

April 2, 2009

Regular Ketchikan City Council meeting was called to order by Mayor Weinstein at 7:03 p.m., April 2, 2009, with the following members present: Sam Bergeron, Dick Coose, Charles Freeman, Jason Harris, Kj Harris, Marty West and Lew Williams III.

The Pledge of Allegiance was given by all persons in the Chambers.

Staff present were Manager Amylon, Assistant Manager Martin, Finance Director Newell, Gateway Center for Human Services Acting Executive Director Pacey, Museum Director Naab, Port and Harbors Director Corporon, Police Chief Talik, Public Works Director Hansen, Assistant Public Works Director Allen, Safety Coordinator Gossman, Assistant Telecommunications Division Manager Lindgren, Engineering Technician Adams, Senior Project Engineer Brakke and Deputy City Clerk Bengaard.

COMMUNICATIONS

Mayor Weinstein said there were items laid on the table, including: a revision to the Ketchikan Visitors Bureau funding item; a letter from Ketchikan Gateway Borough relative to airport ferry fares and parking charges; a memorandum from Finance Director Newell regarding implementation of a diesel surcharge on April 5, 2009; and a new business item, Resolution No. 09-2269 concerning support of the Gravina Access Project.

Mayor Weinstein asked if there were any objections to adding the resolution to the end of new business, and none were heard.

PERSONS TO BE HEARD

Susan Peters, 5067 N. Tongass Highway spoke on behalf of the Ketchikan Visitors Bureau. Ms. Peters commented on the importance of the Visitors Bureau to the community and cruise ship industry. She explained as a merchant KVB provides affordable advertising to visitors, recruits local meetings, and aides in planning, as well as provides education. Ms. Peters asked that the Council approve the total funding initially requested.

CONSENT AGENDA

Approval of Minutes

Moved by Williams, seconded by West approval of the minutes of the special meeting of March 17, 2009 and regular meeting of March 24, 2009.

Motion passed with Kj Harris, Coose, Williams, West, Freeman, Bergeron and Jason Harris voting yea.

UNFINISHED BUSINESS – None

NEW BUSINESS

Amendment No. 1 to Contract No. 08-24 – Janitorial Services for the Centennial Building and Totem Heritage Center – HBAA Janitorial Services

Moved by West, seconded by Williams the City Council approve Amendment No. 1 to Contract No. 08-24, Janitorial Services for the Centennial Building and Totem Heritage Center, between the City of Ketchikan and HBAA Janitorial Services; authorize funding in an amount not to exceed \$28,010 from the 2009 Museum Department's Centennial and Heritage Buildings Janitorial Services Account Nos. 57; and direct the city manager to execute the amendment on behalf of the City Council.

Motion passed with West, Bergeron, Freeman, Kj Harris, Williams and Coose voting yea; Jason Harris voting nay.

Change Order No. 2 to Contract No. 06-20 – Bayview Cemetery Maintenance and Operations Agreement – PM Landscaping (R. Steve Scheldt)

Moved by Williams, seconded by Jason Harris the City Council approve Change Order No. 2 in the amount of \$20,000 to Contract No. 06-20, Bayview Cemetery Maintenance and Operations Agreement, between the City of Ketchikan and PM Landscaping, in order to provide for the seventh year of the ten-year Bayview Cemetery ground leveling project; authorize funding from the 2009 Cemetery Division's Grading Improvements Capital Account; and direct the city manager to execute the change order on behalf of the City Council.

Motion passed with Williams, Jason Harris, Coose, Kj Harris, Bergeron, West and Freeman voting yea.

2009 Community Agency Funding Agreement Between the City of Ketchikan and the Ketchikan Visitors Bureau

Moved by Williams, seconded by West the City Council approve \$180,490 in funding for the Ketchikan Visitors Bureau from the Transient Tax Account, contingent upon final approval by the Borough of the City's \$1 million request.

Mayor Weinstein said he put this on the agenda because after the joint meeting with the Borough, they took initial action on a \$1 million request for the Creek Street Trestle and other port-related projects. He felt they were making a good faith effort, and he has talked to the Borough mayor, manager and some assembly members and they intend to take final action in the near future.

April 2, 2009

Motion passed with Coose, Jason Harris, West, Kj Harris, Williams voting yea; Bergeron and Freeman voting nay.

Moved by Williams, seconded by Jason Harris the City Council approve the 2009 Community Agency Funding Agreement between the City of Ketchikan and the Ketchikan Visitors Bureau, Inc., in the amount of \$180,490; authorize funding in the amount of \$180,490 from the Port Department's 2009 Community Promotion Account No. 51; and direct the city manager to execute the agreement on behalf of the City Council.

Motion passed with Williams, Jason Harris, Coose, Kj Harris, Bergeron and West voting yea; Freeman voting nay.

**2009 Public Works Department's Programmed
Maintenance of City Streets**

Moved by Jason Harris, seconded by Williams the City Council approve the Public Works Department's programmed maintenance of City streets for 2009 as detailed in the assistant Public Works director's report dated March 24, 2009.

