



# CITY of BETHEL

P. O. Box 537 • Bethel, Alaska 99559

543-2297 — Area Code 907

## REGULAR COUNCIL MEETING JUNE 9, 1976

CITY OFFICE

7:30 P.M.

Meeting was called to order by Mayor Hoffman at 7:50 P.M.  
Present: Pike, Elliott, Peltola, and Guinn who arrived late (8:30 P.M.).  
Absent: Andrew, Alexie.

Manager Bartlett read the Regular Council Meeting minutes of May 24, 1976.

M/M by Peltola that the minutes of May 24, 1976 be accepted as read.  
Voice vote was taken and was unanimous. Motion passed.

### COMMUNICATIONS

There were nine letters which were included in the packet for June 9, 1976 meeting. The Bradley, Symbol, Newbury, Morris, Jones, Stennis, and Mayer letters included in the packet pertained to items listed under Old and New Business on the agenda for June 9, 1976. A letter from Lounsbury and Associates was included in the packet in order to inform the Council as to the status of the development project west of Turnkey Housing. In addition, a letter sent to the AVCP Housing Authority regarding the capabilities and capacity of the City of Bethel to provide water and waste removal to the new housing units planned by the Housing Authority was included as a part of the packet provided Council Members.

### MANAGER'S REPORT

Manager Bartlett informed the Council of the status of the City of Bethel (Community Liquor Sales, Inc.) v. United States case which involves taxes paid by the City on income derived from liquor sales during 1967, 68, 69, 70, 71, 72, and 73. Correspondence has been received by the City requesting that the Attorney General of the State of Alaska forward information within this subject area to Nelson, Harding, Marchetti, Leonard, & Tate, a law firm in Denver, Colorado which is responsible for representing the City in reference to the aforementioned case. A copy of all correspondence will be included in the next Council packets.

The City Attorney (Ben Esch) commented on the above case in terms of informing the Council as to the reasons why the City is involved in this type of litigation. He indicated that the City was attempting to recover taxes paid in the past to the Internal Revenue Service for liquor sales.

Manager Bartlett asked the Council if they were interested in being informed about pending law suits involving the City of Bethel.

Peltola - We are interested in receiving pertinent information regarding City related law suits. This type of information should probably be included with the packets provided the members of Council.



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## MANAGER'S REPORT Con't.

Manager Bartlett asked Councilman Elliott if it were possible to obtain a map graphically describing the location of the White Alice cable.

Elliott - Yes, I can arrange for the City to obtain a map showing the location of the cable.

Bartlett - In continuing with my report, I received a letter from Yupiktak Bista indicating that they are no longer interested in leasing one of the two Recreation Buildings, because of program cut-backs. In my opinion, the City should attempt to identify other potential individuals or organizations who may be interested in leasing one of the Recreation Buildings. The revenue realized from such a lease would enable the Recreation Department to further expand its program effort.

Manager Bartlett asked Mayor Hoffman if he would attend a Potluck Dinner at the Alaska Native Hospital to welcome the members of the National Indian Health Board.

Hoffman - Yes, I would be more than glad to attend.

Bartlett - I will prepare a proclamation for you to present and I also will attend the Dinner.

Manager Bartlett indicated that the scheduled working hours of the water, sanitation, and garbage delivery or pick-up service has been changed to 7:00 A.M. to 4:00 P.M. This should allow for greater flexibility within the aforementioned public service areas, and should provide improved service on an interim basis, until such time that the Public Works Dept. can be formalized.

In continuing with his report, Manager Bartlett stated that he had requested the City Attorney (Ben Esch) to develop standard contracts pertaining to the leasing of City owned facilities and the procurement of contract services. Copies of such contracts were provided to Council members.

Esch - The standard contracts are intended to assist the City in negotiating contracts which are legally viable. There are provisions for penalties relative to contract services not completed pursuant to time frames indicated in the contract(s). The standard contracts are also compatible with State Statues and other similar laws.



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## MANAGER'S REPORT Con't.

Bartlett - The standard contracts will provide for an equitable base between the City and contractors or leasees. I would like each Council member to take a copy of the contracts and review them prior to the next regularly scheduled Council meeting. If there are any questions or suggested changes, I will forward them to the City Attorney. Finally, I have also asked the City Attorney to develop a Personal Services Contract which will be utilized with regard to key City personnel and contract services not large enough to warrant the use of the previously described contract formats. Both a financial and scope of work criteria will be developed which will govern the type of contract to be utilized during negotiation sessions.

Peltola - Is there a need for specifically defined criteria?

Bartlett - Yes, with the understanding that the financial criteria will probably take precedence over scope of work factors.

