

**CITY OF KETCHIKAN**

**REGULAR CITY COUNCIL MEETING**

**March 19, 2015      7:00 P.M.**

**AGENDA**

**1.    CALL TO ORDER**

**2.    ROLL CALL**

**Please Rise for the Pledge of Allegiance**



**PUBLIC HEARING ON PROTEST OF PACKAGE STORE LIQUOR LICENSE  
RENEWAL – 1<sup>ST</sup> CITY SALOON**



**3.    COMMUNICATIONS**

**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 of Regular Meeting of March 5, 2015
- (2)    Exempting the Procurement of Financial and Accounting System Annual Software Maintenance from the Competitive Bidding Requirements – New World Systems
- (3)    Budget Transfer – Contract No. 15-10 – City Hall Flooring Asbestos Abatement – Southeast Environmental Construction LLC
- (4)    Assignment of Tidelands Lease ADL 104817
- (5)    Resolution No. 15-2587 – Supporting House Bill 52 and Senate Bill 61 – Museum Construction Grant Program

**b.    Ketchikan Public Utilities**

**6.    UNFINISHED BUSINESS**

**a.    General Government**

- (1)    Ordinance No. 15-1792 – Amending Subsection (c)(2) of Ketchikan Municipal Code 13.09.025 Entitled “Lease of Dock Vending Locations” To Exempt Such Leases From the Requirements of Charter Section 5-17 – Second Reading

- (2) Liquor License Renewal, Package Store – 1<sup>st</sup> City Saloon
- (3) Resolution No. 15-2586 – Amending Section 5.5.2 of the City of Ketchikan Personnel Rules – Deferred from March 5, 2015

**b. Ketchikan Public Utilities**

**7. NEW BUSINESS**

**a. General Government**

- (1) Excise Tax on Tobacco/E-Cigarette Products
- (2) Ketchikan Gateway Borough Policy Papers
- (3) Amendment No. 1 to Contract No. 14-35 – Berth III Site Improvements, PND Engineers, Inc.
- (4) Change Order No. 1 (Final) to Contract No. 14-27 – Water Street No. 2 Bridge Repairs, P&T Construction, Inc.
- (5) Lease Agreement with the State of Alaska for the Ketchikan Youth Detention/Diagnostic and Treatment Facility
- (6) Public Works Department’s 2015 Programmed Maintenance of City Streets
- (7) Award of Contract No. 15-02 – Solid Waste Baler Replacement Project – Harris Waste Management Inc.
- (8) Request to Utilize the Construction Manager’s Contingency to Pay for State Prevailing Wage Rates Associated with the Erection of Steel – Contract 13-38A, Construction Services for the Ketchikan Medical Center Expansion Project, Layton Dawson Joint Venture Constructors
- (9) Ordinance No. 15-1793 – Creating a New Chapter 9.54 Entitled “Off-Premises Commercial Solicitation Restrictions” – First Reading
- (10) Ordinance No. 15-1794 – Amending Ketchikan Municipal Code Section 9.56.040 “Obstructing Public Ways” and Adding Section 9.56.055 “Vending on Sidewalks From Private Property” – First Reading
- (11) Amendment No. 4 to Contract No. 13-37 – Thomas Basin Seawall Design, PND Engineers, Inc.
- (12) Contract No. 14-37 – Solid Waste Transport and Disposal Services and Recyclable Materials Transport and Processing Services, Regional Disposal Company, Inc.

**b. Ketchikan Public Utilities**

- (1) Procurement of 4G-LTE Transport to Verizon Mobile Switching Center – Zayo Group, LLC

8. **VOUCHERS** - Ketchikan Daily News - \$620.00

9. **MANAGER'S REPORTS**

a. **General Government**

- (1) Schedule of General Government and KPU Appropriated Reserves Through the City Council Meeting of March 5, 2015
- (2) Response to Comments on the Department of Transportation & Public Facilities' Preliminary Engineering Report – Front, Mill and Stedman Streets Reconstruction Project
- (3) Ketchikan Medical Center Expansion Project – Owner/Executive Committee Meeting Summary Minutes of February 13, 2015
- (4) Ketchikan Medical Center Expansion Project – Owner/Executive Committee Meeting Summary Minutes of February 20, 2015
- (5) Removal of Dangerous Tree from City Property Adjacent to 3346 Denali Avenue
- (6) Ketchikan Visitors Bureau 2014 Spirit of Alaska Award – Totem Heritage Center Tour Guide Larry Reed
- (7) Public Works Department Project Status Report – February 2015
- (8) Schoenbar Creek Culvert Condition Assessment
- (9) Ketchikan Medical Center Expansion Project – Owner/Executive Committee Meeting Summary Minutes of February 20, 2015

b. **Ketchikan Public Utilities**

- (1) Project Status Report of the KPU Operating Divisions – February 2015
- (2) Whitman Lake Hydroelectric Project – Turbines and Generators Installation Meeting Minutes of February 24, 2015
- (3) Whitman Lake Hydroelectric Project – Turbines and Generators Installation Meeting Minutes of March 3, 2015
- (4) Whitman Lake Hydroelectric Project – Turbines and Generators Installation Meeting Minutes of March 10, 2015
- (5) Funding of Payments Required by the Whitman Lake True-up Agreement Between the City and Southeast Alaska Power Agency – Councilmember Sivertsen

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 – Discussion of Legal Strategies Associated with Layton Dawson Joint Venture Constructors’ Performance Under Contract No. 13-38A, Ketchikan Medical Center Expansion Project, and Potential Legal Strategies that the City May Wish to Pursue Regarding the Company’s Request to Utilize the Construction Manager’s Contingency to Pay for State Prevailing Wage Rates Omitted from Its Steel Erection Subcontract

**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 (3) and AS 44.62.310(c)(1) and (3) to discuss Layton Dawson Joint Venture Constructors’ performance under Contract No. 13-38A, Ketchikan Medical Center Expansion Project, and potential legal strategies that the City may wish to pursue regarding the company’s request to utilize the Construction Manager’s contingency to pay for state prevailing wage rates omitted from its steel erection subcontract, 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) February 27, 2015 Ketchikan Gateway Borough/City of Ketchikan Cooperative Relations Committee Meeting

**b. Ketchikan Public Utilities**

- (1) Lake Levels and System Generation Report for the Month of February 2015
- (2) Water Utilization Study Reports – February 2015