 11-14, 2014 to attend the 2014 SE Conference Mid-Session Summit.

The following Public Correspondence was received from:

~There was no public correspondence received.

Here is some parliamentary information on the use of:

What is a friendly amendment?

ACCORDING TO ROBERT

The term "friendly amendment" is often used to describe an amendment offered by someone who is in sympathy with purposes of the main motion, in the belief that the amendment will either improve the statement or effect of the main motion, presumably to the satisfaction of its maker, or will increase the chances of the main motion's adoption. Regardless of whether or not the maker of the main motion "accepts" the amendment, it must be opened to debate and voted on formally (unless adopted by unanimous consent) and is handled under the same rules as amendments generally. p.162

An amendment is a proposal to change a motion (a proposed action) being considered by a group. Sometimes people suggest amendments with the intention of making the original motion ineffective, or defeating its purpose. These are hostile amendments, offered with negative intent.

Sometimes people suggest amendments that they sincerely believe will improve the original motion. These are friendly amendments, offered with positive intent.

An unfortunate custom has arisen whereby when a person suggests a "friendly amendment," the presider often turns to the maker of the motion to ask him if he would accept the amendment. If he agrees, the presider sometimes also asks the seconder if she would accept the amendment.

This is wrong!

Once a motion has been made, seconded and stated by the chair, it belongs to the group as a whole, not to the individual who first proposed it. It is the group as a whole that must accept or reject any proposed amendment, whatever the intent of the proposer. The maker of the motion, and the seconder, have the same rights as the other members of the group — no more and no less.

When someone offers a friendly amendment, we suggest that the presider say, "A friendly amendment is handled just like any other amendment. Is there a second?" This language does not make people feel stupid, but sets the group on the right procedural path.

If the presider turns to the original maker of the motion to ask if he approves of the proposed change, any member can say, "point of order." This stops the action. The member can then explain the error. (See page 59 for more on "point of order.")

Taken from: Mastering Council Meetings

Written by: Ann G. Macfarlane, PRP, CAE & Andrew L. Estep. CAE

Agenda Items 10 a - b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY
AGENDA ITEM
February 11, 2014

MAYOR/ASSEMBLY REPORTS AND APPOINTMENTS:

INFORMATION: This agenda item is reserved for the Mayor and Assembly Member's special reports. Such information items as municipal league activities, reports from committees on which members sit, conference attendance, etc., are examples of items included here.

- **Item 10a** **Reports by Assembly Members**

- **Item 10b** **Appointment to fill the vacancy on the following Committees:**
 - **Cemetery Committee**
One vacancy (*unexpired term until October 2016*)

 - **Parks & Recreation Board**
One vacancy (*unexpired term until October 2014*)

*There were **no** letters of interest received for the Cemetery Board or the Parks & Recreation Board vacancies; the Borough Clerk will continue to advertise for letters of interest to fill the vacancies.*

Agenda Item 12a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM February 11, 2014

INFORMATION:

Approval to provide the TBPA with a letter that commits to the future funding of TBPA Non-net billable funding *(added from the January 28, 2014 Regular Assembly Meeting by Assembly Member Stough)*

Attachments:

1. Letter that was read by Assembly Member Stough, and provided by TBPA General Manager Michael Nicholls (Jan. 28, 2014)
2. Petersburg Resolution No. 2013-21 (Sept. 27, 2013)
3. Wrangell Resolution No. 12-13-1290 (Dec. 10, 2013)
4. Legal Questions regarding the ending of TBPA Contracts, provided by Assembly Member Stough (Jan. 14, 2014)
5. Response to legal questions from Borough Manager Jabusch (Jan. 15, 2014)

RECOMMENDED ACTION:

Assembly Discussion and Possible Action.

During the Thomas Bay Power Commission meeting of January 27, 2014, Commissioner Robert Larson bought forth a question regarding the continued operation of Thomas Bay Power Authority (TBPA). With Petersburg refusing to pay their share of the non-net billable (NNB) budget, where will the funds come from to continue operating Thomas Bay Power Authority?

A non-net billable (NNB) budget amount was submitted for FY2014 in the amount of \$110,000 to be equally shared by Wrangell and Petersburg. Petersburg rejected the budget refusing to pay their share of the budget. Wrangell passed the budget agreeing to pay their share of \$55,000. Now 6 months into FY14, that amount is rapidly being approached. As of the period ending December 31, 2013, NNB expenses are as follows:

M-T-D	Y-T-D
\$14,780.32	\$40,833.89

Continued operation of Thomas Bay Power Authority is in jeopardy. Should NNB funds be withheld serious consequences will arise because the TBPA Administrative Accounts Clerk position is covered under a three year IBEW Collective Bargaining Agreement. Clauses in the agreement state: **Section 1.2** *"The Employer agrees that no bargaining unit personnel employed will be laid off or lose normal hours of work due to work being performed by non bargaining unit personnel."* and **Section 2.2** *"No regular employee shall-be laid off, terminated, or discharged by the Employer as the result of the Employer subcontracting any work."*

Due to the above clauses, TBPA would effectively cease to be functional should the Administrative Accounts Clerk be laid off due to non-funding; furthermore, TBPA would be unable to pay the City of Wrangell to provide accounting services to TBPA. This would create an untenable condition as there would be no way to provide payments to employees, vendors, or any other billable service to TBPA.

Now, it is my understanding the City and Borough of Wrangell Council previously discussed the above conditions in an open council meeting deciding to fund TBPA until such time as a permanent solution could be determined. With reference to Commissioner Larson's question, a written statement of the commitment to provide TBPA future funding is requested.

Remember under Wrangell Municipal Code Chapter 3.40, Wrangell is required through the Thomas Bay Power Commission to run the hydroelectric project known as the "Lake Tye Hydroelectric Project".

Isn't the city required by ordinance to finance anything legally required through municipal code?