The report summarized the following:

- Eichner Avenue – repair of several areas and complete with uniform overlay;
- Borch Street – uniform overlay;
- Tower Road, Alaska to Baranof – partial mill and overlay;
- Garden Lane, Tower to Hillside – partial mill and overlay;
- Hillside Road, Heckman to west terminus – edge mill and overlay;
- Hill Road, Fairview to Baranof – edge mill and overlay;
- Fourth Avenue, Jackson to Madison – repair, mill and overlay;
- Various intersection areas as budget conditions allow.

Chip seal areas included: neighborhood west of Carlanna Lake Road and north of Tongass Avenue; Third Avenue driving lanes from Tongass to Schoenbar and Jefferson from North Tongass to the north terminus. Asphalt seal coat area will target the downtown area bordered by Front Street, Grant Street, the Creek Street area and the Thomas Basin waterfront.

Assistant Public Works Director Allen and Manager Amylon answered questions from the Council.

Motion passed with Freeman, Kj Harris, Bergeron, West, Jason Harris, Williams and Coose voting yea.

**Draft Swan Lake Operations and Maintenance Budget for
the Fiscal Year Ending June 30, 2010**

April 2, 2009

Moved by Jason Harris, seconded by Williams the City Council approve the draft Swan Lake Operations and Maintenance Budget in the amount of \$1,249,800 for the fiscal year ending June 30, 2010 and authorize the general manager and acting Electric Division manager to present the proposed spending plan to the Southeast Alaska Power Agency.

Motion passed with Jason Harris, Bergeron, Williams, Freeman, Kj Harris and West voting yea; Coose voting nay.

Award of Contract No. 09-07 – Purchase of Small Bucket Truck – Karlson Motors - \$89,397

Moved by Williams, seconded by West pursuant to Section 3.12.040(c)(4)(i) of the Ketchikan Municipal Code, the City Council accept the bid of Karlson Motors of Ketchikan, Alaska in the amount of \$89,397 for Contract No. 09-07, Purchase of Small Bucket Truck; authorize funding in the amount of \$89,397 from the Telecommunications Division's 2009 Vehicle Acquisition Capital Account; and direct the general manager to execute the contract documents on behalf of the City Council.

Assistant Telecommunications Manager Lindgren answered questions from the Council.

Motion passed with Coose, Williams, West and Freeman voting yea; Kj Harris, Bergeron and Jason Harris voting nay.

Contract No. 09-18 – KPU Switching and Clearance Guidelines – Commonwealth Associates, Inc.

Moved by Coose, seconded by West the City Council approve Contract No. 09-18, KPU Switching and Clearance Guidelines, between Ketchikan Public Utilities and Commonwealth Associates, Inc. of Mount Vernon, Washington at a cost not to exceed \$48,000; authorize funding from the 2009 Electric Division's Professional Services Account No. 60; and direct the general manager to execute the contract documents on behalf of the City Council.

Safety Coordinator Gossman answered questions from the Council.

Motion passed with West, Bergeron, Freeman, Jason Harris, Kj Harris, Williams and Coose voting yea.

Change Order Nos. 1 and 2 to Contract No. 07-18(A) – Bar Harbor South Floats 5, 6 and 7 – Tamico, Inc.

Moved by Freeman, seconded by Jason Harris the City Council approve Change Order Nos. 1 and 2 to Contract No. 07-18(A), Bar Harbor Floats 5, 6 and 7, between the City and Tamico, Inc. providing a net credit of \$48,084 and direct the city manager to execute the change orders on behalf of the City Council.

April 2, 2009

Motion passed with Williams, Jason Harris, Coose, Kj Harris, Bergeron, West and Freeman voting yea.

Ordinance No. 09-1623 – Amending Chapter 11.12 of the Ketchikan Municipal Code, Telecommunications Services and Rates – First Reading

Copies of Ordinance No. 09-1623 were available for all persons present.

Moved by Williams, seconded by Jason Harris the City Council approve in first reading Ordinance No. 09-1623 amending Chapter 11.12 of the Ketchikan Municipal Code, Telecommunications Services and Rates; providing for a public hearing; and establishing an effective date.

Motion passed with Coose, Jason Harris, West, Kj Harris, Williams, Bergeron and Freeman voting yea.

Award of Contract No. 09-16, Utility Tree Trimming – Carlos Tree Service, Inc. - \$291,744

Moved by Williams, seconded by West the City Council accept the bid of Carlos Tree Service, Inc. of Anchorage, Alaska in the amount of \$291,744 for Contract No. 09-16, Utility Tree Trimming; authorize funding in the amounts of \$145,872 and \$145,872 respectively from the 2009 Electric and Telecommunications Divisions' Contractual Services Account Nos. 53; and direct the general manager to execute the contract documents on behalf of the City Council.

Motion passed with Freeman, Kj Harris, Bergeron, West, Williams and Coose voting yea; Jason Harris voting nay.

Contract No. 08-56, Line Extension to USCG LORAN Station Shoal Cove – Commonwealth Associates, Inc.

