

Regular Ketchikan City Council meeting was called to order by Mayor Williams at 7:02 p.m., February 18, 2010, with the following members present: Dick Coose, Jason Harris, Kj Harris, Matthew Olsen, Jack Shay and Robert Sivertsen. Councilmember Marty West was absent.

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, Police Chief Talik, Acting Public Works Director Allen, Senior Project Engineer Brakke and City Clerk Suiter.

COMMUNICATIONS

Mayor Williams noted several items laid on the table, including: a replacement memorandum regarding Resolution No. 10-2320, Personnel Rules changes; a replacement memorandum for Board appointments; information regarding concrete curb and gutter degradation for the North Yorktown Drive and Jackson Heights Street Paving Project; and information regarding the UV Disinfection and Chloramination Facility's defective interior/exterior piping.

PERSONS TO BE HEARD

Fire Chief Hill said today the City of Ketchikan Fire Department and Building Inspection Division have deferred from the State of Alaska's Fire Marshal's Office. He said an agreement was signed, and he thanked the Council as well as City Attorney Bradford. He stated this has been worked on for years and years, and now we don't have to answer to the State on these issues.

Fire Chief Hill continued by presenting Gretchen Skillings and Greg Karlik, both of whom recently became Senior Medics. Mayor Williams presented them with their badges, and Fire Chief Hill noted their helmet colors have been changed to make them easily recognizable on site.

CONSENT AGENDA

Councilmember Jason Harris requested the item regarding the moving policy be considered separately. Mayor Williams so ordered.

Approval of Minutes

Moved by Jason Harris, seconded by Coose approval of the minutes of the regular meeting of February 4, 2010.

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

Liquor License Transfer – BPO Elks Lodge #1429 and Fish Pirates Saloon

Moved by Jason Harris, seconded by Coose the City Council approve the transfer of location of: Club – BPO Elks Lodge #1429, 1448 Tongass Avenue, Ketchikan, Alaska; and the transfer of ownership and name change of: Beverage Dispensary – Fish Pirate’s Saloon, 76 Front Street, Ketchikan, Alaska; owners Thelma K. Andrew, Richard D. Andrew, David Lee Coates, Lori S. Coates and Kathleen R. Fleenor.

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

Resolution No. 10-2319 – Accepting the FY 2010 Municipal Matching Grant No. 48192 in the Amount of \$1,642,000 from the State of Alaska Department of Environmental Conservation for Tongass Avenue Sewer and Water Main Improvements

Moved by Jason Harris, seconded by Coose the City Council approve Resolution No. 10-2319 accepting the FY 2010 Municipal Matching Grant No. 48192 in the amount of \$1,642,000 from the State of Alaska Department of Environmental Conservation for Tongass Avenue sewer and water main improvements; and establishing an effective date.

Councilmember Coose requested that an accounting of where all the funds for a project are coming from be included in similar reports.

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

Restaurant Designation Permit – Fish Pirate’s Saloon

Moved by Jason Harris, seconded by Coose the City Council approve the restaurant designation application of Fish Pirate’s Saloon, and authorize the city clerk to sign the application on behalf of the City Council.

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

Resolution No. 10-2318 – Providing for Submission to the Qualified Voters of the City at the Special Municipal Election to be held in the City on June 22, 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, and Repealing Resolution No. 10-2313

Moved by Jason Harris, seconded by Coose the City Council approve Resolution No. 10-2318 providing for submission to the qualified voters of the City at the special municipal election to be held in the City on June 22, 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, repealing Resolution No. 10-2313, and establishing an effective date.

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

Resolution No. 10-2320 – Amending Section 2.62, 2.63, 5.52, 6.1.1, 6.2.1.2 and 6.5.1 of the City of Ketchikan Personnel Rules

Councilmember Jason Harris requested this item be referred back to staff because he did not feel there was clear understanding as to his intent last meeting when the item was discussed. He clarified his intent was that moving expense reimbursement equal \$5,000 per year of employment. Mayor Williams asked if there were any objections, and none were heard.

UNFINISHED BUSINESS

Appointments to Boards and Commissions – Mayor Williams

Mayor Williams submitted the following names for appointment: David Nesje, re-appointment to the Port and Harbors Advisory Board; Kathy Joseph, new appointment to the Library Advisory Board (replaced Olsen), David Deal, re-appointment to the Planning Commission and Samuel Bergeron, appointment to the Planning Commission. He asked if there were any objections; none were heard.

