

CALL TO ORDER

City Manager Hoffman called the meeting of the City Council to order at 7.32 pm.

ROLL CALL

Present: Binkley, Buttane, Hoffman, Sullivan,  
Twitchell, Veit  
Absent: Guinn (on vacation)

motion

M/M by Buttane, 2nd by Sullivan to appoint John Binkley as acting Mayor. Voice vote, motion carried. John Binkley served as acting Mayor for the meeting.

APPROVAL OF MINUTES

M/M by Buttane, 2nd by Sullivan to accept the August 21 Council minutes as presented. Voice vote, motion carried.

motion

M/M by Buttane, 2nd by Sullivan to accept the August 22 Council minutes as presented. Voice vote, motion carried.

M/M by Buttane, 2nd by Sullivan to accept the September 10 Council minutes with the following change: p 2, under Item B, the last sentence of to read: COUNCIL TOOK NO ACTION ON THE MATTER. Voice vote, motion carried.

The minutes for the August 15 Council meeting were not accepted. Council referred them to the City Clerk for review of the tape to clarify the motion made on p 5 regarding the motion made under Item E.

APPROVAL OF AGENDA

M/M by Sullivan, 2nd by Buttane to approve the agenda with the following changes:

1. Unfinished Business - table Items D and G and send to Transportation Committee Item E
2. add to agenda Police Department report after Manager's Report and Executive Session concerning Personnel Matters after Police Department Report
3. move Item A, New Business, to Item A Unfinished Business
4. add to New Business, Item E - Yu'pik Translator

Voice vote, motion carried.

MANAGER'S REPORT

City Manager Hoffman reported on the following items:

1. Harbormaster Connick has resigned from his position; the City will not hire for the position at this time
2. a City pamphlet outlining the ballot propositions will be sent to all boxholders next week
3. the ordinance update should be available by mid to late October
4. the City's Capital Project list is due by Nov. 15; a public hearing on the list will be held on October 22
5. the City has an appointment to the KCC Advisory Board; interested parties should submit a letter of interest to the City
6. the Alaska Municipal League will meet in Anchorage on Nov. 14 - 17
7. 95% of the seawall materials have been delivered; contracts for the remaining work have been let with H2W and Sandstrom; the Brown Slough work is being advertised with bid openings to take place the week of October 15

Councilmember Buttane inquired if the easement issues have been resolved concerning the seawall. City Manager Hoffman indicated that the Faulkner agreement is still in arbitration.

Councilmember Buttane inquired about the grader purchase. City Manager Hoffman informed Council that a used grader had been purchased from Calista for \$17,000.00 and that Councilmembers had been polled as to the purchase.

Richard Goldstein inquired about the following matters:

1. the internal auditor position
2. City divestment of PATC, bowling alley, laundromat, and museum
3. the fire station training tower

City Manager Hoffman informed Council that the City has advertised for the Internal Auditor position but that no qualified candidates had applied; that the City is considering contracting with a firm to prepare an operational manual for the Finance Department instead of hiring at this time an internal auditor; the City is meeting with KCC on the transfer of the museum to the college; the new director at PATC is working on the divestment of PATC; divestment of the bowling alley and the laundromat are under review by the Finance Committee; the fire station training tower status needs to be reviewed with the Capital Projects Director.

POLICE CHIEF REPORT

There was no report.

EXECUTIVE SESSION  
PERSONNEL MATTER

EXECUTIVE SESSION - PERSONNEL MATTER

motion

M/M by Buttane, 2nd by Sullivan to go into executive session concerning personnel matters related to the Chief of Police and City Manager. Voice vote, motion carried. Executive session from 8.05 - 8.38. Councilmember Hoffman did not attend the executive session.

Councilmember Sullivan informed Council and the public that any action or vote taken would be done publicly.

Council asked if the parties wished the matter to be discussed publicly. Both City Manager Hoffman and Police Chief Varnell requested an executive session.