**PETERSBURG BOROUGH, ALASKA
RESOLUTION #2013-21**

A RESOLUTION INFORMING THE CITY AND BOROUGH OF WRANGELL ASSEMBLY THAT THE PETERSBURG ASSEMBLY ACCEPTS THE SOUTHEAST ALASKA POWER AGENCY'S AUGUST 19, 2013 OFFER TO TAKE OVER THE COSTS OF OPERATIONS OF THE TYEE HYDROELECTRIC PROJECT AND TO ABSORB THE CURRENT AND PAST EMPLOYMENT CASH LIABILITIES INCURRED BY THOMAS BAY POWER AUTHORITY AND SUGGESTS THAT THE NON-NET BILLABLE EXPENSES BE PAID BY SEAPA; AND URGING THE WRANGELL ASSEMBLY DO THE SAME

WHEREAS, the formation of Southeast Alaska Power Agency (SEAPA) in late 2008, carried forward a 1996 Operation and Maintenance Agreement contract between the Thomas Bay Power Authority (TBPA) and the Alaska Energy Authority (AEA), whereby SEAPA assumed the rights and responsibilities of the operation and maintenance authority, and costs, of the Tyee Lake Hydro project; and

WHEREAS, in the mid 1970's the communities of Wrangell and Petersburg voters jointly approved formation of the TBPA for the purpose of hydro development and operation, and

WHEREAS, for many years, the Petersburg municipality has been voluntarily supporting and funding one-half of the Non-Net Billable portion of the annual TBPA budget. The Non-Net Billable budget provides mostly for the expenses to employ two positions within TBPA that are outside of the general operations & maintenance crew costs covered by the O&M Agreement with SEAPA. It also provides the administrative costs associated with the TBPA Board of Directors, and

WHEREAS, on May 6, 2013, the Petersburg Borough Assembly by a vote of 6-1 determined not to fund the proposed FY 13/14 TBPA Non-Net Billable budget. It was consensus of the Assembly that responsibility for this budget item was an issue which should be resolved between TBPA and SEAPA; and

WHEREAS, the CEO for SEAPA, in a memo dated August 19, 2013 addressed to the TBPA President, proposed a very fair solution, subject to SEAPA Board approval, to absorb all existing TBPA employees, to relieve the Petersburg and Wrangell boroughs from absorbing a substantial retirement liability cost incurred over the years for two employment positions, and to add and fund an additional employment position within the Tyee Project, and

WHEREAS, it was apparent at the joint work session held between the Wrangell and Petersburg Borough Assemblies on September 10, 2013 the Wrangell representatives may not fully appreciate the effects of the generous offer made by SEAPA that will benefit both communities.

NOW THEREFORE BE IT RESOLVED, the Petersburg Borough Assembly finds the August 19, 2013 memo from the SEAPA CEO to the President of TBPA regarding the Operation and Maintenance Agreement for the Tyee Hydroelectric Project to be acceptable and is willing to work with the SEAPA and TBPA boards to make the offer, or a similar negotiated offer, a permanent agreement.

RESOLVED FURTHER, the Petersburg Borough Assembly urges the City and Borough of Wrangell Assembly to acknowledge acceptance of the proposed August 19, 2013 SEAPA terms, or

similar terms that could be negotiated, to save TBPA in excess of \$750,000 in immediate cash liability, as well as retain the ability to influence regional hydro site analysis in the future, is a benefit to both communities.

FINALLY RESOLVED, failure of the City and Borough of Wrangell to accept the August 19, 2013 memo terms, or similar terms to be negotiated between SEAPA and TBPA, leaves the Petersburg Borough with no alternative but to take the position that 1) the unfunded PERS liability, exceeding \$750,000, will be the sole liability of the City and Borough of Wrangell should SEAPA determine to terminate the agreement with TBPA; and 2) Petersburg Borough will not fund any future Non-Net Billable items as currently presented in the TBPA budgets.

Passed and Approved by the Petersburg Borough Assembly on Friday, September 27, 2013.

Mark Jensen, Mayor

ATTEST:

Kathy O'Rear, Clerk

CITY OF WRANGELL, ALASKA

RESOLUTION NO. 12-13-1290

A RESOLUTION OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, RECOMMENDING THAT THE OPERATIONS AND MANAGEMENT OF THE TYEE HYDROELECTRIC PROJECT BE TRANSFERRED FROM THOMAS BAY POWER AUTHORITY (TBPA) TO SOUTHEAST ALASKA POWER AUTHORITY (SEAPA) AND TO WORK COOPERATIVELY WITH THE PETERSBURG BOROUGH AND SEAPA TO FORMULATE A COMPREHENSE CONVERSION PLAN TO MEET THIS GOAL

WHEREAS, Thomas Bay Power Authority is under contract with SEAPA to operate and maintain the Tyee Hydroelectric Facility; and

WHEREAS, TBPA was created by the Cities of Wrangell and Petersburg to operate and maintain the Tyee Hydro project Facility, and

WHEREAS, SEAPA is the owner and holds the Federal Energy Regulatory Commission (FERC) permit for the Tyee Hydroelectric project, and

WHEREAS, Wrangell recognizes the many contributions that TBPA has made over the years, the bond it has helped create between Petersburg and Wrangell and believes that TBPA should go into an inactive state rather than eliminate it so it may reactivate it in the future if the need arises ; and

WHEREAS, SEAPA has proposed to operate the Tyee facility for the communities of Wrangell and Petersburg; and

WHEREAS, Petersburg has passed a resolution that states that they want to accept the offer made by SEAPA's CEO dated August 19, 2013 and that they are willing to work with SEAPA and others to make the offer, or a similar negotiated offer, a permanent agreement and encouraged Wrangell to also accept the SEAPA offer; and

WHEREAS, Both Wrangell and Petersburg believe there are economic and operation advantages for SEAPA to operate the Tyee facility; and

WHEREAS, Wrangell believes that in this transfer of operations, it is important that the employees of TBPA that will be absorbed into the SEAPA system are given assurances that they will "kept whole" during the transfer and that the positions will be kept in Wrangell for a period of two years; and

WHEREAS, Wrangell currently is paying for 100% of the non-net billable costs of TBPA since July 1st, 2013 and believes that these costs need to be equally shared from July 1, 2013 up to the time that the conversion is completed; and

