

Regular Ketchikan City Council meeting was called to order by Mayor Williams at 7:00 p.m., May 20, 2010, with the following members present: Dick Coose, Jason Harris, Kj Harris, Matthew Olsen, Jack Shay, Robert Sivertsen (via teleconference) 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, Museum Director Naab, Library Director McQuerry, Police Chief Talik, Public Works Director Allen, Electric Division Manager Kline, Telecommunications Division Manager Abbott and City Clerk Suiter.

### **COMMUNICATIONS**

Included in the packet material was a report regarding safe routes to schools from Leia Vandersnick's K-1 Class at the Tongass School of Arts and Science.

Mayor Williams noted several items laid on the table, including: a request to withdraw the item regarding exemption of the purchase of electric hoists from competitive bidding requirements; a memorandum from the attorney regarding the site for the new public library; an update regarding the Warren Street and Bayview Street Trestle Replacement Project; and a restaurant designation permit for the Ketchikan Fish Market and Crab Cracker Seafood Bar.

He asked if anyone objected to withdrawing the exemption of the purchase of electric hoists from competitive bidding requirements and adding the restaurant designation permit for the Ketchikan Fish Market and Crab Cracker Seafood Bar; none were heard

### **PERSONS TO BE HEARD**

Leia Vandersnick and Katie Posie, along with several students from the Tongass School of Arts and Sciences, provided a presentation regarding safe routes to school. They discussed crosswalks and sidewalks, and several children spoke regarding safety issues related to crossing the streets they walk. Mayor Williams said he felt management would do what they could, and bring forward issues that may need to be brought to the Council.

Linda Millard spoke about revitalizing neighborhoods. She handed out pamphlets and encouraged the Council to come to a meeting they had scheduled for next Tuesday. She urged the Council to maintain the historical aspect of Ketchikan by maintaining wooden trestle streets, boardwalks and stairs.

Chris Parks, representing Tongass Trading, appealed the Council decision to deny a loading zone at the corner of Front and Mission Streets. He described the operations the company has in the area, noting they are one of the largest private year-round businesses in the downtown. He related to how they have contributed to parking throughout the

years, and described the shuttle plan they have implemented this year. He felt there should be a shuttle plan that can be more streamlined and can benefit all downtown business owners.

Len Laurance, speaking on behalf of Historic Ketchikan, urged the Council to support their request for an update to the publication *Our Town*. He pointed out the Borough is contributing the same amount requested from the Council.

Dawn Rauwolf, representing PatchWorks, complimented the Tongass School kids for their presentation, and she related internal and external assets they are gaining from such an effort.

Marsha George spoke in opposition to metal treads on staircases, particularly in the Harding Street area. She refuted statements made by staff and suggested some solutions.

Jennifer Castle said Tongass School did an amazing job, and she hoped the Council would direct management to take action.

The Council took a short break at 8:22 p.m. and reconvened at 8:29 p.m.

### **CONSENT AGENDA**

Councilmember Jason Harris asked for several items to be moved to the Consent Agenda from New Business, including: scheduled Electric Division overtime; award of Contract No. 10-12 for fiber optic equipment and materials to Wesco International, Inc.; and the professional services agreement for construction management services to R&M Consultants, Inc of Anchorage, Alaska. Mayor Williams asked if there were any objections and none were expressed.

#### **Approval of Minutes**

Moved by West, seconded by Jason Harris approval of the minutes of the special meeting of April 21, 2010 and regular meeting of May 6, 2010.

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

#### **Two-Year Extension of Pole and Material Storage Yard Lease Agreement – Ketchikan Ready Mix and Quarry, Inc.**

Moved by West, seconded by Jason Harris the City Council authorize the general manager to enter into a two-year extension of the real property lease agreement dated April 24, 2008 between the City of Ketchikan d/b/a Ketchikan Public Utilities for the continued rental of 25,000 sq. ft. of property located on Misty Marie Lane at a cost of

May 20, 2010

\$1,500 per month and approve funding from the Electric Division's 2010 Rentals – Space Account No. 62.

