



CITY of BETHEL

P. O. Box 388 • Bethel, Alaska 99559

543-2297 — Area Code 907

MUNICIPALITY OF BETHEL CITY COUNCIL MINUTES MAY 30TH, 1979

COUNCIL CHAMBERS

7:30 P.M.

Meeting was called to order by Mayor Elliott at 7:30 p.m, at the Council Chambers. Present: Charles, E. Hoffman, B. Hoffma, Twitchell, Carpenter and Elliott. Absent: Gregory. Quorum.

INVOCATION

None

APPROVAL OF MINUTES

Charles stated that on the minutes of May 14, 1979, on the first M/M by Gregory, should be changed to read: "M/M by Charles".

M/M by Charles to approve the minutes of May 14, 1979 as corrected. Voice vote was taken and was unanimous. Motion passed.

APPROVAL OF AGENDA

Manager Hoffman stated that the Administration has a recommendation to add ITEM F., RENEWAL OF THE LEASE ON ELM CORPORATION., also, leave ITEM A, PRESENTATION OF THE FIRST LADY'S AWARD TO NORA GUINN, as a floating item until Nora Guinn arrives.

E. Hoffman stated that he'd like to add ITEM G., ASHA - RESOLUTION #'s 262 & 263, AND ORDINANCE # 117

M/M by Charles to accept the Agenda of May 30, 1979 as amended. Voice vote was taken and was unanimous. Motion passed.

COMMUNICATIONS

Manager Hoffman stated that he passed out a letter from Harold Sparks to Rosie Porter concerning the 42% raise in the Bethel Utilities Corporation. This should be referred to the Planning Commission for review and then report to the Council on their findings.

M/M by B. Hoffman to referr this to the Planning Commission for review and report back to the Council at the next meeting. Voice vote was taken and was unanimous. Motion passed.

MANAGER'S REPORT

Manager Hoffman stated that he received a communicay regarding the law suite between the Liquor Store vs U.S. Government, he has been informed that at the Ninth District Court of Appeals, the U.S. Government has proved successful. Therefore, for the year of 1972 and 1973, the Liquor Store must pay corporate taxes totaling to approximately \$100,000. To date, we haven't been informed in when the City of Bethel will have to transmitt these funds.

Randall Cry has left Bethel last week and I have appointed Frank Pearson as the Acting Chief of Police if Council has no objections. Manager Hoffman suggested that two from Administration and one from Public Safety/Transportation member one from the State Troopers and two interested Council members to be the interviewing committee.

Manager Hoffman stated that on the Bowling Alley, a meeting is scheduled for Friday to work out any final problems and negotiate the completion of the Bowling Alley with Ben Esch, City of Bethel's Attorney, and Mike Plunkett of Lane, Knorr and Plunkett. Mr. Plunkett flatly refuses to meet with any attorney that has anything to do with the City of Bethel. Manager Hoffman also contacted one of the local public works grant management people in Seattle and informed him on the steps that we, City of Bethel, are taking and he informed us that we are preceding in the right direction.

The Annual Spring Clean-up held last week was quite successful. Many parts of the Community look much cleaner. The land reclamation at the City Dock turned out very well, the City will continue to use that area as a landfill for the rest of the week. Future land fill sites will be requested of the Planning Commission.

The River Patrol is scheduled to start on the 1st of June this week. The program is operated with CETA Funds. The patrol will have three (3) two man shifts and will run seven (7) days a week. From 11 am to 3 am. For anyone that needs to contact the river patrol either call the Police Station or use CB Channel #9.

FINANCE DIRECTOR'S REPORT

Manager Hoffman stated that he reviewed the two (2) candidates that were narrowed down by the Finance Committee, but he felt that because the two were from out of State, he didn't feel that they were acceptable and is quite reluctant to hire any one from out of state.

Manager Hoffman contacted Pete Marwick and Mitchell and they are assisting us and they have put the City Manager in contact with the Personnel Search Group. The Search Group sends you candidates applications and if look them over, if we don't like them we don't have to pay anything for the searvice given. We can also advertise for a Finance Director in the newspaper and not be obligated to the Group.

Council person Carpenter requested that the position be on the next Council Agenda.

MAYOR'S REPORT

Mayor Elliott thanked everyone who helped clean up and especially the Lion's club for cleaning up the Grave yard and the VFW for the memorial day services.