WHEREAS, Without TBPA, it is important that Wrangell, Petersburg, and SEAPA make every effort to continue to improve open and transparent communications with each other on both the Tyee Project and the SEAPA system as a whole and believes both a longer retention of SEAPA's Digital Audio Recording of meetings and having an assembly member on the SEAPA board will help both SEAPA community members and Wrangell achieve progress in area of better communications and transparency; and

WHEREAS, Wrangell believes that it is important that from time to time that the three communities: Ketchikan, Petersburg, and Wrangell revisit the existing MOU, including updates that may be needed, and the underlying reasons why it was part of the original divestiture and urges Ketchikan and Petersburg to participate in this process; and

WHEREAS, SEAPA's offer to run the Tyee Hydroelectric Project included absorbing all costs related to the Public Employees Retirement System (PERS) unfunded liability, transferring all employees to SEAPA and integrating them into the various benefit packages that SEAPA would provide; and

WHEREAS, Wrangell recognizes that the ARECA Insurance Rebate of approximately \$259,798 is an asset of TBPA and that it is not unreasonable to apply this amount to the unfunded liability debt incurred by its employees while working for TBPA and would encourage Petersburg to take a similar stance; and

WHEREAS, Wrangell understands that the conversion of various payroll, accounting and other records to SEAPA may take some time and Wrangell is committed to making that process as smooth as possible and is willing to assist in any way that we can to less the impact this transition has on the employees of TBPA.

NOW THEREFORE BE IT RESOLVED, THE CITY AND BOROUGH OF WRANGELL BOROUGH ASSEMBLY directs the Borough Manager to enter into negotiations with SEAPA and the Petersburg Borough to develop a conversion plan to transfer the operations and maintenance of the Tyee Hydroelectric Facility to SEAPA and to bring back the plan to the respective boards for approval.

RESOLVED FURTHER, THE CITY AND BOROUGH OF WRANGELL BOROUGH ASSEMBLY would like the following features included as part of the conversion plan:


1. That the conversion plan be completed and presented to the respective boards by January 31, 2014.
2. The current TBPA employees are "kept whole" as it relates to wages and benefits through the conversion process.
3. That the current employee contracts with both IBEW and the TBPA manager are "kept whole" during the conversion process or if some changes have to be made every effort will be made to minimize any negative impacts to the employees.
4. That the City and Borough of Wrangell will work cooperative with SEAPA with all matters related to payroll and other accounting records to help reduce any impact on both the TBPA employees and SEAPA.
5. That SEAPA will be responsible for all of the TBPA PERS unfunded liability and that to help lessen that impact, Wrangell and Petersburg agree to contribute the ARECA Insurance Rebate of approximately \$259,798 or the amount of the unfunded liability, whichever is less.
6. That there is a date set in the future that would require the City and Borough of Wrangell, the City and Borough of Ketchikan and the Petersburg Borough to review the Power Sales Agreement and the organization of SEAPA to see if it is in all of our best interest to continue as is or if there are changes that could be made for the mutual benefit of all communities.
7. That the non-net billable costs that Wrangell has paid since July 1, 2013 to the date of the final conversion are shared by the other parties to this agreement.

FINALLY RESOLVED, THE CITY AND BOROUGH OF WRANGELL ASSEMBLY would like the following items adopted in order to promote open communications between Wrangell, SEAPA, Petersburg Borough, and the City and Borough of Ketchikan:

1. Direct the Borough Manager to send a letter to the SEAPA Board requesting them to retain the Digital Audio recordings of their meetings for a period of two years.
2. That the City and Borough of Wrangell would make as policy that the SEAPA board appointment from Wrangell each year would first be chosen, if a candidate is available, from the borough assembly prior to any other candidates being considered.
3. That Wrangell send a letter to both the City and Borough of Ketchikan and the Petersburg

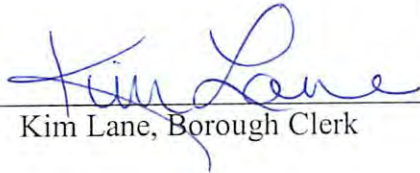
Borough urging them to participate in revising the existing MOU to meet current conditions and to adopt a date in the future that the three communities would participate in reviewing this revised MOU.

ADOPTED: December 10, 2013



David L. Jack, Mayor

ATTEST:



Kim Lane, Borough Clerk



Legal Questions regarding the ending of TBPA contracts

1. How can the TBPA Commission President negotiate for the Commission without explicit permission from the Commission i.e. a motion to do so? See TBPA Commission Policy No. 03 (Updated 1-2013) Paragraph II.e.

Excerpt:

Each Commissioner shall recognize that he has no authority outside of the Commissioner meeting, except and unless he is specifically authorized or assigned a project with authority to act or speak for the Commission. The Commission recognizes that should any Commissioner undertake in private conversation with others to make commitments for the Commission, that Commissioner becomes involved in a serious breach of policy.

2. Can an early opt out by mutual agreement end the Operations & Maintenance Contract (O&M Agreement) without such a provision being specifically spelled out in said agreement?
3. Can non-signatories to a contract negotiate to end any contract:
 - a) i.e. the City Manager and SEAPA CEO negotiate the end of the O&M Agreement – the only signers are the TBPA President and AEA Executive Director;
 - b) i.e. the City Manager and SEAPA CEO negotiate the end of the TBPA General Managers Contract – the only signers are the TBPA General Manager, the TBPA President, and the TBPA Secretary/Treasurer; or,
 - c) i.e. the City Manager and SEAPA CEO negotiate the end of the Collective Bargaining Agreement between TBPA and the IBEW Local 1547 – the only signers are the TBPA General Manager, 2 of the TBPA Commissioners, Local 1547 Business Manager, 1547 Assistant Business Manager, and 1547 Shop Steward?
4. Can the Cities of Wrangell or Petersburg negotiate the demise of TBPA? By ordinances of both communities the TBPA Commission was given the following under the Wrangell Municipal Code Chapter 3.40:

Excerpt:

The commission shall have the following powers and duties:

- a) Generally, to have full and complete supervision, management and control of the study, design, construction, maintenance, operation and improvement of the hydroelectric project known as the "Lake Tyee Hydroelectric Project," together with any other hydroelectric project proposed by the commission within the area of Petersburg/Wrangell or such area which can reasonably and feasibly serve the hydroelectric power needs of the Petersburg and Wrangell communities;
- b) To prepare and file with the city council copies of all budget estimates, including any budget amendment which may subsequently be proposed to be made upon final adoption by the commission; and upon request of the council to furnish such further details as may be necessary to a reasonable understanding of any such budget estimate or proposed budget amendment; the commission shall adopt the annual budget estimate no later than April 1st in each year and shall immediately forward the estimate to the city manager for inclusion in the annual budget estimate of the city

See attachment for full copy of Wrangell Municipal Code Chapter 3.40!!