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

**Award of Contract No. 10-14 – Janitorial Services for the Centennial Building and Totem Heritage Center, HBAA Janitorial Services**

Moved by West, seconded by Jason Harris the City Council accept the bid of HBAA Janitorial Services in the amount of \$25,080 for Contract No. 10-14, Janitorial Services for the Centennial Building and Totem Heritage Center; authorize funding from the Museum Department's 2010 Centennial Building and Heritage Center Building O&M Janitorial Services Account Nos. 57 and 57; and direct the city manager to execute the contract documents on behalf of the City Council.

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

**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 West, seconded by Jason Harris the City Council approve the twelve-month agreement between the City of Ketchikan and Richard Gosnell d/b/a G Games-Rentals 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 Jason Harris, Sivertsen, Olsen, Shay, Coose, Kj Harris and West voting yea.

Moved by West, seconded by Jason Harris the City Council approve the twelve-month agreement between the 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 Jason Harris, Sivertsen, Olsen, Shay, Coose, Kj Harris and West voting yea.

**Declaration of Surplus Equipment – Excess Port Security Barriers**

May 20, 2010

Moved by West, seconded by Jason Harris pursuant to Section 3.12.070 of the Ketchikan Municipal Code, the City Council declare as surplus 25 obsolete port security barriers as detailed in the engineering technician's report dated May 11, 2010 and authorize the city manager to donate said barriers to Ketchikan Youth Initiatives for use at the organization's paintball field on Revilla Road.

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

**Application for Restaurant/Eating Place Designation  
Permit – Ketchikan Fish Market and Crab Cracker  
Seafood Bar**

Moved by West, seconded by Jason Harris the City Council approve the restaurant designation application of Ketchikan Fish Market and Crab Cracker Seafood Bar, and authorize the city clerk to sign the application on behalf of the City Council.

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

**Budget Transfer – Scheduled Electric Division Overtime**

Moved by West, seconded by Jason Harris due to existing staffing shortages, the City Council authorize the general manager to transfer \$50,000 from the Electric Division's 2010 Salaries & Wages Account No. 11 to the Overtime Account No. 12 for the purpose of funding scheduled overtime to complete 2010 programmed system improvements.

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

**Award of Contract No. 10-12 – Fiber Optic Equipment  
and Materials – WESCO International, Inc. - \$255,420.19**

Moved by West, seconded by Jason Harris the City Council accept the bid of WESCO International, Inc. of Seattle, Washington in the amount of \$255,420.19 for Contract No. 10-12, Fiber Optic Equipment and Materials; establish a two percent contingency in the amount of \$5,108.81, bringing the total project cost to \$260,529; authorize funding in the amount of \$260,529 from the 2010 Telecommunications Division's Fiber to the Home Capital Account; and direct the general manager to execute the contract documents on behalf of the City Council.

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

**Professional Services Agreement for Construction Management Services – Grant Street Retaining Wall and Site Repairs, R&M Consultants, Inc. of Anchorage, Alaska**

Moved by West, seconded by Jason Harris the City Council authorize the city manager to enter into a professional services agreement with R&M Consultants, Inc. of Anchorage at a cost not to exceed \$49,707 for construction management services associated with Contract No. 10-04, Grant Street Retaining Wall and Site Repairs; and approve funding from the 2010 Streets Division's Grant Street Trestle Repair Capital Account.

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

**UNFINISHED BUSINESS**

**Ordinance No. 10-1650 Exempting the Sale or Trade of the Nortel DMS100 Switch and Related Equipment in Whole or in Parts, from the Competitive Bid Requirements – Second Reading**

Copies of Ordinance No. 10-1650 were available for all persons present.

Moved by West, seconded by Jason Harris the City Council approve in second reading Ordinance No. 10-1650 exempting the sale or trade of the Nortel DMS100 switch and related equipment in whole or in parts, from the competitive bid requirements; providing for the filing of referendum petitions; and establishing an effective date.

