

**City of Bethel
Regular Public Safety Commission Meeting
February 3, 1997**

I. CALL TO ORDER

The meeting was called to order at 6:01 p.m. by Chairman Tom Hildreth.

II. ROLL CALL

Present: Tom Hildreth, Bruce Day, Sharon Neth, John Hastie, Richard Russell

Absent: Mayor Richardson (excused)

III. APPROVAL OF MINUTES

motion Bruce Day moved to approved the minutes of December 16, 1996 Special Meeting; seconded by John Hastie.

vote Voice vote passed unanimously.

Correct the minutes of January 6, 1997 as follows:

- * Page 4; New Business; nominations - should read: Bruce Day nominated as Vice Chairman passed "accordingly".
- * In header date should read January 6, 1997.

motion Sharon Neth moved to approved the minutes as amended; seconded by Bruce Day.

vote Voice vote passed unanimously.

IV. APPROVAL OF AGENDA

Correct the Agenda of February 3, 1997 as follows:

- * Old Business; Item A. Animal Control Fees - delete
- * New Business; Item A. Restriction of Snow Machine Operation - move to Item B.
- * New Business; Item B. Ambulance - FY98 Budget Discussion - move to Item A.

motion Sharon Neth moved to accept the Agenda as amended, seconded by Bruce Day.

vote Voice vote passed unanimously.

V. CHIEFS' REPORTS

A. Fire Chief George Young

Chief Young referred to the reports submitted for the packets, stating he had no further comment; except to submit to Sharon Neth the "very rough" monthly numbers for ambulance calls with alcohol and/or drugs involved.

V. CHIEFS' REPORTS (continued)

A. Fire Chief George Young

1. Memo dated January 13, 1997, to Ken Weaver, City Manager, RE: Management Report.
 2. Memo dated January 20, 1997, to Ken Weaver, City Manager, RE: Management Report.
- Discussion followed with Sharon Neth asking for clarification regarding the Bethel hotel/motel compliance.

B. Police Chief Gary Eilers

Chief Eilers submitted the statistical reports from the last month and year end. Block Grant application was submitted. Discussion followed. Sgt. Chris Walker stated that he has seen a definite decrease in violent crimes. Chairman Hildreth encouraged the police department to keep up the good work; stating the prevention programs must be working. Discussion followed regarding the radio situation. The chief stated that the grant will not allow for personnel expenditures. The antenna may also have to be raised. Discussion followed, the Chief will contact KYUK to see if the police antenna can be attached to their communications tower. The Fire Chief asked where are the 8 or 9 6watt radios? Discussion followed. It was stated that the police department has knowledge of 3 6watt radios. Bruce Day requested that the Chief contact finance and identify how many 6watt radios were actually purchased. Discussion followed. Bruce Day suggested contacting someone from Anchorage to perform a maintenance check on the repeater and that grant modification can be submitted within the contract guidelines. Discussion followed.

Sharon Neth inquired about the school patrol. Officers are at the school about 80% of the time. Discussion followed.

Chairman Hildreth inquired about the statistic reports. Discussion followed. The Chief was asked to separate the Liquor Law and the Bootlegger Offenses. Discussion followed. It was requested that the year-end comparison statistics be reworked. The Chief requested that the commission members give himself and his staff time in this next year, to provide data that is accurate and collected by himself and the staff. Discussion followed. Chairman Hildreth requested that the Chief supply the commission with a copy of the management reports that he submits to the City Manager.

VI. COMMISSION MEMBER COMMENTS

Sharon Neth, Bruce Day and Chairman Hildreth welcomed new commission member, Richard "Dick" Russell.

The commission members list was updated adding Richard Russell's telephone numbers.

VII. PEOPLE TO BE HEARD

No people to be heard.

VIII. OLD BUSINESS

Item A. Alcohol Beverage Delivery Site

Sharon Neth presented the commission with a detailed working draft regarding the launching of an Alcohol Beverage Delivery Site facility.

