

Regular Ketchikan City Council meeting was called to order by Mayor Williams at 7:01 p.m., January 21, 2010, with the following members present: Dick Coose, Jason Harris, Kj Harris, Matthew Olsen, Jack Shay, Robert Sivertsen and Marty West.

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, Fire Chief Hill, Human Resources Manager Miller, Acting Gateway Center for Human Services Manager Medford, Port and Harbors Director Corporon, Police Chief Talik, Acting Public Works Director Allen, Electric Division Manager Kline, Telecommunications Division Manager Abbott, Water Division Manager Kleinegger and City Clerk Suiter.



**PUBLIC HEARING ON ORDINANCE NO. 10-1642 – INCREASING
WATER RATES BY 15%**

Mayor Williams called the public hearing on Ordinance No. 10-1642 to order at 7:02 p.m. and requested public testimony.

As there was no testimony, Mayor Williams declared the public hearing closed at 7:02 p.m.



**PUBLIC HEARING ON ORDINANCE NO. 10-1645 – AMENDING
TELECOMMUNICATIONS SERVICE AND RATES**

Mayor Williams called the public hearing on Ordinance No. 10-1645 to order at 7:02 p.m. and requested public testimony.

As there was no testimony, Mayor Williams declared the public hearing closed at 7:03 p.m.



**PUBLIC HEARING ON RESOLUTION NO. 10-2301 – AMENDING
2010 KETCHIKAN PUBLIC UTILITIES ANNUAL BUDGET**

Mayor Williams called the public hearing on Resolution No. 10-2301 to order at 7:03 p.m. and requested public testimony.

As there was no testimony, Mayor Williams declared the public hearing closed at 7:03 p.m.



COMMUNICATIONS

Mayor Williams said there were several items laid on the table, including: additional information regarding the appeal for Contract No. 09-53; a proclamation regarding Jazz and Cabaret Week; a request from the Ketchikan Visitors Bureau for support of the Alaska Alliance for Cruise Travel (AlaskaACT) Trade Show exhibit at the 2010 SeaTrade Conference; a notification that Shelayne Greaves has been selected to participate in the Leadership Through Learning Youth Program; and a letter from Bob Berto, President of AlaskaACT outlining their program.

Mayor Williams asked if there were any objections to adding the request from the Ketchikan Visitors Bureau to the agenda, and none were heard.

PERSONS TO BE HEARD

Mayor Williams read the proclamation declaring January 17-23, 2010 as Jazz and Cabaret Week, and presented it to Tom LeCompte. Mr. LeCompte, President of First City Players, said the people honored in the proclamation have been coming to Ketchikan for twelve years. He described each visiting artist and briefly told of his or her history with Ketchikan. He thanked the Council for the proclamation and he invited everyone to come to the performances this weekend.

Donna Luther spoke against the tobacco tax. She felt it was unfair and targets a small segment of the community.

Karen Lynch said she was concerned with the possibility of a tobacco tax. She felt people would find alternatives to obtaining tobacco products, and she urged the Council to vote against the tax. She felt there was another idea to help non-profits raise money.

Karen Eakes said she was the chair of the Ketchikan Wellness Coalition. She described the current focus of the Coalition, and said the mission is to promote community wellness through assessment and action. She listed the task forces, noting each is made up of community volunteers. She spoke about "Challenge Day," a nationally recognized event that challenges participants to be the change they hope to see in their community. She urged anyone interested in volunteering to contact her.

Bobbie McCreary handed out notes that were taken at the "Enough Is Enough" meeting. She pointed out forums where people can get more information to talk about areas of concern.

Renee Schofield said she attended the statewide suicide prevention summit, which will provide information for the aforementioned task forces. She outlined related DVDs that will be playing on both KPU and GCI. She also addressed the Akeela transfer, which translated in two job losses for Tongass Substance Screening, but they will deal with it. She pointed out how helpful the Small Business Development office will be with this

issue, noting that a Ketchikan resident has been hired to work in the SDBC office. She urged the Council to volunteer for Challenge Day.

Patty Mackey described AlaskaACT and the SeaTrade show, noting the importance of representation from Alaska at the show.

Diane Ferguson spoke against the tobacco ordinance. She noted she has names of 33 persons who are against the proposed ordinance. She pointed out they want no additional taxes and it will only burden people who are just getting by at this time.

