

CITY COUNCIL

*Kent Harding
Buford McComas
Tad Miller
Mary Pavil
Ruth "Wally" Richardson
Stanley "Tundy" Rodgers
Wally Wallace*



CITY MANAGER

Ken Weaver

CITY CLERK

Connie Tucker

City of Bethel
Regular Council Meeting Minutes
October 10, 1995

I CALL TO ORDER

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

II ROLL CALL

Present Harding, McComas, Miller

Absent Chris, Swanson, Tubbs, Wintersteen

There being no quorum, Acting Mayor Harding recessed the meeting. At this time, Council members Tad Miller, Mary Pavil, Ruth Richardson, Stanley Rodgers and Wally Wallace were sworn in by the City Clerk.

I CALL TO ORDER

The meeting was reconvened at 7:34 p.m. by Acting Mayor Harding in the Log Cabin, Bethel, Alaska.

II ROLL CALL

Present Harding, McComas, Miller, Pavil, Richardson, Rodgers, Wallace

motion M/M by Miller, 2nd by McComas to move New Business Item A: Selection of Mayor immediately following Roll Call. Voice vote. Motion carried unanimously.

Acting Mayor Harding opened the floor to nominations for Mayor.

Council member McComas nominated Council member Richardson. Council member Rodgers nominated Council member Pavil. Council member Harding nominated Council member Miller.

motion M/M by Pavil, 2nd by Miller to close the nominations. Voice vote. Motion carried unanimously.

Council voted by ballot for the three nominated Council members. The results of the balloting was: Richardson-4, Pavil-2, Miller-1. Council member Richardson was seated as Mayor.

The newly elected Council members were then offered the one year term, per Bethel Municipal Code 1.20.080. Council member Wallace accepted the one year term.

Committee and Commission assignments were then chosen as follows: Planning Commission-McComas; Port Commission-Rodgers; Transportation Commission-Richardson; Finance Committee-Pavil; Public Works Committee-Miller; Senior Services Committee-Wallace; and Youth Services Committee-Harding.

Discussion regarding retaining Council member McComas as the AML Board of Directors Representative followed, with no objections noted. No objections were noted to City Manager Weaver serving on the AML Legislative Committee as well.

III PEOPLE TO BE HEARD

Before opening People to be Heard, Mayor Richardson stated that she wanted to dispose of the three minute time limit for speakers.

motion M/M by Pavil, 2nd by Miller to dispose of the three minute time limit for speakers under People to be Heard.

In response to Council member McComas' question, Mayor Richardson stated that she would allow people as much time as needed to address the Council, while still allowing the chair discretion to curtail speakers that begin to ramble.

vote Voice vote on the motion. Motion carried unanimously.

Dave Trantham, Bethel, addressed the Council, congratulating the new members and thanking the former members for their service. Mr. Trantham continued by stating that he moved to Tundra Ridge subdivision nine years previously to escape flooding; however, a few weeks ago his property was flooded because the City approved a site plan for a sand pad to be placed in the natural drainage pattern for approximately 25 acres. Mr. Trantham stated that all of the water now drains onto his property. Mr. Trantham asked that the Planner pays more attention in the future to the drainage patterns which can damage property before issuing site plan permits. Mr. Trantham also stated that he intended to send the City a bill for the four loads of sand he needed to build up his property to keep it from flooding. Mr. Trantham asked Council to direct the City Manager to advise the Planner not to approve site plan permits that divert natural drainage.

Mr. Trantham continued to address the Council regarding the drunks in the community and their costs to the City. Mr. Trantham stated he had begun efforts to clean up the city and added that the community needs to look for alternatives to drinking.

Council member Miller questioned if topographical maps were consulted when site plan permits were approved. City Manager Weaver stated that he was trying to monitor the Planning Department activities since the City was again without a Planning Manager, and added that it would be possible to utilize topographical maps for approving site plan permits.

