

Minutes of Regular Assembly Meeting
Held on February 6, 2018
Rescheduled from January 23, 2018

Mayor David L. Jack called the Regular Assembly meeting to order at 7:02 p.m., February 6, 2018, in the Borough Assembly Chambers. Assembly Members Prysunka, Decker, Gilbert, Howell, and Powell were present. Assembly Member Rooney was absent. Borough Manager Von Bargaen and Deputy Clerk Aleisha Mollen were also in attendance.

The Pledge of Allegiance was led by Assembly Member Julie Decker.

The Invocation was given by Mayor Jack.

CEREMONIAL MATTERS

Mayor Jack presented a Proclamation to Jonathan Dakota Barratt for his 3rd place overall finish at the Alaska State Wrestlers Championships.

Mayor Jack presented a Proclamation for School Board appreciation month (February).

PERSONS TO BE HEARD – Max Dalton signed up to speak to Item 13k and will speak when the item comes up.

AMENDMENTS TO THE AGENDA – Mayor Jack asked to move item 13c to 13a and item 13k to 13b and all other items moved down accordingly.

CONFLICT OF INTEREST – Mayor Jack declared a conflict of interest on the new item 13b since Max Dalton is his son-in-law. The Assembly agreed and at that time, Mayor Jack will hand over the gavel to Vice Mayor Prysunka. There were no objections from the Assembly.

CONSENT AGENDA

Consent Agenda Items:

- a. Approval of Assembly Minutes – January 9, 2018 (Regular)
- b. Approve May 5th and October 6th, 2018 as the 2018 Tax Free Days as allowed under WMC 5.08.060 (submitted by the Wrangell Chamber of Commerce)
- c. Wrangell Golf Club Inc, dba Muskeg Meadows Golf Course – *Liquor License Renewal*
- d. POA-2010-512: Southeast Properties Permit Application (Tidelands adjacent to Stikine Inn)
- e. POA-2017-00475: BW Enterprise Permit for fill in the Wrangell Harbor (Tidelands)

Correspondence Items:

- f. School Board Minutes – November 20, 2017
- g. School Board Action – None.
- h. Wrangell Medical Center Minutes – December 20, 2017
- i. DCCED 2017 Population Determination

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

BOROUGH MANAGER'S REPORT

Manager Von Bargaen's report was provided. In addition, she also reported on the following:

- Illegal Dumping at the Wrangell Marine Yard – Assembly Member Prysunka had questions regarding enforcement and Von Bargaen will return with information in the future.
- Helping Our Parks (HOP) – clarification that the focus this year is on City Park
- Public Safety Building Update
- Wrangell Municipal Code Proposed Code Revision
- Borough Goals
- FY 2019 Budget
- Water Treatment (Direction Required)
- Healthcare Continuum
- Wrangell Junkyard Cleanup
- Wrangell Island Project Record of Decision (Direction Required)
- Wrangell Mariner's Memorial
- Gift from the Estate of Marian Glenz to the Wrangell CVB
- Shoemaker Bay Harbor Project Update
- Public Works Report
- Economic Development Report
- Needles have been found at City Park and in the past this has been meth so Parks and Rec will be putting together a group of shareholders to address.
- Upcoming Electronic Waste Recycling with WCA
- Emergency Response Feedback in relation to recent tsunami warnings
 - Gilbert asked about the process in case of a tsunami and if the community would be updated. Von Bargaen stated that the siren here is used exclusively for the WVFD. Should there be a reason, the alarm would have been sounded and the volunteers would have helped people evacuate. Von Bargaen knows of a program called Nixle and will be bringing that to the assembly in the future. It will allow keywords for people to sign up for notifications or to allow it to send urgent notifications to all regardless of sign up.
- WCA Report added as a standing report to the Assembly; Assembly agreed to this; Von Bargaen is still working on getting a liaison.
- Evergreen Project is beginning and is full force ahead; a budget adjustment for the match will be forthcoming at the next meeting.
- Von Bargaen will be heading to the SEAPA meeting in Ketchikan tomorrow and will be headed to Juneau on Sunday for Southeast Conference and Legislative meetings.

Gilbert asked about scrap metal collection and if we have a barge full yet. Von Bargaen stated that she would find out and report back to the Assembly.

BOROUGH CLERK'S FILE

Clerk Lane's report was provided.