CONSENT AGENDA

Mayor Williams said the item regarding the Census will be removed from the agenda to be considered at the first meeting in February. He said representatives would like to make a presentation. No objections were heard.

Approval of Minutes

Moved by Jason Harris, seconded by Shay approval of the minutes of the regular meeting of January 7, 2010.

Motion passed with Kj Harris, Coose, Sivertsen, West, Shay, Olsen and Jason Harris voting yea.

Liquor License Renewals – New York Hotel and Café, Alaska Liquor Store, Newtown Liquor

Moved by Jason Harris, seconded by Shay the City Council approve the renewal of liquor license: Restaurant – New York Hotel and Café; Package Store – Alaska Liquor Store and Newtown Liquor.

Motion passed with Kj Harris, Coose, Sivertsen, West, Shay, Olsen and Jason Harris voting yea.

2010 Ketchikan Fire Department Medical Director Services Agreement – William Anthes, M.D.

Moved by Jason Harris, seconded by Shay the City Council approve the 2010 Medical Director Services Agreement between the City of Ketchikan and William Anthes, M.D. in an amount not to exceed \$12,000; authorize funding from the Fire Department Administration Division's 2010 Contractual Services Account No. 53; and direct the city manager to execute the agreement on behalf of the City Council.

Motion passed with Kj Harris, Coose, Sivertsen, West, Shay, Olsen and Jason Harris voting yea.

**Procurement of Billing and Provisioning Platform
Software Upgrades Without Competitive Bidding -
CommSoft**

Moved by West, seconded by Olsen this item be postponed until after the decision is made regarding the sale of the Telecommunications Division at the special election of April 6, 2010.

Motion to postpone passed with West, Olsen, Shay, Jason Harris, Kj Harris and Sivertsen voting yea; Coose voting nay.

Partnership Agreement with U.S. Census Bureau

This item was removed from the agenda.

**Amendment No. 2 to Contract No. 09-02 – Professional
Services Agreement for Hawkins/Denali Storm Drainage
Improvements Project Design, R&M Engineering-
Ketchikan, Inc.**

Moved by Jason Harris, seconded by Shay the City Council approve Amendment No. 2 in the amount of \$3,928.29 to Contract No. 09-02, Professional Services Agreement for Hawkins/Denali Storm Drainage Improvements Project Design, between the City of Ketchikan and R&M Engineering-Ketchikan, Inc.; authorize funding from the Hawkins/Denali Storm Drainage Improvement Capital

Motion passed with Kj Harris, Coose, Sivertsen, West, Shay, Olsen and Jason Harris voting yea.

UNFINISHED BUSINESS

**Ordinance No. 10-1642 – Increasing Water Rates by 15%
- Second Reading**

Copies of Ordinance No. 10-1642 were available for all persons present.

Moved by Jason Harris, seconded by Sivertsen the City Council approve in second reading Ordinance No. 10-1642 increasing water rates by 15%; establishing a date for a public hearing; and providing an effective date.

Motion passed with Sivertsen, Jason Harris, Coose, Kj Harris, Olsen, West and Shay voting yea.

January 21, 2010

**Ordinance No. 10-1645 – Amending Chapter 11.12
Telecommunications Service and Rates of the Ketchikan
Municipal Code – Second Reading**

Copies of Ordinance No. 10-1642 were available for all persons present.

Moved by Jason Harris, seconded by Olsen the City Council approve in second reading Ordinance No. 10-1645 amending Chapter 11.12 of the Ketchikan Municipal Code Telecommunications Service and Rates; providing for a public hearing; and establishing an effective date.

Motion passed with Coose, Jason Harris, West, Kj Harris, Sivertsen, Olsen and Shay voting yea.

**Appointments to Boards and Commission – Mayor
Williams**

Mayor Williams submitted the names of Jacquie Meck as appointment to the Planning Commission; Donna Gellings as re-appointment for the Personnel Board and Megan R. Beattie as appointment to the Library Advisory Board. He asked if there were any objections and none were heard.

**Alternative Design Proposal for Contract No. 09-38 –
Millar Street Bridge Replacement, Southeast Engineering,
Inc.**

Moved by Shay, seconded by Jason Harris the City Council direct the city manager to notify Southeast Engineering, Inc. to proceed with the replacement of the Millar Street Bridge in accordance with the terms and conditions of Contract No. 09-38 and authorize staff to negotiate for the acquisition of 1213, 1215 and 1217 Millar Street as detailed in staff's report dated January 14, 2010.