Council member McComas stated that if the growth of Bethel is to be managed, the Planning Department would need more equipment to enhance the department. Mayor Richardson suggested the Council representative work with the Commission and the City Manager work with Mr. Trantham to resolve this issue.

motion M/M by McComas, 2nd by Rodgers to direct the City Manager to coordinate with Public Works to investigate solutions to Mr. Trantham's situation.

Council member Miller spoke in opposition to the motion, stating that this should be referred to the Planning Commission to address.

vote Voice vote on the motion. Motion carried, 6-Yes, 1-No (Miller).

IV. APPROVAL OF MINUTES

motion M/M by McComas, 2nd by Miller to approve the minutes of the September 26, 1995, regular meeting as presented.

City Manager Weaver requested the motion recorded in the September 26, 1995, regular meeting minutes regarding direction following Executive Session be amended to include adoption of his third recommendation, which he could not elaborate on further in open session.

Motion and second withdrawn.

motion M/M by Miller, 2nd by McComas to defer the approval of the September 26, 1995, regular meeting minutes to the next regular meeting, pending clarification of the motion. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by McComas to approve the minutes of the October 5, 1995, special meeting as presented. Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA AND CONSENT AGENDA

motion M/M by McComas, 2nd by Rodgers to amend the agenda by adding New Business Item C: Discussion Item--Public Safety Committee, and Executive Session Item B: Collective Bargaining Update. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by McComas to approve the agenda as amended. Voice vote. Motion carried unanimously.

VI MAYOR'S REPORT

Mayor Richardson thanked Council for its support in electing her mayor. Mayor Richardson also thanked the former Council members for their service and added that she was sorry the former members were not present.

Council then discussed the upcoming AML conference and sending newly elected officials.

motion M/M by McComas, 2nd by Miller to send newly elected officials to the AML conference. Voice vote. Motion carried unanimously.

VII MANAGER'S REPORT

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

1. Letter from Corps of Engineers

City Manager Weaver referred Council to the letter from the Corps citing the need to obtain local match money from the Alaska Legislature. Mr. Weaver stated that the Corps had increased its estimate of the project cost to \$21 million. Mr. Weaver explained that the City would have to provide an additional \$500,000 to \$1.35 million for the increased costs. Mr. Weaver also explained that he spoke with the Department of Transportation, which has a fund for local match requirements for projects, but that fund had only \$4 million total appropriated for the state. Mr. Weaver advised the Council that the City would have to seek help from the Governor and the Legislature for the additional amount, and requested direction from the Council on how they wanted to approach the Legislature.

motion M/M by McComas, 2nd by Pavil to send letters to Bethel's representatives in Juneau and the Governor's office seeking help for the local required match, and to send videos of the erosion of the riverbank along with the letters. Voice vote. Motion carried unanimously.

2. AVCP Housing Authority Subdivision

City Manager Weaver referred Council to the letter in his report from the AVCP Housing Authority requesting the City to provide water and sewer service to its new subdivision. Mr. Weaver informed Council that a request to extend the piped water and sewer system to the new subdivision had been submitted as part of the City's Village Safe Water Grant Program Request. Mr. Weaver requested Council issue a letter or set a policy for new subdivisions, requiring the developer to provide for hooking into the piped water and sewer system if the subdivisions are near the system.

Harry Parsi, Public Works Director, addressed Council on the difficulty in providing hauled water and sewer to the exiting customers and the impossibility of adding additional houses to the haul system. Mr. Parsi estimated the piped system could begin construction in May, 1996, if approved.

Council member Miller asked if the two other recently approved subdivision would also be required to hook into the piped system. Mr. Weaver responded that those particular subdivisions' locations were too distant from the existing system.

motion M/M by Miller, 2nd by Wallace to direct the City Manager to author a letter to AVCP Housing Authority reminding them that they need to be involved in the planning process for funding a piped water and sewer system for their subdivision, and stating that the City would assist in finding funding, but that the City was not responsible for funding an extension of the existing piped water and sewer system. Voice vote. Motion carried unanimously.

