

CALL TO ORDER

Mayor Vanasse called the Council meeting to order at 7:31 PM.

ROLL CALL

Present: Dale, Edge, Feaster, Richardson, Trantham, Vanasse and Wallace.

APPROVAL OF MINUTES

M/M by Dale, 2nd by Wallace to approve the minutes of 10/09/90 meeting with the following corrections: on page 2, indicate that Jay Palock is from Mentor Systems, not IBM; on page 3, on first motion, change 2nd by Vanasse to 2nd by Dale. Voice vote, motion carried.

APPROVAL OF AGENDA

M/M by Dale, 2nd by Feaster to approve the agenda with the following additions: under New Business, add word 'Introduction' to Item C; add Item D: Bush Flight Coffee Shop sales tax appeal; and make Executive Session as Item E. Voice vote, motion carried.

MAYOR'S REPORT

Mayor Vanasse reported to Council that he had attended the Alaska Reapportionment Board meeting last Tuesday. Indicated that every 10 years when the census are done, they reapportion the State to make each area equal in population in size to be represented in State Legislature. Indicated that Gene Peltola represented Bethel, while others were from: Kenai, Anchorage, Hoonah and Fairbanks. At the meeting it was the general consensus that Alaska State Legislature was too small and general idea to increase size in legislature. Reapportionment Board to present final proposal in July 1, 1991 and anyone desiring to comment to do so by then. Mayor Vanasse further indicated that he had received a letter from Austin Graham regarding recriminalization of marijuana, asking Council's consideration and action on the matter. It was indicated that the question was going to be on the November ballot; Mayor Vanasse indicated he wanted the letter public and any comments that might want to be made after the meeting to refer to the Mayor or the Manager.

Mayor Vanasse at this time reappointed Allen DeSousa to the Port Commission per his letter of interest and Carlton Kuhns to the Finance Committee.

motion

M/M by Trantham, 2nd by Feaster to approve Mayor Vanasse's appointment of Carlton Kuhns to the Finance Committee. Voice vote, motion carried.

motion

M/M by Feaster, 2nd by Richardson to approve Mayor Vanasse's reappointment of Allen DeSousa to the Port Commission. Voice vote, motion carried.

Mayor Vanasse thanked all the committee/commission members for their work and encourage public to attend meetings and to apply for vacancies. Councilman Trantham commented regarding Public Safety Committee.

0j231

M/M by Trantham, 2nd by Richardson that a resolution

MAYOR'S REPORT
continued

be drawn up setting the Public Safety Committee.
Voice vote, motion carried.

Councilman Trantham pointed out Resolution #451 had been passed on March 11, 1985, forming certain committees including Public Safety. Mayor Vanasse indicated that forming the committee was appealed since Resolution #451 had already been passed. At this time he indicated that letters of interest for the committee were welcome.

MANAGER'S REPORT

City Manager Earnest reviewed with Council his written Manager's report on the following subject items:

- attached is an overview for disposal of hazardous materials prepared by the Fire Chief, represents starting point for addressing the hazardous material with recommendations for developing and implementing a comprehensive disposal plan. Recommended that the plan be presented to Public Works Committee for review and recommendations.
- existing boiler heating system at City pumphouse been inspected by Coffman Engineers, preliminary engineering report attached which consists of a preliminary floor plan layout and diagrammatic flow chart describing the proposed boiler system upgrades new equipment selections, system alternatives, and a construction cost estimate for the upgrade work; cost estimate for boiler replacement project \$135,432;
- attached is proposal submitted to Alaska Department of Environmental Conservation, Village Safe Water program requesting appropriation in amount of \$623,000 for wastewater treatment system improvements, which was submitted October 19th;
- Alaska Energy Authority visited Bethel on October 17 and 18th to review plans for Bethel Utilities Corporation economic and financial feasibility study and anticipate returning to Bethel with CH2M Hill and Fryer/Pressely Engineering within next 2 weeks to review proposed scope of work; Manager suggested Council hold worksession to review proposal;
- existing gravel purchase agreement between City of Bethel and KNIK Construction to expire December 31, 1990; City Manager to work with Public Works Department and Port Director in drafting gravel purchase IFB and agreement for discussion by next Council meeting;
- Museum and Laundromat RFP presently both being advertised;
- attached is the street light check list compiled by Police Department and been submitted to Public Works Department for processing;
- attached is copy of law enforcement liability insurance analysis prepared by Richard L. Block & Associates and memorandum from Police Chief regarding the matter; because of problem created for municipalities throughout the State, the Alaska Municipal League created a program for law enforcement liability insurance and available to all members;