Motion passed with Shay, Kj Harris, Olsen, West, Jason Harris, Sivertsen and Coose voting yea.

NEW BUSINESS

Mayor Williams asked if there were any objections to considering the sales tax ordinance first, as there were a lot of people regarding that item present. No objections were heard.

**Ordinance No. 10-1646 Creating a New Section 3.06 to be
Added to the Ketchikan Municipal Code Title 3
Establishing an Excise Tax on Cigarettes and Other
Tobacco Products – First Reading**

Copies of Ordinance No. 10-1646 were available for all persons present.

Moved by West, seconded by Shay the City Council adopt in first reading Ordinance No. 10-1646 creating a new Section 3.06 to be added to the Ketchikan Municipal Code Title 3 establishing an excise tax on cigarettes and other tobacco products; designating the intended use of the excise tax proceeds; establishing penalties for non-compliance; and establishing an effective date.

Moved by Shay, seconded by West to refer this item to the Joint Tax Coordinating Committee.

Motion to refer passed with Jason Harris, Olsen, Shay and West voting yea; Sivertsen, Coose and Kj Harris voting nay.

Discussion of Water Utilization – Councilmember Shay

Councilmember Shay said much of the City's water supply is not metered. He cited there will be a greater tendency to conserve water if it was metered. He addressed the wastewater treatment system, the cost of which is elevated from excessive usage. He wondered what potential saving could result from metering water.

Manager Amylon said at this particular time, installing meters is cost prohibitive. He felt at some point the community will have to bite the bullet, and will have to go to meters. He stated it can be reasonably expected that federal mandates are going to continue to increase the cost of doing business, and one of the best ways to lower operational costs is to go to meters. He said the same meter would be used for wastewater purposes.

Councilmember Jason Harris agreed with Mr. Shay, and someone pointed out to him that people whose pipes run up (outside) stairs have to run water to keep them from freezing. He related his understanding that the resident has to keep the pipes from freezing and it is something that would need to be worked through.

Councilmember Olsen discussed the pricing structure because metering the water may promote conservation to an extreme level, which would cause a backfire effect.

The Council took a short break at 8:01 p.m. and reconvened at 8:10 p.m.

Resolution No. 10-2311 – Proposing that the City Charter be Amended by Adding a New Section 8-5 to Article 8 Public Utilities and Enterprises Authorizing the Sale of the Telecommunications Division of Ketchikan Public Utilities Pursuant to Ordinance No. 09-1636; Providing that the Amendment be Submitted to the Voters for Approval or Rejection at the Special Municipal Election

to be Held on April 6, 2010; and Establishing an Effective Date

And

Resolution No. 10-2312 – Proposing that the City Charter be Amended by Adding a New Section 8-6 to Article 8 Public Utilities and Enterprises to Create a Utility Rate Stabilization Fund; Providing that the Amendment be Submitted to the Voters for Approval or Rejection at the Special Municipal Election to be Held on April 6, 2010; and Establishing an Effective Date

Moved by West, seconded by Jason Harris the City Council approve Resolution No. 10-2311 proposing that the City Charter be amended by adding a new Section 8-5 to Article 8 Public Utilities and Enterprises authorizing the sale of the Telecommunications Division of Ketchikan Public Utilities pursuant to Ordinance No. 09-1636; providing that the amendment be submitted to the voters for approval or rejection at the special municipal election to be held on April 6, 2010; and establishing an effective date.

Motion passed with Kj Harris, Coose, Sivertsen, West, Shay, Olsen and Jason Harris voting yea.

Moved by West, seconded by Sivertsen the City Council approve Resolution No. 10-2312 proposing that the City Charter be amended by adding a new Section 8-6 to Article 8 Public Utilities and Enterprises to create a Utility Rate Stabilization Fund; providing that the amendment be submitted to the voters for approval or rejection at the special municipal election to be held on April 6, 2010; and establishing an effective date.

Motion passed with West, Olsen, Shay, Jason Harris, Kj Harris, Sivertsen and Coose voting yea.