REPORT OF THE STANDING COMMITTEE'S

E. Hoffman commented that every day someone goes barreling in the Brown Slough. He stated that we should post a sign in the entrance of the Slough and on the bridge.

Manager Hoffmans stated that we do have an Ordinance for the Brown Slough speed.

PEOPLE TO BE HEARD

Charles asked about the boardwalk. Are we going to do anything about connecting them?

Manager Hoffman stated that were still waiting for the steel for the bottom support. And, no, the boardwalks won't be ruined even though it does slope. The steel beams will support them once we put them in together.

Twitchell asked what are the chances of watering the major parts of the road to prevent so much dust flying around?

Manager Hoffman stated that we can't unless we take the water that were supposed to get and use that for the roads. Mayor Elliott concurred.

UNFINISHED BUSINESS

ITEM B. PUBLIC HEARING ON MODIFICATION #1 OF ORDINANCE #85, MODIFYING WATER, SEWER AND GARBAGE RATES.

Mayor Elliott opened the Public Hearing on Modification #1 of Ordinance #85, (AN ORDINANCE MODIFYING THE WATER, SEWER AND GARBAGE RATES.) to the public.

Manager Hoffman stated that he has one recommended change in Section 3, on the piped system servies, to be changed to .01¢ per gallon from 1¼¢ per gallon. On section 8, to be approved on June 1st, 1979.

Manger Hoffman stated that the average price per gallon was 2.42¢, under the new Ordinance it is 2.08¢ per gallon an average increase of 04¢ per gallon, which comes out to about 14% per gallon.

There was some discussion on the subject of Modification #1 of Ordinance #85, water, sewer and garbage rates.

R. Porter asked about holidays.

Manager Hoffman stated holidays are not included in as service days.

Mayor Elliott suggested that we continue to think of alternatives to rectify the problem.

Mayor Elliott closed the Public Hearing on Modification #1 of Ordinance #85, (AN ORDINANCE MODIFYING THE WATER, SEWER AND GARBAGE RATES.) to the public.

M/M by Carpenter to approve Modification #1 of Ordinance #85, (AN ORDINANCE MODIFYING THE WATER, SEWER AND GARBAGE RATES.) with the amendment in section 3 to .01¢ per gallon from 1¼¢ per gallon for piped sewages and establish Section 8, to read: "To be effective on July 1st, 1979." Roll call vote was taken. Yeas: Charles, Twitchell, B. Hoffman, Carpenter, E. Hoffman and Elliott. Absent: Gregory. Motion passed unanimously

ITEM C. PUBLIC HEARING ON ORDINANCE #114, ESTABLISHING A BUILDING PERMIT SYSTEM.

Mayor Elliott opened the Public Hearing on Ordinance #114, (ESTABLISHING A BUILDING PERMIT SYSTEM.) to the public.

Planning Commission members Porter and Livey presented the Ordinance and answered questions.

Mayor Elliott closed the Public Hearing on Ordinance #114, (AN ORDINANCE ESTABLISHING A BUILDING PERMIT SYSTEM.) to the public.

M/M by Charles to accept Ordinance #114, (AN ORDINANCE ESTABLISHING A BUILDING PERMIT SYSTEM AND ENCROACHMENT RULES AND REGULATIONS.) and add section 8: "The effective date to be July 1st, 1979," as follows:

Section 10.06.090 PERMIT FEE:

Action - Added a section to allow for the collection of a permit application fee.

Now reads: "A non refundable permit fee of \$10.00 for residential and \$25.00 for commercial shall be collected from the applicant at the time that the preliminary application is filed."

Section 10.06.120 BUILDING PERMIT-MINIMUM STANDARDS:

Action - 1) Eliminated #d that required improvements to be set back 15 feet from front lot line, 10 feet from back and 10 feet from each side lot lines.

2) Added the words "or hazard" in "E".

Now reads: "Unless provided by Section 10.06.280, in no event shall a building permit be granted if the lot improvements;

- a) Encroaches on any right of way.
- b) Requires the placement of fill on any City right of way when the width of the fill is greater than 20" at its widest point.
- c) Does not provide a proper culvert to provide adequate drainage as determined by the Department.
- d) Includes a sewer and water system (Either external or domestic) that is designed in such a way as to pose a potential nuisance and hazard to neighbors.