NEW BUSINESS

Resolution No. 10-2316 – Authorizing the Creation of the “Ketchikan City Council/Ketchikan Gateway Borough Assembly Cooperative Relations Committee” as a Standing Committee

Moved by Sivertsen, seconded by Olsen the City Council approve Resolution No. 10-2316 authorizing the creation of the “Ketchikan City Council/Ketchikan Gateway Borough Assembly Cooperative Relations Committee” as a standing committee; and establishing an effective date.

Moved by Jason Harris, seconded by Shay to amend that the City appointments be the mayor and two councilmembers.

In response to Councilmember Olsen, City Attorney Bradford said his opinion was the City could determine its own members on the committee. He said if the City had language in its resolution that the Borough does not necessarily comply with, he didn't believe it would void the ability of the committee to meet. He emphasized it is not a policy committee, and was only facilitating communication and cooperation as well as making recommendations to the respective bodies that would then take action.

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

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

Resolution No. 10-2317 – Strongly Opposing the August 24, 2010 Primary Election Ballot Proposition Approving “An Initiative Creating An Alaska Anti-Corruption Act”

Moved by Kj Harris, seconded by Jason Harris the City Council approve Resolution No. 10-2317 strongly opposing the August 24, 2010 primary election ballot proposition approving “An Initiative Creating An Alaska Anti-Corruption Act;” and establishing an effective date.

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

Presentation of Thirty-Five Percent Design Concepts for the Construction of a New Municipal Fire Station on Lot 10A-1, Bettisworth Welsh Whiteley, LLC and RISE Alaska, LLC

Fire Chief Hill introduced Kent Crandall of RISE Alaska. Mr. Crandall said some steps taken included a site investigation, which resulted in a recommendation to look at Lot 10A-1 on the Spruce Mill property. He noted the second step was to proceed with a schematic design effort, resulting in the reason they were here tonight. He added a steering committee was established to provide input so a new fire station was designed that would meet the needs of the local fire department.

Tim Whiteley spoke to deficiencies of the existing fire station, noting it is functionally obsolete. CB Bettisworth discussed the benefits of building new as compared to remodeling. He noted the cost to bring the building up to code is as much as it is to build new, and it still doesn't function any better than it does today.

Mr. Whiteley continued the approximate size would be 23,000 square feet, and he explained the conceptual plans for a new station. Mr. Crandall explained the 35% completion design was estimated by a professional estimator at a new building construction cost of \$8.7 million. He pointed out some of the separate elements of the cost, and reported there have been rumors that the legislature may be willing to fund some of the project. Mr. Crandall, Mr. Whiteley, and Mr. Bettisworth answered questions from the Council.

Councilmember Kj Harris expressed concern that the City might put a lot of money into design, but not move forward past that point. In response to Councilmember Coose, Mr. Whiteley said the square footage is approximately the same as the previous plan on the site across from the police station. He confirmed it is to be a pile foundation, and the expected life of the structure is 50-60 years.

Moved by Jason Harris, seconded by Olsen the City Council direct staff to take such actions regarding the purchase of Lot 10A-1 from J.R. Dawson and completion of the design of a new fire station to be located on said property as may be determined appropriate by the City Council.

After discussion, Mayor Williams confirmed the Council was directing staff to move forward with purchase of Lot 10A-1. No objections were heard.

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

VOUCHERS

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

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

Councilmember Jason Harris made a request that the newspaper look into putting a section in the paper for public notices that is in the same place, on the same page, in the same section every day. He said because the ads are in different places it is too easy to miss some.

CITY MANAGER'S REPORT

Schedule of General Government and KPU Appropriated Reserves Through the February 4, 2010 City Council Meeting

Manager Amylon provided the Council a schedule of the current balance of Appropriated Reserves of the various funds of General Government and KPU through the City Council meeting of February 4, 2010.

Public Works Department Project Status Report – January 2010

Manager Amylon copied the Council with the project status report of the Public Works Department of the month of January 2010.

In response to Councilmember Sivertsen, Senior Project Engineer Brakke said the bridge inspection reports arrived this week.

2009 Year-in-Review

Manager Amylon presented the Council with a copy of the 2009 Year-in-Review, which detailed highlights of both General Government and Ketchikan Public Utilities activities during 2009. He thanked Senior Administrative Assistant Diane Walker for her time and effort in bringing the publication forward.

Manager Amylon said it will be going on the City's website shortly. In response to Councilmember Coose, Manager Amylon said a copy of the Year-in-Review could be provided on CD, but there would probably be a charge for it.

