

**KETCHIKAN CHARTER COMMISSION**

REGULAR MEETING

February 13, 2004

The regular meeting of the Ketchikan Charter Commission commenced at 6:00 p.m., Friday, February 6, 2004, in the City Council Chambers.

**A: Pledge of Allegiance****Roll Call**

PRESENT: PAINTER, OTTE, THOMPSON, HARRINGTON, KIFFER (Arrived 6:06 pm), MCCARTY (Arrived 6:16 pm)

ABSENT: FINNEY

**B: Ceremonial Matters**

NONE

**C: Public Comments**

Paul Hook, 488 North Point Higgins Road, spoke to the Commission on the garbage situation, both the loose loads going all over the roads and the fact that living out North, they pay the landfill fee and also a fee for garbage pickup. He wanted to know if consolidation passes, would the new municipality take the garbage pickup as an areawide power?

Another item he mentioned was the police powers. He said he was aware that the Commission hadn't come to that portion of the Charter yet, but he said he'd talked with some people from the north end.

When questioned whether the people were in favor or opposed to police powers, Mr. Hook responded they are opposed because they are afraid the Troopers will pull out and the north end will be left without police coverage.

When asked if he felt the new government should take on areawide garbage powers, he said yes. He said that currently the citizens are paying to have their garbage picked up and paying to put it in the landfill so instead of having two

entities do it, one should do it. It's a service that everybody needs and it's a service that everyone would get.

Jack Shay, 832 Buren #29, urged the Commissioners to make use of all the sources, facilities and individuals available for information in pursuing the consolidation. He said the Borough Assembly had received the Commission's budget and it looks quite reasonable and it should pass without too much problem. He urged the Commission to consult the Alaska Municipal League, to contact Juneau and Sitka because their consolidation efforts have worked rather well. He recounted how the Alaska Constitutional Convention utilized all other state's constitutions when writing Alaska's. He also mentioned former Sitka Mayor Les Shepherd as a source of information and that Sitka had actually seen their taxes go down.

Mr. Shay pointed out that DOT, because the municipalities have not taken over certain harbors, is thinking of selling the harbors to private entities (the harbors at Hole-in-the-Wall and Knudsen Cove), or if sales are not effected, they will take the floats away. Currently, the Borough can have the tidelands under the floats, but the City cannot have title transferred since the area is outside the City limits and that title is prohibited by statute. Representative Williams has promised to try to delay this decision until after the consolidation issue is raised.

When questioned whether he favored term limits and whether the Commission should set Assembly/Mayor compensation in the Charter, Mr. Shay said he was not for term limits, that the voters could limit someone's term by voting them out. As for compensation, he recommends that an initial compensation package be set in the Charter by striking a balance between what the City and Borough currently utilize. Anything set could then be changed, if necessary, by the new elected body.

[For the record, Mr. Kiffer arrived at the meeting at this time.]

Lance Mertz, 152 Clover View Drive, indicated he was at the meeting in two capacities. First, he was there as a concerned citizen. He worked for the Borough for 7 years, in the tax office and at the Airport, so he has a perspective on some of the issues facing the Commission. Secondly, he indicated he is finishing his Master's in Public Administration and as part of that effort; he is working on a large paper on the Consolidation issue. He said the paper will be available for the Commission and it should be timely, as it is due the end of April.

He said he feels that KPU should be spun off from the government, specifically Telephone and Electric. They should be a publicly or ratepayer owned

corporation, allowing dividends for the ratepayers and if either entity is sold, the ratepayers would receive the compensation. It would not go into the general fund. The ratepayers have paid to build the infrastructure of both utilities over the years.

As to the areawide garbage powers, Mr. Mertz indicated that he was satisfied with the private pick-up service the north end currently receives and just because the municipality has areawide solid waste powers doesn't mean they can't allow a private entity to collect the garbage. The fact that you have the powers doesn't mean you have to do everything. Private enterprise can be much more flexible as far as hiring and wages.