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

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

Mayor Williams recommended the names of James (Jay) Rhodes and Samuel Bergeron to the KPU Advisory Board, and asked if there were any objections. Councilmember Jason Harris expressed concern about Mr. Bergeron's ability to attend meetings due to his work schedule, and Mayor Williams said he didn't believe Mr. Bergeron was in the same job any longer that required him to be away from home. No objections were heard.

**NEW BUSINESS**

**Amendment No. 1 to Contract No. 09-30 – Tongass Avenue Utilities Replacement Phase II, S&S General Contractors & Equipment Rentals, Inc.**

Moved by West, seconded by Jason Harris the City Council authorize the city manager to execute Amendment No. 1 to Contract No. 09-30, Tongass Avenue Utilities Replacement Phase II, between the City of Ketchikan and S&S General Contractor & Equipment Rentals, Inc., said amendment providing for a lump sum contract cost in the amount of \$7,474,465 for all labor, materials, fees and incidental items necessary to complete all project components required in the original contract documents as detailed in the Public Works Director's report dated May 10, 2010.

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

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

**Budget Transfer – Request for Community Agency Funding, Historic Ketchikan, Inc.**

Moved by Shay, seconded by Olsen the City Council authorize the city manager to transfer \$7,500 from Appropriated Reserves of the General Fund to the City Council's 2010 Community Promotion Account No. 51 and direct the city manager to enter into a community agency funding agreement with Historic Ketchikan, Inc. in an amount not to exceed \$7,500 for the partial cost of producing a new edition of *Our Town*.

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

**Future Replacement of Municipally-Owned Staircases**

Moved by Sivertsen, seconded by West the City Council direct staff to incorporate treads and landings within future replacement of municipally-owned staircases as determined appropriate by the City Council.

Moved by Jason Harris, seconded by Shay to defer this item until the next regular Council meeting.

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

**Award of Contract No. 10-04 – Grant Street Retaining Wall and Site Repairs – BAM, LLC - \$752,326**

Moved by Coose, seconded by Sivertsen the City Council accept the bid of BAM, LLC in the amount of \$752,326 for Contract No. 10-04, Grant Street Retaining Wall and Site Repairs; establish a 10% contingency in the amount of \$75,233, bringing the total project cost to \$827,559; authorize funding from the 2010 Streets Division's Grant Street Trestle

May 20, 2010

Repair Capital Account; and direct the city manager to execute the contract documents on behalf of the City Council.

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

**Contract with Foraker Group for Pre-Development –  
Museum Project – Councilmember Olsen**

Moved by Olsen, seconded by Jason Harris the City Council direct the city manager to apply to the Rasmusen Foundation for acceptance into their pre-development program.

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

**VOUCHERS**

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

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

**CITY MANAGER’S REPORT**

**Public Works Department Project Status Report – April  
2010**

Manager Amylon transmitted the project status report of the Public Works Department for the month of April 2010.

**Contract No. 09-30 Update – Tongass Avenue Utilities  
Replacement Phase II, S&S General Contractors &  
Equipment Rentals, Inc.**

Manager Amylon provide a report summarizing the activities of the Tongass Avenue Utilities Replacement Phase II Project through May 10, 2010.

**Purchase of Copper Ridge Site**

Manager Amylon reported he, Attorney Bradford, Councilmember Olsen and Public Works Director Allen met with Mr. Lybrand yesterday to kick off discussions about the acquisition of the Copper Ridge site. He felt it was productive, and Mr. Lybrand would like to move it forward as quickly as possible. He stated he instructed Mr. Allen to solicit proposals for a Phase I environmental review of the site, and he questioned whether the

May 20, 2010

Council wanted to undertake appraisal of the property. He reported Mr. Lybrand said he has previous appraisals that would be provided.

Councilmember West felt if the appraisals were not too old, it should suffice. Mayor Williams suggested seeing what Mr. Lybrand has, and go from there.

Manager Amylon continued since the Council made the site selection he has talked to Martha Schoenthal of Foraker Group, and have agreed it makes most sense for Foraker to take the new library to 10% design, at which time they would turn it over to the City. He stated he solicited proposals from both Bettisworth Welsh Whiteley and RISE Alaska to take the project to 35% design. He commented those contracts will be coming back to the Council at either the June 3 or June 17 meeting, and there were no appropriations in the budget to undertake that work. He reported it will require a budget transfer, probably from the Community Facility Development Fund, if we're going to stay on schedule and get into the appropriation queue for next session. He said his goal is to have the site acquired well before the end of the year and to have 35% done as well.