Warren Street Trestle Replacement Project Update – Use of Designated Legislative Grant Funding

In response to a request made by Councilmember Coose, Manager Amylon notified the State has advised his office that use of the Designated Legislative Grant funds is appropriate for the design option of a retaining wall and fill design for replacement of the Warren Street Trestle and steel girders and concrete deck panels design for replacement of the Bayview Street Trestle.

Nonprofit Agency Use of Ted Ferry Civic Center

In response to Councilmember Olsen, Manager Amylon provided a report regarding the free use of the Ted Ferry Civic Center by nonprofit agencies. He recounted that 501(c)(3) agencies can use the Manzanita Bay Conference Room once a month at no charge between the hours of 8:00 a.m. and 5:00 p.m. He provided a report from Civic Center Manager Jones that indicated extending the hours to 7:00 p.m. would be an additional cost to the City of \$41.99. Manager Amylon also provided a summary of 243 public

events that were offered or hosted at the Library in 2009. He advised that many of them would not qualify for either free use of the 35% discount offered by the Civic Center, as many of them are not formal 501(c)(3) agencies.

Councilmember Shay commented on the use of the library for special meetings or events, and he figures it equals approximately 8,000 people per year. Councilmember Olsen commented he was hoping that instead of all staff being there from 8:00 to 5:00, maybe one staff member could work from 10:00 to 7:00 and we wouldn't have to charge non-profits for use of the conference room.

Fire Department Senior Medic Promotions

Manager Amylon informed that Firefighter/Medics Gretchen Skillings and Greg Karlik have been promoted to the position of Senior Medic effective February 1, 2010.

Contract No. 09-09 Update, North Yorktown Drive and Jackson Heights Street Paving Project – Concrete Curb and Gutter Degradation

Manager Amylon reported it appears the concrete curb and gutter on Jackson Heights Street is experiencing significant degradation, although such deterioration on North Yorktown Drive has yet to be observed. He advised the engineering division is working with the city attorney's office regarding the issue.

TIGER Grants

Manager Amylon reminded the City had applied for two TIGER grants, one for \$20 million for Berths I and II, and one for \$10 million for Water Street Trestle No. 2. He said neither one was approved and the only community in Alaska to get a TIGER grant was Juneau for the Auke Bay ferry loading facility.

Legislative Fly-In

Manager Amylon said he felt the legislative fly-in last week was constructive. He said the capital budget looks promising and there is the opportunity to see some funding both for Whitman and Bethe, as well as the fire station.

Councilmember Sivertsen said an activity report had been received from the Boys and Girls Club, but no financial report has been received. He said he would like to see this from them.

K.P.U. MANAGER'S REPORT

Utility Operating Divisions' Project Status Reports – January 2010

Manager Amylon provided the project status reports of the Utility division managers for the month of January 2010. Councilmember Coose requested a more current update than the previous month on lake levels.

Councilmember Coose also questioned the use of diesels, and Manager Amylon said there was a short window last week where they did need to run diesels relative to some technical work that SEAPA was doing. In response to Councilmember Kj Harris, Manager Amylon said we are in a ten-year low water supply situation, and the City no longer dispatches Swan. He pointed out Tyee will be going down in March, and the available power from Tyee to Ketchikan will be extremely limited. Councilmember Kj Harris said he would like to get some of this information out to the public, and Manager Amylon said he would discuss it with SEAPA's Dave Carlson next week.

Councilmember Sivertsen commented on the cable from Gravina, and he inquired as to the condition of the power cable from Bailey Power Plant to the airport, and whether there is redundancy in case of failure. He also discussed the potential use of phosphoric acid to hopefully protect from the potential lead solder that is in water pipes. He stated the acid is supposed to form a scale between the solder and the water.

Report of January Telecommunications Outages

Manager Amylon transmitted a report from Telecommunications Division Manager Abbott regarding the February 5, 2010 telecommunications outages.

Contract No. 07-38 Update, UV Disinfection and Chloramination Facility – Defective Interior/Exterior Piping

Manager Amylon reported that upon flushing of the project's major pipelines, the flanges inside the basement of the UV Disinfection building began leaking. He noted it was determined that the contractor did not correctly install the gaskets, nor align and tighten the fittings and bolts properly. He explained after five weeks, repairs are continuing to both interior and exterior pipelines. He said it also necessitated removal of much of the new asphalt pavement adjacent to the building. He related the project's schedule has been adversely impacted, and it may not be commissioned until June.