Mr. Mertz said that regarding the whole Charter, KISS (keep it simple, stupid) should be kept in mind. When writing the Charter, give the voters and the elected officials the most flexibility they can have. There are things in both the City and the Borough charters that have hamstrung both of those entities. The Charter can have safeguards built in; the public process, the committees, etc.

When questioned about whether a port authority should be formed, Mr. Mertz said that as a separate entity, a Port Authority would be a good idea. The Airport, Ports & Harbors, and possibly Ward Cove could be included. Good models to look at would be Anchorage and Tacoma. It would be an enterprise fund. The Port Authority is basically a landlord. If you look at them that way, then that is what they would be in charge of. As a sub-committee or an appointed commission or something like that. That also removes the dreaded word politics to at least a limited degree from those operations. It would also establish an entity that would be allowed to take those harbors Mr. Shay referred to. It would be an enterprise fund. It would be set up to break even at the least and to make money if they can.

[Record to reflect that Mr. McCarty arrived at the meeting.]

David Wheeler, Whipple Spur, indicated he's a water tester and has been for 20+ years. He thanked the previous speakers for their suggestions. He said that Ketchikan couldn't look to the State to give stuff to the community. The State dumped a lot of money into Mountain Point and as a water tester, he was hoping the State would step in and help with the septic problems. He said he felt that writing the Charter as general as possible. He said he was willing to come back when the Commission considers the sewer and water issues.

#### **D. Informational Reports and/or Presentations**

Chair Thompson said he'd had a lengthy conversation with the Borough  
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Manager, Roy Eckert, partly to make certain the Commission's request was on the Borough's agenda and partly to ask some questions.

He said he asked Mr. Eckert about the make-up of the new Assembly, whether it should be done at large or by districts, because Mr. Eckert has worked in several different communities and areas of the country. Mr. Eckert said it was up to the community to determine what they really wanted because both are valid forums. He did indicate that should the Commission chose to do some sort of districting or precinct representation that they key to it is draw the lines of the precincts such that all of them are plus or minus 10% of the population. So, if you have five districts, you would divide the population by 5 and each of the districts has to be within that number. The other thing that should be carefully watched is the minority representation so that you don't have a situation where the minorities don't have equal representation in each district.

Chair Thompson said he did indicate to Mr. Eckert that the Commission would like for the Borough's help with the Commission's work; any meetings Mr. Eckert would like to attend and give the Borough's concerns and the need to have discussions with Mr. Hall, the Borough Finance Director, because the Commission will have lots of questions when that section of the Charter are addressed.

A letter was sent to Mr. Bockhorst in draft form requesting the LBC grant. Mr. Bockhorst had indicated that they would hopefully have an answer by next week.

Commissioner Harrington said he'd done a letter to the School Superintendent, Harry Martin, asking that he or one of the School Board members come and address the Commission during the Commission's discussions on Section IX. He indicated that he would approach President Harpold and the two of them would come up with some plan to review the document and come and talk to the Commission about that. Secondly, Commissioner Harrington said he and Commissioner Kiffer were on the air on the radio for 45 minutes between 4 & 5 pm this date talking about the Commission's work. The radio station said with a few days' notice, the Commission was always welcome to come share information.

Commissioner Kiffer indicated he'd contacted the Chamber of Commerce and the Charter Commission is penciled in for the March 24<sup>th</sup> Chamber lunch at the Dockside Diner at noon. He encouraged as many Commissioners as possible to attend this luncheon to answer questions. Secretary Otte indicated this meeting would be noticed so that as many commissioners could attend as

wanted to.

Commissioner Otte indicated the Sitnews forum seems to be working. She said that any time the Commission wants statistics on the number of hits on the site, just to let them know at Sitnews and they could easily pull up the requested numbers.

Chair Thompson again encouraged the public to use the Sitnews forum or email the Commission directly with comments and suggestions.

Commissioner McCarty indicated he was back and ready to hit the ground running. He said he felt the approach the Commission is taking to reviewing the Charter is a good one. He suspects that there are some bumpy areas coming up, but with the review process as organized as it is, it shouldn't be a problem.

