

Regular Ketchikan City Council meeting was called to order by Mayor Kiffer at 7:00 p.m., May 16, 2024, with the following members present: Janalee Gage, Jai Mahtani, Judy Zenge, Jack Finnegan, Lalette Kistler, Riley Gass and Mark Flora.

The Pledge of Allegiance was given by all persons in the Chambers.

Mayor Kiffer stated the Native Lands Acknowledgement.

Staff present were Manager Walsh, Assistant Manager Simpson, City Attorney Seaver, Finance Director Johansen, Public Works Director Brakke, Deputy Fire Chief Karlik, IT Manager Hecla (via Webex), Tourism Manager Booyse, Lieutenant Purcell, Deputy Clerk Lee and City Clerk Stanker.

COMMUNICATIONS

Mayor Kiffer read a proclamation proclaiming May 27, 2024, as Memorial Day and asked the community of Ketchikan to remember and honor the people that served.

Mayor Kiffer read a proclamation proclaiming May 18-24, 2024, as National Safe Boating Week and presented the proclamation to Steve Rydeen of the USCG auxiliary.

Mayor Kiffer informed there were several items laid on the table, including communications from the Manager and Councilmember Kistler.

PERSONS TO BE HEARD

Norman Arriola spoke about his safety concerns at the area near the tunnel that will be selling tours soon. He suggested that a safety rail be installed the whole length of the area to prevent any accidents. He also thanked Councilmember Gage for bringing the issue of unauthentic Native art to the table. He opposes the name of the market at the tunnel.

Willard Jackson spoke about the history represented by the Native totem poles and the respect and stories that they represent. He has issues with the poles laying on the ground by the tunnel.

Meta Mulder stated that the poles laying on the ground by the tunnel are surrounded by disrespect; in the way they were carved, bought from a non-Native carver, and left laying in the dirt to be raised in a way that mocks the Tlingit people. They are not authentic, and she adamantly opposes the raising of these two poles.

Kathleen Light, Executive Director of the Ketchikan Arts and Humanities Council, read a letter from the board that supports to protect and celebrate culturally appropriate artwork and the authenticity and expertise of Alaska Native artists. The Arts Council stands in solidarity with the Alaskan Native community and urges the community to strongly reject any artwork that mimics Northwest Coast art forms.

Elizabeth Franklin stated the need for a shelter for the homeless, and to please reverse the decision to close First City Haven. She stated that everyone needs a safe place to shelter and to heal.

Judy Leask Guthrie spoke to the disrespect of the totem poles by the tunnel. She is concerned how it sends the wrong message to visitors and wonders if they think that this is how the Native people treat their poles. She said perhaps there is nothing that can be done about the poles at the tunnel, but maybe something can be done in the future.

Tom Guthrie said there is protocol to follow in raising totem poles and permission is required from the Elders. These poles are disrespectful and do not represent the three nations values. As a whole community we must respect each other, talk to each other and learn from each other, which could be positive for all of us.

Joe Williams stated he strongly objects to the poles by the tunnel being raised. He suggested the owner of the poles reach out to the Native communities as a step in the right direction. He implored the Council to not allow the poles to be raised as it will be shameful if they are.

Lee Wallace said he is against raising the totem pole and said that the resolution proposed by the City was a step in the right direction, but the language could be improved. He suggested reaching out to the Native community leaders and organizations for input.

Bruce Hattrick spoke about the homeless shelter and asked the Council to consider ways to deal with this issue. He also stated concern about his building projects.

Nora DeWitt shared that her husband apprenticed and worked hard to become a carver. The master artists teach not only art forms, but also the rules, protocol and prayers that have been handed down by generations. She asked the elected officials to help set standards such as ordinances and policies to protect these sacred and authentic pieces of art and prevent unauthentic art practices from being displayed in our community.

