



City Manager
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TRANSMITTAL MEMORANDUM

TO: The Honorable Mayor and City Council

FROM: Lacey G. Simpson, Acting City Manager

DATE: August 23, 2022

RE: **Extended Appointment and Compensation for Acting City Manager/KPU General Manager**

At the special City Council meeting of September 9, 2021, the City Council adopted a motion appointing me as Acting City/KPU General Manager for a term not to exceed one year effective September 1, 2021 while the City Council conducted a recruitment process for the vacant City Manager/KPU General Manager position. At its October 7, 2021 meeting, the City Council approved my compensation as Acting City Manager/KPU General Manager at Grade TL 992, Step U, plus 10%, at an annual salary of \$204,409.

As the City Council is aware, appointed City Manager/General Manager Delilah Walsh will begin employment on October 1, 2022. At its meeting of August 18, 2022, the City Council convened in executive session for the purposes of discussing my continued Acting appointment during the one-month period between my original appointment ending and Ms. Walsh starting employment, as well as continued compensation for transfer of some duties and knowledge for Ms. Walsh during the 2023 budget process and adoption.

Pursuant to City Council direction, the below motion has been prepared for City Council consideration. If adopted, the motion provides for my continued appointment as Acting City Manager/KPU General Manager through September 30, 2022 and the continued compensation of Grade TL 992, Step U, plus 10%, at an annual salary of \$208,497 through December 31, 2022.

Motion: I move the City Council appoint Lacey Simpson to continue serving as Acting City Manager/KPU General Manager for the period September 1 through September 30, 2022 and establish the continued compensation level for Lacey Simpson at Grade TL 992, Step U, plus 10%, at an annual salary of \$208,497, for the period effective September 1, 2022 through December 31, 2022.

September 9, 2021

Special Ketchikan City Council meeting was called to order by Mayor Sivertsen at 7:00 p.m., September 9, 2021, with the following members present: Riley Gass, Mark Flora, Abby Bradberry, Janalee Gage, Judy Zenge and Sam Bergeron (via WebEx). Councilmember David Kiffer absent.

The Pledge of Allegiance was given by all persons in the Ted Ferry Civic Center.

Mayor Sivertsen stated the Recital of Native Lands Acknowledgement.

Staff present were Assistant Manager Simpson, City Attorney Seaver and Deputy Clerk Lee.

COMMUNICATIONS - None

PERSONS TO BE HEARD

Jai Mahtani stated the City is at a critical juncture right now and has to make many hires and appointments for several departments. He hoped Ms. Simpson is appointed as the interim manager as she has done a great job representing the City. He said the hiring of a city manager is critical for the City of Ketchikan and outside the community as well.

Bruce Hattrick said Ms. Simpson would be a good person for the job. He referenced his handout requesting discovery information. He stated he is conducting an investigation regarding the city attorney and Water Department. He requested the City Council to investigate as well.

EXECUTIVE SESSIONS

Request for Executive Session – Appointment of an Acting City Manager/KPU General Manager

Moved by Bradberry, seconded by Flora the City Council declare that consistent with the Assistant City Manager’s report dated September 3, 2021, it is in the best interest of the City Council to go into executive session in accordance with Ketchikan Municipal Code 2.04.025(a)(1) and (2) for the purpose of discussing the appointment of an acting city manager/KPU general manager, which may involve discussion of subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and to discuss subjects the knowledge of which could have an immediate adverse impact on the finances of the City of Ketchikan.

Motion passed with Gage, Zenge, Bradberry, Bergeron and Flora voting yea; Gass voting nay. Kiffer Absent.

The Council recessed in to executive session at 7:08 p.m. and reconvened at 7:27 p.m.

Mayor Sivertsen said the Council has completed its executive session regarding the appointment of an acting city manager.

Moved by Flora, seconded by Bradberry the City Council appoint Lacey Simpson as acting city manager/KPU general manager for a term not to exceed one year contingent upon compensation as approved by the City Council at a future date.

Motion passed with Gage, Zenge, Bradberry, Bergeron, Gass and Flora voting yea. Kiffer absent.

