

CALL TO ORDER

Mayor Sullivan called the meeting to order at 7.30 pm.

ROLL CALL

Present: Alexie, Bainton, Carpenter, Sullivan
Absent: Aloysius (family matters), Veit

APPROVAL OF MINUTES

M/M by Carpenter, 2nd by Bainton to approve the minutes of the 8/28/85 Council meeting as presented. Voice vote, motion carried.

APPROVAL OF AGENDA

M/M by Alexie, 2nd by Bainton to approve the agenda with the following changes:
Unfinished Business: table Item A
add Item G-Walsh Arbitration
New Business: add Item H-Resolution 471, Children of Alcoholics
Voice vote, motion carried.

MANAGER'S REPORT

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City Manager Stigall reported on the following:

- a. increase in insurance rates - recommend that City drop its flood/earthquake coverage
- b. the Corps of Engineers work on the Petro Port and seawall will begin the 1st week in October
- c. BNC was the apparent low bidder on the shoulder widening project
- d. announced his resignation effective October 18

MAYOR'S REPORT

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Mayor Sullivan reported on the following items:

- a. accepted City Manager Stigall's resignation on behalf of the City Council and recommended that Council develop an interim management plan until a permanent successor is selected as City Manager
- b. informed Council that the Y-K Mayor's Conference will be held September 24, 25, 26
- c. the Tuluksak appeal concerning Northland Gold's dredging of the Tuluksak River has been denied
- d. recommended that Administration begin review of the City's water/sewer rate structure

POLICE CHIEF REPORT

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Captain LaMere, in the absence of Police Chief Clayton, reported to Council on the following:

- a. review of police activities for the month
- b. a series of burglaries is under investigation

Councilmember Carpenter suggested that the Police Department be active in local hire in filling vacancies within the Police Department.

REPORTS OF STANDING COMMITTEES

There were no Standing Committee reports.

Item B: Commission/ COMMISSION/COMMITTEE APPOINTMENTS
Committee Appoint-
ments

Mayor Sullivan, with Council approval, appointed the following people to City commissions and committees:

- a. Art Blickenstaff - Finance Committee
- b. Athena Logan - Finance Committee
- c. Bill Bivens - Public Works

Item C: AVCP Hou-
sing Land Request

AVCP HOUSING LAND REQUEST

Bob Angaiak of AVCP Housing presented to Council AVCP's request for Lots 5 and 6 of Ptarmigan-Tundra View Subdivision as the site for a proposed low rent housing project for Bethel. Steve Gaber, City Planning Director, reviewed for Council the Planning Commission's recommendation to approve the site but for a dollar value, that value to be determined by Council. Mr. Angaiak asked that Council donate the land for the housing project but that AVCP Housing would be willing to negotiate a lease or other arrangement concerning the land.

Mayor Sullivan asked how much input the City would have in the design of the project. Mr. Angaiak in-Council that there will be a series of public hearings on the matter and that City comments would be welcomed. Mayor Sullivan suggested that the City make the land available at a token lease amount.

Councilmember Carpenter suggested that the City should enter into a lease arrangement with AVCP Housing regarding the requested land.

motion

M/M by Carpenter, 2nd by Alexie directing Administration to begin negotiations with AVCP Housing concerning the lease of lots 5 and 6 of Ptarmigan - Tundra View subdivision for use as a site for low rent housing. Poll vote, motion carried.

Item D: Clark
Miller Quiet Title
Request

CLARK MILLER QUIET TITLE REQUEST

City Manager Stigall reviewed for Council Mr. Miller's quiet title action and recommended that Council go into executive session to discuss the matter. M/M by Alexie, 2nd by Bainton to go into executive session to discuss legal matters affecting the City. Voice vote, motion carried.

motion

motion

Upon return from executive session, M/M by Carpenter, 2nd by Bainton directing Administration to have the City Attorney negotiate with Mr. Miller a settlement of the matter and to return to Council with the results of the negotiation. Voice vote, motion carried.

Item E: Amendment
1 to Ordinance 156

AMENDMENT 1 TO ORDINANCE 156 - ADDITION OF CAPITAL
IMPROVEMENT PLAN TO COMPREHENSIVE PLAN

motion

City Manager Stigall reviewed for Council the proposed amendment incorporating the capital improvement plan into the comprehensive plan and that Council set the amendment for a public hearing at the next Council meeting. M/M by Bainton, 2nd by Carpenter to introduce and to set for a public hearing at the October Council meeting Amendment 1 to Ordinance 156. Voice vote, motion carried.

Item F: Walsh
Arbitration

WALSH ARBITRATION

motion

City Manager Stigall reviewed for Council the history of the Walsh arbitration matter and recommended that the matter be considered in executive session. M/M by Alexie, 2nd by Bainton to go into executive session to discuss legal matters affecting the City. Voice vote, motion failed.