Upon return from the executive session, Police Chief Varnell tendered his resignation from the Bethel Police Department, the resignation to be effective October 1 and according to paragraph 6 of his employment contract.

motion

M/M by Buttane, 2nd by Sullivan to accept the resignation incorporating paragraph 6 of the service agreement between the City of Bethel and the Chief of Police providing 6 months severance pay to the Chief of Police. Poll vote, motion passed, Hoffman and Twitchell voting not to accept the resignation.

Councilmembers Buttane and Veit spoke in support of Chief Varnell but indicated that the lack of public support for the police chief required a change at this time.

Councilmember Sullivan expressed his concern over the payment of the severance money to the Chief of Police; that it was in the best interest of the community to make the change.

Councilmembers Twitchell and Hoffman voiced their objection to accepting the resignation and expressed their concern that the resignation was not the desires of the community as a whole but only a few people.

Council noted that the acceptance of the resignation should not imply a lack of confidence in the police force on the part of Council; that the acceptance of the resignation was not a housecleaning on the part of Council.

ALCOHOL/VIOLENCE TASK  
FORCE REPORT

ALCOHOL/VIOLENCE TASK FORCE REPORT

Chairperson Carpenter reported on the activities of the task force. The Committee will report to Council by the end of September and expects to be operational for about six months. Meetings of the task force are held at 7 pm, Tuesdays.

Former Safety Commissioner Nix reported to Council on his review of the Police Department. Mr. Nix indicated his review will concentrate on the operations of the department, its training needs, and relationship to City administration.

REPORTS OF STANDING  
COMMITTEES

The Port Commission minutes were referred to the Port Commission for review and acceptance.

PEOPLE TO BE HEARD

PEOPLE TO BE HEARD

Councilmember Hoffman noted that the road in front of Swanson's store is maintained by the City and as such the City can enforce City ordinances in the area.

April Varnell addressed Council concerning the resignation of the Police Chief.

Councilmember Buttane noted that this was his last Council meeting and thanked the community for having given him the opportunity to serve the citizens of Bethel.

UNFINISHED BUSINESS

BUDGET/FISCAL CONCERNS

Item A: Budget/  
Fiscal Concerns

Diane Carpenter of the City Finance Committee presented to Council the Finance Committee's recommendation that the City Council pass a continuing resolution adopting a 3 month budget based upon 25% of last year's expenditures and providing that no new personnel, capital outlays or new contracts be entered into during this 3 month period.

Councilmember Buttane suggested extending the continuing resolution for 9 months until the new fiscal year is put into operation on July 1.

Councilmembers Binkley and Veit suggested a one month extension; that the budget should be done as quickly as possible.

Councilmember Sullivan expressed his disappointment that the budget was not in presentable form at this time; that leadership by the City Manager in preparing the budget appeared to be lacking.

UNFINISHED BUSINESS  
CONT

A lengthy discussion followed concerning the budget process and the time required to get the FY '85 budget complete. Finance Director Donnell indicated a need for at least 3 additional months to present a budget document as requested by Council.

Councilmembers Veit, Sullivan and Binkley expressed dissatisfaction with Administration's preparation of the 1985 City budget.

motion

M/M by Buttane, 2nd by Hoffman to adopt a budget on 1984 levels for a period of 90 days, to review the on-going budget development on a monthly basis, to exclude new positions, contracts and capital purchases during the 90 period, and that a 1985 City budget be adopted on or before December 31, 1984.

Poll vote, 4 yes, 2 no (Binkley and Veit), motion carried.

It was additionally directed by Council that the budget should be presented to Council for acceptance no later than December 1 and that any COLA adjustments for staff not be included until the final enactment of the budget.

Councilmember Sullivan addressed the question of the lost evidence money indicating his concern about the appropriateness of Administration's response to the missing money.

City Manager Hoffman informed Council that a jurisdictional problem precluded the CIB from investigating the problem.