MAYOR AND ASSEMBLY BUSINESS

- Powell – First SERRA meeting was attended in Ketchikan last week; very impressed with the group and the meeting.
- Prysunka – Clay Hammer and he were voting members for SEAPA, Lee and Lisa are non-voting members. The north end holds the ballots this year; Prysunka will report back.

MAYOR AND ASSEMBLY APPOINTMENTS**10a** City Boards and Committee Appointments

As there were no letters of interest received for the two vacancies on the Planning & Zoning Commission, Mayor Jack directed the Borough Clerk to continue advertising.

PUBLIC HEARING

Mayor Jack opened the Public Hearing at 7:32 p.m. on the following item:

PROPOSED ORDINANCE NO. 938: AN ORDINANCE OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, AMENDING SECTION 5.04.040 OF THE WRANGELL MUNICIPAL CODE, SENIOR CITIZEN AND DISABLED VETERAN PROPERTY TAX EXEMPTION QUALIFICATIONS, stating that this was the second reading.

There were no Persons to be Heard on this item. Mayor Jack declared the Public Hearing closed at 7:34 p.m.

M/S: Decker/Gilbert, to adopt Ordinance No. 938. Motion approved unanimously by polled vote.

UNFINISHED BUSINESS – None.

NEW BUSINESS

13a Approval of Professional Services Agreement with Dorsey & Whitney LLP for Healthcare Consulting Services in an Amount Not to Exceed \$22,120

M/S: Gilbert/Decker, moved to approve a Professional Services Agreement with Dorsey & Whitney, LLP for Healthcare Consulting Services in an Amount Not to exceed \$22,120.

Prysunka declared a conflict of interest due to his wife's position. Mayor Jack declared this was not a conflict of interest.

Von Bargaen stated that Alissa Smith was available by phone if needed.

Decker asked if Alissa would be the primary on the contract and Von Bargaen stated that she would be one of two.

There were no further questions or request for a phone call.

Motion approved unanimously by polled vote.

13b Discussion Item: City & Borough of Wrangell Code and Policies Related to Nepotism

Maxfield Dalton, 322 Front Street, read a letter to the Assembly.

Gilbert mentioned that this had come up several times, but was unsure of what the solution was.

Prysunka stated that in his situation it was frustrating. In addition, we have issues finding people to sit on boards and this would limit the people who would be willing to volunteer.

Decker stated that this was a classic example of trying to do something good, but doing harm in the process. We need to apply reasonableness, perhaps an exemption like Ketchikan has.

Gilbert recalled that in a past situation, the Borough Manager had cautioned not to remove this clause so as to make sure that the processes were up front and open.

Prysunka stated that there is not nepotism within the city, just the assembly, which was farther removed.

Gilbert said that we could rewrite it so that there was not a supervisory relationship.

Powell mentioned that the Craig allowed for it to go before the Assembly for prior approval; would like a lawyer's opinion.

In response to Prysunka, Von Bargaen stated that if the Assembly wanted to change the Nepotism provision, the Code and the Personnel Policy would have to be modified. The code would require two meetings and a Public Hearing and the Personnel Policy would require one meeting. She stated that Borough Clerk Lane's concern was that there would be unspoken pressure on a Borough Manager if they were not strong.

Gilbert stated that we have a strong City Manager, but we might not always have one.

Decker asked for the City Manager to return with a couple of options on this.

Prysunka would like to stay out of personnel issues and is concerned about the public open meetings.

Gilbert agreed that the Assembly should not have a part in the hiring and firing.

Powell doesn't agree with the policy and thinks that we are responsible enough to manage this. We want our kids to come back to work here, which causes a problem if related to someone on the board.

Von Bargaen agrees that public meeting could cause a problem with someone standing up to discuss this. She also thinks that there are no brainers in the instance of temporary positions. The real pressure is not in hiring, it is in disciplinary and termination issues. One option would be an ombudsman position, to have someone sit in on interviews when there is a relationship to make sure that there is clarity.

Gilbert stated that it should be only permanent positions and no supervision of a relative.

Powell stated that it wouldn't be the Assembly's job to approve, but the City Manager to bring proof.

Von Bargaen agreed that there is not an approval, but an acknowledgement.

Von Bargaen stated that this position is on hold until the Assembly could provide their opinions. It is not a current hardship for the Parks & Rec department as the previous employee is still covering the job with the Harbormaster's approval.