Irene Dundas stated her opposition to the raising of the totem poles by the tunnel. She stated that clan property is very precious and represents all their families. She asked that the Council make the right decision and not allow them to stand, because they mean nothing.

Willard Jackson stood up and offered a song for all the people asking the Creator for strength and guidance.

Ginger McCormick said that she is working on creating a tribal liaison board to propose to the City and the Borough to address issues that are culturally appropriate and inappropriate. Indigenous looking businesses, run by non-indigenous owners should not be allowed. She also has concerns about safety with chipping away at the tunnel.

Torah Zamora stated her opposition to the totem poles. She said that working in the tourism industry there is a lot of misinformation in the community. She said that we should be looking for ways of preventing this misinformation.

Nathan Jackson spoke to the meaning of totem poles as art, and the value to the people to learn from them and their importance of representing their clans. He said the poles at the tunnel are not art at all; they are tiny sticks of wood bought down south, are incomplete and not even carved by a Native. He questioned why the owner would want to do this. The Native people deserve more than that. He appreciates everyone listening as this is an important issue.

Jeremy Bynum said that it is obvious that the unauthentic totem poles are a very important issue to the community. He supports a resolution that condemns the disrespect of Native art. He also said that he lives adjacent to the tunnel property that is being chipped away under his foundation. He stated there was no notice given that this kind of construction was going to occur, or engineering plans made accessible.

CC Williams gave a brief history of the Totem Heritage Center and its mission to preserve and perpetuate the living artistic traditions of the Tlingit, Tsimshian and Haida peoples. She stated that the poles by the tunnel are an insult to her culture. To name this corner market after such a prestigious ceremony of her people is also an outright insult.

CONSENT AGENDA

Mayor Kiffer suggested moving the following items to the Consent Agenda: Memorandum of Understanding Between the City of Ketchikan and Historic Ketchikan – Ketchikan Welcome Arch and Budget Transfer – Tourism Management Department Ketchikan Welcome Arch Repair. Councilmember Gass asked that the budget transfer be considered separately.

Approval of Minutes – Regular City Council Meeting of May 2, 2024

Moved by Flora, seconded by Mahtani for the approval of minutes from the regular meeting of May 2, 2024.

Motion passed with Gass, Zenge, Mahtani, Finnegan, Flora, Gage and Kistler voting yea.

Procurement of Microsoft Office 365 Subscription Licenses and Support Services from Microsoft Corporation in the Amount of \$110,000

Moved by Flora, seconded by Mahtani pursuant to 3.12.050(a)(6) of the Ketchikan Municipal Code, the City Council authorize the purchase of Microsoft Office 365 licenses and support services from Microsoft Corporation in an amount not to exceed \$110,000; authorize funding from the Information Technology Department's 2024 operations budget; and direct the City Manager to execute any contract documents on behalf of the City Council.

Motion passed with Gass, Zenge, Mahtani, Finnegan, Flora, Gage and Kistler voting yea.

Procurement of a Street Sweeper – Yukon Equipment, Inc.

Moved by Flora, seconded by Mahtani pursuant to the Ketchikan Municipal Code section 3.12.050(a)(9), the City Council authorize the procurement of a street sweeper from Yukon Equipment, Inc. at a cost not to exceed \$405,850 per Sourcewell Contract No. 093021-ELG; authorize funding in the amount of \$405,850 from the 2024 Public Works-Street Division's Replace Street Sweeper Capital Account; and authorize the City Manager to execute the purchase contract documents on behalf of the City Council.

Motion passed with Gass, Zenge, Mahtani, Finnegan, Flora, Gage and Kistler voting yea.

Pursuit of Funding – EPA Required Water Service Line Inventory

Moved by Flora, seconded by Mahtani the City Council authorize staff to apply for ADEC grant funding and submit an ADEC Drinking Water loan questionnaire as necessary to provide funding for the EPA required water service line inventory for the City of Ketchikan.

Motion passed with Gass, Zenge, Mahtani, Finnegan, Flora, Gage and Kistler voting yea.