NOW in light of the above mentioned Code chapter - how then can SEAPA take over operations and maintenance of Tyee when city code specifically gives that duty to Thomas Bay Power Authority; to wit, full and complete supervision, management and control of the study, design, construction, maintenance, operation and improvement of the hydroelectric project known as the "Lake Tyee Hydroelectric Project"?

How can this be done without changing city code?

Are the City and Boroughs of Wrangell and Petersburg breaking their own Municipal Codes?

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

SUBJECT: QUESTIONS FROM ASSEMBLY MEMBER STOUGH

DATE: January 15, 2014

Response to Question #1: The resolution that the Assembly passed to have me negotiate a document that would then come back to the Assembly requires (in my opinion) a member of all of the involved parties. It seems to me that the City and Borough of Wrangell had given me clear directions in the Resolution that was passed and to be successful, I believe the Petersburg Manager, Mayor and the President of TBPA should be at the table. In the case of the President of TBPA, he seems like the logical choice as he has been appointed by the other board members. This doesn't necessarily mean when the document comes back that there will not be additional discussion and debate. But having a small group normally gets more done and is more efficient. I understand that the president does not have more say than any other board member. As that goes, I don't have any say on what our Assembly does. However, that doesn't mean I can't be on a negotiating committee that will bring a document back to the table for review and modification, and adoption or not.

I believe the path we are on, under the directions that were given me in the Resolution, is being done in the most logical and efficient process. I would recommend continuing this direction. Remember, Petersburg is not interested in continuing to pay their half of TBPA and that action alone at this point says there is no funding to continue as of January 1st, 2014.

Response to Question #2: This could be a legal question, but generally any agreement (if all the parties to the agreement want to end the agreement) it is not a problem. We can run this Bob, but normally if someone in the party isn't happy and sues; it is because they didn't want this to happen. But if everyone agrees, then there is not an issue.

Response to Questions #3: Remember, one of the main issues here is funding. Both the Wrangell and Petersburg Assemblies approve the budget to fund the non-net billable each year. Without the funding the TBPA cannot function. The approving bodies have every right not to fund an item in their budget or what would be the point of the approval. That process was put in motion when Petersburg did not want to fund their portion any longer and wanted to accept SEAPA's offer. My role in this is to get the necessary parties to together as I explained in #1 above and take as my guide, the Resolution passed by the Borough Assembly, and bring back a document that will need to be approved by the appropriate boards. I understand that we will eventually need to also include the Union. But the first step is to be sure both Wrangell and Petersburg agree to the terms we would like to see adopted before moving any further. TBPA is an entity made up by the Petersburg and Wrangell Assemblies and I believe that they have the right to appoint someone to represent them in this process. Again, if the Assembly is not satisfied with this, we can run this by the attorney.

Response to Question #4: I cannot answer this as this is certainly a legal question for Bob. However, I will say this: it appears to me that the action that the Borough Assembly has taken and the action that Petersburg Borough Assembly has taken clearly shows that both believe moving in the direction of SEAPA running Tyee is in the best interest of both communities. Are there some that disagree? From these questions alone the answer is “yes”. It just would not make sense to me that two communities that create something cannot do away with it. Again, this is a legal question and should be answered by the attorney.

Agenda Item 12b

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
AGENDA ITEM
February 11, 2014**

INFORMATION:

Discussion and possible action on forming an Energy Committee (*tabled at the January 28, 2014 Regular Assembly Meeting*)

Attachments:

None

RECOMMENDED ACTION:

Move to take from the table for discussion and possible action.

Agenda Item 12c

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM February 11, 2014

INFORMATION:

Discussion and possible action concerning the possibility of changing Brueger Street to a One-way street

Attachments:

1. Memorandum from Borough Manager Jabusch, dated January 22, 2014
2. Memorandum from Public Works Director, Carl Johnson, dated January 22, 2014
3. Map of the Area

RECOMMENDED ACTION:

Assembly Discussion and Possible Action.

eMEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

**SUBJECT: INFORMATION CONCERNING THE POSSIBILITY OF CHANGING
BRUEGER STREET FROM A TWO WAY STREET TO A ONE WAY STREET**

I was asked to look into changing Brueger Street to a one way Street. Attached is a memo from Public Work Director showing that this cost is about \$1,700 and offers a couple of advantages. One is the increased parking on the street. Another is the safety factors of which one is the blind corner and stop sign at Bob's when turning left onto Campbell Drive. Another is when there is a lot of parking between Bobs' entrance and city hall on both sides of the street, it is almost impossible for two cars to pass.

This change certainly has merit. I also understand that change is not an easy thing and this would be no exception. I would recommend a public hearing to let affected business and others an opportunity to voice concerns that maybe we have not thought of.

If the assembly wants to pursue this, I would recommend the following.

Recommended Motion:

Move to schedule a public hearing and to notify all businesses that would be directly affected prior to making a final decision to make Brueger Street a one way street.

Attachments:

Memo from Carl Johnson and a map of what the parking would look like with a one way street.