Resolution No. 10-2310 – Amending the 2010 KPU Annual Budget to Provide Supplemental Appropriations for the Electric Division and the Telecommunications Division; Increase the Telecommunications Division Revenues and Reduce the Electric Division Revenues; and Reducing KPU Appropriated Reserves

Moved by Shay, seconded by Sivertsen the City Council approve Resolution No. 10-2310 amending the 2010 KPU Annual Budget to provide supplemental appropriations for the Electric Division in the amount of \$68,772 and the Telecommunications Division in the amount of \$304,862; increasing the Telecommunications Division revenues in the amount of \$105,960; reducing the Electric Division revenues in the amount of \$324,300; reducing KPU Appropriated Reserves by \$591,974; and establishing an effective date.

January 21, 2010

Motion passed with Sivertsen, Jason Harris, Kj Harris, Olsen, West and Shay voting yea; Coose voting nay.

**Award of Contract No. 09-53, Berths I and II 2009/2010
Interim Timber Dock Repairs – Pool Engineering, Inc. -
\$240,200**

Moved by Coose, seconded by Kj Harris the City Council reject the appeal of North Pacific Erectors for Contract No. 09-53, Berths I and II 2009/2010 Interim Timber Dock Repairs.

Motion passed with Coose, Jason Harris, West, Kj Harris, Sivertsen, Olsen and Shay voting yea.

Moved by Jason Harris, seconded by Sivertsen the City Council accept the bid of Pool Engineering, Inc. in the amount of \$240,200 for Contract No. 09-53, Berths I and II 2009/2010 Interim Timber Dock Repairs; establish a 10% contingency in the amount of \$24,020, bringing the total project cost to \$264,220; authorize funding from the 2010 Port Department's Berths I and II 2009/2010 Interim Timber Dock Repairs Capital Account; and direct the city manager to execute the contract documents on behalf of the City Council.

Motion passed with Shay, Kj Harris, Olsen, West, Jason Harris, Sivertsen and Coose voting yea.

**Budget Transfer – Award of Contract No. 09-52, Berth III
Upland Dock Maintenance – Pool Engineering, Inc. -
\$592,500**

Moved by Sivertsen, seconded by Coose the City Council accept the bid of Pool Engineering, Inc. in the amount of \$592,500 for Contract No. 09-52, Berth III Upland Dock Maintenance; establish a 10% contingency in the amount of \$59,250, bringing the total project cost to \$651,750; authorize a budget transfer of \$364,250 from Appropriated Reserves of the Port Enterprise Fund to the 2010 Port Department's Berth III Upland Dock Maintenance Capital Account; and direct the city manager to execute the contract documents on behalf of the City Council.

Councilmember Coose requested Mayor Williams contact Borough Mayor Kiffer regarding funding from CPV funds as this project is directly related to the cruise industry.

Motion passed with Jason Harris, Sivertsen, Olsen, Shay, Coose, Kj Harris and West voting yea.

Agreement for Exemption of Plan Review and Deferral of Life Safety Inspections Between the City of Ketchikan and the State of Alaska Division of Fire and Life Safety

Moved by West, seconded by Olsen the City Council approve the Agreement for Exemption of Plan Review and Deferral of Life Safety Inspections between the City of Ketchikan and the State of Alaska Division of Fire and Life Safety and authorize the city manager to execute the agreement on behalf of the City Council.

Building Official Dearden and Fire Chief Hill answered questions from the Council.

Councilmember Coose requested a report following a year of assuming these duties regarding the benefits to the community and the funding brought in as a result. He felt a public meeting ought to be held to get feedback from the community.

Motion passed with Kj Harris, Coose, Sivertsen, West, Shay, Olsen and Jason Harris voting yea.

Extension of Option Agreement for the Purchase of Lot 10A-1 between the City of Ketchikan and J.R. Dawson

Moved by Sivertsen, seconded by Coose the City Council authorize the city manager and city attorney to enter into a three-month extension of the option agreement between the City of Ketchikan and J.R. Dawson for the purchase of Lot 10A-1 as detailed in staff's report dated January 13, 2010.

Mayor Williams requested Manager Amylon correspond with Senator Begich regarding the lack of funding for Alaska.

Discussion was held regarding potential funding and the importance that property acquisition plays in acquiring funding.

Motion passed with West, Olsen, Shay, Jason Harris, Kj Harris, Sivertsen and Coose voting yea.

