City of Bethel
City Council

Regular Meeting of November 22, 1994

I. CALL TO ORDER

The meeting was convened at 7:30 PM by Mayor Wintersteen in the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Chris, Harding, McComas, Miller, Tubbs, Wintersteen

Absent: Twitchell

III. PEOPLE TO BE HEARD

There were no people to be heard.

IV. APPROVAL OF MINUTES

motion M/M by Tubbs, 2nd by Miller to approve the minutes of the November 9, 1994, regular meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF AGENDA

motion M/M by Chris, 2nd by McComas to amend the agenda by removing New Business Items A and B from the Agenda and moving New Business Item C directly behind Manager's Report on the Agenda. Voice vote. Motion carried unanimously.

motion M/M by Tubbs, 2nd by Miller to approve the agenda as amended. Voice vote. Motion carried unanimously.

V. MAYOR'S REPORT

Mayor Wintersteen read the proclamation declaring the week of November 27-December 3, 1994, as World AIDS Awareness Week in Bethel.

motion M/M by Miller, 2nd by Tubbs to ratify the proclamation. Voice vote. Motion

carried unanimously.

VII. MANAGER'S REPORT

City Manager Hunter reviewed his written report with Council and distributed preliminary financial results for FY94 and the first quarter of FY95. City Manager Hunter reviewed line item expenditures and stated he would provide Council with similar reports on the Enterprise and Contingency Funds at the next meeting.

As approved, New Business Item C was discussed at this time.

NEW BUSINESS

ITEM C: Fireworks Sales

Council member Miller introduced Brent Smith who addressed the Council.

Mr. Smith stated he had a state permit to sell fireworks, and had sold fireworks July 2 and 3 with no complaints. Mr. Smith asked the Council's approval to sell fireworks from December 21 through January 12 to include Christmas, New Year's and Slavic.

City Manager Hunter stated the Bethel Municipal Code requires the approval of the Police Chief, Fire Chief and City Manager, and he had not received Mr. Smith's request to sell fireworks.

Mayor Wintersteen referred Mr. Smith to the procedure outlined in the Code.

VIII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming Committee/Commission meetings were announced.

Council member Miller reported the Public Works Committee meeting had been canceled.

Council member Tubbs reported the Finance Committee met on November 17, but took no action.

Council member McComas reported the Planning Commission met on November 10 and discussed a land swap with LKSD and a proposed subdivision. Mr. McComas also announced a work session of the Planning Commission regarding building codes.

Council member Chris reported the Port Commission did not meet due to a lack of a quorum.

Council member Harding reported the Youth Services Committee met on November 10 and discussed the ice rink and developing a youth hockey program.

Mayor Wintersteen reported the Senior Services Committee had held an informal gathering to hear concerns of the clients.

IX. OLD BUSINESS

ITEM A: Public Hearing--Ordinance #94-24: An Ordinance Authorizing the Disposal/Lease of City Property in Furtherance of Economic Trade or Development--Laundromat

Mayor Wintersteen opened the Public Hearing.

Connie Tucker addressed the Council in support of the lease if it would mean more and newer machines and if a provision is included which would require Council approval of rate increases.

There being no one else who wished to speak, Mayor Wintersteen closed the Public Hearing.

motion M/M by Tubbs, 2nd by McComas to adopt Ordinance #94-24.

Council member Harding questioned if this ordinance requires the City to enter into a lease with Circle A Enterprises. City Manager Hunter responded that this ordinance authorized the City Manager to negotiate a lease with the company which would return to Council for its approval.

Council member McComas questioned if the lease would include activities other than the laundromat. City Manager Hunter replied that the lease could include any provisions the Council wished to add.

Council member Harding suggested the wording in the first paragraph to read "the City may enter into a lease agreement..."

motion M/M by Harding, 2nd by Miller to amend Ordinance #94-24 by changing the first paragraph to read "Now, therefore, be it enacted by the City Council of

Bethel, Alaska, that the City may enter into a lease agreement with Circle A Enterprises. The property disposed of shall be used as a site for a Laundromat." Voice vote. Motion carried unanimously.

vote Poll vote on the main motion. Motion carried 5-yes, 1-no (Miller).

At this point, the Council suspended further action on the agenda to hear a presentation by Young Sik Kim, Consul General of the Korean Consulate in Anchorage, entitled "Pioneering a Working Relationship with Alaska and Korea."

Consul General Kim thanked the Mayor and City Council for the opportunity to address the Council during his visit to the region. Mr. Kim stated that Bethel had the third largest Korean population in the state of Alaska, and he was proud of the Koreans' assimilation into the community.

Mr. Kim said that Korea was approximately the same size as the Yukon Kuskokwim Delta, but with a population of 70 million people. Mr. Kim continued with a brief history of Korea and its customs.