Elliott - In my opinion, this has been needed by the City for a long time and should enable the City to have viable contracts with regard to the leasing of facilities and/or the procurement of outside services.

The final part of Manager Bartlett's report was concerned with Health, Life, and Retirement Benefits. It was indicated that possible benefit packages would be presented to Council hopefully, on or before July 1, 1976. In addition, the fire coverage for the City and its various facilities will not cover items under consignment at the City's Museum. The consignment contract at the Museum will be changed to reflect this situation. A theft provision will also be inserted into the Museum's consignment contract.

## MAYOR'S REPORT

Mayor Hoffman reported that the Yupiktak Bista Organization Board of Directors turned down the lease arrangement regarding the City owned Recreation Building. Mayor Hoffman further reported that someone was to be at the Council Meeting to explain the need for land relative to the installation of a communication dish to be utilized by the KYUK Television Station. Maybe this item can be placed on the next Council meeting agenda.

Peltola - We should probably have a worksession concerned with the planned use of the City compound area.

Bartlett - In my opinion, this type of worksession is very timely and



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## MAYOR'S REPORT Con't.

should involve various areas of planning on a municipal level.

Hoffman - Have the City owned roads been repaired?

Lenhart - The boardwalk has been repaired and the City is still working on the road leading to the Russian Orthodox Church. The remaining City owned roads have either been repaired or are under repair.

Bartlett - The two new dump trucks are in the process of being repaired and will add to the capabilities of the City's Public Works Department relative to road work functions.

COMMITTEE REPORTS: None

PEOPLE TO BE HEARD: None

## OLD BUSINESS:

### Item A. Amendment to Ordinance #71 (Taxi Fares and Permits)

Bartlett - Pursuant to the City Council's Transportation Committee recommendations of May 24, 1976, an amendment to Ordinance #71 (Taxi Fares and Permits) is presented to Council for their consideration and adoption.

Peltola - Is there a procedure that Council needs to follow with respect to adopting the proposed amendment to Ordinance #71?

Bartlett - Yes, and I have asked Ben Esch (City Attorney) to review for Council both the procedures to be followed and the proposed amendment.

Esch - Proposed amendments to ordinances on file with the City should first of all be accepted by Council for publication at least five days before adoption. At this same time, the Council should designate a time for a public hearing for the purpose of adopting the proposed amendment(s). With regard to the proposed amendment to Ordinance #71, it is recommended that taxi fares be increased by 25¢ and that bus permits be eliminated and the number of taxi permits be maintained at a level of nineteen (19).

M/M by Peltola that the proposed amendment to Ordinance #71 be accepted for publication and that the next regularly scheduled Council meeting serve as the public hearing for the proposed amendment.  
Roll call, Yes, Guinn, Hoffman, Pike, Elliott, Peltola. Motion passed.



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## OLD BUSINESS Con't.

### Item B: Amendment to Ordinance #59 (Sale or Lease of City Owned Real Property)

Bartlett - In reference to amending Ordinance #59 (Sale or Lease of City Owned Real Property) to enable the City Council to lease City owned real property without providing publicized notice for such intended action, it is the City Manager's recommendation, after consulting with the City Attorney, that Ordinance #59 should not be amended pursuant to the publicizing aspect, and because State Statute prohibits such an amendment. It is, however, recommended that Ordinance #59 be amended and ratified at the next general election, to enable City Council to sale, lease, or otherwise dispose of City owned real property valued at \$25,000 or more in the same manner as the City is now authorized to dispose of City owned real property under \$25,000.

Esch - Title 29 of the Alaska State Statues specifically states that a City ordinance pertaining to the disposition of City-owned real property valued in excess of \$25,000 must be ratified by the voters.

M/M by Peltola that Item B, under Old Business be tabled until the next regularly scheduled Council meeting and at that time an amendment to Ordinance #59 be presented to the Council.

Voice vote was taken and was unanimous approved. Motion passed.

### Item C: City of Bethel Court House Project.

Bartlett - The City of Bethel has received, as of June 8, 1976, a notice of contract award with regard to the Court House Project. A copy of the bid abstract is available to Council Members. Specific contract stipulations are currently being negotiated with the Alaska Court System, and Mr. Clarence Erickson of the Court System has made an on site visit in Bethel as of June 9, 1976. The preliminary design work has been made available to the City, as well as the Alaska Court System, and the contractor is engaged in projecting the line item cost factors. The site under consideration is on Lot #3, which is the location of other City facilities such as the municipal jail, city office, and other related City owned facilities.

Esch - The Court House will probably be constructed where the City's Museum building is located. The construction phase will begin in about six weeks.



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## OLD BUSINESS Con't.

Peltola - Are there any construction restrictions?