MANAGER'S REPORT
continued

City to meet jointly with Denali and AML to identify and quantify costs associated with transferring to AML Program at this time; information to be presented to Council for discussion and possible action;

- indicated that Finance Committee met and although no quorum was established, the consensus of the Committee present were to recommend the 9404-T20 Computer purchase presented by Mentor;
- met with Ms. Mary Pavil of Orutsararmuit Native Council (ONC) regarding the month to month plan on the Bowling Alley proposal which is attached;
- RFP for tidelands lease survey been accomplished and ready for advertising.

Councilman Trantham asked City Manager following: where the funding source for tidelands survey was coming from? - City Manager indicated from the Dock; and what recommendations were for the KNIK gravel contract? - City Manager recommended not to renew agreement.

Councilman Feaster discussed with City Manager and City Attorney Chandler regarding the Alaska Municipal League Joint Insurance Pool in regards to the Police Liability insurance.

Madam Richardson asked following questions to City Manager Earnest: if Committees/Commissions were to be involved with the Bethel Acquisition study - City Manager Earnest indicated he would prefer to work directly with Council due to time constraint; if ordinance was required if Police Liability Insurance was requested - yes it would be required; asked if an ordinance could be introduced tonight regarding the bowling alley since alot of people would like to see it open. Councilman Dale felt why the City was budgeting something that in the past they figured was not a money making entity, indicated he was still against funding the bowling alley. After further discussion on the matter, Mayor Vanasse indicated if it were written up, that it can be introduced tonight. Madam Richardson requested that she would like to have one written up and introduced tonight.

COUNCIL BREAK 8:20 PM to 8:26 PM.

At this time City Manager Earnest introduced Dave Martins the new Public Works Director to Council & the public.

M/M by Richardson, 2nd by Edge to add on agenda, under New Business: Item E: Introduction Amendment 3 to Ordinance #195 - FY'91 Budget regarding Bowling Alley. Poll vote, motion carried. 6-yes;1-no (Dale).

Madam Richardson further asked the following: asked if esbestos was included in the Fire Chief's report - City Manager replied no; asked about the Bethel Waste water grant - indicated it would be

motion

MANAGER'S REPORT
continued

part of the additional funding request; regarding the police liability insurance, asked if the employee or the City would have to pay - City Manager indicated that the City would pay; expressed that it was nice to see the Staff Attorney applications, and asked if an Attorney had been hired yet - City Manager indicated that no one had been hired yet, but that the City Council would be involved in the selection process. After Council discussion, they requested that Personnel Department contact the applicants and see if they were still interested in the position and that they would go from there.

COUNCIL MEMBER COMMENT

Madam Richardson indicated she received numerous calls regarding some of the following: suggestion that City put in a funding request to rebuild the City roads and put it out to bid; asked if there was anything written regarding City employees not to be involved in City Committees and Commissions - it was pointed out that it was in the City personnel rules & regulations; indicated that City Manager did not report on the Bautista House utilities - Mayor Vanasse pointed out that it was part of the agenda tonight; concluded by requesting a copy of the laundromat RFP.

Councilman Feaster requested that Administration prepare a calendar of deadlines, i.e. budget proposals, etc. for Council.

Councilman Trantham indicated that the 3 month budget report been received and would like to see monthly statements on time from now on; thanked the Department Heads for submitting daily operational reports, but that he would also like to see one from the Finance Department. One of the Councilmembers also indicated to Councilman Wallace that the PATC Advisory Board needed to check themselves since there was a leak of confidential information out in the public. Councilman Wallace indicated that they are in the process of looking into the situation. Councilman Wallace also thanked the Public Works Department for finally replacing the long overdue outside light to the log cabin.

Student Representative Linda Tubbs reported that the students are back from Anadyr; 13 students attended ASAQ; Halloween carnival to be held October 27th; first basketball game to be held November 2nd; and Carlton Kuhns been awarded Principal of the year.

