

**CITY OF KETCHIKAN**

**REGULAR CITY COUNCIL MEETING**

**October 6, 2011**

**7:00 P.M.**

**AGENDA**

**1. CALL TO ORDER**

**2. ROLL CALL**

**Please Rise for the Pledge of Allegiance**

**3. COMMUNICATIONS**

- a. Mayoral Proclamation - Red Ribbon Week
- b. Mayoral Proclamation - Disability Mentoring Day
- c. Mayoral Proclamation - Domestic Violence Awareness Month

**4. PERSONS TO BE HEARD**

**5. CONSENT AGENDA**

*Items listed under Consent Agenda 5 are considered to be routine by the City Council and will be approved in one motion unless a Councilmember requests an item be considered separately.*

**a. General Government**

- (1) Approval of Minutes - Special Meetings of August 24, and September 22, 2011; and Regular Meetings of September 1 and 15, 2011
- (2) Contract No. 10-30 - Amendment No. 7 - Professional Services Agreement for the Design of the Ketchikan Public Library - Bettisworth Welsh Whiteley, LLC
- (3) Declaring Personal Property as Surplus - Sale of Personal Property Through a Sealed Bid Process
- (4) Exempting from Competitive Bidding - ISeries Software and Hardware Service - Education Management Associates

**b. Ketchikan Public Utilities**

- (1) Ordinance No. 11-1678 - Lease Agreement Between Ketchikan Public Utilities and Alascom, Inc. for Certain Real Property Located at 2900 Tongass Ave., Ketchikan, Alaska - First Reading
- (2) Agreement for Joint Use of Ketchikan Public Utilities System Poles - GCI Communication Corp.

**6. UNFINISHED BUSINESS**

**a. General Government**

**b. Ketchikan Public Utilities**

**7. NEW BUSINESS**

**a. General Government**

- (1) Appointment of a City Council Member to the Ketchikan Medical Center (Ketchikan General Hospital) Governing Board
- (2) 2011-2012 Collective Bargaining Agreement Between the City of Ketchikan and the Public Safety Employees Association (PSEA)
- (3) Resolution No. 11-2405 - Amending the Compensation Plan for the Reclassification of the Position of Engineering Technician to Contract/Grant Administrator Within the Public Works Department
- (4) Discussion of Adding the Performing Arts Center to the 2011-2015 Community Economic Development Strategy (CEDs) List - Councilmember Shay
- (5) Ordinance No. 11-1682 - Amending Title 13 Entitled "Port of Ketchikan" and Title 14 Entitled "Boat Harbor Facilities Code" - First Reading
- (6) Public Defender Contract
- (7) FY 2013 Legislative Liaison Priority Requests
- (8) Contract No. 10-31 - Change Order No. 2 - Construction Manager/General Contractor Construction Services for the Construction of a New Fire Station - Dawson Construction, Inc.
- (9) Community Agency Funding - Councilmember Sivertsen

**b. Ketchikan Public Utilities**

- (1) Budget Transfer - 2011 Telecommunications Division's Space Rentals and Licenses and Fees
- (2) Award of Contract No. 11-39 - Bethe Substation Phase I Construction Contract - Pool Engineering, Inc.

**8. VOUCHERS - Ketchikan Daily News - \$10,533.09**

**9. MANAGER'S REPORTS**

**a. General Government**

- (1) Schedule of General Government and Ketchikan Public Utilities Appropriated Reserves Through the City Council Meeting of September 15, 2011
- (2) Annual Evaluation of the City Manager/Ketchikan Public Utilities General Manager
- (3) Contract No. 10-31 (Construction Manager/General Contractor Construction Services for the Construction for a New Municipal Fire Station) Update - Minutes of Weekly Construction Progress - Meeting No. 24
- (4) Contract No. 10-30 - (One Hundred Percent Design of the Ketchikan Public Library Project) Update - Minutes of Weekly Design Progress - Meeting No. 23
- (5) Contract No. 10-31 (Construction Manager/General Contractor Construction Services for the Construction for a New Municipal Fire Station) Update - Minutes of Weekly Construction Progress - Meeting No. 25
- (6) Contract No. 10-30 - (One Hundred Percent Design of the Ketchikan Public Library Project) Update - Minutes of Weekly Design Progress - Meeting No. 24
- (7) Public Meeting Regarding Restructuring of the City's Permitting Process
- (8) 2011 Sales Tax Report No. 6

**b. Ketchikan Public Utilities**

- (1) Report of September 21, 2011 Power Outage
- (2) Report of September 17, 18 and 21, 2011 Telephone Outages
- (3) Report of September 23, 2011 Power Outage
- (4) Report of September 27, 2011 Power Outage
- (5) Modification of the Bethel Substation Replacement Construction Schedule
- (6) Report of September 29, 2011 Internet Outage

**10. CITY CLERK'S FILE**

**11. CITY ATTORNEY'S FILE**

**12. FUTURE AGENDA ITEMS**

**13. MAYOR AND COUNCIL COMMENTS**

**14. OTHER NEW BUSINESS**

**15. EXECUTIVE SESSION**

*Items listed under Executive Session are items for which an executive session is requested and on which the City Council may or may not take action.*

**a. General Government**

- (1) Request for Executive Session - Collective Bargaining Agreement Between the City of Ketchikan and Public Safety Employees Association

Recommended Motion: I move that the City Council declare that consistent with the City Manager's memorandum dated September 22, 2011 it is in the best interest of the City to discuss negotiations regarding a collective bargaining agreement between the City of Ketchikan and the Public Safety Employees Association 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 September 22, 2011, 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 labor settlements.

- (2) Request for Executive Session - Potential Litigation Associated with Contract No. 10-40 - Ketchikan General Hospital Surgery Suites HVAC Improvements - Little Susitna Construction Company, Inc.

Recommended Motion: I move the City Council declare that it is in the best interest of the City to go into executive session in accordance with KMC 2.04.025(a)(1) and AS 44.62.310(c)(1) and (3) to discuss Little Susitna Construction Company, Inc.'s claims relating to its performance of the Agreement for Ketchikan General Hospital HVAC Improvement, Contract No. 10-40 as set forth in that company's Notice of Contract Dispute dated July 12, 2011, which includes the need to discuss subjects the knowledge of which could have an adverse impact upon the finances of the City and to discuss potential litigation strategies with legal counsel within the attorney-client privilege.

**b. Ketchikan Public Utilities**

**16. ADJOURNMENT**

**FYI:**

**a. General Government**

- (1) Unapproved Minutes of the September 22, 2011 Ketchikan Gateway Borough/City of Ketchikan Tax Coordinating Committee
- (2) Unapproved Minutes of the September 23, 2011 Ketchikan Gateway Borough/City of Ketchikan Cooperative Relations Committee Meeting

**b. Ketchikan Public Utilities**