**City & Borough of Wrangell
Public Works Dept.**

Memo

To: Jeff Jabusch
From: Carl Johnson
CC:
Date: January 22, 2014
Re: Making Brueger Street a one-way street

Jeff,

Public Works measured the width of Brueger Street at a number of points along its length. The attached map shows these measurements as the width of the driving lane after two eight foot parking lanes are deducted from the width. For comparison, the driving lanes on Front Street are 13 feet wide. Most other streets in town vary from nine feet to 12 feet in driving lane width.

The hatched areas on the map are the approximate areas of potential parking and the white lines show the approximate driving lane. The areas shown are only approximate and may not completely reflect corner and fire hydrant set-backs. By making a change to One-Way, the City could possibly extend curb-side parking toward the West end of Bruger Street and add 3-4 parking spaces.

The consensus from businesses I spoke to was that they didn't think there was currently a big problem and would rather leave Brueger Street as it and is but, if they had to choose, they would prefer one-way traffic and retaining parking to two way and eliminating parking on one side. The preference was also that the direction of travel be in a generally Westerly direction, which would be from Bob's toward the Elks.

The cost of Signage to make Brueger Street One-Way traveling West would be about \$1,700 for materials. This is using book prices, which are usually higher than what the City actually pays, and includes some parking signs and posts in addition to the traffic signs. The labor could be two days for two guys, mostly because we will need to install some additional posts.

Thanks,
Carl

CITY OF WRANGELL, ALASKA

Brueger Street - One-Way



1 inch = 60.208333 feet



DISCLAIMER: THIS DRAWING IS FOR PLANNING PURPOSES ONLY. PROPERTY LINES ARE APPROXIMATE. UPDATED MARCH 2010.



Agenda Item 13a

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM February 11, 2014

INFORMATION:

PROPOSED ORDINANCE No. 874: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 2, ELECTIONS, OF THE WRANGELL MUNICIPAL CODE TO CLARIFY SECTION 2.04.050 ON WHO IS DECLARED ELECTED TO OFFICE AND SECTION 2.20.060 ON THE BALLOT FORM FOR OFFICES AND CANDIDATES (*first reading*)

Attachments:

1. Memo from Kim Lane, Borough Clerk, dated February 6, 2014
2. Proposed Ordinance No. 874
3. Wrangell Municipal Code Section 2.04.050
4. Example of current ballot layout, showing proposed changes
5. Example of proposed new ballot layout

RECOMMENDED ACTION:

Move to approve first reading and move to a second with a public hearing to be held on February 25, 2014.

MEMORANDUM

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

**FROM: KIM LANE, CMC
BOROUGH CLERK**

**SUBJECT: PROPOSED ORDINANCE 874: ELECTION METHOD AND
BALLOT FORM FOR CANDIDATES TO OFFICE**

DATE: February 6, 2014

Proposed Ordinance No. 874 relates to the method by which candidates are declared elected to office and the ballot form for offices and candidates.

The ordinance would amend two sections of the Elections Code to clarify that Assembly candidates will be listed on the ballot in the same manner as candidates for all of the other elected offices in Wrangell, and declared elected in the same manner as used for all of the other elected offices. I have worked with the Attorneys on this issue and they prepared the proposed ordinance for your consideration. I recommend this ordinance be adopted.

After carefully reviewing the Wrangell Charter and code, we determined that neither the Charter nor code requires or calls for the Assembly to be designated by "seats" for purposes of election. However, currently the forms for declaring Assembly candidacy has a candidate choose a designated "seat" they wish to fill on the Assembly and the election ballot lists the Assembly vacancies by "seat." This is not the case for any of the other elected offices in Wrangell – Port Commission, School Board, or Medical Center Board – even though the same Election Code sections govern elections for those offices as govern elections for Assembly. Listing designated seats for the Assembly also has no logical basis as we do not have election districts for the Assembly, and all candidates are elected borough-wide.

The proposed ordinance would eliminate the inconsistency in how our elections for different offices are conducted, and clarify how vacancies on the Assembly are listed on the ballot and method by which the winners are declared.

The proposed ordinance amends WMC 2.20.060 to clarify that candidates for full term vacancies on the Assembly will be shown by a single list on the ballot, not by designated "seat" (such as Seat A, etc.). The words "Vote for no more than ____" will appear on the ballot so that voters are informed that when there are two full term vacancies on the Assembly, they may vote for two of the listed candidates.

The ordinance also amends WMC 2.04.050 to clarify that the method for determining who is declared elected would be the same for the Assembly as it is for all of the other elected bodies: in an election in which multiple vacancies for full terms are being filled,

the candidates receiving the greatest number of votes, and whose standing in the count is at least equal to the number of full term vacancies to be filled, would be declared elected. Thus, for example, if there are two vacancies for full terms on the Assembly up for election, the ballot would have a single list of candidates for those vacancies and the top two vote-getters would be declared elected to office.

The proposed ordinance continues the current distinction for vacancies for unexpired terms on any of the elected bodies: unexpired vacancies will be listed separately on the ballot and the top vote-getting candidate for each unexpired term vacancy will be declared elected. This way, a candidate can choose to run for a vacancy for an unexpired term or for vacancy for a full term on any of the bodies, including the Assembly.

In June 2013, the Haines Borough amended its code to provide for election of assembly and school board members through single lists of candidates rather than by designated seats. The Haines election code had provided that for purposes of election, each assembly position was to be designed by seat (again, neither the Wrangell Charter nor code has such a provision). Haines Borough Assembly Member Debra Schnabel conducted a survey of other Alaska municipalities on this issue. She found that the following municipalities designated assembly seats on the ballot:

- City & Borough of Juneau (Juneau has assembly election districts so designated seats are necessary)
- City & Borough of Wrangell

The following municipalities do not designate the seats on the ballot:

- Haines Borough (changed in June 2013)
- Petersburg Borough
- City of Craig
- City of Hoonah
- City of Ketchikan
- Ketchikan Gateway Borough
- City of Kodiak
- City and Borough of Sitka

Assembly Member Schnabel included this quote in her memo to the Haines Assembly:

“Under our system, we don’t get the candidates who have the most support of voters. We get only the candidates who had more voter support than their opponent or opponents for a given seat.”

