

CITY OF KETCHIKAN
REGULAR CITY COUNCIL MEETING

April 5, 2012 7:00 P.M.

AGENDA

- 1. CALL TO ORDER**
- 2. ROLL CALL**

Please Rise for the Pledge of Allegiance



PUBLIC HEARING ON ORDINANCE NO. 12-1694 – AMENDING TELECOMMUNICATION SERVICES AND RATES



PUBLIC HEARING ON RESOLUTION NO. 12-2448 - AMENDING THE 2012 GENERAL GOVERNMENT ANNUAL BUDGET - MAYOR AND COUNCIL - \$55,000 AND PUBLIC WORKS BUILDING AND MAINTENANCE DIVISION - \$100,000



- 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 - Regular Meeting of March 15, 2012 and Special Meeting of March 22, 2012
- (2) Liquor License Renewals - Red Snapper, Totem Bar, 1st City Saloon, Narrows Inn & Thornlow's Water Front Bar, Creek Street Cabaret, Newtown Liquor, Totem Liquor Store, Red Snapper Package Store, Eagles Nest and New York Hotel & Cafe
- (3) Spring Clean-Up Week - April 21 Through April 28, 2012
- (4) Award of 2012 Hazardous Household Waste Collection and Removal Agreement - Carson Dorn, Inc.
- (5) Contract No. 10-01 - Change Order No. 2 (Final) - Bayview and Warren Street Bridge Replacement - Pool Engineering, Inc.
- (6) Denali Commission Financial Assistance Award - Design of Bar Harbor South Drive Down Ramp and Float

b. Ketchikan Public Utilities

- (1) Exempting From Competitive Bidding - Procurement of Automated Meter Reading (AMR) Meters - Cannon Technologies

6. UNFINISHED BUSINESS

a. General Government

- (1) Ordinance No. 12-1697 - Issuance of General Obligation Bonds in an Amount Not to Exceed \$5,000,000 to Finance the Cost of Certain Improvements to Harbor Facilities of the City; Providing for Submission to the City's Voters at a Special Election of June 26, 2012 - Second Reading

b. Ketchikan Public Utilities

- (1) Ordinance No. 12-1694 - Amending Telecommunications Service and Rates of the Ketchikan Municipal Code - Second Reading
- (2) Budget Transfer - Purchase of a Blue Coat Packetshaper

7. NEW BUSINESS

a. General Government

- (1) Award of Contract No. 12-24 - 2012 Asphalt Overlay Project - Secon
- (2) Budget Transfer - E-911 Central Communications Division Overtime
- (3) Award of Contract No. 12-08 - Waterfront Promenade-Spruce Mill Phase I Construction - BAM LLC
- (4) Resolution No. 12-2448 - Amending the 2012 General Government Annual Budget to Provide Supplemental Appropriations for Mayor and Council \$55,000 and Public Works Building and Maintenance Division \$100,000
- (5) Budget Transfer - Drug Investigations Unit
- (6) Ordinance No. 12-1698 - Amending KMC Entitled "Exemptions" to Provide for Exempting the First \$25,000 of Assessed Valuation of Certain Personal Property from Taxation - First Reading
- (7) Award of Contract No. 12-26 - Solid Waste Rear End Loader - Cascadia International of Anchorage, LLC
- (8) Discussion of February 22, 2012 Blast at P&T Quarry Adjacent to Copper Ridge Lane and the Site of the New Ketchikan Public Library - Councilmember Bergeron
- (9) Resolution No. 12-2449 - Authorizing the City of Ketchikan to Enter into a Memorandum of Agreement with the State of Alaska Department of Transportation - Waterfront Promenade Phase III
- (10) 2012-2014 Collective Bargaining Agreement Between the City of Ketchikan and IBEW, Local 1547
- (11) Two Percent (2%) Cost of Living Adjustment for Non-Represented General Government and Ketchikan Public Utilities Employees

And

Resolution No. 12-2452 Amending Sections of the City of Ketchikan Personnel Rules

- (12) Contract No. 12-05 - Design of Drive Down Ramp - PND Engineers, Inc.
- (13) Approving Olson Marine Inc.'s Development Plan and the Tidelands Lease for ATS 1641 with an Annual Rent in the Amount of \$6,000

And

Resolution No. 12-2450 Transfer of Certain State-Owned Tidelands Located with the City of Ketchikan, Alaska for the Purpose of Developing a Private Barge Loading Facility