Bartlett - The White Alice cable may present a problem, however, this situation has been explained to the Alaska Court System. The location of the cable will be taken into account when construction begins on the Court House. The construction of the Court House will begin in approximately six weeks and be completed on or about November 15, 1976. The contractor will utilize local labor as much as possible, and will augment the project through the use of contract management concepts.

M/M by Peltola that the City Council give the City Manager a vote of confidence to proceed with the Court House Project.  
Roll call, Yes, Guinn, Pike, Elliott, and Peltola. Abstain, Hoffman.  
Motion passed.

## Item D: URS Engineering Contract

Bartlett - The grant award of \$45,200 has been awarded to the City to enable URS Engineering to proceed with Section III of the contract between the City and URS, which involves the Planning Phase. In addition, a proposal letter has been submitted to the Alaska Diaster Office requesting \$7,300. These funds would be utilized to secure the services of URS, who would be responsible for preparing cost figures and projections with regard to the Bethel Heights sewer and water system. Such a report would be used to contest the Army Corp of Engineers Report submitted with reference to the same system. The grant award of \$45,200 contained a stipulation which will require the URS firm to complete the Planning Phase on or before Aug. 15, 1976.

M/M by Guinn that the \$7,300 grant request submitted to the Alaska Diaster Office be approved and that authorization be extended to the City Manager to allow the URS firm to proceed with this project, when the grant is awarded.  
Roll call, Yes, Guinn, Hoffman, Pike, Elliot, and Peltola. Motion passed.

## Item E: Clean-up Project

Bartlett - Mr. Baker has arranged with the VFW to have a Clean-up Project implemented, which will involve the members of the High School Band. In addition, I have appointed John Winjum, Police Chief of Bethel as the City's representative (coordinator) of the Clean-up Project. We will coordinate the City's resources and manpower with the VFW.



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## NEW BUSINESS:

### Item A: Committees of City Council

Bartlett - I would like to recommend to City Council that all Committees of City Council meet at least once a month, that the agenda and minutes of such meetings be made available to the members of the Committees seven (7) days in advance of the next regularly scheduled meetings, that secretarial assistance be provided such Committees at their meetings, and that John Guinn be appointed as a regular voting member of the Planning Commission. In addition, the Planning Commission will hold a meeting this Friday, June 11, 1976 at 5:00 P. M., and the Commission will be considering new members to be recommended to City Council.

M/M by Peltola that the aforementioned recommendations be adopted by Council and that John Guinn be appointed a voting member of the Planning Commission.

Voice vote was taken and was unanimous. Motion passed.

### Item B: City Council Meeting Procedures

Bartlett - I would like to recommend to City Council that the procedures of the Regular Council Meetings be changed as follows: that the minutes not be read at each Council meeting, but approved as written with or without modifications; that the agenda and minutes of such meetings will be made available to Council members seven days in advance of the next regularly scheduled Council meeting(s); and that the City Clerk be responsible for all roll calls with regard to those present and motions before the Council requiring a roll call vote.

M/M by Elliott to adopt the aforementioned procedures.  
Voice vote was taken and was unanimous. Motion passed.

### Item C. Parks and Recreation Department's Summer Program Manpower Proposal.

Bartlett - A proposal requesting seven(7) new positions from the Manpower Division of the State of Alaska to implement a summer recreation program has been prepared and submitted to the State Manpower Office. I would like to request Council approval of such a submission.

M/M by Peltola that the City Council accept the proposal and approve its submission to the Manpower Office.

Voice vote was taken and was unanimous. Motion passed.



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Peltola asked to leave the meeting at 9:10 P.M. in lieu of there being a quorum.

M/M Elliott that Item K on the agenda (Presentation of Codified Municipal Ordinances) be next on the agenda.

Voice vote was taken and was unanimous. Motion passed.

## Item K. Presentation of Codified Municipal Ordinances.

Esch - Pursuant to a letter received from the former City Manager, Donna Campbell requesting that all ordinances currently on file with the City be codified, the law firm of Dickson and Evans (City Attorney for Bethel) has proceeded to codify such ordinances. All ordinances have been reviewed and a number of inconsistencies have been ascertained. As a result, I would recommend to City Council that a worksession be held to review the ordinances and correct such inconsistencies. Once this is accomplished, I will then review and recodify the City's ordinances. At such time that this task is completed the City Council should then adopt the codified ordinances.

Bartlett - I personally feel that this type of worksession is of high priority.

Peltola left the meeting at this time.

