

# KETCHIKAN CHARTER COMMISSION

## AGENDA STATEMENT

NO       H-3 (b)      

MEETING OF July 7, 2004

ITEM TITLE Amend Article XII, Sections 12.02 and 12.03, establishing fire and EMS powers as areawide. SUBMITTED BY John Harrington, Rich Leipfert and Steve Schweppe
--

### SUMMARY STATEMENT

In an effort to establish equitable services and charges for fire and EMS services within the new municipality, Commissioner Harrington met with City Public Safety Director, Rich Leipfert and City Attorney, Steve Schweppe, to formulate changes to the Charter document to reflect these powers as being areawide rather than nonareawide by service area. Mr. Schweppe indicated at the last Commission meeting that there will never be a better time to accomplish this task than during the consolidation process. Once consolidation is passed, whatever good intentions about eventually melding the current departments into one will require a much greater process and will probably never be accomplished. Chief Leipfert, speaking personally, indicated that a new areawide department would more than likely effect greater efficiencies and the probability of cost savings would be realized. (Note: A spreadsheet is included in the agenda packet for reference while considering these changes.)

#### **Rewrite:**

#### **Section 12.02      Mandatory Areawide Powers.**

In addition to all other powers that the Municipality may exercise on an areawide basis, the following powers shall be exercised on an areawide basis:

- (a) The power to dispose of solid waste, whether through recycling, landfilling, shipping, or any other means, and the power to operate, maintain, monitor, remediate, repair, or remove landfills, including those previously owned or operated by the City of Ketchikan, whether or not such landfills were in operation or were closed on the effective date of this Charter;

(Summary Statement continued page 2)

#### RECOMMENDED ACTION:

"I move to make the suggested changes to Charter Article XII, Sections 12.02 and 12.03, establishing an areawide Fire and EMS Department within the consolidated municipality. With this action, the necessity of the North Tongass Fire & EMS Service

Area would be nullified and that issue will be addressed should this current action take place. It is further moved to return this agenda item at the next meeting for a second reading.”

(b) The power to provide public libraries, civic centers, museums, and associated services;

(c) The power to provide emergency medical and fire fighting services.

~~(e)~~ (d) The power to provide for hospital and public health services, including, but not limited to, those services formerly provided by the City of Ketchikan's Gateway Center for Human Services. ~~The power to provide emergency medical services shall be exercised as provided in Section 12.07;~~

~~(d)~~ (e) The power to provide public parks and recreation facilities and to provide recreational activities;

~~(e)~~ (f) The power to provide port and harbor facilities and services;

~~(f)~~ (g) The power to provide cemetery and mausoleum services;

~~(g)~~ (h) The power to provide 911 emergency dispatch services;

~~(h)~~ (i) The power to provide public transportation systems, including, but not limited to, airports (including airport police, fire fighting, and other auxiliary services), and public mass transit;

~~(i)~~ (j) The power to provide animal control;

~~(j)~~ (k) The power to provide economic development; and

~~(k)~~ (l) The power to provide disaster planning, emergency communications and emergency response.

### **Section 12.03 Services Provided by Service Area**

(a) The following powers shall be exercised only through service areas:

(1) The establishment and operation of police departments, the hiring of police officers, or the contracting for the services of police officers;

~~(2) The establishment and operation of fire departments, the hiring of firefighters, and the contracting for fire fighting services;~~

~~(3)~~ (2) The collection, but not disposal, of solid waste.

Nothing in this Charter, except Section 12.02, prohibits the municipality from exercising any other power on a non-areawide basis or through service areas. No areawide power shall be interpreted to include or authorize any of the powers described in (1) and (2) ~~through (3)~~ above. ~~Dispatching services for fire and law enforcement may, however, be provided areawide and shall be provided areawide for emergency 911 dispatching.~~

**[Note: This would also require the dissolution of the North Tongass Service Area.]**

# Memorandum

**To:** Charter Commission  
**From:** John Harrington  
**Date:** 7/7/04  
**Re:** Fire and EMS powers.

Attached are two of my drafts of the charter (Section 12:02 and 12:03). One with fire and EMS powers designated as areawide; and another with them designated as nonareawide. The language appears to be simple, but the ramifications of either definitely need thoughtful consideration. Also attached is a financial spreadsheet of the current budgets, with some possible funding alternatives if the decision is made to make the powers areawide.

If the decision is to go areawide, then we will need to address the concerns and cautions in the application and transition plan, so that we maintain the current *esprit de corps* of the volunteers. An effort should be made to bring the fire fighters and EMT's onboard now so that these changes will not backfire to the detriment of charter passage.