Change Order No. 2 to Contract No. 07-04, Whitman Lake Hydroelectric Project Final Design – Hatch Acres Corporation

Moved by Shay, seconded by Olsen the City Council approve Change Order No. 2 in the amount of \$150,000 to Contract No. 07-04, Whitman Lake Hydroelectric Project Final Design, between Ketchikan Public Utilities and Hatch Acres Corporation; authorize funding from the Electric Division's Whitman Lake Hydroelectric Project Capital

Account; and direct the general manager to execute the change order on behalf of the City Council.

Motion passed with Sivertsen, Jason Harris, Coose, Kj Harris, Olsen, West and Shay voting yea.

Outstanding Berth IV Property Tax Penalties and Interest

Moved by Kj Harris, seconded by Sivertsen the City Council direct the city manager and finance director to formally notify Ketchikan Dock Company, LLC that the City of Ketchikan is not responsible for the payment of outstanding penalties and interest as a result of the late payment of Berth IV 2009 property taxes, which were due on or before September 30, 2009.

Moved by Jason Harris, seconded by West to defer this item until after the Council holds an executive session at the end of the meeting.

Motion to defer passed with Sivertsen, Jason Harris, Coose, Kj Harris, Olsen, West and Shay voting yea.

2010 Public Works Department's Programmed Maintenance of City Streets

Moved by Shay, seconded by Olsen the City Council approve the Public Works Department's programmed maintenance of City streets for 2010 as detailed in the acting Public Works director's report dated January 13, 2010.

The report detailed overlay areas as:

- Portions of Schoenbar Avenue to repair several settlement areas and drainage issues; partial milling and uniform overlay on limited areas.
- Marine Works Way, partial mill and overlay
- First Avenue from Tongass Avenue to Whitecliff, partial mill and overlay
- Upper Jefferson Street to the north terminus, partial mill and overlay
- Second Avenue from Adams to Austin, partial mill and overlay
- Various intersection and failed areas as budget conditions allow

Chip seal areas were targeted as:

- Downtown area
- Bear Valley neighborhood and other streets in the same area such as Forest Avenue and Summit Terrace

Motion passed with Coose, Jason Harris, West, Kj Harris, Sivertsen, Olsen and Shay voting yea.

Declaring Akeela, Inc. as the Preferred Provider for Transitioning the Gateway Center for Human Services to Not-for-Profit Status and Memorandum of Agreement Between the City of Ketchikan and Akeela, Inc. for Clinical Management Services of the Gateway Center for Human Services for the Purpose of Providing Due Diligence Review

Moved by West, seconded by Jason Harris the City Council declare Akeela, Inc. as the preferred provider for transitioning the Gateway Center for Human Services to a not-for-profit status; approve the Memorandum of Agreement between the City of Ketchikan and Akeela, Inc. at a cost not to exceed \$26,044 for clinical management services of the Gateway Center for Human Services for the purpose of providing due diligence reviews by the City and Akeela, Inc.; and direct the city manager to execute the Memorandum of Agreement on behalf of the City Council.

Motion passed with Shay, Kj Harris, Olsen, West, Jason Harris, Sivertsen and Coose voting yea.

Resolution No. 10-2313 – Providing for Submission to the Qualified Voters of the City at the Special Municipal Election to be Held in the City on April 6, 2010, of a Proposition as to Whether the City should Issue its Municipal Utilities Revenue Bonds in the Principal Amount of Not to Exceed \$28,700,000 to Provide Funds to Acquire, Construct and Equip Improvements to Facilities of the City’s Electric and Water Utilities

Moved by West, seconded by Olsen the City Council approve Resolution No. 10-2313 providing for submission to the qualified voters of the City at the special municipal election to be held in the City on April 6, 2010 of a proposition as to whether the City should issue its municipal utilities revenue bonds in the principal amount not to exceed \$28,700,000 to provide funds to acquire, construct and equip improvements to facilities of the City’s electric and water utilities; and establishing an effective date.

Manager Amylon and Electric Division Manager Kline answered questions from the Council.

Mayor Williams said SEAPA would like to hold a special meeting with the Council regarding power.

Motion passed with Jason Harris, Sivertsen, Olsen, Shay, Coose and West voting yea; Kj Harris voting nay.

