

CALL TO ORDER

Mayor Guinn called the regular meeting of the City Council to order at 7.33 pm.

ROLL CALL

All members present.

APPROVAL OF MINUTES

M/M by Binkley, 2nd by Sullivan to accept the minutes of the 4/23/84 Council meeting as presented. Voice vote, motion carried unanimously.

motion

M/M by Buttane, 2nd by Sullivan to accept the minutes of the 4/27/84 special Council meeting as presented. Voice vote, motion carried unanimously.

APPROVAL OF AGENDA

M/M by Twitchell, 2nd by Sullivan to approve the agenda with the following additions and changes:

motion

Unfinished Business (additions)
1. Item D: Summer Youth Program
2. Item E: Amendment 4 to Ordinance 146

New Business (additions)
1. Item E: Day Care Resolution
2. Item F: Checker Cab Refund Claim

Voice vote, motion carried unanimously.

MANAGER'S REPORT

City Manager Hoffman reported on the following items:

1. a public hearing will be held on the Bethel Aviation Plan on May 17, the location to be announced later
2. spring clean-up will be held June 1-2. The Clean Up-Green Up committee will meet at 7.30, May 15, at the Library
3. request for Findings of Fact concerning the Calista arbitration denied - the City will comply with the arbitrator's decision
4. review of PATC director applications next week
5. the hearing schedule for the proposed sales tax revision is included in Council's packet
6. recommend a special Council meeting concerning Grand Jury report on the Police Department
7. the Business/Finance Director position is being re-advertised

Request by Council that the City Manager inform the State of the encroachment problem along 1st Avenue.

Administration to arrange a meeting among the City Attorney, Administration and Engineer concerning the arbitration award.

Special Council meeting on the Grand Jury report set for May 17, 6 pm.

MAYOR'S REPORT

Mayor Guinn reported on the following items:

1. proclaimed May 20 as Arbor Day
2. recommended that Administration send a letter of appreciation to the Senior Center Staff for their organizing of and participating in the Elders' Conference
3. urged the residents of Bethel to participate in the Clean Up-Green Up program

REPORTS OF STANDING
COMMITTEES

motion

PORT COMMISSION

M/M by Buttane, 2nd by Twitchell to accept the minutes of the 4/12 and 4/19 Port Commission meetings as presented. Voice vote, motion carried unanimously.

PEOPLE TO BE HEARD

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Antone Anvil expressed his concern about the Police Department shooting dogs in the presence of children. Mr. Anvil also asked Council to direct the Police Department to be sure that they kill, not just wound, dogs during enforcement of the emergency dog ordinance.

Councilmember Veit suggested that a new method is needed to deal with the dog problem, recommending professional training for the animal control staff.

Police Chief Varnell stated that it is the policy of the Police Department to destroy dogs during enforcement of the emergency dog ordinance; that the shooting is done during school hours to avoid the presence of children. Chief Varnell recommended that other methods be tried to solve the dog problem, including:

- a. stricter enforcement of the ordinances by issuing citations for violations
- b. increase the animal control staff
- c. training for animal control staff
- d. increase fees charged by the kennel operation to offset program expenses

Thom Foote inquired as to the implementation of the City Reorganization Plan. City Manager Hoffman indicated that Council should complete the process by the end of June.

Mr. Foote also requested that Council make a statement concerning who has access to drift wood along the river indicating that there is confusion among villages along the river. Councilmember Hoffman noted that drift wood is available to anyone if taken below the high water mark and recommended that the City work with AVCP in clarifying the village questions concerning drift wood.

UNFINISHED BUSINESS

Item A: Public
Hearing Helping
Hands Lease

motion

Item B: Neighbor-
hood Ranger Propo-
sal - River Patrol

PUBLIC HEARING HELPING HANDS LEASE

Public Hearing from 8.33 - 8.42 pm.

City Manager Hoffman reviewed the proposed lease for Council. Councilmember Binkley asked if Helping Hands could sub-lease under the agreement. City Manager Hoffman noted that they could with the permission of the City. M/M by Sullivan, 2nd by Binkley to approve the lease between the City and Helping Hands Inc. Poll vote, motion passed unanimously.

NEIGHBORHOOD RANGER RIVER PATROL PROPOSAL

John Hastie of Neighborhood Ranger Inc. presented to Council NRI's proposal to operate the river patrol.

City Manager Hoffman noted for Council that both the Finance and Public Safety Committees had reviewed the proposal but neither made any recommendations due to lack of quorums at the meetings.

