

May 21, 2009

Regular Ketchikan City Council meeting was called to order by Vice-Mayor West at 7:04 p.m., May 21, 2009, with the following members present: Dick Coose, Charles Freeman, Kj Harris, Marty West and Lew Williams III. Councilmember Jason Harris was absent, and one councilmember seat was vacant. Mayor Weinstein arrived at 8:00 p.m.

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

Staff present were Manager Amylon, Assistant Manager Martin, Finance Director Newell, City Attorney Bradford, Museum Director Naab, Deputy Police Chief Dossett, Public Works Director Hansen, Electric Division Manager Kline, Acting Electric Division Manager Adams, Water Division Manager Kleinegger, Sr. Sales & Marketing Manager Cushing, Acting Gateway Center for Human Services Director Medford, Asst. Public Works Director Allen and Deputy City Clerk Bengaard.

COMMUNICATIONS

Included in the packet was a letter from Shauna Lee of The Great Alaskan Lumberjack Show regarding a new tour bus zone on Bawden Street at the Discovery Center. Items laid on the table included: a letter of resignation from Councilmember Bergeron, and a price quote relative to the sole source procurement from Accupoint, Inc.

PERSONS TO BE HEARD

Tongass School of Arts & Sciences first and second graders gave a presentation regarding their "Scoop the Poop" program. Jacie Johansen spoke on dog poop statistics, and Danny Lieben informed that the students would be making three different presentations including: 1) Data collected about dog poop; 2) how much dog poop there is around town, and that it can carry disease and parasites; and 3) a demonstration about the proper way to scoop poop. Each student gave a brief presentation at the podium and/or shared a poster with the Council and audience.

David Wiechelman, Division Manager for Holland America-Princess Cruise Lines, spoke to the Council regarding additional bus parking at the Discovery Center. Mr. Wiechelman informed that they provide the majority of bus service to the cruise ships in Ketchikan. He pointed out that the lack of bus parking causes safety issues, as well as displaces ship visitors back to Berth IV, when they would normally be in the downtown area continuing to shop. Mr. Wiechelman said a lot of the time buses have to bypass the Discovery Center parking area and circle the block due to lack of parking. He asked the Council to increase tour bus parking at the Discovery Center.

R. Dale Rogers spoke to the Council regarding a right-of way issue. Mr. Rogers stated three years ago his neighbor, Gary Souza, was given permission by the City to clear and/or remove some treetops in the Fifth Avenue right-of-way that adjoins their properties. He relayed Mr. Souza was given permission to take only the seven trees that were marked. Mr. Rogers continued that the tree faller removed more than the seven

allowed, and after a disagreement with the faller, Public Works put a halt to the cutting. Mr. Rogers explained that the City told Mr. Souza to remove the mess that was left from falling the trees, as mud, water and debris were running downhill onto his property. He confirmed that the City also ordered Mr. Souza to install a culvert, which has helped somewhat, but there is still debris to be cleared. Mr. Rogers questioned who is going to be responsible for the maintenance of the culvert as it is in the right-of-way, and who is going to monitor what Mr. Souza does.

Councilmember Williams explained the process, as he knows it, of tree removal on City property, and said at this point he would suggest the City not proceed until Mr. Souza and Mr. Rogers come to an agreement. He stated management should make a decision, and get a report back to Council.

CONSENT AGENDA

Approval of Minutes

Moved by Williams, seconded by Freeman approval of the minutes of the regular meeting of May 7, 2009.

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

UNFINISHED BUSINESS

Ordinance No. 09-1626 – Exempting the Lease of the KAR House Residential Treatment Center Property From Competitive Bidding and From the Provisions of KMC 3.12.060 – Second Reading

Copies of Ordinance No. 09-1626 were available for all persons present.

Moved by Freeman, seconded by Coose the City Council approve in second reading Ordinance No. 09-1626 exempting the lease of the KAR House Residential Treatment Center property from competitive bidding and from the provisions of KMC 3.12.060; provide for the filing of referendum petitions; and establishing an effective date.

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

Ordinance No. 09-1625 – Amending Chapter 2.52 of the Ketchikan Municipal Code Entitled “Department of Law” to Clarify Appointment and Removal Authority – Second Reading

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Copies of Ordinance No. 09-1625 were available for all persons present.

Moved by Williams, seconded by Kj Harris the City Council approve in second reading Ordinance No. 09-1625 amending Chapter 2.52 of the Ketchikan Municipal Code entitled “Department of Law” to clarify appointment and removal authority; and establish an effective date.

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

Vice-Mayor West asked if there was any objection to adding an agenda item for the two open council seats, and none were heard.