Award of Contract No. 24-16 – Utility ROW Tree Clearing, Carlos Tree Service, Inc.

Moved by Flora, seconded by Mahtani the City Council award Contract No. 24-16 Utility ROW Tree Clearing to Carlos Tree Service, Inc., in an amount not to exceed \$67,500, authorize a budget transfer of \$67,500 from the Electric Division Contractual Services, Technical Services Account No. 635.12, to the Electric Division's 2024 CIP for CIP26 North Tongass Tree Removal, and authorize the General Manager to execute the contract on its behalf.

Motion passed with Gass, Zenge, Mahtani, Finnegan, Flora, Gage and Kistler voting yea.

**Agreement for 2024 Joint Pole Use of Ketchikan Public Utilities
System Poles with Alaska Power & Telephone Wireless**

Moved by Flora, seconded by Mahtani the City Council approve the Agreement for 2024 Joint Use of Ketchikan Public Utilities System Poles with Alaska Power & Telephone; and authorize the General Manager to execute the contract on its behalf.

Motion passed with Gass, Zenge, Mahtani, Finnegan, Flora, Gage and Kistler voting yea.

**Liquor License Renewal Applications – Package Store –
Sourdough Liquor Store and Beverage Dispensary – Sourdough
Bar**

Moved by Flora, seconded by Mahtani the City Council approve the liquor license renewal application for Beverage Dispensary License No. 1066 – Sourdough Bar and Package Store License No. 1067, both located at 301 Front Street Ketchikan, AK 99901.

Motion passed with Gass, Zenge, Mahtani, Finnegan, Flora, Gage and Kistler voting yea.

**Memorandum of Understanding Between the City of Ketchikan
and Historic Ketchikan – Ketchikan Welcome Arch**

Moved by Flora, seconded by Mahtani the City Council approve the memorandum of understanding between the City of Ketchikan and Historic Ketchikan, formally declaring the Welcome Arch a city asset; assigning the asset's management to the Tourism Department; and authorize the City Manager to execute all documents on behalf of the City Council.

Motion passed with Gass, Zenge, Mahtani, Finnegan, Flora, Gage and Kistler voting yea.

**Budget Transfer – Tourism Management Department
Ketchikan Welcome Arch Repair**

Moved by Flora, seconded by Mahtani the City Council authorize the City Manager to transfer \$19,700 from appropriated reserves of the Commercial Passenger Vessel fund to the Tourism Department's 2024 Infrastructure and Plant Maintenance Account No. 635.08 in order to fund electrical repairs to the Ketchikan Welcome Arch.

Motion passed with Flora, Finnegan, Gage, Kistler, Zenge and Mahtani voting yea. Gass abstaining.

UNFINISHED BUSINESS - None

NEW BUSINESS

**Presentation by Elinore's Place, Child Advocacy Center (Women In Safe
Homes – WISH)**

Ali Ziegler, PhD, the coordinator of the Child Advocacy Center at Women In Safe Homes, updated the Council on Elinore's Place, a child-friendly place for children who have been abused can now be interviewed locally and receives services and support. She detailed the process for children to be seen at this facility, their approach and the benefits to their process. She explained the need for medical workers with specialized training to access the kids that come to the facility. She answered questions from the Council.

[The full presentation can be viewed at <https://www.ketchikan.gov/current-agendas-and-minutes>]

Agnes Moran, Executive Director for WISH, informed that the Sexual Assault Response Team (SART) program is active, however, they recently received a grant and will be restarting and revamping the program. She informed that WISH is not a homeless shelter, they are there for victims of sexual assault or domestic violence. She noted they have 31 beds and a crisis room available and explained that the need for WISH varies depending on the time of year. She stated her team has worked hard to put local people into safe housing in the community. She answered questions from the Council.

The Council took a short break at 8:53 p.m. and reconvened at 9:01 p.m.