Section 10.06.140 - PRELIMINARY PERMIT APPLICATION PROCEDURE

Action - Two additional items were added:

- 4) If applicable, a description of the water and sewer system is being planned as part of the improvement.
- 5) Estimated date of completion of substantial construction.

Now reads: "A preliminary permit will be issued provided that the lot improvements meet the minimum standards as found in this chapter and further provided that the following information is presented to the City Administrative Officer or designee as part of the application.

- 1) A legal description of the land on which the improvement is to be located, and when possible proof of ownership.
- 2) The positioning of all existing lot improvements and all proposed lot improvements.
- 3) The positioning of all City right of ways that are adjacent to or across the lot being improved.
- 4) If applicable, a description of the water and sewer system that is being planned as part of the improvement.
- 5) Estimated date of completion of substantial construction.

Section 10.06.240 EMERGENCY REMOVAL

This entire section should be omitted.

Section 10.06.320 NON COMPLIANCE

Action - Add the words "and or levy a fine of \$100.00."

Now reads: "Failure to obtain a preliminary or building permit prior to a lot improvement is a violation of this Ordinance and the City reserves the right to halt the construction of lot improvements and or levy a fine of \$100.00 until the Ordinance is complied with.

Roll call vote was taken. Yeas: Charles, Twitchell, B. Hoffman, Carpenter and Elliott. Nay: E. Hoffman. Motion passed.

ITEM D. PROPOSED USE HEARING ON FEDERAL REVENUE SHARING.

Manager Hoffman stated that we have to hold two hearings regarding how we'd like to use Revenue Sharing. This is the proposed use hearing. An introduction of how we like to spend the funds. After its introduced we hold a Budget Hearing and then its finally adopted. Here is a break down of the revenues we will be using this year, which is 176,533.00 plus 33,843.00 carry over from the previous year with a grand total of \$210,376.00. These figures were approved in an Ordinance adopted by Council approving the City Budget. Its anticipated that 156,457.00 will be spent on Police Personnel, 15,538.00 on Fire Equipment and \$38,381.00 will be spent on Vehicle Equipment. What we need is a motion from the community and the approval or disapproval on this. And well have a Budgetary Hearing thirty (30) days from now.

Manager Hoffman stated that the house defeated by a 5 vote margin extending Revenue Sharing till September 30, 1980. If it doesn't pass it means that \$175,000.00 will be lost next year.

M/M by Charles to accept the Proposed Revenue Use Hearing on Federal Revenue Sharing as presented and the next hearing be set for the end of July. Voice vote was taken and was unanimous. Motion passed.

Mayor Elliott called for a 10 minute break.

Mayor Elluott called the meeting back to order.

Diane Carpenter, of the Finance Committee stated that the recommendations have gotten bids from Peat, Marwick and Mitchell, and other places on the Sales Tax Audit she'd like it to be on the next Council Agenda. The Finance Committee felt that the City of Bethel was paying too much for insurance and not getting the proper service and the coverage. They recommended the City of Bethel to look around for another insurance company. Finance Committee recommended that each department budget be written up in such a way so that we can tell what revenues each departments are. Also two recommendations of the Finance Director's position.

NEW BUSINESS

ITEM A. CHECKER CAB AND YELLOW CA'S REQUEST REGARDING TAXI PERMITS.

Manager Hoffman stated that Checker Cab has submitted, and he reviewed their financial statement that they were loosing money on the last quarter's statement. In modification #2 of Resolution #242, it stated that we can award their two permits back them if they do show that they are loosing money.

Frenchie Blanchard stated that he'd like to keep his two permits frozen until September 30, 1979. That Norman Wallace is up north working and his in the fish business, and can't find a responsible manager.

Manager Hoffman stated that the other change in Modification #3 of Ordinance #242, was from Mutes Limousine to change his taxi permit to a limousine permit so proper service can be given.

Manager Hoffman stated that the Public Safety/Transportation Committee stated that they did not approve Yellow Cab's request. Their was no justification. They request it to be frozen till September 30, 1979.

M/M by Carpenter to go pass 10:00 p.m. Voice vote was taken and was unanimous. Motion passed.

Discussion.