City Manager Stigall informed Council that the City and Mr. Walsh had gone to arbitration concerning the value of a parcel of land; that the arbitration was binding as agreed to by the parties; that a figure had been arrived by the arbitration panel; that the City has not paid to Mr. Walsh the arrived at figure due to a question as to title to the parcel of land. Mr. Stigall informed Council that seawall project funds are not available to pay the settlement figure of \$110,000, the parcel of land being purchased for seawall construction.

Roger Lubovich, City Attorney, informed Council that binding arbitration would require the City to pay the settlement figure determined by the arbitration panel.

Mayor Sullivan suggested that Administration prepare a budget amendment to provide for the payment of the arbitration award and to bring the amendment to Council at the October Council meeting or to convene a special council meeting if necessary to settle the matter. Council concurred in the suggestion and so directed Administration to proceed.

City Attorney Lubovich was directed to discuss with Mr. Walsh a time payment schedule for payment of the award.

Councilmember Carpenter and Mayor Sullivan inquired as to the status of the seawall contingency fund, recommending that an audit be performed on the seawall project fund.

NEW BUSINESS

RESOLUTION 469 - MUNICIPAL ASSISTANCE

Item A: Resolu-
tion 469
motion

City Manager Stigall reviewed for Council the proposed resolution requesting municipal assistance money from the State of Alaska. M/M by Alexie, 2nd by Bainton to approve Resolution 469. Voice vote, motion carried.

Item B: Resolu-
tion 470

RESOLUTION 470 - REINDEER PROJECT

motion

City Manager Stigall reviewed for Council the proposed resolution in support of ONC's reindeer project study. M/M by Bainton, 2nd by Alexie to approve Resolution 470. Voice vote, motion carried.

Item C: Resolu-
tion 472

RESOLUTION 472 - ELECTION JUDGES

motion

City Manager Stigall reviewed for Council the proposed resolution appointing election judges for precincts 1, 2, and 3 for the October 1 election. M/M by Carpenter, 2nd Bainton to approve Resolution 472. Voice vote, motion carried.

Item D: Friends
of Library

FRIENDS OF LIBRARY

City Manager Stigall reviewed for Council the request by the Friends of the Library to include the library as a subdivision within the Community Services department and presented to Council a petition in support of the request. Mayor Sullivan informed Council that a public hearing would be required to amend the ordinance establishing the Community Services department in order to include the library as a subdivision of the department. Mayor Sullivan informed Council that the City is presently negotiating with KuCC concerning the operation of the library. Council set the matter for a public hearing at its October meeting.

Item E: '86 Legis-
lative Request

'86 LEGISLATIVE CAPITAL PROJECT REQUEST

City Manager Stigall reviewed for Council the proposed capital projects that the City will request State funding for during the '86 legislative session. The City Manager informed Council that the Governor has requested the City's project list by November 1. City Planner Tom Duncan presented to Council the list which included the following:

- a. boardwalk plan
- b. petro port
- c. seawall construction
- d. seawall bottom protection
- e. operating equipment for City dock

Harold Galliett of Galliett and Silides, engineers for the seawall project, reviewed for Council the need for bottom protection for the seawall. Mr. Galliett informed Council that without protection, a flood next spring similar to this year's flooding at Bethel would place the Mission Road portion of the seawall in jeopardy. Mr. Galliett suggested either the placement of rock or specially treated sand bags as protection for the endangered area and recommended placement as soon as possible.

Mayor Sullivan suggested that the City should try an experimental placement of rock or sand protection through the ice this winter.

Cheryl Keepers informed Council that the Army Corps of Engineers will return to the City 80% of the funds held in escrow by the Corps for work the Corps is now doing at the petro port; that Calista is interested in selling to the City additional rock at the same price that the Corps of Engineers paid for rock being used at the petro port; that the escrow refund from the Corps could be used to purchase the additional rock from Calista. Mayor Sullivan suggested that it would be ill advised to commit funds at this time for additional rock.

Council placed the discussion of toe and bottom protection on the October 14 work session agenda.

Item F: Youth
Detention Center
Right of Way

YOUTH DETENTION CENTER RIGHT OF WAY REQUEST

motion

Planning Director Steve Gaber informed Council that the Planning Commission has approved the request and that all parties have agreed to the vacation request. M/M by Alexie, 2nd by Bainton to introduce the matter and to set the request for a public hearing at the next Council meeting. Voice vote, motion carried.

Item G: Game of
Skill and Chance
Application

BETHEL SOCIAL SERVICES GAME OF SKILL AND CHANCE APPLICATION

City Manager Stigall presented the application to Council for review. Council voiced no objection to the request.

Item H: Resolu-
tion 471

RESOLUTION 471 - CHILDREN OF ALCOHOLICS

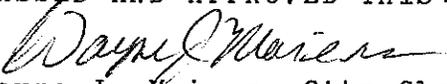
motion

M/M by Bainton, 2nd by Alexie to approve Resolution 471. Voice vote, motion carried.

ADJOURNMENT

M/M by Bainton to adjourn. The meeting adjourned at 10.22 pm.

PASSED AND APPROVED THIS 28th DAY OF OCTOBER, 1985


Wayne J. Maiers, City Clerk
51235


Marge Bainton, Mayor