Ms. Neth has gathered information from the following people/facilities/agencies:

- | | |
|--|---|
| *Fort Yukon, currently operating a facility of this type | *Alaska State Laws/statutes governing such a facility |
| *Kotzebue, had explored a concept of this type | *Bill Roach, ABC |
| *Alaska State Troopers | *Terry Shepard |
| *Richard Burton, former Commissioner of Public Safety | *Brown Jug |
| | *Bethel City Council/City Manager |

Ms. Neth inquired as to whether the council would be interested in submitting a letter of support for state legislative laws making it mandatory for a damp town to have an Alcohol Beverage Delivery Site. It was agreed that this idea would be tabled until a later date.

Chairman Hildreth asked to have the information typed by February 11, 1997 so he could submit to the City Council. Bruce Day suggested that this not go to the city council until after the attorney has looked into it and the commission has had another chance to look it over.

Sharon Neth suggested the commission discuss what information is to be submitted to the city council for review by the city attorney; the items are listed below:

- can we stipulate residence requirements;
- can those persons with alcohol violations, probations, etc., be banned from picking up from the delivery site (maybe not an issue, these people may be self-limiting);
- city or private facility to be used as a warehouse;
- look into laws regarding property restrictions if facility is located at the airport;
- state vs city property laws;

The commission discussed the support of requesting additional funding, from the city council, for manpower to cover cost incurred by the police department.

VIII. OLD BUSINESS (continued)

Item A. Alcohol Beverage Delivery Site

Ms. Neth suggested contacting the airlines to get their feedback on the idea of a delivery site.

Discussion on wording of the motion to be submitted to the city council.

- motion** Sharon Neth moved to request the city council to direct the city attorney to examine the legal requirements for an Alcohol Beverage Delivery Site, specifically in the area of residency requirements, in regards to who can or cannot pickup alcohol beverages; seconded by Bruce Day.
- vote** Voice vote passed unanimously.

Dick Russell stated that he would type the presentation for distribution to the commission members.

John Hastie and Sharon Neth will contact Alaska Airlines and make an appointment to set up a time to observe their freight operations.

IX . NEW BUSINESS

Item A. Ambulance - FY98 Budget Discussion

Chairman Hildreth stated the need to begin discussion regarding a new ambulance for the city. He asked if an ambulance should be a budget priority for the commission and informed the members that it takes about four months to put a package together for the city council to review.

Bruce Day suggested that both the Fire and Police Department's put together a "wish list" of what they would like and what is needed, including the ambulance.

Discussion followed regarding purchasing vehicles with the troopers. AML or State of Alaska for fleet leasing. If you need a vehicle now let us know. It was requested that the Police and Fire Departments arrive at next months meeting with a "needs" list as follows: " We have five vehicles; it looks like we'll need a sixth one; it looks like we'll need to replace one of the five; it looks like we need to do some major overhauling. This will give the commission time to get back up to the council and have justification for the need of new vehicles". This is the same with the radios and pagers for the Police and Fire Department's.

- motion** Chairman Hildreth moved to have the city council to look into the feasibility of fleet vehicles dealing with the Alaska Municipal League and the Alaska State Troopers; seconded by Sharon Neth.
- vote** Voice vote passed unanimously.

IX . NEW BUSINESS (continued)

Item A. Ambulance - FY98 Budget Discussion

- motion** Bruce Day moved to have the information to look at, at the next Public Safety Meeting; seconded by Sharon Neth.
- vote** Voice vote passed unanimously.

motion **John Hastie moved to request the Fire Chief, George Young, to begin developing specifications for a new ambulance; seconded by Sharon Neth.**
vote **Voice vote passed unanimously.**