M/M by Carpenter to approve Modification #4 of Resolution #242. Seconded by E. Hoffman. Roll call vote was taken. Yeas: Twitchell, Carpenter, E. Hoffman and Elliott. Nay: Charles and Twitchell. Motion passed.

ITEM B. INTRODUCTION OF MODIFICATION #1 OF ORDINANCE #107, (AN ORDINANCE ESTABLISHING TAXI CAB RATES.)

Manager Hoffman stated that the Taxi Cab Drivers Association has sent a letter petitioning the increases in rates and that they be effective on July 1st, 1979. Manager Hoffman gave a brief description of the rates being affected.

Mayor Elliott called for a 10 minutes break, so's Manager Hoffman can check on an Ordinance.

Mayor Elliott called the meeting back to order.

M/M by B. Hoffman to approve the Introduction of Modification #1 of Ordinance #107, AN ORDINANCE ESTABLISHING TAXI CAB RATES, and a Public Hearing date set 30 days from now. Voice vote was taken and was unanimous. Motion passed.

ITEM C. APPOINTMENT OF A PLANNING COMMISSION MEMBER TO SEAT #6 - EXPIRES 6/81.

Manager Hoffman stated that we were soliciting for the Planning Commissions set #6, we have 5 people that applied for the one seat: Myron Naneng, AVCP Reality, Jane Sutherland, KCC Teacher, Jerry Dahl, Airport Manager, Lewy Andrew, YKHC, BATC Program, and Noah Jack, of Kipnuk. Manager Hoffman stated that well have a ballot and put a check on the one applicant that you think suitable for the job.

M/M by Carpenter to go to a brief executive session to vote. Voice vote was taken and was unanimous. Motion passed.

M/M by B. Hoffman to accept Jerry Dahl to the Planning Commission Voice vote was taken and was unanimous. Motion passed.

ITEM D. INTENDED LEASE OF 1ST FLOOR OF RECREATION BUILDING NO. 2 BUCK ROGERS DISCO.

Manger Hoffman suggested to combine Items D, E & F, cause their all intended leases.

M/M by Carpenter to approve the following: ITEM D, INTENDED LEASE OF 1ST FLOOR, RECREATION BUILDING NO. 2 - BUCK ROGERS DISCO, for 5 additional years. ITEM E., INTENDED LEASE OF 2ND FLOOR RECREATION BUILDING NO. 2 KUSKOKWIM COMMUNITY COLLEGE, for 6 years AND ITEM F., RENEWAL OF LEASE ON ELM CORPORATION, for 6 years and set a Public Hearing date for all of the above three items for the 3rd of July. Voice vote was taken and was unanimous. Motion passed.

ITEM G. AVCP RESOLUTION #'s 262 & 263, ORDINANCE #117

Marlin Knight of AVCP Housing stated that the 1st Resolution that he'd like to bring up was:

RESOLUTION #262, (A RESOLUTION AUTHORIZING THE CITY OF BETHEL TO FILE, AND AUTHORIZING SIGNATURE FOR A GRANT FROM THE SENIOR CITIZENS HOUSING DEVELOPMENT FUND, STATE OF ALASKA.

and:

RESOLUTION #263, (A RESOLUTION FOR APPOINTMENT OF A SENIOR CITIZENS STEERING COMMITTEE, which the City of Bethel has already appointed:

Jay Livey	Vicki Malone	Pat Shae
R. Porter	Vern Shimanek	Louise Charles
Gladys Jung	Mary Pavil	1 member of AVCP

and:

ORDINANCE #117, (AN ORDINANCE OF THE CITY OF BETHEL, ALASKA PROVIDING FOR THE ASSUMPTION OF HOUSING AND URBAN DEVELOPMENT POWERS.)

Discussion on the subject of the above.

M/M by Charles to adopt Resolutions #262 & #263, and introduce Ordinance #117, and a Public Hearing date be set for the 3rd of July. Roll call vote was taken. Yeas: Charles, Twitchell, B. Hoffman, Carpenter and Elliott. E. Hoffman abstained. Motion passed unanimously.

ADJOURNMENT

M/M by E. Hoffman to adjourn. Voice vote was taken and was unanimous. Motion passed.

PASSED AND APPROVED THIS 2 DAY OF July, 1979.

APPROVED BY:



DONALD ELLIOTT, MAYOR

ATTEST:


IRENE WILLIAMS, CITY CLERK