
City of Bethel, Alaska

City Council Minutes

August 8, 2000

Regular Meeting

Bethel, Alaska

CALL TO ORDER

The regular meeting of the Bethel City Council was held on August 8, 2000, at 6:30 p.m. in the Council Chambers, Bethel, Alaska.

Mayor O'Brien called the meeting to order at 6:32 p.m.

ROLL CALL

The following were present:

Mayor O'Brien	Dario Notti	Karol Sanchez-Pobrislo
Jerry Drake	Agnes Phillips	
Joerene Hout	Tundy Rodgers	

Comprising a quorum of the Council.

Also in attendance were the following:

Bob Herron, City Manager
L.J. Warren, Acting City Clerk

PEOPLE TO BE HEARD

CARL BAILEY of the Lion's Club addressed the Council concerning the Lion's Club lease of City property. For the last 20 years, they have paid \$800.00 per year to lease their clubhouse building. They would like to renew the lease for another 20 years, but at a rate of \$1.00 per year. Mr. Bailey stated that the City has set a precedence for a \$1.00 lease with other non-profit organizations in Bethel, and the Lion's Club could sponsor many more projects with the money they would save.

MOVED BY:	Hout	To renew the lease with the Lion's Club for 20 years at a rate of \$1.00/year.
SECONDED BY:	Notti	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

City Manager Herron stated that he would have the City Attorney review the lease agreement for the Lion's Club.

TERRYL MILLER discussed his continuing problems with the Transportation Commission. His permit was sustained at the last meeting of the Transportation Commission, and he was provided with a handwritten notification of the Commission's decision, but would like a typewritten communication. City Manager Herron informed Mr. Miller and the Council that, due to an error on the Commission's part, they would have to hold a special meeting on August 15 to formulate their written response to Mr. Miller's hearing. Council member Hout pointed out that these types of mistakes are why the Commissions and Committees need additional training. Council member Notti stated that the Council should go along with the Transportation Commission's decision.

MOVED BY:	Notti	To have the City Manager direct the Police Chief to write a letter to Mr. Miller, sustaining his permit.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Roll call vote, 3-Yes, 4-No (Drake, Hout, Phillips, O'Brien)
-----------------------	--

Council continued discussion with Mr. Miller and directed the City Manager to get a clarification on what is needed from the City Attorney, and to ensure that Mr. Miller is provided with a written statement of the Commission's decision within 24 hours of the August 15, 2000 special meeting. Council member Notti pointed out that the Council should begin enforcing a time limit on People to be Heard.

Note: at 7:25, Council member Pobrislo asked to be excused for a family matter.

WILLIE KEPPEL expressed his support for Resolutions 14, 15, and 16, all concerning transportation issues.

SHARI NETH expressed her support for Ordinance #00-21, although the Council doesn't need a public vote to enforce an alcohol delivery site.

BRIAN KAY stated that he was an attorney representing Willie Keppel, and he urged the Council to accept Mr. Keppel's apology for recent telephone calls, and to retain his seat on the Planning Commission.

DOMINIC MALAJ discussed his problems with the Transportation Commission and his attempts to renew his Chauffeur's License. He feels he has been treated unfairly by the Police Department.

APPROVAL OF MINUTES

MOVED BY:	Drake	To approve the minutes of the regular meeting of July 25, 2000.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

APPROVAL OF AGENDA

City Manager Herron added New Business Item H: School Resources Grant, and Executive Session discussion of financial matters to the agenda. Council member Notti removed New Business Item D: Resolution #00-14, from the Consent Agenda.

MOVED BY:	Drake	To approve the agenda with the addition of New business item H, School Resources Grant and Executive Session, two financial matters; and the removal of New Business Item D from the Consent agenda.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

MAYOR'S REPORT

Mayor O'Brien announced the following:

1. U.S. Dept. of Commerce letter regarding fisheries disaster
2. Letter/brochure from Resource Development Council
3. AML Alaska Community Awards Notice – Mayor O'Brien suggested that the City nominate the Courthouse construction project for an award.
4. AML Board of Directors meeting agenda
5. AML Legislative Committee Meeting August 24-25, 2000 – Mayor O'Brien, Council members Drake and Notti, and City Manager Herron will attend.
6. Informational postcard from the U.S. Army Corps of Engineers
7. News Release from Alaska Housing Finance Corporation
8. Letter from YKHC inviting Council to Groundbreaking Ceremony
9. AML Local Government Conference – Conference Planning Survey

MANAGER'S REPORT

City Manager Bob Herron noted the Management Reports included in the packet, and reviewed the following items with Council:

1. Senator Stevens was able to get emergency funds held by the Corps of Engineers released for use in the current situation. Senator Steven's staff will be in Bethel on August 9, 2000 to review the damage.
2. Negotiations with Ben Dale for removal of the Recycling Quonset continue.
3. City Engineer Steve Eng has responded to the DEC's Notice of Violation.