Mr. Kim encouraged more activities throughout the community such as the Senior Center Christmas Dinner, and emphasized the importance of community involvement. Mr. Kim advocated more education in languages to fill cultural gaps and stated he would continue to promote a link between Alaska and Korea.

Mr. Kim presented Mayor Wintersteen with a token of friendship, a Celadon vase made in Korea. Mayor Wintersteen accepted the vase and introduced each Council member. Mayor Wintersteen then presented Mr. Kim with a framed proclamation of Korean Community Appreciation Week.

Council broke at 8:45 p.m. for a short recess. At 8:55 p.m., Mayor Chris called the meeting back to order.

ITEM B: Public Hearing--Ordinance #94-25: An Ordinance Authorizing the Disposal/Sale of City Property to an Entity Providing a Necessary Public Service--YKHC

Mayor Wintersteen explained that this disposal was for a driveway easement for YKHC across City property Mayor Wintersteen then opened the Public Hearing.

Greg McIntyre, representing YKHC, showed the Council the plan for the easement and explained why a second access was necessary to the property.

David Post, Planning Manager, stated the Ordinance should be corrected to reflect a price of $758, which was the amount YKHC had agreed to pay for 379 square feet.

There being no one else who wished to speak, Mayor Wintersteen closed the Public Hearing.

motion M/M by Chris, 2nd by Miller to adopt Ordinance #94-25 with the amendment of the value of the property to $758. Poll vote. Motion carried, 6-yes, 0-no.

ITEM C: Public Hearing--Ordinance #94-26: An Ordinance Amending Title 2, by Adopting a New Chapter 2.48 Providing for Indemnification of City Employees and Officials Against Claims

Mayor Wintersteen explained that the intent of the ordinance was to provide legal defense for officials if acting in official capacity and in good faith, and to provide payment of judgements against officials.

Mayor Wintersteen opened the Public Hearing. There being no one who wished to speak, Mayor Wintersteen closed the Public Hearing.

motion M/M by Miller, 2nd by Chris to adopt Ordinance #94-26. Poll vote. Motion carried, 6-yes, 0-no.

ITEM D: Public Hearing--Ordinance #94-27: An Ordinance Amending Title 3, Chapter 3.029, Entitled Classification Plan

Mayor Wintersteen explained this ordinance was basically a housecleaning item which should have been passed with the adoption of the annual budget.

Mayor Wintersteen opened the Public Hearing. There being no one who wished to speak, Mayor Wintersteen closed the Public Hearing.

motion M/M by Chris, 2nd by Tubbs to adopt Ordinance #94-27. Poll vote. Motion carried, 6-yes, 0-no.

X. NEW BUSINESS

ITEM A: Gaming Permit Application

Pulled from Agenda

ITEM B: ESCROW Agreement for Bank Stabilization Project

Pulled from Agenda

XI. COUNCIL MEMBER COMMENTS

Council member Tubbs wished everyone a happy Thanksgiving, especially the Consul General.

Council member McComas also wished everyone a happy Thanksgiving. Mr. McComas stated the Alaska Municipal League was looking for a representative for District 9 and asked Council to nominate him for the position. Mr. McComas stated he would provide further information to the Council.

Council member Miller announced he was researching drafting a simple tenant's rights ordinance to enforce existing state codes and asked landlords to contact him with suggestions. Mr. Miller stated he planned on working with the City Manager, Planning Manager and the Fire Chief in this effort.

Council member Harding stated he enjoyed the AML conference and was pleased to attend. Mr. Harding relayed the speakers' emphasis on teamwork and working toward a goal. Mr. Harding also wished everyone a happy Thanksgiving.

Council member Chris spoke of an individual in the community who had made a pledge in her name, without her knowledge. Mrs. Chris stated she hoped the individual would honor the debt that was incurred and that the individual was skirting the edges of legality. Mrs. Chris said she was sorry someone felt they could act in such a way to cause problems for someone else.

Mayor Wintersteen wished everyone a happy Thanksgiving, and thanked the Korean citizens who had showed up and also thanked Consul General Kim and Consul Kim for their visit.

XII. EXECUTIVE SESSION

motion M/M by Chris, 2nd by McComas to go into Executive Session for the purpose of discussing the City Clerk's evaluation and APEA labor negotiations. Voice vote. Motion carried unanimously.

motion M/M by Chris, 2nd by Tubbs to come out of Executive Session. Voice vote. Motion carried unanimously.

XII. ADJOURNMENT

motion M/M by Chris, 2nd by Harding to adjourn the meeting at 11:00 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 13TH DAY OF DECEMBER, 1994.

Allan Wintersteen, Mayor

ATTEST:

Connie Tucker, City Clerk