

CITY COUNCIL

Tad Miller
Dario Notti
Mike O'Brien
Agnes Phillips, Mayor
Ruth Richardson
Stanley Rodgers
Thor Williams



CITY MANAGER
Ken Weaver

CITY CLERK
L.J. Warren

City of Bethel
Regular Council Meeting Minutes
September 23, 1997

I. CALL TO ORDER

The meeting was convened at 6:35 p.m. by Mayor Phillips at the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Miller, Notti, O'Brien, Phillips, Richardson, Williams
Absent: Rodgers (excused)

Also present: City Manager Ken Weaver, Acting City Clerk Laurie Walters.

III. PEOPLE TO BE HEARD

- Antone Anvil discussed the City's legislative priorities, and hoped that bike trails were listed.
- Brian Sanders protested the use of the curfew siren, noting its volume and late hour are a disturbance in his neighborhood.
- Sally Herman also spoke about the siren, stating that many small children are already asleep when the siren goes off, and are woken up by the noise.
- Dave Trantham pointed out that the Planning Commission hasn't had a quorum in three months, which is unfair to people and business who need approvals to move forward with projects. Mr. Trantham also noted that the new sandpad causing drainage problems on Ptarmigan road has still not been culverted.
- Ellen Provost read a statement to the Council concerning clean indoor air, and offering support and assistance in drafting an indoor smoking ordinance.
- David Horesh commented that the siren is disruptive, and suggested greater enforcement of the curfew without the use of the siren.
- John Guinn, chairman of the Planning Commission, urged everyone appointed to a City committee or commission, to make a commitment to attend all scheduled meetings.
- Caroline Renner addressed the Council with concerns about clean indoor air and offered assistance in developing a clean air ordinance.

IV. APPROVAL OF MINUTES.

Council member Richardson noted a few typos in the Transportation Commission report.

motion M/M by Miller, 2nd by Williams to approve the minutes of the September 9, 1997 regular meeting, as amended.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

Council member Miller added New Business Item I, Discussion - Access to Frank Jones lot, and New Business Item J - Discussion, Curfew Siren.

motion M/M by Richardson, 2nd by Williams to approve the agenda as amended.

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Phillips read a proclamation recognizing October as Domestic Violence Awareness Month, and urged the community to support the activities planned by the Tundra Women's Coalition.

Next, Mayor Phillips discussed her involvement with the Kuskokwim Coordination Response Partnership, and described their efforts to obtain assistance for people affected by the fisheries disaster. The City has submitted a letter predicting the effects of the disaster on sales tax revenues.

Mayor Phillips made note of an invitation to the City Council to participate in a Hovercraft community advisory group. She would like one City Council member to join the group, which will hold their first meeting on Friday, September 26th. Further information can be obtained from the City Clerk.

Mayor Phillips pointed out the information from Alaska Housing Finance Corporation, with regards to projects scheduled for the various properties around the state. Noting that no appropriations were made for playground equipment, Mayor Phillips asked the City Manager to prepare a letter to AHFC, encouraging them to help with the playground equipment procurement, clean-up/green-up, and also

The Acting City Clerk read a proclamation recognizing October as Fire Prevention Month.

It was noted that the forum on municipal classification is scheduled for October 2, not October 7 as noted in the City Clerk's memo. The meeting to certify the results of the October 7 election will be held at 6:30 p.m. on October 9, at the Log Cabin.

VII. MANAGER'S REPORT

City Manager Weaver referred Council to the written reports, and discussed the following:

- Personnel - Mr. Weaver noted that he has appointed Stuart Robinson as the new Finance Director, and Clair Grifka as the Public Works Director. Robert Himschoot Sr. has been hired on a contract basis to provide assistance with the City's Village Safe Water application and other major projects.
- Mission Drive Sewer Line Repairs - There were no responses to the City's Request for Bids. CRW Engineering has established a new bid deadline of September 26, and is contacting local contractors to find out why they did not submit bids. Mr. Weaver requested authorization to use a sole source "force account" process to contract for the repair work immediately upon notification from CRW that a qualified contractor is available.

motion M/M by Notti, 2nd by Richardson to authorize the City Manager to award the repair work for the Mission Drive sewer line on a force account basis.

vote Voice vote. Motion carried unanimously.

- Underground Storage Tank Cleanup: The City Manager has received an enforcement letter from the ADEC regarding the underground storage tanks at the public works shop. The Public Works Director and Purchasing Agent are coordinating with EEIS to develop bid specifications for removal of the underground storage tanks.
- Fire Department Paint Job - in response to a question from Council member Miller, the Purchasing Agent explained that the contractor has not been paid, pending a final inspection and approval of the Fire Department. With winter fast approaching, the City Manager said that he would personally follow up on the issue, and would report back at the 10/14 Council meeting.
- Chauffeur's Permit account checks - in response to another question from Council member Miller, the Purchasing Agent noted that the City does not check the water and sewer accounts of Chauffeur's Permit applicants.
- Reports from City Manager - Council member Williams noted that the Council Directives tracking report was not in this week's packet, and requested that the City Clerk include the report in all future packets. In addition, Mr. Williams requested financial reports that show the City's current position relative to the approved budget.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

There were no recommendations reported.