Councilmember Buttane inquired if the check for the missing (but later found) evidence money had been returned to the City. City Manager Hoffman informed Council that he would check with the City Finance Director to see if the check had been returned.

City Manager Hoffman informed Council that the missing money was in the hands of the court and the error was on the part of the court and not the Police Department.

Councilmember Binkley suggested that Council needs to know of such incidents when they occur. City Manager Hoffman informed Council that because the incident was under investigation he chose not to notify Council until the conclusion of the investigation.

UNFINISHED BUSINESS  
CONT

Richard Goldstein asked if other money had been lost in a similar fashion.

City Manager Hoffman noted for Council that one other such incident had taken place about a year ago and remains unsolved to this date; that procedures need to be tightened in this area.

motion

M/M by Hoffman to go past 10 pm. Motion passed.

Item B: Ordinance  
149

ORDINANCE 149, AN ORDINANCE REPEALING THE BUILDING PERMIT ORDINANCE

motion

M/M by Binkley, 2nd by Sullivan to adopt Ordinance 149 with an effective date of November 1, 1984. Poll vote, motion carried.

Item C: Amendment  
1 to Ordinance 82

AMENDMENT 1 to ORDINANCE 82, WATER SYSTEM OPERATION ORDINANCE

Public Hearing on the matter from 10.14 to 10.32.

A discussion took place as to the appropriateness of the amendment with respect to tank size and delivery requirements. No concensus was reached by Council on the amendment.

motion

M/M by Buttane, 2nd by Hoffman to table the matter until the next Council meeting. Sullivan opposed the motion. Voice vote, motion carried.

Council recessed from 10.49 - 11 pm.

Upon return from the recess, Councilmember Buttane asked to be excused; Council consented.

Item D: Amendment  
1 to Ordinance 74,  
Public Lands

AMENDMENT 1 to ORDINANCE 74, THE DISPOSAL OF PUBLIC LANDS

A Public Hearing was held from 11.02 - 11.10 pm.

Councilmember Hoffman opposed the ordinance amendment.

City Planner Stigall indicated that the matter may need additional study.

motion

M/M by Sullivan, 2nd by Hoffman to table the amendment until the first Council meeting in October. Voice vote, motion carried.

motion

M/M by Sullivan, 2nd by Hoffman to recess the meeting until 5 pm on Thursday, October 20. Voice vote, meeting recessed from 11 pm until 5 pm on October 20.

continued from 9/19

The City Council reconvened at 5.10 pm on September 20, 1984. Councilmember Sullivan was not present for the September 20 session.

Former Safety Commissioner Bill Nix was introduced to Council. Mr. Nix briefly outlined the review of the Police Department that he was conducting on behalf of the Alcohol and Drug Task Force.

Item E: Cemetery

#### CEMETERY

Councilmember Hoffman requested that Council close the old cemetery and officially open the new one for burials; that the remaining space in the old cemetery be reserved for the immediate family members of persons now buried in the old cemetery.

Steve Gaber of the Planning Department informed Council that Planning was attempting to plat the old cemetery but that due to previous haphazard burial procedures and the number of unmarked graves it would be difficult to accurately identify each grave site. Mr. Gaber also informed Council that much of the land remaining in the old cemetery is not suited for burials due to the high water table.

Councilmember Buttane suggested that for the next 6 months the City Clerk's office act as the central office with regard to burials, assigning plots and registering burials, and that Administration should report back to Council on the system.

Steve Gaber of Planning reminded Council that Council on May 9, 1983 had adopted a policy concerning the new cemetery.

City Manager Hoffman suggested that the Administration send letters to the Churches requesting them to contact the Clerk's office to arrange for burials; that the procedure used will be that outlined by the policy adopted by Council on May 9, 1983. Council concurred in the suggestion.