Budget Transfer – Public Education Program for the April 6, 2010 Special Election Regarding the Sale of the KPU Telecommunications Division and Sale of KPU Series X Municipal Utility Revenue Bonds

Moved by Coose, seconded by Jason Harris the City Council authorize a budget transfer of \$25,000 from Appropriated Reserves of the KPU Enterprise Fund to the Administration Division's 2010 Advertising & Publishing Account No. 50 for the purpose of funding a public education program in connection with the April 6, 2010 special election regarding the sale of the KPU Telecommunications Division and the sale of KPU Series X municipal utility revenue bonds.

Motion passed with Kj Harris, Coose, Sivertsen, West, Shay, Olsen and Jason Harris voting yea.

Funding for Alaska Alliance for Cruise Travel (AlaskaACT) Trade Show Exhibit at 2010 SeaTrade Conference

Moved by Sivertsen, seconded by Jason Harris the City Council authorize an expenditure of \$1,667 from the City Council's 2010 Community Promotion Account No. 51 for the purpose of defraying a portion of the cost of an Alaska Alliance for Cruise Travel (AlaskaACT) Trade Show Exhibit at 2010 SeaTrade Conference.

Motion passed with West, Shay, Jason Harris, Sivertsen and Coose voting yea; Olsen and Kj Harris voting nay.

VOUCHERS

Moved by Jason Harris, seconded by West for approval of vouchers to Ketchikan Daily News in the amount of \$142.00.

Motion passed with Sivertsen, Jason Harris, Coose, Kj Harris, Olsen, West and Shay voting yea.

CITY MANAGER'S REPORT

Economic Development Powers of the City of Ketchikan – Legal Opinion of the Ketchikan Gateway Borough Attorney

As requested by Councilmember Shay, Manager Amylon provided a copy of the legal opinion of the Borough attorney regarding the economic development powers of the City of Ketchikan.

January 21, 2010

In response to Councilmember Shay, City Attorney Bradford said he had no disagreement with the position of the Borough attorney. Councilmember Shay said the City also needed to look at the Borough's thrust for an incubation committee.

Scheduled Repairs of the Totem Heritage Center

Manager Amylon notified the Council that design for repairs at the Totem Heritage Center is nearly complete. He advised the project will be bid later this summer with work commencing following the 2010 cruise ship season.

2009 Sales Tax Report

Manager Amylon provided a report from Finance Director Newell notifying that 2009 sales tax receipts are projected to total \$9,495,894. He commented this represented a decrease of 8.08% from the amount of sales tax collected in 2008.

Public Works Department Project Status Report – December 2009

Manager Amylon copied the Council with the project status report of the Public Works Department for the month of December 2009.

Acting Public Works Director Allen said the opening for the Bayview/ Warren Project is scheduled for April. Senior Project Engineer Brakke said the plan was to bring the design forward to the Council at the next meeting.

2010 Ketchikan Legislative Liaison Community Lobbying Trip

Manager Amylon included information regarding the 2010 Ketchikan Legislative Liaison Community Lobbying Trip as well as the registration forms.

K.P.U. MANAGER'S REPORT

Reports of January 4, 2010 Telecommunications Outage and City Hall PBX Failure

Manager Amylon attached reports from Telecommunications Division Manager Abbot detailing the January 4, 2010 telecommunications outage and City Hall PBX failure.

Utility Operating Divisions' Project Status Reports – December 2009

Manager Amylon provided the Utility project status reports of the division managers for the month of December 2009.

Rewind and Core Repairs of KPU Bailey Unit No. 2 Update

Manager Amylon included a memorandum from Electric Division Operations Manager Adams informing the rehabilitation of Bailey Unit No. 2 is underway with an anticipated completion date of no later than mid-February.

Postponement of Diesel Generation

Manager Amylon presented a report from Electric Division Manager Kline, which noted that substantial rain and warm temperatures have significantly improved reservoir elevations. He noted the diesel generation was not started January 8 as planned, and commented it is possible diesel generation has only been deferred unless favorable precipitation and temperature conditions prevail.

Greaves Selected to Participate in National Youth Program in Washington, DC

Manager Amylon included a press release notifying that Shelayne Greaves of Ketchikan is one of 12 nationwide high school junior and seniors that have been selected to participate in the Leadership Through Learning Youth Program hosted by the Foundation for Rural Education and Development. He noted Ms. Greaves will travel to Washington, DC to participate in the weeklong program sponsored by NECA and The Berry Company.