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

City Manager Weaver updated Council on the status of the OSHA violations corrections, and advised Council that additional projects would need funding in the next fiscal year. Council member Miller questioned Mr. Weaver on the Public Works Utilities workers and their exposure to extreme temperatures, asking if this was a violation of OSHA regulations. Mayor Richardson directed the City Manager to look into the Public Works Department's policy on cold weather staffing.

City Manager Weaver then invited all Council members to meet with him at their convenience.

City Manager Weaver then referred Council to the letter in his report to the school district regarding their concern for lighting around Kilbuck School. Mr. Weaver stated that most of their concerns regarding lighting seemed to be on private property, and the City was not responsible. Mr. Weaver also pointed out that the initial correspondence from the School was a copy of an internal memo, not a formal request for assistance.

motion M/M by Miller, 2nd by Harding to direct the City Manager to begin communication with the School District to resolve the problem.

Council member Harding also requested the City Manager and Public Works Director review the lighting around the school as he knew of two street lights that were not working on Fourth Avenue.

vote Voice vote. Motion carried unanimously.

Council also asked that the entire city be surveyed by the Police Department for burned out street lights and areas that need lights installed, and that information be forwarded to the Public Works Department.

Council member Pavil stated that she heard that Peter Jacobs retired and was only given a plaque for 35 years of service. Ms. Pavil asked if any other celebration was planned. Council directed the City Manager to prepare a special citation on behalf of the citizens of Bethel and invite Mr. Jacobs to a public ceremony for presentation.

Council broke at 9:00 p.m. for a short recess. At 9:10 p.m., Mayor Richardson called the meeting back to order.

VIII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming Committee/Commission meetings were announced

Council member McComas referred Council to the minutes of the Planning Commission meeting in the packet.

Council member Harding reported that the Youth Services Committee would plan a presentation to the Council after the new members attend the meeting.

Mayor Richardson requested that the monthly meeting calendar be posted at the grocery stores.

IX. OLD BUSINESS

Item A: Public Hearing-- Ordinance #95-26: An Ordinance Amending the Adopted FY1995-96 Annual Budget

City Manager Weaver requested the Council amend budget modification 96-02 to reflect a decrease in the Contingency Miscellaneous line item of \$10,000 and an increase in the Administration Relocation Expense line item of \$10,000, explaining that the Relocation Expense line item already had \$5000 allocated.

motion M/M by Miller, 2nd by Harding to amend budget modification 96-02 as stated by the City Manager. Voice vote. Motion carried unanimously.

motion M/M by McComas, 2nd by Wallace to amend budget modification 96-01 to decrease the amount for the waste oil project by the cost of a new waste oil burner.

Discussion followed on the reasons for purchasing a new waste oil burner.

vote Poll vote on the motion. Motion failed, 3-Yes, 3-No (Harding, Miller, Richardson), 1-Abstention (Pavil--due to the involvement of ONC with the project).

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

motion M/M by Miller, 2nd by Pavil to adopt Ordinance #95-26 as amended. Motion carried, 7-Yes, 0-No.

X. NEW BUSINESS

Item A: Swearing In--New Council Members

This item was moved immediately following Roll Call

Item B: Presentation by Carmen Lowrey, TWC--Pass Through Grant

Carmen Lowrey, Executive Director, Tundra Women's Coalition, distributed information to the Council, which is attached as part of these official minutes. Ms. Lowrey then addressed the Council regarding a \$25,000 incentive grant for juvenile delinquency. Ms. Lowrey informed the Council that this grant was only available to municipalities; however, TWC wanted to administer the grant with the City acting as a pass through agent. Ms. Lowrey stated that TWC wanted to use the grant to provide alternative activities and group meetings for young people.

motion M/M by Miller, 2nd by Wallace to direct the City Manager to work with TWC to facilitate the grant application with the City serving as the pass through agency. Voice vote. Motion carried unanimously.