Editor, Chilkat Valley, October 13, 2011

CITY AND BOROUGH OF WRANGELL, ALASKA

ORDINANCE NO. 874

AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING TITLE 2, ELECTIONS, OF THE WRANGELL MUNICIPAL CODE TO CLARIFY SECTION 2.04.050 ON WHO IS DECLARED ELECTED TO OFFICE AND SECTION 2.20.060 ON THE BALLOT FORM FOR OFFICES AND CANDIDATES

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 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 Section 2.04.050 and Section 2.20.060 of the Wrangell Municipal Code to clarify the provisions on who is declared elected to vacancies being filled at an election and the ballot form for offices and candidates.

SEC. 2. Amendment. Section 2.04.050 of the Wrangell Municipal Code is amended to read:

2.04.050 Who is Declared Elected.

- A. In a Borough election, the top vote-getting candidate for the office of Mayor[, or for the unexpired term of a specific Assembly, School Board, Port Commission or Medical Center Board vacancy,] shall be declared elected.
- B. In a Borough election[s] in which multiple Assembly, School Board, Port Commission, or Medical Center Board vacancies for full terms [seats] are being filled, the candidate(s) receiving the greatest number of votes, and whose standing in the vote count is at least equal to the number of full term vacancies [seats] to be filled, shall be declared elected.
- C. In a Borough election in which a vacancy or vacancies for an unexpired term(s) on the Assembly, School Board, Port Commission, or Medical Center Board is being filled, the top vote-getting candidate for each unexpired term vacancy shall be declared elected.

SEC. 3. Amendment. Section 2.20.060 of the Wrangell Municipal Code is amended to read:

2.20.060 Ballots – Listing of offices and candidates.

- A. All candidates to the same office shall be shown on one ballot. The offices to be filled shall be listed by title and length of term for the vacancy or vacancies in that office; the vacancy or vacancies shall not be listed or identified on the ballot by designated seat(s) such as “Seat A.” The title of each office to be filled shall be followed by the printed names of all candidates for that office **[and provision shall be made for write-ins equal in number to the positions to be filled]**, below which shall be blank lines equal in number to the candidates to be elected to such office.
- B. On the ballot between the title of the office and the names of the candidates shall be placed the **[instruction “Vote for One” or “Vote for Two,” as the case may be]** words “Vote for no more than _____,” with the appropriate number replacing the blank.
- C. The **[phrases “for one-year term,” “for two-year term,” and/or “for three-year term, as the case may be,]** words “Three Year Term,” or “Unexpired Term Until _____,” as applicable, with the appropriate month and year replacing the blank, shall be placed after the titles of the **[officers] offices** on the ballot as necessary to identify whether the vacancy or vacancies [on the assembly being] to be filled at [an] the election are for full or an unexpired terms.
- D. Where there is more than one candidate for an office, the names of **[such] the** candidates shall be arranged in alphabetical order.

SEC. 4. Classification. This ordinance is of a permanent nature and shall be codified in the Wrangell Municipal Code.

SEC. 5. Severability. If any portion of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not be affected thereby.

SEC. 6. Effective Date. This ordinance shall be effective upon adoption.

PASSED IN FIRST READING: _____, 2014.

PASSED IN SECOND READING: _____, 2014.

Attest: _____
Kim Lane, CMC
Borough Clerk

David L. Jack
Mayor

2.04.050 Who is declared elected.

A. In a borough election, the top vote-getting candidate for the office of mayor, or for the unexpired term of a specific assembly, school board, port commission or medical center board vacancy, shall be declared elected.

B. In borough elections in which multiple assembly, school board, port commission or medical center board seats are being filled, the candidate(s) receiving the greatest number of votes, and whose standing in the vote count is at least equal to the number of seats to be filled, shall be declared elected. [Ord. 827 § 4, 2008.]

CURRENT - Showing Strikethrough

**FOR BOROUGH MAYOR
UNEXPIRED TERM UNTIL
OCTOBER 2014
VOTE FOR ONE**

David L. Jack (oval)
Kipha L. Valvoda (oval)
_____ (oval)

**FOR ASSEMBLY MEMBER
SEAT-B
UNEXPIRED TERM UNTIL
OCTOBER 2014
VOTE FOR ONE**

Ernest Christian (oval)
Maxlyn J. Wiederspohn (oval)
Billie Younce (oval)
_____ (oval)

**FOR ASSEMBLY MEMBER
SEAT-E
THREE YEAR TERM
VOTE FOR ONE-TWO**

Daniel W. Blake (oval)
Julie Decker (oval)
_____ (oval)
_____ (oval)

~~**FOR ASSEMBLY MEMBER
SEAT-F
THREE YEAR TERM
VOTE FOR ONE**~~

~~Daniel W. Blake _____ (oval)
_____ (oval)~~

**FOR PORT COMMISSION
UNEXPIRED TERM UNTIL
OCTOBER 2015
VOTE FOR ONE**

John M. Martin (oval)
_____ (oval)

**FOR PORT COMMISSION
THREE YEAR TERM
VOTE FOR TWO**

David W. Silva (oval)
John A. Yeager (oval)
_____ (oval)
_____ (oval)

**FOR SCHOOL BOARD
THREE YEAR TERM
VOTE FOR TWO**

Rinda K. Howell (oval)
Cynthia Waddington (oval)
_____ (oval)
_____ (oval)

**FOR HOSPITAL BOARD
FOUR YEAR TERM
VOTE FOR TWO**

Terri Henson (oval)
Bernie Massin (oval)
_____ (oval)
_____ (oval)

**FOR BOROUGH MAYOR
UNEXPIRED TERM UNTIL
OCTOBER 2014
VOTE FOR ONE**

David L. Jack (oval)
Kipha L. Valvoda (oval)
_____ (oval)

**FOR ASSEMBLY MEMBER
UNEXPIRED TERM UNTIL
OCTOBER 2014
VOTE FOR ONE**

Ernest Christian (oval)
Maxlyn J. Wiederspohn (oval)
Billie Younce (oval)
_____ (oval)