Regulation of Native-Inspired Decor Art & Objects at Private Businesses

Moved by Gage, seconded by Finnegan the City Council discuss the regulation of Native-inspired décor and objects at private businesses and provide staff with direction related to this topic.

Councilmember Gage spoke about the appropriation of the Native community's art and their culture, and it is this community's responsibility to stop appropriation. She suggested the resolution be amended and to sit down with the local tribes to put more teeth in to it.

Councilmember Flora asked if Councilmember Gage would work with the elders in the Native community and craft a resolution. He also suggested that Councilmember Kistler bring this up with KVB and see if the local tourism industry would like to get involved, similar to the Tourism Management Best Practices (TMBP).

Councilmember Zenge added that the new resolution should also be reviewed by Attorney Seaver.

Discussion ensued with Councilmembers discussing ideas on how to stop appropriation of Native art and culture in the community, while recognizing property owners have rights. Suggestions were signage, education, disclaimers, resolutions and ordinances and meeting with the tribes and elders of the community for input. Concern was also voiced on the pedestrian hazards at the tunnel crossing over to the booths that will be installed there.

Attorney Seaver answered questions from the Council. He stated that there are very limited means for local government to get involved in this type of situation. He touched upon the gaps of copyrights, trademarks, the Indian Crafts Act and the first amendment. He commented that harnessing the power of the people may be the best chance to legally help resolve this issue.

It was the consensus of the Council to have Councilmember Gage craft a new resolution, to be reviewed by the attorney, and be brought back to the Council for consideration.

APPROVAL OF VOUCHERS – None

MANAGER'S REPORT

Manager's Report to Council

Manager Walsh introduced and welcomed Seth Brakke as the new Public Works Director.

Manager Walsh provided the Council for review the following reports:

- Provided information regarding the property located at 420 Water Street.
- Provided an agenda item relative to the use of Native-inspired art and objects that are not Native-made and the Indian Arts and Crafts Act (IACA).

- Congratulated Seth Brakke for his promotion to Public Works Director effective May 15, 2024.
- Update regarding Akeela and the Gateway properties.
- Will issue a notice to vacate to FCHS for the shelter property on 5/30/2024.
- She informed FCHS has begun adjusting its service hours and will cease overnight sheltering on May 16, 2024, and their new operating hours will be 8 a.m. to 8 p.m.
- Provided the Council with an updated travel report.
- An updated spreadsheet with the status of Council requests.

Manager Walsh and Attorney Seaver answered questions from the Council regarding Akeela.

Manager Walsh was asked to schedule a special meeting inviting local providers and the public to discuss mental health services in the community. Manager Walsh also answered questions about the possibility of a homeless reunification program.

Schedule of General Government and KPU Appropriated Reserves Through May 2, 2024

Manager Walsh attached for City Council review a schedule of the current balance of Appropriated Reserves of the various funds of General Government and Ketchikan Public Utilities through May 2, 2024.

KPU Sales, Marketing & Customer Service Division Manager's Report, April 2024

Manager Walsh attached for City Council review the April 2024 Project Status Report from the KPU Sales, Marketing & Customer Service Division Manager.

KPU Electric Division Manager's Report - April 2024

Manager Walsh attached for City Council review the April 2024 Project Status Report from the KPU Electric Division Manager.

KPU Telecommunication Division Manager's Report - April 2024

Manager Walsh attached for City Council review the April 2024 Project Status Report from the KPU Telecommunication Division Manager.

Water Division Manager's Report - April 2024

Manager Walsh attached for City Council review the April 2024 Project Status Report from the KPU Water Division Manager.

Calls and Responses to First City Homeless Services – April 2024

Manager Walsh attached for Council review a transmittal memorandum from Fire Chief Hines and Lt. of Investigations Mike Purcell, addressing the calls for service and responses to First City Homeless Services Day Shelter located at 632 Park Avenue for the month of April 2024.