#### **E. Consent Calendar**

The minutes of the February 6, 2004 regular meeting were approved by unanimous voice vote.

#### **F. Unfinished business**

##### **F-1: Acceptance of the Preamble and Article I of the Ketchikan 2004 Draft Charter Agreement, Second Reading**

[Note: the text of the above two sections, as amended at the February 6, 2004 meeting, was shown incorrectly in the agenda item. In Section 1.04 the second sentence of that section had been deleted by a vote of the Commission and was inadvertently left in for the meeting packet.]

M/S McCarty/Kiffer to accept the amended Preamble and Section I of the Ketchikan 2001 Charter as part of the Ketchikan 2004 DRAFT Charter document.

M/S Harrington/Painter to add back the second sentence in Section 1.04 that was previously deleted.

Commissioner Painter wanted it on the record that he was in favor of adding back the sentence due to the comments by City Attorney, Steve Schweppe, and the concurrence with Dan Bockhorst with those comments.

Commissioner Harrington said he asked Mr. Bockhorst and Mr. Schweppe

about the sentence because he didn't understand what the language meant. Mr. Schweppe responded that it was important language to allow for maximum flexibility in any future Borough Assembly powers and if there were any question, this sentence covered it. He indicated he was not happy with the language, but it needed to be on the table for discussion.

Chair Thompson quoted from Mr. Schweppe's response, "The controversy centers on whether the Assembly must adopt an ordinance whenever it seeks to exercise a particular power, or whether it can do so merely by approving the act, which is an exercise of the power." Chair Thompson went on to say that what this sentence does is allows the Assembly to act in a very flexible way to exercise its powers without being challenged in court. Mr. Schweppe then goes on to say that it is fairly common as a matter of procedure, not an extension of powers. He said that he still had a problem with the clause "or other authority" because it's very vague and when the Commission re-institutes the sentence, that clause should be removed and leaves it up to the new Assembly.

Commissioner McCarty said that under a home rule charter, any power could be done except those powers that are specifically denied in the charter or are not allowed by Alaska statute. He said he felt there's a strong presumption that the Charter is going to follow the law, so things cannot be made up out of thin air. We want to keep the Charter simple and avoid where it is hyper-technical and two or three meetings are needed and notice published for things that just don't merit that sort of inquiry. The only "other authority" generically would be the State Constitution, the US Constitution, the Alaska Statutes, and the Alaska Administrative Code. With home-rule charters and say, water and sewer powers, the Assembly could just say go out and fix the thing instead of going through a full ordinance process. He said he thinks that is what is being referred to.

Further discussion was held about examples of "other authority" superimposing over local rules or regulations. Some are not discretionary; the community would have no choice as to whether or not to follow the directive.

Commissioner Kiffer indicated he had voted specifically take out "the other authority" clause. He said that Mr. Schweppe said that in the new Charter, "Some powers are exercised only after voter approval or by ordinance. I encourage you to keep this sentence and avoid any dispute on how powers can be exercised." Mr. Schweppe sums it up by his comment, "If you don't use this approach, you just open up the door for lawsuits over whether or not the Assembly used the right form for exercising their power and write into the Charter unnecessary delays due to cumbersome procedures."

Commissioner Kiffer said he tends to agree to that, but he is concerned the vague powers Mr. Schweppe is alluding to as to some powers, some disputes. What is actually being discussed in another section of this Charter we can limit the exercising of those powers? If areawide road powers are enacted and there's a big snowstorm and it is decided that the equipment wasn't adequate for the job so the government goes out and buys \$25m worth of snow plows. Can they do that without a vote of the people? To go to the other side of that, he said he would hate to have the government need to go to ordinance to buy a new snowplow when one breaks down. He said his concern is about what limit can this "authority" be set to exercise powers without ordinance.

Commissioner McCarty suggested for the sake of progressing with the Charter that this section be highlighted to indicate it is causing some concern and it needs to be revisited. These questions may be answered in other areas or, depending on what's decided, we may have other questions. He suggested that Mr. Schweppe and Mr. Bockhorst be contacted regarding the Commission's concerns.