**FOR ASSEMBLY MEMBER
THREE YEAR TERM
VOTE FOR TWO**

Daniel W. Blake (oval)
Julie Decker (oval)
_____ (oval)
_____ (oval)

**FOR PORT COMMISSION
UNEXPIRED TERM UNTIL
OCTOBER 2015
VOTE FOR ONE**

John M. Martin (oval)
_____ (oval)

**FOR PORT COMMISSION
THREE YEAR TERM
VOTE FOR TWO**

David W. Silva (oval)
John A. Yeager (oval)
_____ (oval)
_____ (oval)

**FOR SCHOOL BOARD
THREE YEAR TERM
VOTE FOR TWO**

Rinda K. Howell (oval)
Cynthia Waddington (oval)
_____ (oval)
_____ (oval)

**FOR HOSPITAL BOARD
FOUR YEAR TERM
VOTE FOR TWO**

Terri Henson (oval)
Bernie Massin (oval)
_____ (oval)
_____ (oval)

Agenda Item 13b

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM February 11, 2014

INFORMATION:

Approval to dispose of City Surplus Property

Attachments:

1. Memo from Jeff Jabusch, Borough Manager, dated February 6, 2014
2. List of items to surplus

RECOMMENDED ACTION:

Move to approve the items listed as surplus, that these items be advertised for bid as required under Wrangell Municipal Code 5.10.060, and authorize the Borough Manager to dispose of any items not bid on, in a manner that is in the best interest of the City.

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

SUBJECT: SURPLUS PROPERTY

DATE: February 6, 2014

INFORMATION:

The City has a list of property that is no longer used or needed for city use and it is recommended that these items be surplus. The following items are being recommended for surplus:

1. Parks & Recreation – Complete Sound System (includes: tuner, CD player, dbl cassette deck, receiver, 2-equalizers, amplifier, and speakers) – No longer needed. Minimum bid recommended is \$400.00.
2. Light Department – 1984 GMC Line Truck – No longer needed. Minimum bid recommended is \$250.00.
3. Water Department (PW) – 1994 Chevrolet ¾ ton Suburban 4x4. No longer needed. Minimum bid recommended is \$500.00.
4. City Hall – Single Pane Window, 44” wide x 49” tall. Replaced – Assembly Chambers. Minimum bid recommended is \$5.00.
5. City Hall – Single Pane Window, 44” wide x 49” tall. Replaced – Assembly Chambers. Minimum bid recommended is \$5.00.
6. City Hall – Single Pane Window, 44” wide x 49” tall. Replaced – Assembly Chambers. Minimum bid recommended is \$5.00.
7. City Hall – Single Pane Window, 44” wide x 49” tall. Replaced – Assembly Chambers. Minimum bid recommended is \$5.00.
8. City Hall – Single Pane Window, 44” wide x 49” tall. Replaced – Assembly Chambers. Minimum bid recommended is \$5.00.
9. City Hall – Single Pane Window, 44” wide x 49” tall. Replaced – Assembly Chambers. Minimum bid recommended is \$5.00.
10. Library – Three each – HP 1200 Series Laser Printer. Were replaced with new printers. Minimum bid recommended is \$25.00 each.
11. Library – One each – HP 1300 Series Laser Printer w/extra ink cartridge. Was replaced with new printer. Minimum bid recommended is \$40.00.
12. Library – One each – Microfiche reader (does not print). Was replaced with new one. Minimum bid recommended is \$25.00.
13. Library – Six each – Set of two metal desktop drawers for 3x5 cards. Minimum bid recommended is \$10.00 each.

Although these items are no longer needed by the city, they may be useful by others. The city plans, if approved by the assembly, to advertise these items for sealed bid. It is recommend that any items over \$25 that do not receive bids will go out as over the counter on a first come first service. All other items will be offered on a free basis for 30 days and then disposed.

Recommended Action:

Move to approve the items listed as surplus, that these items be advertised for bid as required under Wrangell Municipal Code 5.10.060, and authorize the Borough Manager to dispose of any items not bid on, in a manner that is in the best interest of the City.

City & Borough of Wrangell
City Surplus List
March 5, 2014

Item #	Department	Description	Serial Number - Other Information	Condition	Location for Public Inspection	Minimum Bid Amount
1	Parks & Rec	Complete Sound System	Incl: tuner, CD player, dbl cassette deck, receiver, 2- equalizers, amplifier, and speakers	good	Swimming Pool Mon. - Fri. From 8 to 11 am	\$400
2	Light Dept.	1984 GMC Line Truck	1 GDM7D1G6EV544959	unknown	Light Dept.	\$250
3	Water Dept.	1994 Chevrolet 3/4 ton Suburban 4x4	1GCGK26N9RJ339029	poor	Public Works Shop	\$500
4	City Hall	Single Pane Window (fr. Assembly Chambers)	44 wide x 49 tall	ok	City Hall	\$5
5	City Hall	Single Pane Window (fr. Assembly Chambers)	44 wide x 49 tall	ok	City Hall	\$5
6	City Hall	Single Pane Window (fr. Assembly Chambers)	44 wide x 49 tall	ok	City Hall	\$5
7	City Hall	Single Pane Window (fr. Assembly Chambers)	44 wide x 49 tall	ok	City Hall	\$5
8	City Hall	Single Pane Window (fr. Assembly Chambers)	44 wide x 49 tall	ok	City Hall	\$5
9	City Hall	Single Pane Window (fr. Assembly Chambers)	44 wide x 49 tall	broken glass	City Hall	\$5
10	Library	HP 1200 Series Laser Printer		good	Library	\$25
11	Library	HP 1200 Series Laser Printer		good	Library	\$25
12	Library	HP 1200 Series Laser Printer		good	Library	\$25
13	Library	HP 1300 Series Laser Printer	has one extra ink cartridge	good	Library	\$40
14	Library	Small Microfiche Reader	does not print	unknown	library	\$25
15	Library	Set of Two metal desktop Drawers	6 total sets / for 3 x 5 cards	good	Library	\$10 per set

Agenda Item 13c

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
AGENDA ITEM
February 11, 2014**

INFORMATION:

Request for partial funding for a SEAPA Board Members' travel expenses

Attachments:


1. Email Correspondence from Sharon Thompson, Executive Assistant for SEAPA and Christie L. Jamieson, SEAPA Board Member for Wrangell

RECOMMENDED ACTION:

Assembly Discussion and Possible Action

Kim Lane

From: Christie <bcjamieson@gci.net>
Sent: Monday, February 03, 2014 1:59 PM
To: Sharon Thompson
Cc: Kim Flores (clerk@wrangell.com); David Jack (djack80@hotmail.com)
Subject: Re: Request for travel expenses


 Thank you Sharon for this additional clarification. After giving it some thought, I believe the request for travel expenses, the difference between the two, really should have come directly from SEAPA, instead of the board member.