Prysunka thanked Mr. Dalton for coming and for his research. After all discussion, the Assembly asked the Borough Manager to review and return with a few options on the policy that they could decide on.

Regular meeting recessed at 8:04p.m.

Regular meeting reconvened at 8:16 p.m.

Jack asked to amend the agenda to move up the former item 13m regarding the ANSEP Letter of Support. There were no objections from the Assembly.

13c Approval of Letter to Tlingit/Haida Central Council Affirming Support for the Concept of the Proposed ANSEP School

M/S: Prysunka/Howell, moved to approve letter to Tlingit/Haida Central Council Affirming Support for the Concept of the Proposed ANSEP School.

Von Bargaen stated that WCA is trying to get it on the Spring AFN Agenda. The Juneau Council wanted to make sure that the Borough was still in favor of this. Von Bargaen stated that the Borough is in favor of the concept, but there is a lot of work to be done. However, the letter of support could still be provided.

Jack was in Ketchikan and was able to talk to someone at UAS there and he said that the villages would welcome this option.

Sue Stevens from WCA was available and stated that the item was approved for the AFN Agenda on February 13th. Stevens asked if Carol and Lisa would be available to attend the meeting.

Motion approved unanimously by polled vote.

13d PROPOSED ORDINANCE NO. 939: AN ORDINANCE OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA CREATING SECTION 5.05.060 OF THE WRANGELL MUNICIPAL CODE RELATING TO FIRE PROTECTION SYSTEM EXEMPTION QUALIFICATIONS *(first reading)*

M/S: Powell/Prysunka, moved to approve first reading of Ordinance No. 939 and moved to a second with a Public Hearing to be held on February 27, 2018.

Gilbert asked why it was "up to 2%" and not just 2%. Would we offer a partial?

Von Bargaen stated that this would be the case if necessary.

Motion approved unanimously by polled vote.

13e Discussion Item: 2019 Budget Policy & Draft Schedule

As this will be Von Bargaen's first budget with the City of Wrangell, she asked for direction on what level of detail the Assembly wanted to see. After discussion the consensus was that the line-item detail would be appreciated. An off-night Work Session would also be scheduled with the Department Heads present to answer any questions that the Assembly had.

13f Discussion Item: Federal Legislative Priorities

Von Barga asked for any objection to the Priorities as presented.

Gilbert asked if these were in order of priority. Von Barga stated that they were.

Von Barga would be talking to the federal lobbyist soon and would be looking at the idea of a Federal Lobbying trip. We have 2 contracts – a state lobbyist and a federal lobbyist.

After discussion, it was the consensus of the Assembly move to Secure Rural Schools and Payment in Lieu of Taxes up in the priority list. One addition was made in that USDA is mandating interim financing for the Water Treatment Plant loan, not the grant. The finance charges on the interim financing are rolled into the loan.

Prysunka asked if we could secure the funds from our reserves. Von Barga stated that they do not recommend that because if you were able to self-fund it suggests that you do not need the loan.

13g PROPOSED RESOLUTION NO. 02-18-1391: A RESOLUTION OF THE ASSEMBLY OF THE CITY AND BOROUGH OF WRANGELL, ALASKA, PROVIDING FOR THE AMENDMENT OF THE JOB DESCRIPTION FOR GROUNDMAN/METER TECHNICIAN I, THE CREATION OF THE POSITION GROUNDMAN/METER TECHNICIAN II AND THE AMENDMENT OF THE UNION WAGE AND GRADE TABLE

M/S: Decker/Gilbert, moved to approve Resolution No. 02-18-1391 providing for the amendment of the job description for the Meter Technician I, the Creation of the Position Meter Technician II and the Amendment of the Union Wage and Grade Table.

Von Barga stated that we were not creating a new position, just the potential to promote based on skills and qualifications.

Prysunka asked if we were placing people initially on a higher step, how this would affect the budget.

Von Barga answered that it depended on the person's qualifications; new hires would start at a Step 1, but could go up based on experience and qualifications. There will be one Meter Technician who would be either a I or II. If someone moved to a Tech II, the Tech I position would not be backfilled.

Powell stated concerns regarding the recent pay scale revision and now revising it again.