COMMITTEE/COMMISSION
REPORTS

Councilman Feaster reported that the Finance Committee is scheduled to meet 4th Thursday in November in the City Office's conference room.

Madam Richardson reported that there was no quorum for the Transportation Commission meeting, but amendments were made per the Police Chief for presentation tonight.

COMMITTEE/COMMISSION
REPORTS continued

Madam Edge reported that the Port Commission met last night and recommended that Council add on their next agenda the fuel thru put fee increase and warehouse and adjacent land lease and encouraged anyone from the public to apply since they had one vacancy and next Port Commission meeting scheduled for November 19th, 7:30 PM at the Port Office.

Councilman Trantham reported that Public Works Committee met last Tuesday regarding the landfill user fee and will discuss what was decided under the agenda item, and would also like to hold a work-session with Council regarding the budget and next meeting to be held 3rd Tuesday in November, 7:30 PM at the Public Works Conference room.

Mayor Vanasse reported that the Parks & Recreation Committee had not met lately, but that Beverly Hoffman had a report to present. Ms. Hoffman reported that she would like to air some frustrations that they had been going through with the City Manager. She indicated that the Parks & Recreation Committee had requested that they be involved in the selection process of the Parks & Recreation Coordinator's position, but no response from the City Manager had been received. She concluded by expressing that she was very disappointed in the City Manager. City Manager Earnest indicated that he was hired by the City Council, gets direction from City Council and answers only to the City Council as per Title 29.

PEOPLE TO BE HEARD

Former Mayor Tom Warner reported that with him no longer in the City Council, he automatically was off the Planning Committee and that Mayor Vanasse would have to appoint a Council representative for the Planning Commission and that Madam Richardson would have to withdraw from the Transportation Commission also since she is now a Councilmember. Madam Richardson indicated that she wishes to stay with the Transportation Commission. Mayor Vanasse requested that Council should consider if they want to stay in the Committees they are in or if they want to change, to let him know and requested that City Clerk McGowan provide an updated list of Committee/Commissions by the next meeting, at which time reappointments can be made. Also encouraged anyone from the public to turn letters of interest for most of the Committees/Commissions since there was at least 1 vacancy in all of the committees and indicated that at least 5 members up to 7 can be appointed for the new Public Safety Committee and turn the letters of interest to the City Clerk's office.

COUNCIL BREAK 9:16 PM to 9:30 PM.

OLD BUSINESS:
Item A: Public
Hearing-Landfill User Fee

PUBLIC HEARING AMENDMENT #9 TO ORDINANCE #85 - LAND-FILL USER FEE

Oj235

Item A contined

Mayor Vanasse opened the floor for public hearing at this time. Former Mayor Tom Warner indicated that he was in support of the ordinance amendment and encouraged the Council to pass the amendment.

Chris Cooke asked for clarification of frequencies. Irv Kreider felt that word 'per day' clause was not necessary. Hearing no more public input, Mayor Vanasse closed the floor for public input.

Councilman Trantham indicated that Public Works Committee as directed by Council, had reviewed the amendment and recommended the following: add the 'per day' clause and that the landfill attendant to keep daily log administratively. Council further discussed the amendment pertaining to the 'per day' clause and whether that should be added on.

motion

M/M by Feaster, 2nd by Trantham that amendment #9 to to Ordinance #85 be amended to include 'per day' clause. Poll vote, motion passed. 4-yes; 3-no (Dale, Edge & Wallace)

motion

M/M by Trantham, 2nd by Feaster to approve Amendment #9 to Ordinance #85 as amended with an effective date of today. Voice vote, motion carried. 5-yes; 2-no (Dale and Wallace).