## Item D. Proposed Recreation Building Complex.

Guinn - The VFW is currently interested in providing approximately \$150,000 to the City through the development of a foundation and floor area for a new recreation building to be located at the 21 acre new park site. The VFW's offer is contingent on the City making a commitment which will insure that the remaining parts of the building are constructed and maintained by the City. In addition, the VFW will also develop the open area of the park which will entail bicycle and jogging paths and other similar recreational facilities. The recreation building would house an indoor gymnasium, hand-ball courts, skating rink, shooting range, and office and meeting space. I realize that the City can not afford to provide all of the aforementioned and for this reason the City Manager, Director of Parks and Recreation, and myself met with the Calista Corp. to request funding within this area. The Calista Corp. decided not to approve the request, and are planning to develop a recreation complex for the Bethel area. I understand that the City will need other commitments of a financial nature to complete the project. I thought I



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would bring this matter to the attention of City Council and that we should proceed to try and develop the project.

Porter - It seems to me that the community should be involved and may well be able to help with the financing.

Bartlett - There is a possibility that bonds will be sold on a State level which could help finance this project, however, we would not know this until after November of 1976.

## Item E: City Fire Department.

Bartlett - I have a letter of resignation from Mike Stichick, the Fire Chief of Bethel. He is resigning because he is leaving the area. The Bethel Fire Dept. volunteers have met and recommend to the City Manager and Council that John Sanchez be appointed the new Fire Chief. It is my personal recommendation that John Sanchez be appointed the new Fire Chief.

M/M by Guinn that the Council ratify the Bethel Volunteer Fire Dept.'s recommendation.

Voice vote was taken and was unanimous. Motion passed.

Bartlett - As a result of the Council worksession held with regard to the Bethel Fire Dept., it is recommended that the City Manager be given authorization to proceed with the development of the Fire Dept. to increase its capabilities to carry and pump water from 2,000 gallons to approximately 5,000 gallons to be pumped at a rate of 250 gallons per minute. In addition, it is recommended that the Fire Dept. be changed from two(2) full-time paid firemen to a Dept. which has three(3) full-time paid firemen, one of which is the Fire Chief.

M/M by Guinn that the aforementioned recommendations be approved.

Roll call vote, Yes, Guinn, Hoffman, Pike, Elliott. Motion passed.

M/M by Guinn that a letter from the City Manager and Council be sent to Mike Stichick thanking him for a job well done.

Voice vote was taken and was unanimous. Motion passed.

## Item F. Amendment of Ordinance #51(Civil Defense).

Bartlett - It has been brought to my attention that Ordinance #51 needs to be amended to insure that the City Manager is the Director of Civil Defense within the Bethel area. After reviewing the Ordinance, it clearly



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states that the City Manager is the Director, therefore an amendment is not necessary. However, I have asked John Winjum (Police Chief) to continue as the Coordinator of Civil Defense matters.

Elliott - There are a number of Civil Defense supplies located at the BIA Compound which belong to the City. When you (John Winjum) have time you should go out to the BIA and pick-up the supplies.

### Item G. Extention of Contracts Regarding Garbage and Trash Disposal Services and Security Guard Services Provided to the Alaska Native Hospital - Bethel.

Bartlett - I received a letter from the Public Health Service regarding the need for the City to extend its contracts with the Alaska Native Hospital in Bethel which involves Security Guard and Trash Disposal Services. The contract extensions are necessary because the Federal Government is changing their Fiscal Year from July 1 to October 1. Therefore, approval is requested from the City Council to extend the aforementioned contracts up to October 1, 1976.

M/M by Guinn that the City Council authorize the City Manager to sign the contract extensions.

Voice vote was taken and was unanimous. Motion passed.

### Item H: Permit Application for Authorized Games of Chance and Skill - Bethel Lyons Club.

M/M by Elliott to accept the permit application authorizing the Bethel Lyons Club to conduct Games of Chance and Skill.

Voice vote was taken and was unanimous. Motion passed.

### Item I: Port Facility.

M/M by Guinn to table this matter until a later date.

Voice vote was taken and was unanimous. Motion passed.

### Item J: Mosquito Control Program.

Bartlett - I placed this item on the agenda to solicit comments as to the City's role in the past with regard to the implementation of Mosquito Control Programs.

Edge - The State of Alaska and the Environmental Protection Agency requires the City to have a permit before spraying pesticides to kill mosquitos.



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Bartlett - I will attempt to obtain additional information with regard to the natural control mosquitos. Once this information is available I will present suggested programs to the Council for its consideration.

Porter - I am interested in knowing whether or not there are any funds remaining which can be used to build a seawall.

M/M by Elliott to adjourn.

Voice vote was taken and was unanimous. Motion passed.

Meeting was adjourned at 9:43 P.M.

Rebecca J Nelson  
City Clerk

Edward Hoffman Sr  
Mayor