

**CITY COUNCIL**

*Kent Harding*  
*Buford McComas*  
*Tad Miller*  
*Mary Pavil*  
*Ruth Richardson, Mayor*  
*Stanley Rodgers*  
*Wally Wallace*



**CITY MANAGER**

*Ken Weaver*

**CITY CLERK**

*Connie Tucker*

**City of Bethel**  
**Regular Council Meeting Minutes**  
**November 14, 1995**

**I CALL TO ORDER**

The meeting was convened at 7:30 p.m. by Mayor Richardson in the Log Cabin, Bethel, Alaska.

**II ROLL CALL**

Present: Harding, McComas, Richardson, Wallace

Absent: Miller (unexcused), Pavil (excused), Rodgers (excused)

**III PEOPLE TO BE HEARD**

There were no people to be heard.

**IV. APPROVAL OF MINUTES**

**motion** M/M by McComas, 2nd by Harding to approve the minutes of the September 26, 1995, regular meeting as presented. Voice vote. Motion carried unanimously.

Mayor Richardson pointed out that the third motion following Executive Session in the October 24, 1995, regular meeting minutes did not reflect the vote of the Council, and asked that the minutes be corrected. Council agreed.

**motion** M/M by McComas, 2nd by Wallace to approve the minutes of the October 24, 1995, regular meeting as amended. Voice vote. Motion carried unanimously.

**V. APPROVAL OF AGENDA**

**motion** M/M by McComas, 2nd by Harding to amend the agenda by adding New Business Item H: Discussion Item--Senior Center Overall Coordinator Position,

and by adding K-300 to Item F: Gaming Permit Applications Voice vote.  
Motion carried unanimously.

**motion** M/M by Wallace, 2nd by Harding to approve the agenda as amended. Voice vote. Motion carried unanimously.

## **VI MAYOR'S REPORT**

Mayor Richardson asked Council if they were interested in responding to the letter from the Corps of Engineers regarding the Environmental Impact Statement for the Bethel Bank Stabilization Project. Council had no additional comments.

Mayor Richardson informed Council she had received letters from students in Aniak and Nebraska, requesting general information about Bethel. The Mayor indicated she would answer the letters.

Mayor Richardson informed Council she attended the National Guard's showing of "Uncle Sam's Men," a video produced by Mike Martz of KYUK, honoring the Alaska Territorial Guard. Mayor Richardson applauded the efforts of Mr. Martz and the support for the project from the Alaska Humanities Forum, VFW, and VFW Ladies Auxiliary.

Mayor Richardson announced her pleasure with being invited to help with the tree lighting ceremony for the Lion's Club.

Mayor Richardson then informed Council that only one application for City Clerk had been received to date, and suggested the City advertise statewide for the position opening through AML and the Alaska Newspaper chain. Council then discussed the suggestion to appoint the Purchasing Agent as Acting Clerk.

**motion** M/M by McComas, 2nd by Wallace to appoint Purchasing Agent Laurie Adams, as Acting City Clerk, with the provision that all confidential materials to be handled by the City Manager. Voice vote. Motion carried unanimously.

Mayor Richardson concluded her report by suggesting that the petition for a streetlight be forwarded to the Police and Public Works Departments, who are conducting a survey of the City's streetlights.

## **VII MANAGER'S REPORT**

Acting City Manager George Young referred Council to his written report and requested direction on the following items:

### **I. K300 Donation Request**

Acting City Manager Young reported that the K-300 Race Committee was requesting a donation from the City for this year's race. Mr. Young reminded Council that the City donated in-kind services of the Animal Control Officer last year.

Discussion followed regarding the amount of money the race generates in Bethel and the need for the donation of the services.

**motion** M/M McComas, 2nd by Wallace to accept City Manager's recommendation to donate the services of the Animal Control Officer with the stipulation that the officer must respond to other emergencies. Voice vote. Motion carried unanimously.

## 2. Old Library Disposal

Acting City Manager Young stated the Old Library building has been vacant for over a year requested authorization to proceed with sale/disposal of the building.

Discussion followed regarding the current condition of the building and whether the building could be used for a sleep off center by the City or Tundra Center.

Council agreed that a stipulation of the disposal would be to move the building off of City property.

**motion** M/M McComas, 2nd by Harding to proceed with Request for Proposals to dispose of the building. Voice vote. Motion carried unanimously.