Moved by Freeman, seconded by Jason Harris the City Council approve Contract No. 08-56, Line Extension to USCG LORAN Station Shoal Cove, between Ketchikan Public Utilities and Commonwealth Associates, Inc. of Mt. Vernon, Washington at a cost not to exceed \$55,650; authorize funding from the Electric Division's 2009 Shoal Cove Distribution Line Extension Capital Account; and direct the general manager to execute the contract documents on behalf of the City Council.

Motion passed with Jason Harris, Bergeron, Williams, Freeman, Coose, Kj Harris and West voting yea.

Low Speed Vehicles

Moved by Bergeron, seconded by Coose the City Council direct staff to prepare an ordinance amending the Ketchikan Municipal Code to permit the use of low-speed vehicles within City limits if determined appropriate by the City Council.

Councilmember Bergeron spoke in support of allowing low-speed vehicles to operate on City streets, and Councilmember Coose said they should only be allowed on the streets that permit the speed limit capabilities of the vehicles.

Councilmember Freeman spoke to the issue of volume, stating he didn't have a problem looking at an ordinance. Councilmember Jason Harris also said he was willing to have an ordinance come forward.

Councilmember Williams expressed concern about congestion, and he wanted to make sure it was a one-year trial.

Mayor Weinstein expressed concern about the prohibition of low-speed vehicles within City limits. He felt he heard several councilmembers who had reservations about this, and he suggested an ordinance that provided for the manager to issue permits to operators of low-speed vehicles through the end of 2009, no more than five per operator, and an approved route. He asked if there were any objections to drafting an ordinance along these guidelines, and none were heard.

Motion passed with Kj Harris, Coose, West, Freeman, Bergeron and Jason Harris voting yea; Williams voting nay.

The Council took a short break at 8:07 p.m. and reconvened at 8:18 p.m.

Resolution No. 09-2269 – Supporting the Gravina Access Project

Moved by Coose, seconded by Williams the City Council approve Resolution No. 09-2269 supporting the Gravina Access Project.

Motion passed with Coose, Jason Harris, West, Williams and Freeman voting yea; Kj Harris and Bergeron voting nay.

Mayor Weinstein asked that Manager Amylon transmit the resolution to DOT representatives.

VOUCHERS

Moved by West, seconded by Jason Harris for approval of vouchers to Ketchikan Daily News in the amount of \$7,314.82.

April 2, 2009

Motion passed with West, Bergeron, Freeman, Jason Harris, Kj Harris and Coose voting yea; Williams abstaining.

CITY MANAGER'S REPORT – None

K.P.U. MANAGER'S REPORT

Report of March 18, 2009 Power Outage

Manager Amylon provided a memorandum from Electric Division's Chief Powerhouse Operator Graham regarding the March 18, 2009 power outage.

CITY CLERK'S FILE – None

CITY ATTORNEY'S FILE

Councilmember Jason Harris reported they talked with Mr. Bradford today as the background check came back OK, and he is looking over the contract that the Council discussed for Ms. Tober-Purze, and he should have an answer back tomorrow.

Mayor Weinstein said he indicated the contract to Ms. Tober-Purze had been negotiated up originally, and there probably wouldn't be inclination to change it.

FUTURE AGENDA ITEMS – None

MAYOR AND COUNCIL COMMENTS

Councilmember Coose asked when the Council would be discussing the Telecommunications Division, and Mayor Weinstein said there is a special meeting scheduled for April 14th originally to discuss drainage. He noted he has been advised by the manager that Gateway was of the essence, and unless there are objections, there will be a special meeting on the 14th for Gateway. He said the Council will need to come up with some dates when everyone is here the next few weeks after that for drainage and Telecommunications.

Councilmember Freeman said he would like to know if he needs a separate dedicated line for credit cards to be used at his business. He stated he was informed the credit card machine was having problems because KPU went digital, and he'd like to know. He reiterated that once the door is opened for low-speed vehicles, it won't be the end of it even if there is a moratorium put on it. He asked everyone to give it some thought.

Councilmember West said she appreciated the Port and Harbors Director Corporon checking vehicles at Bar Harbor Parking lot and his diligence in getting the vehicles moved. She thanked Councilmember Jason Harris for the update on the lawyer. She

April 2, 2009

congratulated the Borough on the ribbon cutting at White Cliff, and she hears the building is wonderful.

Councilmember Jason Harris congratulated the Borough, even though he wasn't able to attend the ribbon cutting. He said he is looking forward to the special meetings.

Mayor Weinstein said HB134 passed the House last night. He also reported the administration in Washington, DC ruled that only the governors of states can accept a significant portion of education stimulus money, so if people support the state getting it, he urged them to contact the governor's office.

OTHER NEW BUSINESS – None

EXECUTIVE SESSIONS – None

ADJOURNMENT

As there was no further business, the Council adjourned at 8:32 p.m.

Bob Weinstein, Mayor

ATTEST:

Heidi Bengaard
Deputy City Clerk

FYI ITEMS INCLUDED

March 13 and 20, 2009 Editions of the Legislative E-Bulletin