Ketchikan Spring Clean-Up Week – 2024 Report

Manager Walsh attached for Council review a memorandum from Public Works Solid Waste Supervisor Brian Gilson, which summarizes the week-long collection effort for Spring Clean-Up Week. She asked the Council if they would also be interested in pursuing a Fall Clean-Up week.

Banking Services

Manager Walsh attached for Council information from Finance Director Johansen regarding competitive solicitation for a new banking service provider.

420 Water Street Site Development

Manager Walsh attached for Council a memorandum from Acting Public Works Director Robinson in response to the request for information regarding the permitting process for 420 Water Street and the associated permits.

2022 Surplus Properties Auction Update

Manager Walsh stated at the March 21, 2024, City Council meeting Councilmember Zenge requested a list of City derelict and surplus properties that could be disposed of via auction. She said City staff are currently researching properties that could be auctioned as surplus and will present a list to the Council for consideration once prepared. She provided the Council with a list the Public Works Engineering staff drafted, listing the surplus properties that were disposed of at the June 23, 2022, auction with their status as of April 2024 relative to their current use.

COUNCIL COMMITTEE REPORTS

Councilmember Kistler provided the Council with the minutes from the Greater Ketchikan Area Local Emergency Planning Committee meeting of April 10, 2024.

Councilmember Kistler provided the Council with an update from the Ketchikan Visitors Bureau.

CITY CLERK'S FILE – None

CITY ATTORNEY'S FILE – None

FUTURE AGENDA ITEMS

Councilmember Flora requested a report on reunification services for homeless folks.

Councilmember Zenge would like a report on 988 and how it works, and how to navigate the system. She would also like an update on the sobering center.

MAYOR AND COUNCIL COMMENTS

Councilmember Gass thanked everyone that came out and shared their passion and opinions regarding the situation at the tunnel. He said that the reunification idea is a step in the right direction.

Councilmember Kistler wanted to thank the tribes for speaking up as it was very educational, and she thinks that is what is needed to help people understand. She recognized how respectful each person at the podium was and hopes that the word of respect is spread throughout the community.

Councilmember Finnegan echoed the sentiment expressed by Attorney Seaver with respect to the totem pole issue in that the power lays on the side of the room in which the tribal brothers and sisters were commenting. He said any avenue to work in partnership and collaboration with our tribal neighbors is a benefit to the community at large, and he is eager to discover more ways to do so.

Councilmember Mahtani thanked the tribal members that spoke and said that we can all learn from the respect that they showed and appreciated the education and respect they gave the Council.

"UNAPPROVED"

May 16, 2024

Councilmember Gage thanked all the tribal members that came to the meeting. She stated there is power in numbers, but we need to find a way to protect our community as a whole because when it comes to the erosion of our community's culture it is a detriment to all, including the visitor's experience. She stated, sometimes being loud is the only way to get something addressed.

Mayor Kiffer was also happy to see so many of the elders at the meeting. He reminded all that he will be on leave until mid-July.

OTHER NEW BUSINESS – None

EXECUTIVE SESSIONS – None

ADJOURNMENT

As there was no further business the Council adjourned at 10:12 p.m.

David Kiffer, Mayor

ATTEST:

Kim Stanker, MMC
City Clerk

FYI

Alaska Legal Services Corporation Q1 Grant Report
First City Homeless Services Q1 Grant Report
Women In Safe Homes Q1 Grant Report
Ketchikan Committee for the Homeless – PATH Shelter Q1 Grant Report
Love in Action Newsletter – May 2024
Grow Ketchikan Q1 Grant Report
Ketchikan Area Arts & Humanities Council Q1 Report
Ketchikan Wellness Coalition Q1 Grant Report
Ketchikan Gateway Borough Ordinance 2040 – Rezoning Lots, 1, 2 and 3 of Harbor Point
Subdivision
Construction Notice – Tongass Avenue Improvements Construction