### *Informational Items/Discussion/Questions on City Manager's Report*

Acting City Manager Young referred to the information in the Council packet regarding the easement request from Bethel Utilities Corporation, and added that this item has been scheduled for the November 28, 1995, regular meeting.

Discussion followed on proposed terms of an agreement and who would have authority to grant easements. General consensus was for the authority to grant easements to remain with the City Council, and Finance Committee review of any proposed agreement. Mayor Richardson stated that she had a problem with the agreement that was sent directly to the Council, and questioned if it had been sent to the attorney. Acting City Manager Young stated he would ask the City Manager.

Mayor Richardson informed Council of Finance Director's Report requesting a member from the Council to participate in scoring the responses to the Employee Group Benefits Insurance RFP. Mayor Richardson asked for volunteers. Council member McComas was appointed.

Mayor Richardson then asked if a date had been set for work session of audit. The City Clerk responded that the work session traditionally has been in January or February, but was unsure since the City had a new auditing firm.

Mayor Richardson questioned the Finance Director's plan to prepare a draft investment policy for Council approval, stating she spoke with the former Finance Director, who felt

strongly that the City's investment portfolio was very good. Mayor Richardson requested an update of the City's current investments, and asked that the new policy be reviewed by the Finance Committee.

Council member McComas stated the Police Department's report with P.C. statistics was very helpful. Mr. McComas requested that the Police Department submit these statistics to the City Council quarterly.

## VIII REPORTS OF STANDING COMMITTEES

### *Scheduled dates for upcoming Committee/Commission meetings were announced.*

Mayor Richardson referred Council to the Port Commission minutes included in packet, since Council member Rodgers was absent.

Discussion followed on the format for Committee and Commission minutes in the packet. The City Clerk stated that if the Council wanted the approved minutes, they would receive them more than one month after the Committee/Commission meeting. The Council agreed that the unapproved minutes could be included in the packet, but should be marked "Draft."

Mayor Richardson stated Transportation Commission minutes were in packet.

Council member McComas reported that the Planning Commission had no quorum.

Council member Wallace reported that Council member Pavil attended the Senior Center Committee meeting in his place. Mayor Richardson read a written report from Ms. Pavil from that meeting, which she attended as a representative of ONC. Ms. Pavil's report stated that ONC wanted to submit a resolution to the City Council requesting the Senior Services Committee be given more power in hiring and evaluating Senior Center employees. Ms. Pavil informed Council that she and Mr. Wallace wanted to switch their Council committee representation. Mr. Wallace stated he had no problem with the change. Mayor Richardson agreed to reappoint Ms. Pavil as Council representative to the Senior Services Committee and Mr. Wallace as Council representative to the Finance Committee.

Council member Harding reported that Youth Services Committee held a meeting November 14, but had no quorum. Mr. Harding requested a work session to be scheduled with Council on Monday, November 20, 1995 at 7:30 p.m. at the Youth Center. Mayor Richardson agreed to the meeting.

Mayor Richardson announced she had received an application from Glenn Goepfert for appointment to the Youth Services Committee. Discussion followed on having students sit on the Youth Services Committee.

*Council broke for a short recess at 8:30 p.m. At 8:40 p.m. Mayor Richardson called the meeting back to order.*

**IX. OLD BUSINESS**

**Item A: Public Hearing-- Ordinance #95-27: An Ordinance Amending Section 4.20.155 of the Bethel Municipal Code to Establish a Procedure for the Purchase of Insurance Intended to Benefit City Employees and to Provide for Participation in Joint Insurance Arrangements**

Mayor Richardson opened the Public Hearing. There being no one wishing to speak, Mayor Richardson closed the Public Hearing.

**motion** M/M by McComas, 2nd by Wallace to adopt Ordinance #95-27. Poll vote. Motion carried, 4-yes, 0-no.

**Item B: Public Hearing--Ordinance #95-28: An Ordinance Amending Chapter 4.10 of the Bethel Municipal Code, Entitled Disposal of Personal Property of the City**

Mayor Richardson opened the Public Hearing. There being no one who wished to speak, Mayor Richardson closed the Public Hearing.

Mayor Richardson briefly explained the reason for the ordinance change was to bring the disposal authority for the City Manager in line with the current purchasing limit of \$5000.