REPORTS OF STANDING COMMITTEES

Senior Advisory Committee

Council Member Hout reported that the senior advisory committee has not met.

Planning Commission

Council Member Notti reviewed the minutes from the July 13, 2000 meeting.

Port Commission

Council Member Rodgers noted that the Commission has not met recently. He pointed out Mr. Elliott's management report in the packet.

Public Works Committee

Council Member Drake advised that he was unable to attend today's meeting. He did attend a meeting of the City's Technology Task Force, and distributed a technology-needs survey to the Council. He will attend the Bethel Recycling Project meeting on August 11.

Public Safety / Transportation Commission

Mayor O'Brien reported that he was unable to attend the meeting of August 7, due to travel complications.

Finance Committee

Council Member Phillips noted that the Committee will meet at 7:30 on August 10.

OLD BUSINESS

Item A — Public Hearing on Ordinance #00-20: Acquisition of Police Department vehicles without a competitive bid. (City Manager)

MOVED BY:	Drake	To adopt Ordinance #00-20.
SECONDED BY:	Rodgers	

Mayor O'Brien opened the Public Hearing. Seeing no one to speak, he closed the Public Hearing. Council member Rodgers asked which two vehicles were being replaced. City Manager Herron replied that two Suburbans will be taken out of regular Police Service, as part of a 2-year replacement cycle. One will be kept in reserve for the Police Department and the other will be offered to other City departments.

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

Note: Council member Pobrislo returned at 8:25

NEW BUSINESS

Item A — Introduction of Ordinance #00-21: An Ordinance placing the issue of an Alcohol Delivery Site on the October 3, 2000 Ballot (City Council)

The City Clerk explained that BMC Title 7 requires that an ordinance placing an item on the ballot must be adopted by Council no less than 45 days before the election. This

means that Ordinance #00-21 must be adopted by August 19, 2000. In addition, public hearings for ordinances must be publicly noticed for at least 10 days. If notices are posted tomorrow, August 9, and the public hearing is held on Friday, August 18, both requirements could be met. Council agreed to hold a special meeting at 12:00 p.m. on Friday, August 18 for a public hearing on Ordinance #00-21.

Council also agreed to hold a special meeting at 6:30 p.m. on Tuesday, August 15, for the purpose of conducting City Clerk interviews. Mr. Butler will be interviewed by telephone, Ms. Mueller will be flown to Bethel, and Ms. Longan and Ms. Soberay will be interviewed in person.

The regular meeting for August 22 will be postponed until August 29, due to the primary election being held on August 22.

MOVED BY:	Rodgers	To introduce Ordinance #00-21 and set the public hearing date for 12:00 p.m., August 18, 2000.
SECONDED BY:	Notti	

City Manager Herron suggested that if any member of the public wished to speak on the ordinance, they should be allowed to do so now. No one came forward to speak.

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

Item B — Ordinance # 00-22: Oil Spill Settlement Agreement

MOVED BY:	Hout	To introduce Ordinance #00-22 and set the public hearing date for August 29, 2000.
SECONDED BY:	Phillips	

Council briefly discussed the agreement. City Manager Herron noted that the agreement is global.

VOTE ON MOTION	Motion carried, 6-Yes, 1-Abstaining (Rodgers)
-----------------------	---

Item C — Ordinance #00-23: Budget Modification (City Manager Herron)

City Manager Herron explained that the Council had approved the award for security cameras at the small boat harbor to Guardian Security at their July 25, 2000 meeting. The budget modification allocates the funds necessary for the purchase.