Item B: Public Hear-
ing Amend 2 to Ord
195-FY'91 Budget

PUBLIC HEARING AMENDMENT #2 TO ORDINANCE #195-FY'91
BUDGET

Mayor Vanasse opened the floor for public hearing at this time and explained that this would be increasing the budgeted amount by \$25,000.00 for the computer purchase. Finance Director Graham and Councilman Feaster both reviewed the Finance Committee's recommendations with Council. It was indicated that the purchase of the 9404-T20 Computer by Mentor was recommended. Tom Warner felt that the computer was alot of money, which the City does not have and recommended Council not to pass the amendment. Council further discussed in detail with the Finance Director and Councilman Feaster as to the recommendations made by the Finance Committee. Hearing no more public input, Mayor Vanasse closed the public hearing at this time. Council further discussed this in detail. Some of the Council comments made was that suggesting that Council represent this proposal during the next budget process, and not wait until half way through the budget year; while some of Council recommended that they would like to see the old computer removed and purchase new computer to upgrade the system.

motion

M/M by Dale, 2nd by Wallace to reject Amendment #2 to Ordinance #195. Poll vote, motion passed unanimously.

motion
Oj236

M/M by Feaster to direct Administration to go into agreement for 9404-T20 Computer. Died due to no 2nd.

NEW BUSINESS:

Item A: Bautista
House Utilities

*Before going into new business, COUNCIL BREAK 10:46 PM to 10:50 PM.

At this time Council heard from Elighio White explain as to the history of the Bautista House, and how Bethel Community Services and City had gotten into an agreement, stating that BCS keeps the House open and City provide free utility services; Mr. White concluded by indicating that such agreement had obviously not been put in writing. Council then discussed this in detail with Mr. White. After lengthy discussion, following motion was made.

motion

M/M by Richardson, 2nd by Feaster to continue free sewer services to Bautista House until June 30 of 1991. Poll vote, motion passed. 5-yes; 2-no(Dale & Vanasse)

Item B: Intro. Amend
1 to Ord 191-Vehicle
for Hire Ord.

INTRODUCTION AMENDMENT #1 TO ORDINANCE #191-VEHICLE FOR HIRE

M/M by Dale, 2nd by Richardson to introduce Amendment #1 to Ordinance #191 for public hearing at the November 13th Council meeting. Voice vote, motion passed unanimously.

Item C: Intro. Ord
#199-City Council

INTRODUCTION ORDINANCE #199 - CITY COUNCIL

M/M by Dale, 2nd by Feaster to introduce Ordinance #199 for public hearing to be held on November 13th Council meeting. Voice vote, motion carried.

Item D: Bush Flight
Sales Tax Appeal

BUSH FLIGHT SALES TAX APPEAL

At this time, Council heard from Chris Cooke representing Bush Flight Coffee Shop in regards to his sales tax appeal. Mr. Cooke indicated that Bush Flight had been sent a delinquent notice on sales taxes from back in 1987. Mr. Cooke indicated that the current owner bought the restaurant in late 1987 and that the current owner had been paying his sales taxes ever since, but indicated that the delinquent sales taxes owed to the City were from the former owner of Bush Flight Coffee Shop.

motion

M/M by Richardson, 2nd by Edge to go into brief executive session regarding Bush Flight Coffee Shop at 11:51 PM. Voice vote, motion passed unanimously.

motion

M/M by Feaster 2nd by Richardson to come out of executive session at 12:09 AM. Voice vote, motion carried.

Mayor Vanasse indicated that it was Council's consensus to have both Attorney's to get together and make a payment plan schedule.

Item E: Intro
Amend 3 to Ord 195
FY'91 Budget
Oj237

INTRODUCTION AMENDMENT #3 TO ORDINANCE #195-FY'91 BUDGET

M/M by Richardson, 2nd by Edge to introduce Amend-

Item E: continued

ment #3 to Ordinance #195 for public hearing at the next regularly scheduled meeting. Poll vote, motion passed unanimously.

Item F: Executive Session

EXECUTIVE SESSION

M/M by Feaster, 2nd by Wallace to go into executive session to discuss legal matters with the City Attorney at 12:16 AM. Voice vote, motion carried.

Council came out of executive session at 1:17 AM.

M/M by Dale, 2nd by Feaster to authorize the City Attorney to file suit against businesses in question that were discussed in executive session. Voice vote motion carried.

ADJOURNMENT

M/M by Feaster, 2nd by Wallace to adjourn at 1:20 AM Voice vote, motion carried.

PASSED AND APPROVED THIS 13th DAY OF NOVEMBER, 1990.


Gary Vanasse, Mayor

ATTEST:


Anna McGowan, City Clerk