Finance Committee: Mayor Phillips reported that the Committee canceled their scheduled meeting due to travel by Committee members. The next scheduled meeting is October 9.

Planning Commission: Council member Notti reported that the Commission canceled their scheduled meeting due to travel by Commission members. The next meeting is scheduled for September 25.

Port Commission: Council member Rodgers was absent, no report given.

Public Works Committee: Council member O'Brien noted that the next scheduled meeting is October 21, 7:30 p.m. at the Public Works Shop.

Public Safety Commission: Council member Richardson noted that she was out of town and did not attend the September meeting.

Transportation Commission: Council member Williams reported that the next scheduled meeting is October 2, 7:00 at the City offices.

Youth Services Committee: Council member Miller reported that he missed the last meeting of the Committee.

Police Department Vehicle Purchases: Returning briefly to the City Manager's report, Council member Miller raised the issue of the Police Department vehicle purchases. Noting that \$30,000 had been budgeted for one new vehicle, Mr. Miller noted that used Crown Victoria's are available from the State Troopers for \$5,000 each. Mr. Miller asked for input from the Police and City Manager. Information on the used vehicles was distributed to the Council. Further discussion followed. Chief Eilers described the cars as being in excellent condition and stated that he thought it was a great opportunity that the City should take advantage of. Mr. Weaver concurred.

motion M/M by Miller, 2nd by Richardson to authorize the City Manager to purchase the used Crown Victoria vehicles from the State Troopers, using the \$30,000 previously budgeted for one new vehicle, with any funds remaining used for supplemental equipment purchases.

vote Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by O'Brien to model the Police Department vehicle take-home policy after the Wasilla Police Department's policy.

vote Voice vote. Motion carried unanimously.

IX. OLD BUSINESS

Item A: Discussion - Options for proposed public smoking ordinance (Phillips)

Mayor Phillips thanked Dr. Ellen Provost for bringing up the subject of clean indoor air. Noting a memo in the packet from City Attorney Lee Sharp, Mayor Phillips stated that there are a number of questions he has about where the Council would like to see a ban on smoking. Council member Miller, stating that he supports the concept of clean indoor air, referred the item to the Public Safety Commission for review. Further discussion followed, with Council member Williams stating that he would support a complete ban on smoking in restaurants.

Item B: Discussion - Dario Notti vehicle claim

Council member Miller stated that Council member Notti deserves some forum for resolving his claim against the City. One option is the City Council, another is small claims in the District Court. Mr. Miller added that he believes Mr. Notti was wronged by the City, and that the City has relinquished its responsibility. Council member Richardson asked if the Council had made previous motions to settle the claim. Mayor Phillips explained that two separate motions had been made, for different amounts, but both had failed to be adopted. Mayor Phillips allowed former Council member Dave Trantham to address the Council. Mr. Trantham stated that he felt the issue was really a vendetta against the former City Council and former City Manager. According to Mr. Trantham's recollection, the vehicle in question was parked partially on private property, and partially on the public right-of-way. Discussion continued.

motion M/M by Miller, 2nd by Richardson to pay Mr. Notti \$3,999.00.

vote Roll call vote. Motion failed, 3-Yes, 1-Abstain (Notti), 2-No (O'Brien, Williams)

X. NEW BUSINESS

At this point, Mr. Williams asked if the Council could suspend the rules, and address New Business Items E and F, Accepting BNC Reconveyances. Council agreed.

Item E: Resolution #97-45 and Item F: Resolution #97-45, , Accepting BNC Reconveyances

Mr. Marc Stemp, President of BNC, addressed the Council, and thanked City Planner John Malone for all of his assistance. Council member Miller questioned the process being followed, noting that land conveyances must first be approved by the Planning Commission before coming to the City Council. Although the Planning Commission has not had a quorum in three months, the correct procedure should still be followed. The Planning Commission's September meeting has been rescheduled for Thursday, September 25. Council member O'Brien asked for a clarification of what "Noel Polty" road is. It was explained that this is a portion of the road into Kasayuli Subdivision.

Several people who had signed up to be heard, Mr. Mike Shantz, Chairman of the Board of BNC, and Bing Santamour, were asked to address the Council at this time. Further discussion followed.

motion M/M by Notti, 2nd by O'Brien to hold a special meeting on September 26, at 5:15 p.m. at the City offices, to consider the resolutions, *if* the Planning Commission had a quorum at their meeting of September 25.

Discussion followed, with opinions expressed in favor of and against holding a special meeting.

vote Voice vote. Motion carried, unanimously.

Item A: Resolution #97-41, Election Board Appointment

motion M/M by Richardson, 2nd by O'Brien to adopt Resolution #97-41.

vote Voice vote. Motion carried, unanimously.

Item B: Resolution #97-42, Requesting Capital Funding from VSW (Weaver)

motion M/M by O'Brien, 2nd by Notti to adopt Resolution #97-42.

vote Voice vote. Motion carried, 5-Yes, 1-No (Miller).