NEW BUSINESS

Discussion of Ordinance No. 08-1613 Amending the Ketchikan Municipal Code by Adding a New Subsection Regarding Councilmember Meeting Attendance by Teleconference – Councilmember Kj Harris

Moved by Freeman to amend Ordinance No. 08-1613 by allowing no more than one meeting per month attendance via teleconference. Vice-Mayor West declared the motion dead due to lack of second.

Moved by Williams, seconded by Freeman to rescind Ordinance No. 08-1613 allowing for Council meeting attendance via teleconference.

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

Moved by Freeman, seconded by Williams to limit regular or special Council meeting attendance via electronic means to two meetings per calendar year.

Manager Amylon clarified that if the motion does pass, it will have to be done by ordinance.

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

Renewal of Leases for Museum Department Storage and Office Space – Richard Gosnell d/b/a G Games-Rentals and Alliance Realty Property Management

Moved by Freeman, seconded by Williams the City Council approve the twelve-month agreement between the City of Ketchikan and Richard Gosnell d/b/a G Games-Rentals

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for the lease of heated storage space for the Museum Department at a cost of \$391.00 per month plus heating costs and authorize the city manager to execute the lease agreement on behalf of the City Council.

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

Moved by Williams, seconded by Kj Harris the City Council approve the twelve-month agreement between City of Ketchikan and Alliance Realty Property Management for the lease of office space for the Museum Department at a cost of \$500.00 per month and authorize the city manager to execute the lease agreement on behalf of the City Council.

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

The Council took a short break at 7:59 p.m. and reconvened at 8:13 p.m.

**Justice Assistant Grant (JAG) Program Application –
Police Department Digital Evidence Management System**

Moved by Williams, seconded by Coose the City Council authorize the Police Department to apply for \$38,500 under the Justice Assistant Grant (JAG) Program for the purchase of a digital evidence management system as detailed in the Police chief's memorandum dated May 11, 2009.

Deputy Chief Dossett answered questions from Council.

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

Vice-Mayor West asked if there was any objection to moving Resolution No. 09-2272 to this point in the meeting, and none were heard.

**Resolution No. 09-2272 – Recognizing the Efforts of Bob
Weinstein as Councilmember and Mayor**

Moved by Williams, seconded by Coose the City Council approve Resolution No. 09-2272 recognizing the efforts of Bob Weinstein as councilmember and mayor; and establishing an effective date.

Each councilmember briefly congratulated Mayor Weinstein, and the mayor also gave a short speech to the Council and community.

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

Budget Transfer – 4-Wheel Drive Pickup with Plow and Sander

Moved by Williams, seconded by Coose pursuant to Section 3.12.040(b) of the Ketchikan Municipal Code, the City Council direct the general manager to issue a purchase order in the amount of \$36,953.28 to Skinner Sales & Service of Ketchikan, Alaska for the purchase of a new 4-wheel drive pickup with plow and sander; authorize a budget transfer of \$14,454 from Appropriated Reserves of the KPU Enterprise Fund to the Electric Division's 2009 Vehicles & Moving Equipment Account No. 92; and approve funding in the amounts of \$14,454 and \$22,500 respectively from the 2009 Electric and Water Divisions' 2009 Vehicle and Moving Equipment Capital Accounts.

Motion passed with Kj Harris, Coose, Williams, West and Freeman yea; Jason Harris absent.

Budget Transfer – Sole Source Procurement of Total Station and GPS Survey Equipment – Accupoint, Inc.

Moved by Williams, seconded by West pursuant to Section 3.12.050(a)(6) of the Ketchikan Municipal Code, the City Council approve Purchase Order No. 40-360 in the amount of \$48,000 to Accupoint, Inc. of Anchorage, Alaska for the purchase of GPS Survey equipment; authorize the KPU general manager to transfer \$3,000 from the Appropriated Reserves for the KPU Enterprise Fund to the 2009 KPU Engineering Division's GPS Equipment Capital Account; and approve funding for the GPS survey equipment in the amount of \$25,000 from the 2009 Public Works Engineering Division GPS Survey Equipment & Software Capital Account and \$23,000 from the 2009 KPU Engineering Division GPS Equipment Capital Account.

Public Works Director Hansen answered questions from the Council.

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

Ordinance No. 09-1627 – Amending Chapter 11.04 Public Utilities General Provisions of The Ketchikan Municipal Code – First Reading

Copies of Ordinance No. 09-1627 were available for all persons present.

Moved by Williams, seconded by Kj Harris the City Council approve in first reading Ordinance No. 09-1627 amending Chapter 11.04, Public Utilities General Provisions, of the Ketchikan Municipal Code; providing for a public hearing; and establishing an effective date.

Manager Amylon answered questions from the Council.

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

Advertisement for Vacant Councilmember Seats

Moved by Freeman, seconded by West the City Council set the process in motion to advertise for and allow applications for two vacant council seats.