Commissioner Harrington suggested that the clause be left in and move on. It forces the Commission to identify all the powers and say whether or not or they will be reserved for service areas. The better job the Commission does in defining these will solve most of the concerns that arise around how the new Assembly can exercise the powers.

Commissioner Kiffer said that the first sentence in the section clearly states that the powers of the municipality not prohibited by law or this chapter and he doesn't feel the rest needs to be there.

A vote on the amendment to add back the second sentence in Section 1.04 was held.

FOR: HARRINGTON, PAINTER, THOMPSON, OTTE, MCCARTY  
AGAINST: KIFFER  
ABSENT: FINNEY

The amendment passed.

Commissioner McCarty indicated that while not a part of the main motion, but as a procedural thing where there is a close vote or a serious objection to a section that area should be highlighted to remind the Commission and the public that these areas should be revisited to make certain the questions have been answered. When the Commission sees that a point has become bogged down, let's gray the area, perhaps get some more information and

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come back, but move the discussion along.

A vote on the main motion was held.

FOR: HARRINGTON, PAINTER, THOMPSON, MCCARTY, KIFFER, OTTE  
AGAINST:  
ABSENT: FINNEY

**G-1: Review and Acceptance of articles II and III of the City of Ketchikan's Charter of 2001, First Reading, and the Introduction of Articles IV and V**

After the Chair read the agenda item, Commissioner Harrington requested to separate the question and review the sections one at a time.

M/S Harrington/McCarty to approve Article II of the Ketchikan 2004 Charter in the first reading.

Commissioner McCarty mentioned that Section 2.02 (e) refers to Assemblymembers and Mayor shall be elected at large. He suggested keeping that with highlights because he felt that this area would be revisited. He said there are plus and minuses to both districting and at large. There are touchy problems with minority interest representation and one person – one vote issues and the boundaries. He said there would be a lot of money needed to do census counts, drawing maps and keeping the statistics up to look at specific districts. He urged not going to specific districts and that issue has a strong propensity for being far too divisive in our size community and the costs associated with maintaining the maps and keeping everything within the Federal guidelines is prohibitive.

Commissioner McCarty also questioned why the Attorney served at the will of the Assembly as opposed to being under the Manager. There has also been some talk about the position of the Clerk along those same lines.

Commissioner Otte brought forward a suggestion that the number of Assemblymembers be increased to nine with a detailed reading of a proposed amendment as to how those nine would be elected to the various seats initially. She suggested that all Assembly seats be elected at large, with 3 seats having residency restrictions to the former City of Ketchikan boundaries, 3 seats having residency restrictions to the area outside the former City of Ketchikan and 3 seats having no residency restrictions. Commissioner McCarty indicated that there was a problem with this idea because if you are working numbers and you have specific districts, you have a legal variation

percentage-wise between the districts. Unless there are a very large number of people on the Assembly, it would be very difficult to match on the percentage basis, the number of seats that go outside the City boundaries. He said you could have numbered seats and don't run into the problem, but if you try to go to geographic areas and have to keep census rolls and specific maps.

When asked specifically about the Charter Commission election format, it was said that no one opposed the format and the fact that this Commission is an advisory group rather than an Assembly. This Commission cannot enact anything on its own.

It was pointed out that the Sitka Charter went along the same lines for the initial election, however, the subsequent election of Assemblymembers was by an at-large vote. Commissioner Otte indicated that it seemed silly to have just the initial election in this "district" format and that by keeping this "district" election throughout subsequent elections, you give the voters the feeling of being more represented than with an at-large vote.

Commissioner Harrington commented that there had been two issues brought up; one to change the number and the second to change the election process. He said that any changes in the Charter made should be vital, important and universally accepted amongst the Commission. This community doesn't like change. He said that he didn't want to get bogged down in this Commission's deliberations by discussing changes in the number of seats, but to authorize future Assemblies that option.