Councilmembers Veit and Binkley stated that if NRI can do the same job for less cost to the City that the City should consider the proposal.

Councilmember Sullivan questioned the overhead figure allocated to the City by Mr. Hastie indicating that the figure of 22% was too high.

Police Chief Varnell reviewed the present operation of the river patrol indicating his preference to keep the river patrol as part of the police function of the City. However, Chief Varnell indicated that if Council did contract out the river patrol that the City retain the boat used for river patrol to be used for police work along the river. Chief Varnell also asked for Council direction concerning the operation of the river patrol, particularly with respect to the issuing of citations.

Councilmember Binkley asked Administration if the City could substantially reduce its Administrative overhead by contracting out the river patrol. City Manager Hoffman responded that Administrative overhead would remain about the same, with or without City operation of the river patrol.

Councilmembers Sullivan, Buttane and Veit expressed their concern that the river patrol remain a function of the police department; Councilmember Buttane opposed awarding the contract to NRI.

Councilmember Binkley spoke in favor of awarding a contract to NRI to operate the river patrol.

UNFINISHED BUSINESS
CONTINUED

NRI RIVER PATROL PROPOSAL

motion M/M by Binkley, 2nd by Guinn to accept the NRI River Patrol Proposal and to direct Administration to negotiate a contract between the City and NRI for the operation of the river patrol.

Mayor Guinn spoke in opposition to the motion.

motion M/M by Sullivan, 2nd by Buttane to call for the previous question. Voice vote, motion carried unanimously.

Poll vote on the original motion, 1 yes, 6 no, motion failed.

motion M/M by Hoffman, 2nd by Buttane to go past 10 pm. Voice vote, motion carried unanimously.

Council recessed from 10.07 to 10.23 pm.

Item C: Introduc-
tion Amendment 3
Ordinance 131

INTRODUCTION OF AMENDMENT 3 TO ORDINANCE 131, CITY CLASSIFICATION OF POSITIONS

M/M by Sullivan, 2nd by Hoffman to introduce Amendment 3 to Ordinance 131 and to set the amendment for a public hearing at the 2nd Council meeting in May. Voice vote, motion passed unanimously.

Item D: Public
Hearing Summer
Youth Program

PUBLIC HEARING SUMMER YOUTH PROGRAM

Public Hearing from 10.30 - 10.40 pm.

City Manager Hoffman reviewed for Council the proposed program and the accompanying budget amendment requesting \$94,020.00 from the City for the Summer Youth Program.

A discussion followed concerning the amount budgeted for the program.

motion M/M by Sullivan, 2nd by Buttane to adopt Amendment 3 to Ordinance 146, an amendment to the FY '84 City budget allocating \$74,160.00 for the operation of a summer youth program. Poll vote, motion passed unanimously.

Item E: Amendment
4 to Ordinance 146

INTRODUCTION OF AMENDMENT 4 TO ORDINANCE 146, CITY POSITION CLASSIFICATION - BUDGET MODIFICATION

motion M/M by Sullivan, 2nd by Veit to introduce Amendment 4 to Ordinance 146 and to set the amendment for a public hearing at the 2nd Council meeting in May. Voice vote, motion carried unanimously.

NEW BUSINESS

PORT COMMISSION APPOINTMENT

Item A: Port
Commission Appt.

Mayor Guinn noted for Council that Gary Volkman, Public Works Director, has resigned from the Port Commission. The Mayor indicated that Councilmember Buttane indicated an interest in serving on the Commission. M/M by Sullivan, 2nd by Twitchell to approve the appointment of Bob Buttane to the Port Commission. Voice vote, motion carried (Binkley abstaining)

motion

Item B: Intro-
duction of Amend-
ment 2 to Ordinance
97

INTRODUCTION OF AMENDMENT 2 TO ORDINANCE 97, PORT
FACILITY REGULATIONS

Harbormaster Connick reviewed for Council the proposed amendment establishing manifest reporting requirements for shippers.

motion

M/M by Buttane, 2nd by Sullivan to introduce Amendment 2 to Ordinance 97 and to set the amendment for a public hearing at the 2nd Council meeting in May. Voice vote, motion carried (Binkley abstaining)

Item C: Resolution
428

RESOLUTION 428, A RESOLUTION AUTHORIZING THE HARBOR
MASTER TO ISSUE USE PERMITS AT THE CITY DOCK AND
GRANTING THE PORT COMMISSION THE AUTHORITY TO
SET PERMIT RATE.