**motion** M/M by McComas, 2nd by Harding to adopt Ordinance #95-28 as presented. Poll vote. Motion carried, 4-yes, 0-no.

**Item C: Public Hearing--Ordinance #95-29: An Ordinance Amending Title 18, Section 18.12.020 of the Bethel Municipal Code Entitled Definition of Terms and Section 18.52.040 Entitled Access**

Mayor Richardson opened the Public Hearing. There being no one who wished to speak, Mayor Richardson closed the Public Hearing.

**motion** M/M by Harding, 2nd by Wallace to adopt Ordinance #95-29. Poll vote. Motion carried, 4-yes, 0-no.

**Item D: Public Hearing--Ordinance #95-30: An Ordinance Amending Title 3, Chapter 3.029, Entitled Classification Plan**

Mayor Richardson opened Public Hearing. There being no one who wished to speak, Mayor Richardson closed the Public Hearing.

Discussion followed concerning positions deleted as result of Adopted Annual 95-96 Budget and the Senior Center Overall Coordinator position currently proposed.

**motion** M/M by Harding, 2nd by McComas to postpone the Public Hearing for Ordinance #95-30, until the City Manager could be present. Voice vote. Motion carried unanimously.

**Item E:** Public Hearing--Ordinance #95-31: An Ordinance Amending Title 18 of the Bethel Municipal Code Entitled Zoning, Sections 18.32.020, 18.32.030(A), 18.36.020, 18.48.040, 18.52.020 and 18.12.020 to Make Three Unit Residential Structures a Conditional Use Rather than a Permitted Use in a Residential District, Add Bunk Houses to the Listing of Commercial Uses and to Increase the Minimum Lot Size for a Two Structure Minor Planned Development from 9000 Square Feet to 10,000 Square Feet

Mayor Richardson opened Public Hearing. There being no one who wished to speak, Mayor Richardson closed the Public Hearing.

**motion** M/M by McComas, 2nd by Wallace to adopt Ordinance #95-31. Poll vote. Motion carried, 4-no, 0-yes.

## X NEW BUSINESS

**Item A:** Introduction of Ordinance #95-32: An Ordinance Amending Section 2.04.010 of the Bethel Municipal Code, Entitled Sessions

Mayor Richardson requested the wording be changed as follows: "The sessions of the Council shall be held commencing at six-thirty p.m. on the second and fourth Mondays of each month and continuing no later than ten p.m. Business that is not completed by ten p.m. will be carried forward...." There were no objections.

**motion** M/M by Wallace, 2nd by McComas to introduce Ordinance #95-32 as amended. Voice vote. Motion carried unanimously.

**Item B:** Introduction of Ordinance #95-33: An Ordinance Amending Chapter 2.04 of the Bethel Municipal Code Entitled City Council by Amending Section 2.04.030, Entitled Order of Business and by Deleting Section 2.04.045, Entitled Consent Agenda

Mayor Richardson explained that Ordinance #95-33 incorporated the elimination of the three minute time limit to People to be Heard, and eliminated the Consent Agenda.

**motion** M/M by McComas, 2nd by Harding to introduce Ordinance #93-33 as presented. Voice vote. Motion carried unanimously.

**Item C:** Introduction of Ordinance #95-34: An Ordinance Amending the Adopted FY1995-96 Annual Budget

Discussion took place regarding budget modifications made to FY 1995-96 Annual Budget.

**motion** M/M by McComas, 2nd by Harding to introduce Ordinance #95-34 as presented. Voice vote. Motion carried unanimously.

**Item D: Introduction of Ordinance #95-35: An Ordinance Amending Title 2 of the Bethel Municipal Code, Entitled Administration, by Establishing a New Chapter 2.25, Entitled Public Safety Commission**

Mayor Richardson opened the discussion by stating she wished to have the word "Advisory" stricken from title of the Commission throughout the ordinance. Mayor Richardson also requested deleting the word "broad" from Section 2.25.010, second sentence, and adding to the Powers and Duties the following: "Hear and review citizen complaints regarding the Police and Fire Departments and provide suggestions for resolution to the City Manager;" Council voiced no objections to these changes.

Mayor Richardson then stated her concern with the word "advise" in Section 2.25.020(A)(3). She questioned who would research legislation relevant to public safety. Council member Harding recommended replacing "advise" with "inform". There were no objections.