Commissioner Painter indicated that it had been discussed to keep the Charter as close to the status quo as possible in the interest of having the voters pass it. There are good and bad points to districting. There are other communities who have done it who have some misgivings about it. There are good points to changing the number of Assemblymembers, but that's changing the status quo. He said the one thing he would like to hear some comments about Section 2.04 (c), Filling of Vacancies. He said he didn't like the current way things are done now. He also questioned Sections 2.12, 2.13, 2.14 and 2.15, the people who serve at the pleasure of the Assembly. He said he didn't see the Manager listed in these sections and he also felt that the Chief Financial Officer should be added to this list of persons who serve at the pleasure of the Assembly.

Other Commissioners pointed out that the Manager is listed under Section IV.

Commissioner McCarty said that filling of vacancies should be mentioned somewhere and that typically the legislative body have their own rules is in and

who is out. He said he was a little leery about putting something specific in the Charter because it's very difficult to change the Charter once it's adopted. He said he felt that there has to be a better system. Commissioner McCarty said he was uncomfortable detailing a process in the Charter for filling of vacancies and that the Charter should be a "big picture" document.

Commissioner Kiffer said that the Charter is the voice of the people, what they want to happen within their government. He said that the procedure for filling of vacancies needs to be changed and it is time to do so.

Chair Thompson should not change the at-large or the number of people on the Assembly unless the Commission hears from the public stating their desire for this change. If the public wants changes to precincts or districts, they have to speak up. He said he likes the idea of precincts but the procedures and requirements may be opening Pandora's box. He also said he agreed with Commissioner Painter about the Chief Financial Officer and that Haines had set up their Charter that way. The Chair said he feels that position should report to the Assembly because it would take away any undue influence by the Manager and reporting directly to the Assembly, the position could also be that of a watchdog of the coffers.

M/S McCarty/Painter moved to amend Section 2 of the Charter by inserting a new Section 2.14 named Chief Fiscal Officer and stating "There shall be a municipal Chief Fiscal Officer appointed by the Assembly who shall serve at the pleasure of the Assembly" and then to renumber the subsequent sections accordingly.

Commissioner McCarty indicated that other communities had tried it, there seemed to be enough interest on this Commission and if it is put out there and see if Mr. Hall or Mr. Newell or others come forward and tell the Commission their feelings about this issue. Commissioner Kiffer concurred.

Commissioner Harrington indicated that it appeared what was being created was a potential of a three-headed government run by the Assembly, the Clerk's Office, the financial office and the Manager's office, each with their own section and area of responsibilities. He said that so much of what the Manager does is pivotal on the financial information and he indicated he didn't think it was a good idea to take the direct supervision and oversight of the financial sections away from the Manager. He said that the option of giving the Assembly the choice to do this rather than making it they will do this would be preferred.

Commissioner Kiffer concurred and said that if a manager is hired, the manager should manage. That manager should be able to manage effectively

and by having the financial officer removed from the manager's oversight, perhaps the effectiveness would be lessened.

Commissioner McCarty said he wasn't sure he would vote on this change on the second reading, but he felt there would be comments. He said he'd heard concerns that the numbers being given were not necessarily the whole information, so he encouraged passage of the amendment.

On a roll call vote to add a new Section 2.14 and renumber subsequent sections:

FOR: PAINTER, THOMPSON, MCCARTY, KIFFER, OTTE

AGAINST: HARRINGTON

ABSENT: FINNEY

The amendment passed.

Chair Thompson indicated that Juneau's charter provided for an Ombudsman. He said this position was an officer of the government that people could go to in confidentiality and explain the problem and the Ombudsman would act as an advocate in front of the Assembly or decision-making boards. By utilizing this, members of the public would not feel there would be repercussions by their complaints or issues. He said that Juneau should be contacted about how this position works and whether it has been effective.

Chair Thompson indicated the other area he wanted to speak about was about the Mayor's veto powers. He said that on the veto, the other communities' charters talked about vetoing only in extenuating circumstances and he said he felt the Mayor should have the power to veto, however, the veto should need to be explained and should be used judiciously. Borough Manager Eckert had indicated his preference for the veto for the following reason: if something happened at the table during a meeting and an action is passed unanimously and then some unforeseen fact arrives after the meeting, the Assembly would then have to go an entire process to repeal an ordinance.