MOVED BY:	Hout	To introduce Ordinance #00-23 and set the public hearing for August 29, 2000.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

Item D — Resolution # 01-14: Accepting ownership, maintenance and operation of Standard Oil Road in exchange for advancing the reconstruction and resurfacing of Ptarmigan Street

Council member Notti questioned just how far up the ADOT list Ptarmigan Road would be moved. City Manager Herron stated that there are no guarantees, but the wording of the Resolution states that it "will" be moved up, not "could" be moved up, as the ADOT had originally suggested. Council member Drake added that it was his understanding that the Ptarmigan Road project would receive 25 additional points in the ADOT scoring system, which is significant.

MOVED BY:	Rodgers	To adopt Resolution #00-14.
SECONDED BY:	Hout	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

Council member Drake remarked that the Resolution was needed by ADOT as soon as possible. City Manager Herron responded that the Resolution would be mailed out first thing in the morning.

Item E — Resolution # 01-15: Requesting coordination of the highway rehabilitation and separated pathway projects — Adopted on Consent Agenda

Item F — Resolution #00-16: Requesting the ADOT to reconsider its decision not to place a designated crosswalk on the Chief Eddie Hoffman Highway at the location of the YKHC Regional Complex — Adopted on Consent Agenda

Item G — Mail Delivery Service

City Manager and Council discussed the issue of free mail delivery service, as opposed to the current system of free post office boxes. It was noted that mail delivery had many pros and cons, and that much more information was needed to make a decision. Council member Notti stated for the record that he is opposed to a mail delivery service. The City Clerk was directed to obtain more information from the U.S. Postal Service, for distribution to the public.

Item H — Discussion: Removal of Planning Commissioner (Drake)

Council member Drake explained that he has received complaints from members of the community and the Planning Commission about rude, intoxicated, late-night phone calls from Willy Keppel. Mr. Keppel has called the U.S. Army Corps of Engineers and the Post Office in Denver. Some of the Planning Commission members feel that he is disruptive at their meetings and prevents work from being conducted. Mr. Drake feels that the behavior is not becoming of a Commission member.

Various Council members stated their opinion regarding Mr. Keppel's behavior. Generally, it was expressed that Mr. Keppel has good intentions, but his delivery could be improved. Mr. Keppel has some major disagreements with other members of the Planning Commission, but disagreement and diversity are essential to the decision process. Mayor O'Brien noted to Mr. Keppel that there are more appropriate ways to express his disagreements and to be a more productive member of the Commission.

Mr. Keppel apologized to the Council and to whomever he might have bothered by calling late at night. He expressed his frustration with what he sees as slow progress of the Commission. He further stated that he feels the Commission doesn't always follow the law. Mr. Keppel thanked the Council for hearing his side of the story.

Item H — School Resources Officer: Grant Renewal (City Manager Herron)

City Manager Herron explained the grant renewal process to the Council. He noted that if the City agreed to spend \$5,000, the State would put up \$50,000. Council agreed that the SRO project is an excellent use of funds, and directed the Manager to bring a Resolution to the next meeting accepting the grant.

COUNCIL MEMBER COMMENTS

Council Member Hout said that she is sorry to see the summer days ending. With school starting soon, she wished everyone a successful school year.

Council Member Pobrislo said that she is glad to be home from vacation. She wished the best for her daughter, who is departing for college this evening.

Council member Notti offered his condolences to the Lupie family. He is pleased to see the Sunnyboy, Vaska, and Jordan families bring deceased relatives back to Bethel for their final resting place.

Mayor O'Brien reported that he enjoyed his trip to Dillingham, but is glad to be home.

Council Member Drake offered condolences to Lupie family.

Council Member Rodgers gave thanks for a productive summer and wished his daughter a happy birthday. He also offered condolences to the Lupie family.

Council Member Phillips offered condolences to Lucy Beaver. She thanked L.J. Warren for returning for two weeks as Acting City Clerk.

EXECUTIVE SESSION

MOVED BY:	Phillips	To go into Executive Session.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

ADJOURNMENT

MOVED BY:	Phillips	To adjourn the meeting.
SECONDED BY:	Pobrislo	

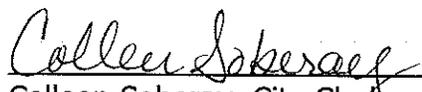
VOTE ON MOTION	Motion carried by unanimous voice vote.
-----------------------	---

With no further business before the Council, the meeting adjourned at 10:05 p.m.

APPROVED THIS 29TH DAY OF AUGUST, 2000.

ATTEST:


Mike O'Brien, Mayor


Colleen Soberay, City Clerk