Mayor Richardson then expressed her concern with the wording of Section 2.25.020(A)(5) regarding the availability of funds. Ms. Richardson stated this was a function of an employee, not a Commission. Council member Harding suggested rewording the subsection to read "Review information presented to the Commission regarding the availability of all federal, state, municipal and private resources for public safety, and advise the City Council."

Discussion continued regarding the staff support of the Commission. Council agreed to delete the last sentence in 2.25.030(A), and reword the last sentence in 2.25.030(D) to read "The Police and Fire Chiefs, or their designees, will provide administrative support to the Commission."

Mayor Richardson asked that the Commissioners affirm that they have read and understood the Commission's powers and duties, as a part of their Oath of Office. There were no objections.

**motion** M/M by McComas, 2nd by Wallace to introduce Ordinance #95-35 as amended. Voice vote. Motion carried unanimously.

**Item E: Resolution #95-52: A Resolution Authorizing the Application for an Emergency Planning Grant**

Acting City Manager Young reported the City has applied for this Emergency Planning Grant for the past eight to ten years. The Fire Chief currently serves as the City's Emergency Manager.

**motion** M/M by Harding, 2nd by McComas to adopt Resolution #95-52 as presented. Poll vote. Motion carried, 4-yes, 0-no.

**Item F:** **Gaming Permit Applications--Bethel Broadcasting Inc., BCS, AVCP, VFW, UAF, and K300**

**motion** M/M by McComas, 2nd by Wallace for blanket approval of Gaming Permit Applications. Voice vote. Motion carried unanimously.

**Item G:** **Discussion Item-- Salvaging at the Landfill (Miller)**

Council agreed to postpone this discussion item until November 28, to allow Council member Miller to be present

**Item H:** **Discussion Item--Senior Center Overall Coordination Position**

Council member McComas stated he read the memo from the City Manager concerning the Senior Center and had a hard time believing that so much trouble was taking place at the Senior Center. Mr. McComas questioned why people who can't get along with others are working at the Senior Center, and added that some of the issues pointed out were liabilities to the City. Mr. McComas suggested the Adult Day Care Coordinator should be replaced.

Mayor Richardson responded that the Council can direct the City Manager to take the suggestions under advisement. Mayor Richardson then stated she had reservations about the ADC Coordinator serving as the City Manager's representative to the Senior Services Committee, adding that the City Manager should be present at the Committee meetings. Mayor Richardson suggested this issue be placed on a future agenda or scheduled for a work session.

## **XI COUNCIL MEMBER COMMENTS**

Council member Wallace stated he was pleased to hear the concern for the elders of the community.

Council member Harding stated his concerns regarding dumpsters in town overflowing and questioned whether there was a problem.

Council member Wallace stated he also had received comments regarding the overflowing dumpsters in Tundra Ridge. According to Mr. Wallace, garbage bags full of rippies were found in those dumpsters. Mr. Wallace questioned how many dumpsters the City had and why the City is unable to empty them in a timely manner.

Council member McComas stated a work session occurred on November 10, 1995, demonstrating the 911 System. Mr. McComas pointed out several features of the system, before stating that a cost estimate is forthcoming. Mayor Richardson questioned whether the City had compared the existing system to the proposed system, to determine if the two

systems are compatible. Mr. McComas stated interfacing with the current system did not appear to be possible.

Mayor Richardson informed Council she would be absent from the November 28, 1995, meeting, and appointed Mr. McComas as Acting Mayor during her absence.

**XII EXECUTIVE SESSION**

**Item A: Legal Strategy-- Seal v. City of Bethel, et al**

**motion** M/M by McComas, 2nd by Wallace to go into Executive Session for the purpose of discussing legal strategy--Seal v. City of Bethel. Voice vote. Motion carried unanimously.

**motion** M/M by McComas, 2nd by Harding to come out of Executive Session. Voice vote. Motion carried unanimously.

**motion** M/M by Harding, 2nd by Wallace to follow the recommendation of the City Attorney regarding Seal v. City of Bethel. Voice vote. Motion carried unanimously.

**XIII ADJOURNMENT**

**motion** M/M by McComas, 2nd by Harding to adjourn the meeting at 9:50 p.m. Voice vote, Motion carried unanimously.

PASSED AND APPROVED THIS 28 DAY OF November 1995.



Ruth M. Richardson, Mayor

ATTEST:



Laurie Adams, Acting City Clerk