Commissioner McCarty indicated that a good idea for a question for the public survey would be whether the seats on the new Assembly should be determined by specific geographic districts, designated seats or at-large voting. If people care enough and are willing to put up with the procedures required to submit new data every ten years to justify the seats, the people should have a voice is whether this process is preferred.

Commissioner Kiffer concurred. He said he'd been told there are some significant disadvantages of going through the hoops, but if that's what people want, then this process should be explored. He said that as a voter, he didn't

think he'd mind redefining every 10 years. He said that the pros and cons need to be developed and maybe get someone down here that has gone through the process to educate.

Commissioner McCarty indicated the Borough Clerk was the one to contact.

Commissioner Harrington said the thought the geographical idea was fraught with too many problems. He said the idea of designating seats is intriguing and it would probably change the makeup of elected bodies.

Commissioner Painter said he was more in favor of the at large option of electing Assemblymembers. He said that Juneau said the Assembly "may by ordinance" establish the ombudsman position.

M/S Otte/McCarty to amend Section 2.09 (c) to add the following sentence: "A roll call vote shall be taken on appropriations for the expenditure of funds and on the passage of ordinances."

FOR: HARRINGTON, PAINTER, THOMPSON, KIFFER, MCCARTY, OTTE  
AGAINST:  
ABSENT: FINNEY

The amendment passed.

Chair Thompson noted there had been no motion on Section 2.04 (c), Filling of Vacancies. There was discussion, but there were no motions. It was pointed out that area should be highlighted and perhaps there will be public comment on that issue.

Commissioner Harrington pointed out that in Section 2.01 (d) it is explicit as to how the initial seats are determined, i.e. the ones with the largest votes get the 3-year seats, the second grouping with the next largest vote tally gets the two-year seats, etc. He said that traditionally this determination has been done by lot. The other charters do not do it by lot. This is not an amendment, but something this body should consider.

Commissioner Kiffer requested the body go through each section in Article II one by one so that questions have all been answered. He agreed to speak to the two questions he still had. One, on Section 2.03 Qualifications, he said he'd like to increase the residency from one year to three years. Commissioner McCarty suggested there may be a legal problem with that and it was suggested that the Chair contact the City & Borough attorneys for an opinion on this residency question for running for the new Assembly.

Commissioner Kiffer also questioned Section 2.10 (a)(2)(c) states a value of \$500 in 1998 dollars for goods and services. He feels the Finance Directors of the City and Borough should be contacted about this figure. The Chair indicated he would contact them. Commissioner Painter thought there was a phrase that could be stipulated rather than 1998 dollars, it would say something about the Consumer Price Index.

Commissioner Kiffer also brought up Section 2.07, Meetings, he said that the phrase "whenever practicable" should be removed. He said that notice of any meeting should be given.

M/S Kiffer/Painter to remove the phrase "whenever practicable" from Section 2.07.

On discussion, Commissioner McCarty noted that there is specific notice for a regular meeting and this says reasonable notice and that is what applies to the special meetings. It's a sliding scale; what's reasonable under the circumstances. The differentiation between a special meeting and an emergency meeting was discussed. It was decided that the two municipal attorneys and Mr. Bockhorst would be consulted on this issue.

A roll call vote to remove the phrase "whenever practicable" from Section 2.07 was held.

FOR: KIFFER

AGAINST: HARRINGTON, PAINTER, THOMPSON, MCCARTY, OTTE

ABSENT: KINNEY

The amendment failed but the Chair will contact the attorneys on this question.

Commissioner Harrington wanted it noted that the wording in this section gives the new Assembly the option of establishing term limits, but they would not be in place should this Charter pass. He also said that the pay structure for the Assembly is up to the new Assembly to set but it doesn't take effect for one year, so something in this Commission's documents will have to address this issue.

Commissioner McCarty didn't think this Charter should address this detailed a topic and it should be left to the new Assembly. Commissioner Harrington said that the realities of the salary issue would have to be addressed at least in the Petition budget section.