Christie

Sent from my iPhone

On Feb 3, 2014, at 1:37 PM, Sharon Thompson <sthompson@seapahydro.org> wrote:


Hi Christie,

 I thought I should provide some additional clarification since you indicate below that SEAPA cannot pay 'per the bylaws'. The concern is that because neither the bylaws nor the travel policy adopted by SEAPA's Board on June 25, 2009, specifically address travel/lodging/per diem reimbursement for a Board member that is working outside of one of the three member communities, our Chairman directed that we need to bring the matter before the Board to seek their direction. Paying for it would set precedence that staff does not have the authority to do. The Board may elect to amend the travel policy to specifically address these circumstances as they may very well come up in the future as well. By copy of this to Mayor Jack and Kim Lane, I ask that they consider this clarification in any communications to the Assembly. Thank you, and please don't hesitate to let me know if you have any further questions.

<image001.jpg>

-----Original Message-----

From: Bruce Jamieson [<mailto:bcjamieson@gci.net>]
Sent: Monday, February 03, 2014 12:52 PM
To: Kim Lane
Cc: Sharon Thompson; Jack David
Subject: Request for travel expenses

 Good afternoon Kim- Sharon Thompson, Executive Administrative, SEAPA, is now making travel arrangements for the upcoming meetings to be held in Petersburg March 3 and 4. There is a problem however. SEAPA will only pay for travel arrangements from the community a board member represents. They cannot pay for the full airfare, hotel accommodations and per diem for when a board member that works in a different community, travels to the meeting location, per their bylaws.

This is awkward to request for the difference of the expenses but if I do not attend, I would either have to pay out of my own pocket or attend telephonically, to which I would not prefer.

Airfare from Wrangell to Petersburg is \$215.00, round trip Airfare from Juneau to Petersburg is \$277.00, round trip The difference is \$62.00 for airfare.

The hotel is the Scandia House to which is \$110.00 per night and I would be spending two nights in Petersburg. SEAPA will only cover one night.

SEAPA will only pay for one day per diem. I guesstimated \$50.00 a day.

So the total expenses requested are as follows:

Airfare \$62.00

Hotel \$110.00

Per diem \$50.00

Total \$222.00

If you have any questions, I've copied Sharon, and also Mayor Jack as well.

Please contact me at your earliest convenience of the status of my request.

Thank you kindly Kim, Christie

Sent from my iPad

Agenda Item 13d

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY AGENDA ITEM February 11, 2014

INFORMATION:

Approval to allow SEAPA to run a Fiber Optic Line, utilizing CBW Power Poles, to improve communications

Attachments:

1. Memorandum from Borough Manager Jabusch, dated February 5, 2014
2. Wrangell Municipal Code Section 15.12.240 Use of poles

RECOMMENDED ACTION:

Move to approve SEAPA to run a Fiber Optic Line, by utilizing 66 City & Borough of Wrangell Power Poles from the Wrangell Switch Yard (Shoemaker) to the Wrangell Substation (Public Works Yard), at no cost to SEAPA.

MEMORANDUM

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

**FROM: JEFF JABUSCH
BOROUGH MANAGER**

SUBJECT: SEAPA running a fiber optic line, utilizing CBW power poles

DATE: February 5, 2014

SEAPA has contacted Clay Hammer, WMLP Superintendent to explore the possibility of running a very small fiber optic line, utilizing approximately 66 WML&P Power Poles. The line would run from the Wrangell Switch Yard (Shoemaker) to the Wrangell Substation (Public Works Yard). If we were to charge SEAPA to run the line, it would be approximately \$1,320 annually (66 poles x \$20.00 per pole, per year).

We currently have our power lines on 23 of SEAPA's power poles. They do not charge us for this. I believe that the understood agreement for us using SEAPA's poles has basically been that we maintain brushing from distribution downward and SEAPA maintains brushing from distribution upward and if the pole needs work SEAPA takes care of it.

RECOMMENDED ACTION:

In respect to SEAPA pole attachments on our system I would move that we waive the attachment fee (1320.00 annually) as they do not charge us for our attachments and we would be the direct recipients of the benefits of improved communication between the Wrangell switchyard and substation.

15.12.240 Use of poles.

A. Power poles and service poles belonging to the electric utility or for which the electric utility has jurisdiction may not be used for any purpose other than electrical power transmission and distribution, unless per a written pole attachment agreement.

B. The annual rate for each attachment to any pole by any user, the rate to include right-of-way maintenance by the borough at the base of the pole only, shall be as follows:

1. \$14.00 per attachment effective January 1, 2001.

C. All poles used in the transmission and distribution of electrical power will be approved by the electric utility and be treated with an approved preservative. [Ord. 693 § 4, 2000; Ord. 678 § 4, 2000; Ord 543 § 5, 1988.]

Agenda Item 14

CITY & BOROUGH OF WRANGELL

**BOROUGH ASSEMBLY
AGENDA ITEM
February 11, 2014**

INFORMATION:

ATTORNEY'S FILE – Summary Report was provided to the Assembly

Agenda Item 15

CITY & BOROUGH OF WRANGELL

BOROUGH ASSEMBLY

AGENDA ITEM

February 11, 2014

INFORMATION:

Executive Session: None