#### NEW BUSINESS

#### RESOLUTION 440, FISCAL YEAR CHANGE

Item A: Fiscal  
Year Change

M/M by Buttane, 2nd by Twitchell to adopt Resolution 439 approving the change in the City of Bethel's fiscal year from an October 1 - September 30 fiscal year to a July 1 - June 30 fiscal year, effective July 1, 1985. Voice vote, motion carried.

Councilmember Buttane spoke in favor of the resolution in that it coincided with the State budget process, avoided the fishing/hunting seasons in Bethel, and could be done at no major cost to the City.

Item B: Election  
Judges

RESOLUTION 439, APPOINTMENT OF ELECTION JUDGES

motion

M/M by Hoffman, 2nd by Buttane approving Resolution 438 appointing election judges for the October 2 election. Voice vote, motion carried.

Item C: Resolu-  
tion 437

RESOLUTION 438, A RESOLUTION ACCEPTING FUNDS FOR THE MARKING OF TRAILS

motion

M/M by Buttane, 2nd by Hoffman approving Resolution 437 accepting funds for the placement of markers along the Kuskokwim 300 trail. Voice vote, motion carried.

Item D: AVCP  
Land Request

AVCP LAND REQUEST

City Manager Hoffman reviewed for Council the request by AVCP to lease a parcel of City land in housing for use as a day care center. Administration recommended a 20 year lease for a minimum rental fee; the Planning Commission has approved the request. The City Manager informed Council that AVCP was not a political subdivision of the State and as such was not eligible for a transfer of the land without first advertising the lease for public bid.

Councilmember Veit supported the lease request but recommended that the public notice process should be followed. Councilmember Binkley concurred with Councilmember Veit in the need to follow the correct advertising process for the disposal of City land.

Councilmember Hoffman recommended giving the land to AVCP without following the public bid procedures.

City Manager Hoffman recommended that Council advertise the lease for educational purposes for 30 days and that during the 30 day period Administration would seek legal advise as to expediting the matter.

motion

M/M by Veit, 2nd by Buttane directing Administration to advertise for 30 days the lease of Tract D, Block L, Bethel Heights Subdivision, the lease to be for 20 years at \$100 a month for educational purposes and for Administration during the 30 day advertising period to seek legal advice as to expediting the lease of the tract and if the lease can be expedited to call a special council meeting to finalize the lease agreement. Voice vote, motion carried.

Item E: Yu'pik  
Translator

YU'PIK TRANSLATOR

Councilmember Hoffman requested that a translator be present at City Council meetings to translate the meetings into Yu'pik for villagers listening to the meeting over the radio.

Councilmember Veit agreed with Mr. Hoffman but cited procedural difficulties in providing the service, such as, the interruption in the discussion to allow for translation and the potential length of the meeting if an exact translation was to be provided.

Councilmember Buttane concurred with the need to provide a translation of the Council meetings.

Councilmember Twitchell suggested that he contact KYUK Manager Bringham to see if a simultaneous translation from KYUK would be possible.

Councilmember Veit suggested adding a translator position to the City budget. City Manager Hoffman suggested that KYUK should provide the translation as a public service.

Council directed Administration to contact KYUK Manager Bringham concerning a simultaneous broadcast translation of the Council meetings by KYUK with the City paying the cost of the translator.

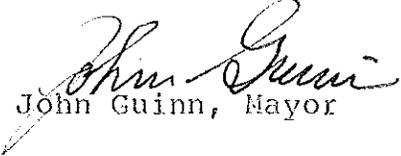
motion

M/M by Buttane, 2nd by Hoffman accepting the August 15 Council minutes as amended on September 19. Voice vote, motion carried.

ADJOURNMENT

M/M by Buttane to adjourn. The meeting adjourned at 6.40 pm.

PASSED AND APPROVED THIS *22nd* DAY OF OCTOBER, 1984.

  
John Guinn, Mayor

ATTEST:

  
Wayne J. Maiers, City Clerk

41199