Item B. Restrictions on Snow Machine Operation

Chairman Hildreth asked for discussion on whether the commission needs to go to the city council needing further ordinances' regulating snow machines. Sharon Neth stated the feeling is to have public education, reinforcing the laws that are already in existence. Discussion followed asking the Chief and staff how the process was working. Discussion followed regarding the stance of not pursuing the snow machiners that decided to "run" and public property issues. Chairman Hildreth asked if fliers were posted at the bulletin boards at the stores. Sharon Neth stated that there was nothing further that the Public Safety Commission needs to do, unless something comes up in the future, that can be taken to the city council. Discussion followed regarding the registration of snow machines and the law, with Chief Eilers stating that he did not want to again be criticized for being selective in enforcing the law. Discussion followed. It is the parents' responsibility to monitor their children's activity on snow machines and provide education and safety. Chairman Hildreth stated he would like to see enforcement of the "one-eyed" headlight.

Item C. Intersections with Yield Signs

Chairman Hildreth, from the map, pointed out areas in town that he felt the Yield sign needed to be changed to a stop sign for public safety. Discussion followed. Chief Eilers ask if the commission knew the procedure for changing a street sign; it if has to be approved by the city council. The Chief requested a list of the places where Chairman Hildreth had concerns and he would take the list to the city council.

motion **Sharon Neth moved to have Chairman Hildreth make a list that Chief Eilers can take to Ken Weaver to find out the process for making street sign changes; seconded by John Hastie.**
vote **Voice vote passed unanimously.**

X. ADJOURNMENT

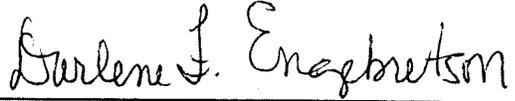
The next meeting scheduled for February 24, 1997, 6:00 p.m. at the Log Cabin.

motion **Sharon Neth moved to adjourn the meeting at 8:35 p.m.; seconded by John Hastie.**

PASSED AND APPROVED THIS 10 DAY OF March, 1997.


Chairman Thomas A. Hildreth

Attest:


Darlene F. Engebretson, Recording Secretary

John Hastie discussed the statistical reports in the Chief of Police management reports. He asked what kind of reports could be generated to determine the amount of time officers spend on calls and various other activities. He stated he would like to help the Department with time management. He requested copies of the officer activity logs be sent to him. Tom Hildreth suggested Mr. Hastie be the Commission statistician. Gary stated he didn't see a problem with this and if there was a problem with it, to have the Chief call him.

Shari Neth stated that she had a meeting on December 3, at 2:00pm on the alcohol issue everyone is invited to attend. She also thanked Gary for Serving as chairman for the past year. (she left the meeting)

Bruce Day said he liked Mr. Hastie's idea about generating a time management report.

Chief Young stated that he was familiar with the program the police department uses and it's an old DOS based program that is very difficult to use and the support company is difficult to deal with.

Chairman Vanasse welcomed back Admin assistant Kathy Coker to the Commission. He also stated that in January there will be two opening on the Commission. And in January the commission will be selecting a new chairperson.

VII. PEOPLE TO BE HEARD

There were no people to be heard.

VIII. OLD BUSINESS

Item A. Animal Control Fees

There was a discussion about the proposed fees schedule.

Motion

M/M by Tom Hildreth 2nd by Bruce Day to approve the proposed changes with the exception of not raising the adoption and euthanizing fees.

Item B. E 911 System

There was a discussion about the purchasing agents memo stating

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Alaska Statutes 04. (Alcoholic Beverage laws)

Sec. 04.11.491. Local options.

- (a) If a majority of the persons voting on the question vote to approve the option, a municipality shall adopt a local option to prohibit
- (1) the sale of alcoholic beverages;
 - (2) the sale of alcoholic beverages except by one or more of the following listed on the ballot:
 - (A) a restaurant or eating place licensee;
 - (B) a beverage dispensary licensee;
 - (C) a package store licensee; or
 - (D) a caterer ...
 - (3) the sale of alcoholic beverages except on premises operated by the municipality and under a type of licensed premises listed on the ballot, that may include one or more of the following:
 - (A) a restaurant or eating place licensee;
 - (B) a beverage dispensary licensee;
 - (C) a package store licensee;
 - (4) the sale and importation of alcoholic beverages; or
 - (5) the sale, importation, and possession of alcoholic beverages

Sec. 04.11.491.