- (14) Resolution No. 12-2442 – Issuance of a General Obligation Bond of the City in the Principal Amount of \$5,200,000 to Finance the Construction and Equipping of a New Public Library
- (15) Ten Year Extension of Agreement – Lease Between the City of Ketchikan and PeaceHealth – Ketchikan Medical Center

b. Ketchikan Public Utilities

- (1) Discussion of Issuing a Request for Proposals for the Development of an Energy Conservation Program - Councilmember Bergeron
- (2) Presentation on Biomass Heating Technologies and Policies by Rolf Anderson of A3 Energy Partners - Councilmember Bergeron
- (3) Offer of Employment - Sales, Marketing & Customer Service Division Manager
- (4) Award of Contract No. 12-31- Chlorination SCADA Upgrade - CH2M Hill, Inc.
- (5) Resolution No. 12-2451 - Amending the Compensation Plan for the Reclassification of the Position of Telecommunications Engineering Manager
- (6) Contract No. 08-39 - Change Order No. 3 - UV Disinfection Facility Construction Phase Services - CH2M Hill, Inc.
- (7) Discussion Regarding Elimination of Private Fire Hydrant Charges - Councilmember Bergeron
- (8) Purchase of Mobile Substation - Sunbelt Transformers

8. VOUCHERS - Ketchikan Daily News - \$6,339.96

9. MANAGER'S REPORTS

a. General Government

- (1) Schedule of General Government and KPU Appropriated Reserves Through the City Council Meeting of March 15, 2012
- (2) Contract No. 11-27 - Construction Manager/General Contractor Services for the Construction of a New Municipal Public Library - Minutes of Weekly Design/Construction Progress Meeting No. 47
- (3) Contract No. 11-02 - Phase I of Berths I and II Replacement Project - Weekly Construction Meeting Minutes of March 2, 2012

- (4) Contract No. 10-31 - Construction Manager/General Contractor Construction Services for the Construction of a New Municipal Fire Station - Minutes of Weekly Construction Progress Meeting No. 50
- (5) Contract No. 11-27 - Construction Manager/General Contractor Services for the Construction of a New Municipal Public Library - Minutes of Weekly Design/Construction Progress Meeting No. 48
- (6) Contract No. 11-02 - Phase I of Berths I and II Replacement Project - Weekly Construction Meeting Minutes of March 9, 2012
- (7) Contract No. 12-19 Update - Berths I & II Rehabilitation Phase II
- (8) IRS Audit of \$38,500,000 Port Revenue Bonds, Series 2006
- (9) FlashAlert Subscriber Count Update
- (10) Contract No. 11-02 Update - Berths I and II Rehabilitation Project Phase 1 - Dock Street Extension Entrance/Sourdough Bar and Tongass Trading Loading Zone
- (11) Foraker Group Pre-Development Application - Expansion of Tongass Historical Museum
- (12) Contract No. 10-31 - Construction Manager/General Contractor Construction Services for the Construction of a New Municipal Fire Station - Minutes of Weekly Construction Progress Meeting No. 51
- (13) Contract No. 11-27 - Construction Manager/General Contractor Services for the Construction of a New Municipal Public Library - Minutes of Weekly Design/Construction Progress Meeting No. 49
- (14) Contract No. 11-02 - Phase I of Berths I and II Replacement Project - Weekly Construction Meeting Minutes of March 16, 2012
- (15) Contract No. 12-15 Update – Alaska Avenue Reconstruction Project – BAM LLC

b. Ketchikan Public Utilities

- (1) EPA Air Quality Compliance Strategy (40 CFR 63 Subpart ZZZZ) - Update
- (2) Whitman Lake Hydroelectric Project Construction Concerns - Alaska Rainforest Sanctuary
- (3) KPU and Social Networking
- (4) Status of Permitting the UV & Disinfection Water Treatment Facilities
- (5) Independent Review of the Whitman Lake Hydroelectric Project – Kleinschmidt Associates
- (6) Electric Division Journeyman Lineman Appointment

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. Collective Bargaining Agreement Between the City of Ketchikan and IBEW Local 1547

Recommended Motion: I move that the City Council declare that consistent with the City Manager's memorandum dated March 26, 2012 it is in the best interest of the City to discuss negotiations regarding the 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 March 26, 2012, 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. Discussion of Potential Litigation Associated with Contract No. 11-21 – Jackson/Monroe Streets & 4th/7th Avenues Reconstruction Project – Miller Construction Co., Ltd

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 Miller Construction Co., Ltd.'s claim relating to its performance under Contract No. 11-21, Jackson/Monroe Streets & 4th/7th Avenues Reconstruction Project, as set forth in the company's claim dated February 13, 2012, 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.

3. Little Susitna Construction Company vs. City of Ketchikan – Case No. 1KE-12-13 Civil

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's complaint Case No. 1KE-12-13 Civil in the Superior Court for the State of Alaska at Ketchikan, 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) March 9, 2012 Edition of the Legislative Bulletin
- (2) March 16, 2012 Edition of the Legislative Bulletin
- (3) March 23, 2012 Edition of the Legislative Bulletin
- (4) Unapproved Minutes of the March 23, 2012 Ketchikan Gateway Borough/City of Ketchikan Cooperative Relations Committee Meeting

b. Ketchikan Public Utilities