CITY CLERK'S FILE – None

CITY ATTORNEY'S FILE – None

FUTURE AGENDA ITEMS – None

MAYOR AND COUNCIL COMMENTS

February 18, 2010

Councilmember Jason Harris said the meetings in Juneau were positive. He reported several legislators indicated support for deferred maintenance projects from past administrations, and it was their intent to move some of those projects forward. He said the building was busy while Ketchikan was there, but they were aware the Ketchikan delegation was in town. He commented the reception was well received, although it wasn't quite as elaborate as in past years but still very nice and well attended. He felt, overall, very positive headway was made. He said he is excited to see the fire station project move forward and it is well on its way to getting funded and built.

Councilmember Coose also expressed he felt the legislative trip was positive and we've got a couple of good legislators who are prepared to help us out in Southeast. He questioned whether we have picked a date for an electric/energy workshop, and Mayor Williams said he will talk to the manager to get something together. He commented the Governor sent an adjustment to his supplemental budget and there is another \$60 million for the ferry. He said it totals \$128 million for the ferry and we need to keep working on it to get it built in our shipyard.

Councilmember Kj Harris said he is pessimistic about things coming up. He felt we were going to be real tight on money, and we haven't begun to see how tight things are. He said some hard times are coming.

Councilmember Shay reported his granddaughter was scheduled to have surgery today, but it has been postponed again. He said it is looking very favorable about taking care of the tumor and all things concerned about that issue. He thanked everyone for their concern and prayers. He said he attended the funeral of Lenora Dalton today, and noted her passage with regret and remembered her with fondness. He referred to the editorial today in the Daily News about fire alarms and people passing away. He related the person who passed away in Sitka two weeks ago was his nephew, and he urged everyone to take to heart the advice to have their smoke alarms and CO2 alarms checked. He invited everyone to come see the production of Harvey at the high school.

Councilmember Olsen said he was encouraged about moving forward with the new fire station. He discussed the library project, and he pointed out the benefits of having the Foraker Group taking the lead. He explained the group came up with a one-story facility that is approximately 16,000 square feet. He stated the next task is to find a suitable site.

Mayor Williams said he appreciated the Council and the work they do. He spoke of his philosophy about having the Council involved.

The Council took a short break at 8:05 p.m. and reconvened at 8:12 p.m.

OTHER NEW BUSINESS – None

EXECUTIVE SESSIONS

Request for Executive Session – Collective Bargaining Agreement Between the City of Ketchikan and the Ketchikan Professional Firefighters Association, Local 2761, I.A.F.F.

Moved by Shay, seconded by Sivertsen the City Council declare that consistent with the city manager's memorandum dated February 11, 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 Ketchikan Professional Firefighters Association, Local 2761, I.A.F.F. 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 February 11, 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 Sivertsen, Jason Harris, Coose, Kj Harris, Olsen and Shay voting yea; West absent.

The Council recessed into executive session at 8:15 p.m. and reconvened at 8:21 p.m.

Mayor Williams said the Council has completed an executive session to discuss negotiations regarding a collective bargaining agreement between the City of Ketchikan and the Ketchikan Professional Firefighters Association, Local 2761, I.A.F.F., and no action would be taken tonight.

Request for Executive Session – Discussion of Confidential Techniques and Procedures for Possible Police Department Law Enforcement Activities Related to Illegal Drug Activity

Moved by Coose, seconded by Shay the City Council meet in executive session to review and discuss documents related to confidential techniques and procedures for possible law enforcement activities of the Ketchikan Police Department as they relate to illegal drug activity.

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

The Council recessed into executive session at 8:25 p.m. and reconvened at 8:49 p.m.

Mayor Williams said the Council has completed an executive session to review and discuss documents related to confidential techniques and procedures for possible law enforcement activities of the Ketchikan Police Department as they relate to illegal drug activity, and no action would be taken tonight.

ADJOURNMENT

As there was no further business, the Council adjourned at 8:50 p.m.

Lew Williams III, Mayor

ATTEST:

Katherine M. Suiter
City Clerk

FYI ITEMS INCLUDED

Legislative E-Bulletin – January 29, 2010 Edition

Community Connections (OARS) – Quarterly Activity Report – October Through December 2009

Southeast Alaska Independent Living, Inc.’s – Quarterly and Financial Reports – October Through December 2009

Boys & Girls Clubs of Southcentral Alaska – Quarterly Financial Report – October Through December 2009

Southeast Senior Services’ Quarterly Activity and Financial Reports – October Through December 2009

Water Utilization Study Report – January 2010

Lake Levels and System Generation Report for the Month of January 2010

Legislative E-Bulletin – February 12, 2010 Edition