ITEM C: Discussion Item--Public Safety Committee

Council member McComas stated that several people had approached him regarding reestablishing the Public Safety Committee and he wanted Council to discuss this issue.

Council member Pavil supported reinstating the Public Safety Committee.

Council member Miller support establishing a Public Safety Commission and involving the Fire and Police Chiefs in the process. Mr. Miller also suggested a Police performance audit to guard against unfounded criticism.

Council member Harding suggested caution in creating a committee without a specific reason, adding that he would like to see citizens come to Council without using the Committees as a buffer.

Council member McComas stated that more people come to committees than to the Council.

Council members Pavil and Rodgers requested more information on the differences between committees and commissions.

Council requested this item be placed on the next agenda as a discussion item.

XI. COUNCIL MEMBER COMMENTS

Council member Harding thanked the Public Works Department for repairing the boardwalks.

Council member Wallace stated he was glad to be on Council again.

Council member McComas thanked the previous Council members and congratulated the new members, adding that it was good to see the makeup of the community more accurately reflected on the Council.

Council member Miller stated he intended to pursue long-term, multi-agency strategic planning making crime pay back the community and economic development. Mr. Miller thanked those that bailed him out of the March of Dimes Jail and Bail. Mr. Miller also congratulated Tomas Israelsson for his successful fundraising effort, and informed the public that the Yup'ik Museum gift shop was now open. Mr. Miller announced that a public forum would be held on November 7, 1995, regarding the alcohol problem and working together to find solutions. Mr. Miller concluded by stating that he wanted to add to a future agenda a discussion item on the City purchasing BUC.

Council member Rodgers thanked those that voted for him, adding they would get their dollar's worth.

Council member Pavil thanked those that voted for her, and advised the City Manager that grates covering the pilings on the seawall were missing and children were playing close to the open pilings. Ms. Pavil asked that the Port Commission look into charging large boats for damage they cause to the seawall. Ms. Pavil also stated that she was glad that the City was looking at recognizing Peter Jacobs. Ms. Pavil added that she has been involved with the Senior Center, and that the Senior Committee wants to discuss their position as an advisory committee, wanting more power, and also requesting that the Police pay more attention to the vandalism that has occurred at the Center.

Mayor Richardson thanked the public for their vote and for getting out to vote. Ms. Richardson recognized Brooks Chandler, City Attorney, in attendance. Ms. Richardson stated she thought this Council would work well together and would be able to attack problems. Ms. Richardson thanked the Council for their vote as Mayor, adding that it was an honor. Ms. Richardson also advised the Council to rely on the City Clerk for assistance.

XII EXECUTIVE SESSION

Item A: Legal Strategy--Pete v. City of Bethel

Item B: Collective Bargaining Update

motion M/M by Pavil, 2nd by Wallace to go into Executive Session for the purpose of discussing Legal Strategy--Pete v. City of Bethel and Collective Bargaining Update. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Pavil to come out of Executive Session. Voice vote. Motion carried unanimously.

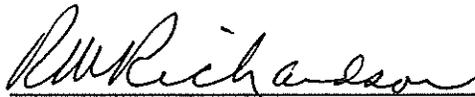
motion M/M by Miller, 2nd by Wallace to follow the City Attorney's recommendation regarding Pete v. City of Bethel. Voice vote. Motion carried unanimously.

Mayor Richardson requested Bill Mede, City Labor Attorney, be present via telephone at the next Council meeting to provide a timeline for settlement of labor negotiations as well as an overview of the previous Council's direction and items that need further direction.

XIII ADJOURNMENT

motion M/M by Pavil, 2nd by Miller to adjourn the meeting at 11:00 p.m. Voice vote,
Motion carried unanimously.

PASSED AND APPROVED THIS 24TH DAY OF OCTOBER, 1995.



Ruth M. Richardson, Mayor

ATTEST:



Connie Tucker, City Clerk