Commissioner Kiffer said he still had problems with the term limits issue and

that he would not vote for final inclusion of Article II in the Charter if that issue wasn't addressed.

A roll call vote was taken to approve Article II of the Ketchikan 2004 Charter as Amended in the first reading.

FOR: HARRINGTON, MCCARTY, KIFFER, OTTE, PAINTER, THOMPSON

AGAINST:

ABSENT:

Article II passed on first reading.

M/S Harrington/Painter to approve Article III of the Ketchikan 2004 Charter in the first reading.

Commissioner McCarty spoke to Section 3.03, Emergency Ordinances, and suggested that some language as to notice should be added. It is covered in other areas, especially State law, and on reflection, perhaps it is not appropriate to put in notice language.

Commissioner Painter requested a five minute recess.

The meeting was called back to order by Chair Thompson.

Chair Thompson recommended an amendment to Section 3.03 to add a sunset clause under this Emergency Ordinance section. He said he felt that emergency ordinances are sometimes necessary, but they should be re-adopted if they are to become permanent.

M/S Thompson/Painter to add the sentence, "An emergency ordinance is repealed by resolution or automatically expires in sixty days", as the last sentence in Section 3.03.

Commissioner McCarty pointed out that the time frame was long enough for the body to introduce a regular ordinance and go through the two readings. Commissioner Harrington pointed out that it was hard to expire something like a purchase.

Commissioner Kiffer said he had no problem with the amendment, but wanted to point out that Sections 3.04 and 3.05 were somewhat confusing to someone who is not very familiar with government workings.

A vote on the amendment to Section 3.03 to add the sentence, "An emergency ordinance is repealed by resolution or automatically expires in sixty days" to the Ketchikan Charter Commission Minutes

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end of Section 3.03.

FOR: HARRINGTON, PAINTER, THOMPSON, MCCARTY, KIFFER, OTTE  
AGAINST:  
ABSENT: FINNEY

The amendment passed.

Commissioner McCarty suggested that the Chair send a message to the City and Borough Clerks to ask if they could clarify Sections 3.04 and 3.05. Questions should be asked as to what is the official set of statutes, the ones adopted or the ones on the shelf, procedures for updating, etc.

A roll call vote was held to approve Article III of the Ketchikan 2004 Charter in the first reading.

FOR: PAINTER, THOMPSON, MCCARTY, KIFFER, HARRINGTON, OTTE  
AGAINST:  
ABSENT: FINNEY

The motion passed.

## **H: Commission Comments**

Commissioner Harrington noted that the Borough Clerk would like to be notified when the Elections issue will be on the agenda. It was suggested that both Clerks be notified and that this information be included in the other email request for information the Chair is sending.

Commissioner McCarty said that progress was being made, there were a number of people interested, there are specific departments who can answer some of our questions. The process is starting to roll pretty well.

Commissioner Harrington spoke again about going on the radio prior to the meetings. Commissioner McCarty suggested that a schedule of who would appear on this program would be appropriate. It was noted that Mr. Kiffer was already on the hook for this (with a smile).

Commissioner Kiffer said he was a lot more comfortable this meeting and his thinking is the document we are approving is not set in stone at this point, but rather to a working document.

Commissioner Painter wanted to know about the hiring of the staff (which is slated for the next meeting) and also mentioned attendance at the City and Borough meetings should be addressed.

Chair Thompson said he would be attending both bodies' meetings next week and it appeared the requests for funding were being received favorably. Once the monies have been appropriated, the draft budget can be brought back and formalized and get the process started. Then the question comes up whether we hire someone ourselves on a contract basis or do we go through the Borough's hiring process and have a Borough employee.

Chair Thompson reminded the Commissioners that the survey question agenda item is coming up on the 20<sup>th</sup>.

Tom Miller suggested that the Commission divide up an issue and write a point of view for the newspaper. Terry Miller can give the length requirements for the articles, but he said he thinks it would be a good idea to do this.

The meeting was adjourned at approximately 8:20 p.m.