Harbormaster Connick reviewed for Council the proposed resolution, indicating the need to establish a procedure for operation at the dock before the shipping season begins.

Port Commissioner Edge indicated for Council that the resolution is not required, that present ordinances concerning the operation of the City dock and responsibilities of the Harbormaster already grant the powers asked for by the resolution.

After discussion by Council no action was taken by Council concerning the resolution. Council requested that the Port Commission establish guidelines for the issuance of dock permits.

Item D: Resolution
429, Day Care

RESOLUTION 429, PARTICIPATION BY THE CITY IN THE
DAY CARE ASSISTANCE PROGRAM

M/M by Binkley, 2nd by Sullivan to adopt Resolution 429 authorizing City participation in the Day Care Assistance program. Voice vote, motion passed unanimously.

motion

NEW BUSINESS CONT

Item E: Checker
Cab Refund

CHECKER CAB REFUND REQUEST

Councilmember Veit, representing Clark Miller of Checker Cab, asked to be excused from voting on the matter. Council agreed to the request.

Council, after a brief discussion, postponed action on the matter until noon, Tuesday, May 15.

Item F: Manager's
Contract

MANAGER'S CONTRACT

City Manager Hoffman reviewed for Council the proposed contract asking for a 2 year, non-renewable contract expressing his desire to remain on staff to see through the completion of the seawall, to assist in City efforts to change its classification, and to aid in solving the alcohol problem.

motion

M/M by Twitchell, 2nd by Hoffman to go into executive session to discuss the proposed contract. Councilmembers Buttane and Binkley opposed the motion; Veit supported the motion.

Rosie Porter of the Tundra Drums objected to the executive session.

Poll vote on the motion. 4 yes, 3 no, motion passed. Executive session from 11.56 - 12.38 am.

Mayor Guinn inquired of Council its desires concerning the COLA clause in the proposed contract renewal. Councilmembers Binkley and Sullivan opposed the inclusion of COLA in the contract.

Councilmember Sullivan recommended a one year contract limiting the payoff on termination to a maximum of 6 months.

motion

M/M by Guinn, 2nd by Twitchell to approve a 2 year contract with the deletion of COLA and fixing any termination payoff to a maximum of 6 months salary.

Councilmembers Sullivan and Veit opposed the motion with Councilmember Veit offering the following amendment to the motion:

1. 2 year contract
2. \$62,000 per year
3. no COLA
4. 90 day payoff if terminated

Councilmember Buttane opposed the amended motion expressing his opposition to renewing the Manager's contract.

Poll vote on the amended motion. 5 yes, 2 no, motion passed.

4e146

M/M by Sullivan, 2nd by Binkley to recess until 12 noon, Tuesday, May 15. Voice vote, passed. Council recessed from 1.30 am to 12 noon.

NEW BUSINESS CONT

Item F: Checker
Cab Refund

CHECKER CAB REFUND REQUEST

Council readjourned at 12.15 on May 15. Council-
members Binkley and Twitchell were absent.

Councilmember Veit again asked to be excused from
voting on the matter due to his representation of
Mr. Miller, the owner of Checker Cab.

Mr. Veit reviewed the request by Mr. Miller for a
refund of the overpayment of City sales tax basing
the request upon the taxi fare exemption in the
City sales tax ordinance.

City Manager Hoffman reviewed for Council the
City's position that the tax was owed, citing an
opinion by the City attorney to that effect.

Mr. Miller explained that the cab operation paid
to the City \$1200 a year per permit in lieu of the
requirement to pay sales tax.

motion

M/M by Buttane, 2nd by Sullivan to approve the
refund request for \$79,005.27 to Checker Cab for
the overpayment of sales tax. Poll vote, motion
passed, 4 yes, 0 no, Veit abstaining.

Item G: KYUK
Games of Skill/
Chance Request

KYUK GAMES OF SKILL AND CHANCE REQUEST

M/M by Hoffman, 2nd by Sullivan to approve the
Games of Skill and Chance application by KYUK.
Voice vote, motion carried.

ADJOURNMENT

M/M by Sullivan to adjourn. The meeting adjourned
at 12.50 pm.

PASSED AND APPROVED THIS *29th* DAY OF *MAY*, 1984.

ATTEST:


Wayne J. Maiers, City Clerk


~~John Guinn~~, Mayor

John Binkley
Acting Mayor