In response to Councilmember Jason Harris, he reported Mr. Lybrand will be putting together a draft purchase agreement. He said the City has informed him of what needs to be done in respect to both the drainage and improvements to Copper Ridge Lane. He continued while they were in agreement regarding improvements to Copper Ridge Lane, he felt the governing resolution on subdivisions is somewhat vague on drainage. He felt the City may be on the hook for the drainage improvements, but staff will work further on this issue.

## **K.P.U. MANAGER'S REPORT**

### **Project Status Reports of the KPU Operating Divisions – April 2010**

Manager Amylon provided copies of the project status reports of the KPU operating divisions for the month of April 2010.

**CITY CLERK'S FILE** – None

**CITY ATTORNEY'S FILE** – None

**FUTURE AGENDA ITEMS** - None

## **MAYOR AND COUNCIL COMMENTS**

Councilmember Harris requested an update on the old hospital building and what the intent is for that building. Manager Amylon stated he would get that information for the next council meeting.

May 20, 2010

Councilmember Shay reported on the Alaska Municipal League meeting in Anchorage he attended at no cost to the City. He said the most important issue is the upcoming "gag" legislation, which is due for the August Primary. He noted the AML Board of Directors was very concerned and appropriated \$30,000 with an additional \$20,000 to be spent from the reserves of the organization in order to make sure we can fight this issue. He related the issue did pass in Wyoming and they are now trying to get it repealed as unconstitutional at the tune of \$5 million. He stated the unions are very active against the passage of this law. He further reported we got a wonderful report from Lisa Murkowski's office, noting Ms. Murkowski's representative stated the State needs to step up with more port and harbor legislation, although roads are better. Councilmember Shay went on to say Alaska has the lowest gas tax. He wanted to make sure everyone got their invitation to the big celebration on the christening of two new ships on June 11, 2010 at the Alaska Ship and Dry Dock and all should attend. He explained there will be lots of important people there including Lisa Murkowski. He stated we had a real asset in our community by having Alaska Ship and Dry Dock here in Ketchikan as an employer.

Councilmember Olsen said he attended the Tax Committee Meeting yesterday; they covered how much tax revenue is being received on both sides. He commented he will be bringing forth an agenda item. He stated he would be out of town in June and beginning of July, but would participate by teleconference for both council meetings.

Councilmember West wanted to reconsider the Tongass loading zone, but was not on the prevailing side. She expressed appreciation for the Tongass School of Arts and Science's presentation about the cross walks.

Mayor Williams thanked Chief Talik for inviting him to the awards dinner. He hoped the Council would re-look at the Tongass loading zone request. Mayor Williams reported that he attended a Cooperative Relations meeting where they went over library and airport issues, and he felt some progress was made. He noted next meeting they will be discussing shuttle service from the docks.

Councilmember Shay requested the Tongass loading zone request be placed on the June 3, 2010 Agenda.

**OTHER NEW BUSINESS** – None

**EXECUTIVE SESSIONS** – None

**ADJOURNMENT**

As there was no further business, the Council adjourned at 9:10 p.m.

---

Lew Williams III, Mayor

ATTEST:

---

Katherine M. Suiter  
City Clerk

**FYI ITEMS INCLUDED**

Southeast Alaska Independent Living, Inc. – Quarterly Financial Reports – January Through  
March 2010

Water Utilization Study Report – April 2010

Lake Levels and System Generation Report – April 2010

Letter of Appreciation – Holy Name School First Grade

Correspondence From ACR Publications

Ketchikan Visitors Bureau – First Quarter Report and Economic Impact Analyses of Ketchikan  
Arts and Nonresident Sport Fishing

Community Connections Older Alaskans and Adult Resource Services (OARS) –  
Quarterly Report – January Through March 2010