Councilmember Williams asked if there was a time scheduled to review the applications. Mayor Weinstein clarified it should be an agenda item for the regular meeting of June 4, 2009, unless a special meeting is called.

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

VOUCHERS – None

CITY MANAGER'S REPORT

Speed Limit Enforcement

In his report, Manager Amylon provided a memorandum from Police Chief Ed Talik submitting results of the April Speed Enforcement assignment.

Public Works Department Project Status Report – April 2009

Manager Amylon provided a copy of the project status report of the Public Works Department for the month of April 2009.

Contract No. 08-47 Status Update – Knudson Cove Harbor Replacement Project – Pool Engineering, Inc.

Manager Amylon included photos of the Knudson Cove Harbor Replacement Project, showing the improvements that have been made thus far.

Wastewater Treatment Plant A Screenings Trough Conveyor Replacement Update – Andgar Corporation

In his report, Manager Amylon provided a memorandum from Wastewater Division Supervisor, Charles Mackey, relative to completion of the screening trough conveyor replacement at Treatment Plant A.

Capital Budget Update – City of Ketchikan Projects

Manager Amylon reported that the Governor came out with her capital budget vetoes, and overall Ketchikan did fairly well. Manager Amylon noted the status of the following City projects:

- \$5 million for bridges and trestles;
- Berth IV traffic signal was cut;
- Appropriation for Berths I & II was reduced;
- \$2.5 million for Water Street sidewalks;
- \$1.6 million for other downtown pedestrian improvements; and
- Funds for Tongass water and sewer phase II were included.

Low-Speed Vehicle Update

Manager Amylon advised the Council that the low-speed vehicles are being seen all over the island, north and south.

K.P.U. MANAGER'S REPORT

Ketchikan Substation Power Transformer Radiator Project

Manager Amylon provided a report from Acting Electric Division Manager Adams regarding the Ketchikan Substation Power Transformer Radiator Project.

Report of May 1, 6 and 8, 2009 Telecommunications Outages

Manager Amylon provided reports from Telecommunications Division Manager Abbott regarding the May 1, 6 and 8, 2009 telecommunications outages.

Utility Operating Divisions' Project Status Reports – April 2009

Manager Amylon transmitted the project status reports of the Utility's division managers for the month of April 2009.

FERC Order Granting Amendment of License – Ketchikan Lakes Hydroelectric Project

In his report, Manager Amylon provided a memorandum from Senior Project Engineer Jennifer Holstrom notifying the successful amendment of the FERC license for the Ketchikan Hydroelectric Project.

Electric Division Manager Update

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Manager Amylon introduced Mike Kline, the new Electric Division Manager. Mr. Amylon also took the opportunity to thank Mark Adams for filling in as acting manager during the interim period, as Mark did a stellar job.

CITY CLERK'S FILE – None

CITY ATTORNEY'S FILE – None

FUTURE AGENDA ITEMS – None

MAYOR AND COUNCIL COMMENTS

Councilmember Coose requested management give the Council a recommendation on the additional tour bus parking requested at the Discovery Center. Mr. Coose also asked management to bring a report to Council relative to the Fifth Avenue right-of-way, and whether or not the Council needs to take action.

Kj Harris thanked Mayor Weinstein again for his 20 or so years of service.

Councilmember Freeman commented on the USCG boats, which are protecting the island from the cruise ships.

Councilmember Williams advised that he has also heard reports of the low-speed vehicles being off their approved course. He continued that maybe they should be stopped and warned or given a ticket. Mr. Williams advised the City should stay with the current policy regarding right-of-ways, in which the City does nothing until the property owners come to an agreement. He also congratulated the mayor on his wedding today.

Councilmember West advised the first KPU Advisory Board meeting will be held next Wednesday at 5:30 at the Ted Ferry Civic Center. Ms. West pointed out the mayor's retirement party, which is taking place at the Ted Ferry Civic Center next Thursday.

Mayor Weinstein said it has been a pleasure working with the Council, city management and employees.

OTHER NEW BUSINESS – None

ADJOURNMENT

As there was no further business, the Council adjourned at 8:39 p.m.

Bob Weinstein, Mayor

ATTEST:

Heidi Bengaard
Deputy City Clerk

FYI ITEMS INCLUDED

Letter of Appreciation – Central Office Network Technician
Temporary Relocation of Ketchikan Boys and Girls Club
SE Alaska Independent Living Inc.'s Quarterly Activity Report – January-March 2009
Southeast Senior Services' Quarterly Activity and Financial Reports – January-March 2009
Community Connections Older Alaskans and Adult Resource Services (OARS) Quarterly Activity Report – January-March 2009
PATCHWorks, Inc.'s Quarterly Activity Report – January-March 2009
Lake Levels and System Generation Report – April 2009
Water Utilization Report – April 2009