CITY CLERK'S FILE

Gaming Permit Applications – Iditarod Trail Committee, Inc. and Loyal Order of Moose Lodge #224

Clerk Suiter provided the gaming permit applications for Iditarod Trail Committee, Inc. and Loyal Order of Moose Lodge #224. She noted if the Council wished to deny any application, a resolution could be prepared accordingly.

CITY ATTORNEY'S FILE – None

FUTURE AGENDA ITEMS

MAYOR AND COUNCIL COMMENTS

Councilmember Coose stated he felt the Borough Assembly and the City Council needed to sit down and discuss issues. He encouraged Mayor Williams to get together with Mayor Kiffer and schedule some meetings.

January 21, 2010

Councilmember Shay said his granddaughter's tumor is shrinking and it may be removed within the next two weeks. He stated he was glad we haven't had to run the diesels for awhile; however, we are losing some of the snow pack which will cause a challenge for the coming summer. He reminded he would be attending the AML meeting at the beginning of February, and he purchased his airline ticket to help keep City costs down.

Councilmember West congratulated Shelayne Greaves for her selection, and she reminded everyone the KPU Advisory Board meeting will be next Thursday at the Ted Ferry Civic Center.

Mayor Williams congratulated Senior Project Engineer Jurczak upon the birth of her baby girl. He stated Mr. Carlson of SEAPA is very interested in meeting with the Council to explain how it all works.

OTHER NEW BUSINESS – None

EXECUTIVE SESSIONS

Request for Executive Session – Berth IV Property Tax Penalties and Interest

Moved by Jason Harris, seconded by West the City Council meet in executive session regarding the Berth IV property tax penalties and interest in order to receive confidential and privileged information from the city attorney; and to potentially give direction to the city attorney regarding handling of any legal issues which may arise from the described item.

Motion passed with Coose, Jason Harris, West, Kj Harris, Sivertsen and Olsen voting yea; Shay voting nay.

After taking a short break, the Council recessed into executive session at 9:22 p.m. and reconvened at 9:34 p.m.

The deferred motion before the Council was:

Moved by Kj Harris, seconded by Sivertsen the City Council direct the city manager and finance director to formally notify Ketchikan Dock Company, LLC that the City of Ketchikan is not responsible for the payment of outstanding penalties and interest as a result of the late payment of Berth IV 2009 property taxes, which were due on or before September 30, 2009.

Councilmember Kj Harris withdrew his motion with the consent of the second.

Mayor Williams said the Council has completed an executive session regarding the Berth IV property tax penalties and interest and provided direction to management.

Request for Executive Session – Collective Bargaining Agreement Between the City of Ketchikan and the International Brotherhood of Electrical Workers, Local 1547

Moved by West, seconded by Sivertsen the City Council declare that consistent with the city manager's memorandum date January 14, 2010 it is in the best interest of the City to discuss negotiations regarding a collective bargaining agreement between the City of Ketchikan and the International Brotherhood of Electrical Workers, Local 1547 in executive session; in accordance with that finding, the City Council go into executive session in accordance with KMC 2.04.025(a)(1) and (b)(2) and AS 44.62.310(c)(1) and (3) to discuss said negotiations and the auxiliary items described in the city manager's memorandum dated January 14, 2010, which matters include the need to discuss subjects the knowledge of which would have an adverse impact upon the finances of the City and upon the City's ability to negotiate favorable labor settlements.

Motion passed with Shay, Olsen, West, Jason Harris, Sivertsen and Coose voting yea; Kj Harris voting nay.

The Council recessed into executive session at 9:36 p.m. and reconvened at 9:55 p.m.

Mayor Williams said the Council has completed an executive session regarding a collective bargaining agreement between the City of Ketchikan and the International Brotherhood of Electrical Workers, Local 1547 and no action would be taken tonight.

ADJOURNMENT

As there was no further business, the Council adjourned at 9:56 p.m.

Lew Williams III, Mayor

ATTEST:

Katherine M. Suiter
City Clerk

FYI ITEMS INCLUDED

Lake Levels and System Generation Report – December 2009
Water Utilization Study Report – December 2009