October 7, 2021

**Accepting the Water Line Easement for the Schoenbar Road
Raw Water Transmission Main Replacement Project**

Moved by Kiffer, seconded by Flora the City Council accept the water line easement and Title 12 Temporary Construction Access Permit for the Schoenbar Raw Water Main Replacement project; and direct the Acting General Manager to execute the documents on behalf of the City Council.

Motion passed with Gass, Kiffer, Gage, Bradberry and Flora voting yea; Zenge and Bergeron absent.

UNFINISHED BUSINESS – None

NEW BUSINESS

**Compensation for Acting City Manager/KPU General Manager
Appointment**

Moved by Bradberry, seconded by Gage the City Council establish a compensation level for Acting City Manager/KPU General Manager Lacey Simpson of Grade TL 992, Step U, plus 10%, at an annual salary of \$204,409 and grant the use of the dedicated take-home vehicle for business purposes for a term not to exceed one year effective September 1, 2021.

Councilmember Gass commented this is the going rate for this position so the Council is basically paying an appropriate rate.

Motion passed with Gass, Kiffer, Gage, Bradberry and Flora voting yea; Zenge and Bergeron absent.

**Resolution No. 21-2825 – Honoring Mayor Robert Sivertsen and
His Service to the City of Ketchikan**

Moved by Kiffer, seconded by Flora the City Council approve Resolution No. 21-2825 honoring Mayor Robert Sivertsen and his service to the City of Ketchikan; and establishing an effective date.

Vice Mayor Kiffer read the resolution and presented it to Mayor Sivertsen. Mayor Sivertsen thanked the Councils he has worked with, the staff and the citizens for voting him in. He recited some of the things he has done over the years in service to the public, both as an employee and as an elected official.

Motion passed with Gass, Kiffer, Gage, Bradberry and Flora voting yea; Zenge and Bergeron absent.

**Resolution No. 21-2823 – Honoring Councilmember Sam
Bergeron and His Service to the City of Ketchikan**

Moved by Gage, seconded by Kiffer the City Council approve Resolution No. 21-2823 honoring Councilmember Sam Bergeron and his service to the City of Ketchikan; and establishing an effective date.

Motion passed with Gass, Kiffer, Gage, Bradberry and Flora voting yea; Zenge and Bergeron absent.

EXECUTIVE SESSIONS

Request for Executive Session – Appointment Term of the Acting City Manager/General Manager

Moved by Zenge, seconded by Mahtani the City Council declare that consistent with the Acting City Manager's report dated August 8, 2022, it is in the best interest of the City Council to go into executive session in accordance with Ketchikan Municipal Code 2.04.025(a)(1) and (2) for the purpose of discussing the continued appointment of the Acting City Manager/KPU General Manager, which may involve discussion of subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion and to discuss subjects the knowledge of which could have an immediate adverse impact on the finances of the City of Ketchikan.

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

The Council took a short break at 9:32 p.m. and recessed into executive session at 9:40 p.m. and reconvened into regular session at 10:10 p.m.

Mayor Kiffer said the Council has completed its executive session to discuss the continued appointment of the Acting City Manager/KPU General Manager, and direction was given to staff.

Request for Executive Session – City Attorney Contract Evaluation

Moved by Kistler, seconded by Mahtani the City Council recess into executive session in accordance with Ketchikan Municipal Code 2.04.025(a)(2) for the purpose of conducting an evaluation of the contract performance of Ziegler Law Firm under its City Attorney Services Contract, which involve discussion of subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion.

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

The Council recessed into executive session at 10:13 p.m. and reconvened into regular session at 11:11 p.m.

Mayor Kiffer said the Council has completed its executive session to conduct an evaluation of the contract performance of Ziegler Law Firm under its City Attorney Services Contract, and direction was given to staff.

Request for Executive Session – Discussion of Strategies Relative to Negotiation of a New Collective Bargaining Agreement Between the City of Ketchikan and the Public Safety Employees Association to Replace the Existing Contract that Expired June 30, 2022

Moved by Kistler, seconded by Bradberry the City Council declare that consistent with the Acting City Manager's memorandum dated August 10, 2022 it is in the best interest of the City to discuss strategies relative to negotiation of a new collective bargaining agreement between the City of Ketchikan and the Public Safety Employees Association to replace the existing contract that expired June 30, 2022 in executive session; in accordance with that finding, the City Council go