(f) A municipality or established village that has adopted a local option under (a)(1), (2), or (3) or (b)(1) or (2) of this section may designate a site for the delivery of alcoholic beverages to individuals in the area or a site for a person to bring alcoholic beverages if the alcoholic beverages are imported into the area. This subsection does not apply to the delivery or importation of

- (1) one liter or less of distilled spirits, two liters or less of wine, or one gallon or less of malt beverages; or
- (2) alcoholic beverages to a premises licensed under (a)(2) - (3) or (b)(2) of this section.

Would the City of Bethel benefit from an alcoholic beverage delivery site?

A. What is an alcoholic beverage delivery site?

1. All alcoholic beverage purchases, in excess of 2 liters of wine or 1 gallon of malt beverage or 1 liter of distilled spirits, and being imported into Bethel, would be shipped by the purchaser to one delivery site address and picked up by the purchaser at one delivery site.
2. The site can be designated by the City Council passing an ordinance; does not require a public vote.
3. Alaska laws governing a delivery site:
 - a. All shipped orders must comply with packaging and labeling laws already in place (incl. invoice on package and lettering "Alcoholic Beverages").
 - b. The invoice may be retained by a municipality that imposes a sales and use tax on alcoholic beverages.
 - c. The site must be secure from unauthorized access.
 - d. The site must be reasonably located for access by the public.
 - e. The site must be clean and heated.
 - f. The site must be controlled by the local governing body to assure protection of orders for purchasers.
 - g. The site must be open for pick-up of orders by purchasers:
 - 1) a minimum of once a week
 - 2) for at least 3 hours, between the hours of 8am and 8pm
 - 3) except weekends and holidays
 - h. Orders may be picked up only by the purchaser named on the package; and the purchaser must sign that the beverages are not for resale.
 - i. The local government agency may charge the purchaser reasonable storage and handling fees.
 - j. The local governing body (must) post "alcohol declaration" signs at locations determined by the local governing body.
 - k. Shipping container for alcoholic beverages must be labeled and have invoice attached as required, including value of the contents.

B. Why have an alcoholic beverage delivery site?

1. To collect the 5% tax which was approved by the voters of Bethel. The tax would be collected at the time of pick-up. (AST Shepherd estimates that the Brown Jug sent \$1.3 million to Bethel in 1 year, 5% is \$65,000; total estimates for alcohol shipped to Bethel from Anchorage retailers are as high as \$8 million per year).
2. To give local law enforcement an edge on bootlegging and to make it more difficult for bootleggers to operate. Reinforce 'presumptive bootlegging limits' per month (18 gallons malt beverages, 4 cases of wine, 18 liters distilled spirits) (Anchorage retail liquor outlets do not 'network' information about customers)).

3. To reduce 'Protective Custody' problem
 - a. M-Th pick-up only.
 - b. Exclude residents of 'dry' villages from having alcoholic beverages shipped to Bethel (per AST Shepherd and supported by D. Burton... if legal to do so).
4. To respond to recommendations made by the "Walk Your Talk" community meeting (56 persons, community-wide) after Bethel voters defeated the dry initiative in Oct, 1995.
5. To respond to the Bethel City Council resolution (96-40, 11/12/96) to do everything in their power to deal with and to lend support to the alcohol 'battle'.
6. Because alcohol related calls continue to absorb City resources (approximately 40% of Police calls and 1/3 of Fire Dept. responses).
7. Ft Yukon has passed such an ordinance (much of legal legwork is already done).