Von Barga stated that this had been an undervalued position for a while with more responsibilities than other, higher-paid positions. The Electrical Supervisor, came up with this additional job description and comparable pay scale based on research. The Assembly would like to review and speak to the Electrical Supervisor about this.

M/S: Decker/Howell, moved to postpone this item to the next Regular Assembly Meeting on February 27, 2018. Motion approved unanimously by polled vote.

13h Approval of Letter to the Federal Delegation and the Chief of the US Forest Service Regarding the Final Record of Decision on the Wrangell Island Project

M/S: Gilbert/Decker, moved to approve a letter to be sent to the Federal Delegation and the Chief of the US Forest Service Regarding the Final Record of Decision on the Wrangell Island Project.

Gilbert asked to add "significantly reduced" to the first paragraph before "timber sale."

Motion approved unanimously by polled vote.

13i PROPOSED RESOLUTION NO. 02-18-1392: A RESOLUTION OF THE ASSEMBLY OF THE CITY & BOROUGH OF WRANGELL, ALASKA UPDATING RESOLUTION NO. 06-15-1321 REGARDING THE FINANCING PLAN FOR THE SHOEMAKER BAY HARBOR PROJECT RELATING TO THE PROJECT BUDGET AND ISSUANCE OF REVENUE BONDS

M/S: Prysunka/Howell, moved to approve Resolution No. 02-18-1392 updating Resolution No. 06-15-1321 regarding the financing plan for the Shoemaker Bay Harbor Project relating to the Project Budget and the Issuance of Revenue Bonds. Motion approved unanimously by polled vote.

13j Approval of City Tidelands Annual Five-Year Reassessments

M/S: Gilbert/Prysunka, moved to approve the five-year City Tideland Reassessments as presented. Motion approved unanimously by polled vote.

13k Approval to Cancel the Regular Assembly Meeting of February 13, 2018

M/S: Decker/Powell, moved to approve canceling the Regular Assembly meeting of February 13, 2018. Motion approved unanimously by polled vote.

13l Approval to accept the Resignation from Becky Rooney from the Borough Assembly

M/S: Prysunka/Powell, moved to accept the letter of resignation from Assembly Member Becky Rooney from the Borough Assembly and to direct the Borough Clerk to begin advertising for the unexpired term ending in October 2018.

Gilbert asked to show appreciation for her service.

Motion approved unanimously by polled vote.

13m Approval of Letter to Alaska Department of Environmental Conservation Regarding Byford Junkyard Clean-Up

M/S: Gilbert/Decker, moved to approve letter to Alaska Department of Environmental Conservation regarding Byford Junkyard Clean-Up.

Von Bargaen stated that ADEC followed up and none of the other sites were significant enough to be viable and the project would be moving ahead.

WCA and Esther Ashton were thanked for all of their work on this effort.

Von Bargen stated that WCA and we understand that a substantive conversation is needed and will encourage ongoing monitoring.

Motion approved unanimously by polled vote.

13n Discussion Item: Leave Cash-Out Policy Discrepancy

Von Bargen stated that the current policy allows for 320 vacation hours to be cashed out upon termination. The max cap is 520 hours. The IBEW agreement allows for 520 to be the max only if retiring. The question is: is this difference in policy intentional and what does the Assembly want to do regarding unifying the policies?

After discussing, the Assembly directed the manager to bring back a change to unify the policy.

13o Approval of the Shoemaker Bay Harbor Replacement Project's Dredge Material Disposal Plan

M/S: Prysunka/Gilbert, moved to approve the Running Track as the alternative as the Shoemaker Harbor Replacement project's dredge material's disposal site.

After extensive discussion with the Assembly, Manager Von Bargen, Harbor Master Meissner, and Public Works Director Al-Haddad, the Assembly decided that the running track was not the best option and asked for the RFP to include 2 possible dump sites; the inert waste monofill or the Institute site. Von Bargen stated that either option is viable for the time being, pursuant to permits being received.

M/S: Decker/Howell, moved to amend the motion to strike the running track and instead offer 2 disposal options in the RFP, one as the Inert Waste Monofill and the second as the Institute site. Motion approved unanimously by polled vote.

Main motion as amended approved unanimously by polled vote.


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

EXECUTIVE SESSION – None

Regular Assembly Meeting adjourned at 9:55 p.m.

ATTEST:


Kim Lane, MMC, Borough Clerk


David L. Jack, Mayor