Item C: Resolution #97-43, Shared Fisheries Business Tax Application (Weaver)

motion M/M by Richardson, 2nd by Williams to adopt Resolution #97-43.

vote Voice vote. Motion carried, unanimously.

Item D: Resolution #97-44, Accepting a State Grant for Coastal Mgmt. (Weaver)

motion M/M by O'Brien, 2nd by Williams to adopt Resolution #97-44.

vote Voice vote. Motion carried, unanimously.

Item G: Resolution #97-47, PILT Program (Council)

motion M/M by Miller, 2nd by Williams to adopt Resolution #97-47.

vote Voice vote. Motion carried, unanimously.

Item H: Discussion - Putting Bethel on the Map (Miller)

Council member Miller, stated that he has observed that the reputation of Bethel statewide is not reflective of how pleasant it actually is. Mr. Miller noted the absence of information or stories about Bethel in any travel publications. He urged the City to pursue grants or perhaps even donate approximately \$5,000, and to work with the Chamber of Commerce on a publicity campaign to get information about Bethel into travel magazines and tourist brochures. Discussion followed. Council member O'Brien noted that the Chamber has established a Web page, and is publishing local events in several publications, including Alaska Magazine and Northwest Traveler.

motion M/M by Miller, 2nd by Richardson to consider a donation of \$5,000 by the City for tourism promotion under Old Business at the October 14 regular Council meeting.

Discussion followed. Council member Richardson questioned what the \$5,000 would pay for, and where it would come from. Council member O'Brien stated that the Chamber might be interested in matching any donation from the City. Council member Williams spoke in favor of the motion.

withdrawn Motion withdrawn by Council member Miller.

Item I: Discussion - Access to Frank Jones lot (Miller)

Council member Miller, who requested the agenda item, pointed out that the City requires every resident to subscribe to sewage collection services. Mr. Mendola's lot is landlocked, and he is unable to obtain an easement for the City to use in providing services. After a brief discussion, the Council referred the matter to the Planning Commission for a solution.

Item J: Discussion - Discussion, Curfew Siren (Miller)

motion M/M by Miller, 2nd by Notti to discontinue the siren.

Council member Williams pointed out that the community had initially wanted the siren, and that this topic had been discussed and decided upon by the Public Safety Commission. Council member Richardson said that the siren could be a positive influence, but that perhaps it should be relocated away from homes. Ms. Richardson also suggested that the length of the siren be reduced from 30 seconds to 15 seconds. Council member Miller stated that the cure in this case is worse than the disease, and that the Council should listen to the people who came to the meeting and expressed their disagreement with the siren.

vote Roll call vote. Motion failed, 3-Yes, 3-No (O'Brien, Richardson, Williams).

motion M/M by Williams, 2nd by Richardson to reduce the length of the siren from 30 seconds to 15 seconds, until the Public Safety Commission meets and recommends a new location for the siren.

vote Voice vote. Motion carried, unanimously.

XI. COUNCIL MEMBER COMMENTS

Miller - Stated that the City should rethink it's policies on water and sewer services. Noting that this was his last regular meeting as a Council member, Mr. Miller invited everyone to listen to his new talkshow "Public Forum" on KYUK, Fridays at 10:00 a.m.

Notti - Noted that he was moved by the death of Mother Theresa. He enjoyed the moose hunting season, and is disappointed at having to take his vehicle claim to court.

O'Brien - Noted that the City's 40th birthday party was a huge success. Inquired if the City Clerk had sent thank-you letters to local businesses who contributed food.

Phillips - Hoped for a continued speedy recovery by the City Manager. Noted that the Mission Drive sewer line repairs must remain a top priority. Thanked local businesses for employing college students during the summer. Encouraged outgoing Council members to attend the meeting on October 14th.

Richardson - Stated that she has really enjoyed her time on the Council, it kept her very busy and a lot has been accomplished. Plans to speak in favor of a clean indoor air ordinance if it should come before the Council. Thanked the Chamber of Commerce and local businesses for their help with the City's 40th birthday party.

Rodgers - Absent, no comment.

Williams - Noted that in addition to being Domestic Violence Awareness Month and Fire Prevention Month, October is also National Disability Employment Month.

XII. EXECUTIVE SESSION

motion M/M by Richardson, 2nd by O'Brien to go into Executive Session at 10:01 p.m.

vote Voice vote. Motion carried, unanimously.

motion M/M by Williams, 2nd by O'Brien to continue the meeting past 10:00 p.m..

vote Voice vote. Motion carried, unanimously.

motion M/M by Richardson, 2nd by Miller to come out of Executive Session at 10:25 p.m.

vote Voice vote. Motion carried, unanimously.

XIII. ADJOURNMENT

motion M/M by Williams, 2nd by O'Brien to adjourn the meeting at 10:25 p.m.

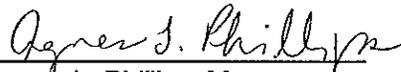
vote Voice vote. Motion carried, unanimously.

PASSED AND APPROVED THIS 14TH DAY OF OCTOBER, 1997.

ATTEST:



L.J. Warren, City Clerk



Agnes L. Phillips, Mayor