C. How would an alcoholic beverage delivery site work? (Request for Proposals)

1. One entity collects all alcoholic beverage shipments from each shipping company (once or twice daily, or possibly more often if needed).
2. All alcoholic beverage shipments are transported to one secure site by that entity (possibly a city building; needs to be well-lit; possibly near P.D.) (Discussion here about an airport site and difficulties with State laws and building security)).
3. The entity in charge of the site must be able to maintain records of all shipments transferred to/from the shipping companies to the delivery site. Entity must be able to handle liability. Probably needs to be bonded.
4. All shipments should be picked up by the purchaser within one week.
 - a. Avoid Fri-Sat-Sun pick-up.
 - b. Mon-Thurs; 2-3 hrs per day.
 - c. One computer system; monthly statements to Police Dept.
 - d. Possibly staffed (also) by City and/or Police personnel.
 - e. Exclude any purchasers with alcohol violation record. Identify individuals with court-ordered release, probation or parole conditions not to possess or consume alcohol.
 - f. Photo ID/ proof of residence (State ID or tribal ID card).
 - g. Collect 5% tax based on invoice + any reasonable storage and handling fees.
 - h. All orders will have to be shipped freight pre-paid.
 - (1) "Not a problem", per Brown Jug personnel.
 - (2) Would eliminate need for City or transferring entity from having to pay and then collect shipping costs.
 - i. Exclude purchasers from 'dry' villages?

D. What adjustments would the public have to make?

1. Change in hours and days of pick-up of alcoholic beverage shipments.
2. Change in location for pick-up of alcoholic beverage shipments.
3. Payment of 5% tax (+ any storage and handling fees).
4. All alcoholic beverage shipments (>1 liter distilled spirits, >2 liters wine, >1 gallon malt beverage) must be sent pre-paid freight.
5. Alcohol shipments can no longer be sent as checked baggage (no random search and seizure of luggage).
6. Alcoholic beverage shipments can no longer be sent freight collect.

E. Possible actions of Public Safety Commission and/or Bethel City Council.

1. The Commission might suggest that the City Council direct its lawyer to examine the legality of excluding residents of 'dry' villages and those persons with alcohol violations or conditions imposed by the court.
2. Examination of State vs. City property laws with respect to a possible site.
3. The Commission might make a motion to the City Council to support legislative changes via an "official" city letter and/or its lobbyist.
 - a. Change in statutes requiring an alcohol delivery site if a municipality chooses a 'damp' option. Would help municipalities deal with problem of enforcing local option laws.
 - b. Possibly an additional local option to allow wine and beer only.
4. If concept is approved by Council, when to direct lawyer to draft an ordinance?
5. What additional information is needed before proceeding further?
6. Should R.F.P. go out before or after an ordinance is passed?
7. Should feedback be elicited from freight companies regarding "pre-paid freight only" on alcoholic beverage orders?

Public Safety Commission

February 12, 1997

Fire Chief George Young
Police Chief Gary K. Eilers

CHAIRPERSON	THOMAS A HILDRETH PO BOX 7112 HM: 2765 WK: 3473	APPOINTED: 12/12/95 TERM: 2 Years EXPIRATION: 12/31/97
VICE CHAIRPERSON	BRUCE DAY PO BOX 1454 HM: 4191 WK: 2488	APPOINTED: 12/12/95 TERM: 3 Years EXPIRATION: 12/31/98
COUNCIL REPRESENTATIVE, MAYOR	WALLY RICHARDSON PO BOX 371 HM: 3397 WK: 6017	APPOINTED: 10/08/96 TERM: 1 Year EXPIRATION: 10/08/97
MEMBER	SHARON NETH PO BOX 1872 HM: 2426 WK: 3984	APPOINTED: 12/12/95 TERM: 2 Years EXPIRATION: 12/12/97
MEMBER	JOHN HASTIE II PO BOX 1984 HM: 3105 WK: 5296	APPOINTED: 12/12/95 TERM: 3 Years EXPIRATION: 12/31/98
MEMBER	RICHARD RUSSELL PO BOX 1024 HM: 2624/WK: 5245/FAX: 4475	APPOINTED: 01/14/97 TERM: 3 Years EXPIRATION: 12/31/00
MEMBER	vacant	APPOINTED: TERM: EXPIRATION: