
City of Bethel, Alaska

City Council Minutes

October 24, 2000

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A regular meeting of the Bethel City Council was held on October 24, 2000, at 6:30 p.m. in the Council Chambers, Bethel, Alaska.

Mayor Rodgers called the meeting to order at 6:30 p.m.

ROLL CALL

Comprising a quorum of the Council, the following were present:

Mayor Rodgers	Karol Sanchez-Pobrislo
Jerry Drake	Agnes Phillips (6:35)
Mike O'Brien	Carl Berger

Also in attendance were the following:

Bob Herron, City Manager
Colleen Soberay, City Clerk

PEOPLE TO BE HEARD

Willy Keppel, member of the Planning Commission, announced KYUK's fundraiser and asked that the council consider making a contribution to KYUK. Mr. Keppel asked the council to suspend the Bethel heating fuel tax until June of 2001 and reviewed the prices of fuel. Mr. Keppel commented on a new truck purchased by the City. He said the money spent on the truck could be used to cover the fuel tax for the City.

Agnes Phillips, city council member, invited everyone to participate in the TWC candlelight ceremony for Domestic Violence Awareness month. She also read a poem about domestic violence.

Joan Hamilton, member of the Planning Commission, told council about a recent car accident that caused one death and another to be placed in critical condition. Ms. Hamilton asked council to think about the conditions of Bethel roads and to address the need for safer roads and more crosswalks.

Council discussed the various road conditions and need for safety precautions, such as brighter striping on Chief Eddie Hoffman Hwy going towards the airport. Mayor Rodgers

directed Manager Herron to have the State put crosswalks in place. Manager Herron said he would also write a letter to the DOT in regard to maintaining the stripes on the hwy towards to the airport. He also explained the DOT does road stripping once a year.

APPROVAL OF MINUTES

Moved By:	Jerry	To approve the minutes of the regular meeting of Oct. 10, 2000 with changes noted below.
Seconded By:	Agnes	

Changes: Add the word "vice" in front of mayor under nominations for vice mayor; add more detail to Bob Medinger's comments made to council regarding the People's Learning Center.

VOTE ON MOTION	Motion carried by unanimous voice vote.
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APPROVAL OF AGENDA

Moved By:	Jerry	To approve the agenda with the addition of <i>new business</i> item E: certificates of appreciation; item F: grant offers; and legal matter under executive session.
Seconded By:	Agnes	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MAYOR'S REPORT

Mayor Rodgers announced the following:

- Governor's Talking Points for the weeks of October 9 and October 15, 2000
- Grant offer from Alaska Department of Environmental Conservation—*Re:* Grant offer for piped water and sewer improvements
- Grant offer from Alaska Department of Environmental Conservation—*Re:* Grant offer for solid waste and sewage lagoon facilities design study
- Public Notice from Alaska Department of Environmental Conservation—Municipal Solid Waste Advisory group meeting October 26, 2000
- Letter from AK Dept. of Community and Economic Development—*Re:* FY01 safe communities program payment
- Letter from AK Dept. of Community and Economic Development—*Re:* FY01 shared fisheries business tax payment
- Letter from AK Dept. of Community and Economic Development—*Re:* FY02 State revenue sharing/safe communities program population determination
- E-mail from Manager Herron to USPS mail drop boxes
- Alaska Housing News Release: AHFC expands rural housing loan program
- News Release from Senator Ted Steven's Press Office—VA/HUD Appropriations Bill contains rural water/sewer funds, Atwood Center restoration, and arctic contaminant study
- Reminder from AML: AK Conference of Mayors accepting auction donations

MANAGER'S REPORT

City Manager Bob Herron noted the management reports included in the packet and reviewed the following items with council:

- Alaska Community Awards for Excellence—At council's request, the City of Bethel has applied to the Alaska Municipal League for their consideration on the Bethel Court Complex Project.
- Local Boundary Commission—Dan Bockhorst will give a presentation on borough governments at the AML meetings on Monday, November 13 at 8:30 a.m.
- A commentary on the concept of suspending the heating fuel tax was in the Tundra Drums the week of October 16. Manager Herron submitted a rebuttal opinion as to why this concept is not valid.
- BIA Diesel Spill case—October 16, 2000, U.S. District Court Judge, James K. Singleton, dismissed the complaint, the third-party complaint and all cross claims and counterclaims. Each party will pay their own costs and attorney fees incurred in the prosecution or defense of the claims in this action.
- EPA—Manager Herron will meet with EPA in regard to the Notice of Violation and the city's proposed plan of action November 3, 2000 in Anchorage.

REPORTS OF STANDING COMMITTEES

Senior Advisory Committee

Council member Berger said the committee met October 11, 2000. He said concerns were expressed by senior members about the revenues raised by Calista Elder's Council for a nursing home facility. He said questions were asked as to what is being done with the money. He said they also discussed the new bus, which will be in service after this meeting. He said the community makes substantial food donations to the senior center, for example \$3,600 in value was donated in the month of August and just under 3,000 in September. Mr. Berger commended those who make donations and said they are very much appreciated by the senior center.

Planning Commission

Council member Notti was not present.

Port Commission

Mayor Rodgers said the commission met October 16 and is bringing the season to a close. He said the winter attendant is working 20 hours per week. Mayor Rodgers said he presented certificates of appreciation award to Mr. Howard Elliott and Ms. Joanne Walsh at the meeting. He also said dock lighting and new floats for the boat harbor were discussed under new business and the next scheduled meeting is November 20, 2000.

Public Works Committee

Council Member Drake said the committee met October 17. Mr. Drake said the committee was brought up to speed on the status of the RFP for parking and removal of vehicles in the right of way for the winter snow plan. He said public works is still

working on the RFP to hire someone to remove abandoned vehicles in the roadways. He also said three new items were discussed based on direction given at the last council meeting: 1. ice skating areas—the public works director has been working with the parks and recreation director to make available to parks and recreation a 4-wheeler with a plow on it. The public works committee wanted to be careful that it is at the public works director's discretion as to which lakes to plow. He said public works is adamantly opposed to driving water trucks on the lakes because of the hazards involved, such as a truck breaking through the ice. 2. children-at-play signs have been ordered. 3. the committee agreed, in principle, of the verbiage of the BIA MOJ.

Public Safety and Transportation Commission

Council Member O'Brien reported the commission met October 16 to finalize the legal matter in regard to Mr. Miller's taxi cab permit. Mr. O'Brien reviewed Mr. Miller's case. He said Mr. Miller's permit has not been rescinded. Manager Herron said the city attorney and Mr. Miller's attorney are in negotiations.

Council member Pobrislo commented on the taxi cabs at the airport in that they are congesting the driveway area of Alaska Airlines. She asked if there was some way to have law enforcement direct traffic to where the signs indicate for taxis and other vehicles to go. Council discussed who is responsible and how to enforce the rules. Manager Herron said he would talk to the Chief of Police to make the taxi cab drivers more aware of the airport rules and also contact Alaska Airlines.

Finance Committee

Council Member Phillips said the committee discussed the change of language for homeowner builder exemptions and on items for resale. Ms. Phillips said the committee made a recommendation to rewrite the ordinances regarding remittance period. She also said the committee discussed license fees for different businesses. Ms. Phillips said the committee recommendations will be forwarded to council at a later date to act on.

Council member Drake commented on finance's audit on the sales tax. He said finance recommended continuation of sales tax audits throughout the fiscal year. Mr. Drake said he would like to make sure that strong action is taken to make sure this happens. He said it is important to continue these audits. Council agreed.

Berger commented on a section of the mayor's report in regard to the population determination for Bethel in that 5,449 is a low number for Bethel's population. He said the letter should be responded to in regard to a more accurate population number for Bethel.

Manager Herron explained the number provided by the Alaska Department of Community and Economic Development (DCED) is an estimated number with respect to state revenue sharing. Manager Herron said he would talk to DCED about the population count, but that 5,500 is the magic number that you can get a nonconforming housing loan under state law. He said if after talking to DCED it is determined a special meeting needs to take place to pass a resolution, he will inform the Mayor. Council agreed and discussed determining a more accurate population total for Bethel.

Parks and Recreation Committee

Council Member Pobrislo said the committee was scheduled to have met October 18, but said she was not sure if that meeting did take place. Ms. Pobrislo reviewed the Parks & Recreation manager’s report. She said the next meeting is scheduled for November 15, 2000.

UNFINISHED BUSINESS

Item A — Discussion Item: Fuel Prices

Manager Herron said he did contact the fuel companies to respond in writing or to attend this council meeting in regard to the retail and whole-sale fuel prices in Bethel. He said only Peter Saunders from Wave Fuel responded, in written form, to the City’s request for information and that letter is in the council’s packet.

MOVED BY:	Drake	To postpone agenda item A until the next regular council meeting so that more information may be gathered and the fuel companies have responded to the City’s letter requesting information.
SECONDED BY:	O’Brien	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Manager Herron reviewed his written opinion in regard to suspending the heating fuel tax until next June, as requested by Willy Keppel at a prior council meeting. Manager Herron recommended not suspending the heating fuel tax and explained the economic and financial impact of suspending this tax.

Council member O’Brien recommended that council follow the recommendation of the city manager in regard to not suspending the fuel sales tax. Council agreed with Manager Herron that the City should not suspend the tax, but does want to continue researching the high fuel prices in Bethel overall. Manager Herron said he will again invite the fuel companies to respond to the City’s request for information.

NEW BUSINESS

Item C — Resolution #00-34: STIP

Manager Herron explained STIP and how it relates to Garvee bonds. He said Senator Hoffman recommended the STIP resolution be postponed until after the November 7 election so that we know the make up of the legislature and because the City has just received the draft STIP program and has until November 13 to make comments on this draft. Manager Herron said administration and the planning commission will review the STIP draft and present information to council at a later date.

Item D — Discussion Item: The Bethel City Strategic Plan for Computers and Networking

Council member Drake said the Bethel City Strategic Plan for Computers and Networking has been completed and provided to council though not in enough time to digest all of the information. He said as a result of this Plan, Unicom will make a presentation on the wide area networking proposal and that the offer made to council last spring still stands. He said he had hoped to get the Plan to council earlier because of the substantial amount of information in this Plan. He invited Linda Hoff, VP Unicom, to speak.

Ms. Hoff briefly explained to council that Unicom is committed to the offer they made to council last spring and that Unicom is committed to providing wide area networking in our region.

Council member Drake reiterated that a considerable amount of community members put in a lot of effort into this developing this plan. He also thanked everyone involved in this project. He recommended that this subject be put on the agenda for the next council meeting because of the amount of information needed to be reviewed by council. Council member Drake invited Linda Hoff to give a presentation of Unicom's proposal at the next council meeting.

Council member O'Brien said that because of the long hours and hard work put into this Plan by the task force committee, council should take the time to absorb this information and then make any necessary decisions. Council agreed to put this on the agenda for the next meeting.

Item E —awards

Mayor Rodgers presented Council Member O'Brien with an award for serving as Mayor this past year—1999-2000.

Item F — Grants

Manager Herron explained the two grants noted in the Mayor's report and recommended approval.

MOVED BY:	Phillips	Moved to approve the two grants from the Alaska Department of Environmental Conservation—1. piped water and sewer improvements; 2. solid wasted and sewage lagoon facilities design study.
SECONDED BY:	O'Brien	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Manager Herron asked council to add a discussion about the codification of the BMC so that the city clerk could give a brief report on the subject.

The city clerk said she talked with Book Publishing Company (BPC) and that the City does have a contract with BPC, so an RFP process is not necessary. She said BPC assured her that Bethel's numbering and indexing system is fine and that when they do supplement work, they do a legal analysis of those ordinances to be codified. BPC will bring any concerns to the attention of the City to be dealt with. The city clerk explained the two ways to get the BMC up-to-date: 1. supplemental process of ordinances since January 1990, which is the last time a professional supplement was done, with a total reprint for distribution; 2. complete re-codification. She said that the supplemental process would take about 45 days to complete and would be cost effective vs. re-codifying which takes more than a year and would cost more than double the cost of supplementing. She also said, if after supplementing, council feels a legal analysis is necessary for the entire Code, BPC would do that for \$1,800. The city clerk said that according to BPC, typically most cities re-codify to make their Code prettier or to change the indexing system. Council discussed BMC codification and agreed that the city clerk should proceed with working with BPC to do supplemental work on the BMC to get it up-to-date as soon as possible.

COUNCIL MEMBER COMMENTS

Council Member Berger gave his condolences to the families mentioned by other council members and to Frank Woods. He urged the public to be mindful of pedestrians, especially now that there is less daylight. He said pedestrian safety is very important and safety precautions should be taken. He also encouraged everyone to exercise their right to vote. He also announced that KYUK is in the middle of their fundraising and that he made a pledge of a \$30 membership and challenged other council members to meet or beat his pledge.

Council Member Pobrislo offered condolences to families of this community who have lost loved ones. She also reminded the public about parent conference week for all of the schools of Bethel. She encouraged parents and guardians to meet their children's teachers and find out how their students are doing.

Council member Notti was not present at this council meeting.

Council Member O'Brien reminded the general public of election day and to go out and vote. He thanked council for the Mayor's award presented to him earlier in the meeting.

Council Member Drake said he was glad his wife made it home and her mom is doing better. He also said he would like to see the sales tax audits kept up throughout the year.

Council Member Rodgers reminded the public to be careful about the ice and partially frozen lakes. He also encouraged the public to vote. He gave condolences to Dr. John Wise for the loss of his father and condolences to the Lucy [redacted] family for their loss.

Council Member Phillips thanked the Tundra Women's Coalition (TWC) for all of their hard work and promotion for Domestic Violence Awareness month.

EXECUTIVE SESSION

MOVED BY:	O'Brien	Moved to go into executive session to discuss a legal matter in regard to a preferential agreement.
SECONDED BY:	Drake	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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ADJOURNMENT

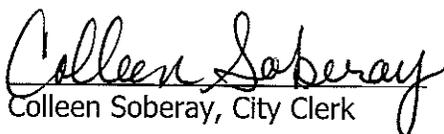
MOVED BY:	Drake	To adjourn the meeting.
SECONDED BY:	Phillips	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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With no further business before the Council, the meeting adjourned at 8:32 p.m.

APPROVED THIS 21st DAY OF NOVEMBER, 2000.

ATTEST:


Colleen Soberay, City Clerk


Stanley "Tundy" Rodgers, Mayor