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
July 8, 1997

I. CALL TO ORDER

The meeting was convened at 6:30 p.m. by Mayor Phillips at the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Miller, Notti, O'Brien, Phillips, Richardson, Rodgers, Williams
Absent: none

Also present: Acting City Manager George Young, City Clerk L.J. Warren, 19 in the audience.

III. PEOPLE TO BE HEARD

Dave Trantham spoke about the need for a Community Watch program, and reminded the Council that he believes they owe him an apology for comments made exactly one year ago. Janet Athanas, Youth Center Director, introduced the World Horizon's Youth Volunteers, and each of the volunteers briefly addressed the Council to describe their volunteer projects in Bethel. Buford McComas expressed his disappointment over not getting a booth for the 4th of July celebration, and noted that there have been 20 bootlegging arrests since Chris Liu resigned as Police Chief. Irv Kreider gave a brief history of how it came to pass that he evacuates sewer tanks for properties other than those he manages or owns. Mr. Kreider offered to help the City with advice on how he operates his evacuation services profitably.

IV. APPROVAL OF MINUTES OF JUNE 24, 1997 REGULAR MEETING.

motion M/M by Richardson, 2nd by O'Brien to approve the minutes of the June 24, 1997 regular meeting, as presented.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

Council member Richardson removed New Business Item D, Introduction of Ordinance #97-17, Regarding Signs in the City Rights-of-Way. Mayor Phillips tabled Old Business Item A, Public Hearing of Ordinance #97-10, Disposal of City Property, until the July 22, 1997 meeting.

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

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Phillips thanked Port Director Stuart Greydanus for arranging a tour of the seawall with the Army Corps of Engineers and Red Samm Construction. She enjoyed the tour.

Ms. Phillips noted that Commissioner Hensley of Commerce & Economic Development will be at the City Offices, on Thursday, July 10, at 11:15 a.m., to discuss economic concerns with the public.

Mayor Phillips wished City Manager Weaver a quick recovery, and stated that he would be back in Bethel on Thursday.

The City Clerk's leave request for the last week in July was approved by unanimous consent.

Mayor Phillips asked for Council volunteers to form a sub-committee to review the Attorney's suggested changes to the Rules of Procedure. Council members Williams, O'Brien, and Phillips, and City Clerk Warren, will form the committee. The Clerk will contact the Council members to set a date for the meeting.

VII. MANAGER'S REPORT

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

- Sewer Lagoon Discharge Permit: The permit has been received, and preparations are under way to begin discharging the treated effluent.
- Playground Equipment: Broken playground equipment has been removed from the playground near the Senior Center. AVCP has offered to purchase new equipment, if the City will provide sand. Council member Miller requested estimates for new equipment by the July 22 Council meeting. Mr. Miller also noted that a second public hearing on the proposed park at Owl & Ptarmigan will be held at the July 10 Planning Commission meeting.
- Reduced Residential Speed Limits: Council member Miller requested that the City simply reduce the speed limits in residential areas. Mr. Young responded that the City's Traffic Safety Committee is still investigating and preparing a report for the Dept. of Public Safety.

Questions from Council members:

1. Council member O'Brien pointed out that someone dumped a large amount of trash near the dumpsters by Trailer Court, and asked Acting City Manager Young to please do something about the dumpsters. Acting Public Works Director Claire Grifka stated that Public Works crews had cleaned up the mess, and he is working a final solution to the dumpster location
2. Council member Miller asked about the status of a 40th Municipal Anniversary celebration. The Clerk described plans made for a Bar-B-Que and attendance by previous Council members and City employees.
3. Council member Williams asked about the status of the Hot Dog Stand at the Small Boat Harbor. Mr. Young stated that he understood that the owners had a lease on the space until the end of July, but that he would double-check on the matter.
4. Council member Miller asked if the temporary permits for Kasayuli Subdivision had been issued. Mr. Young responded that he was unsure of the status, but would find out.

5. Council member Miller asked if the Transportation Commission would attempt to charge tariffs or other fees on passengers using the Hovercraft. A brief discuss followed. It was noted that the Hovercraft will be loading and unloading on private property, not using the seawall or Port.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

There were no recommendations.

Finance Committee: Mayor Phillips reported that the next meeting will be held on July 15.

Planning Commission: Council member Notti reported that the Commission discussed the Kasayuli Subdivision, re-subdivision of land for the Korean Church location, and other matters. A second public hearing on the proposed park at Owl & Ptarmigan is scheduled for the July meeting.

Port Commission: The Port is busy and is generating much revenue. River levels are very low this year. The next Commission meeting will be on August 25.

Public Works Committee: Council member O'Brien reported that the next meeting is Tuesday, July 15. There are still two vacancies on the committee.

Public Safety Commission: Council member Richardson stated that the Commission met on July 7, and had a busy meeting. They would like background information on Community Watch programs for their next meeting. They also discussed a curfew siren, speed limits, and off-road vehicles.

Transportation Commission: Council member Williams stated that the Commission met on July 2. They discussed establishing a process for releasing new permits, and road use fees. The next meeting is on August 7.

Youth Services Committee: Council member Miller reported that the Committee will meet on July 22. He thanked Youth Center Director Janet Athanas for the terrific 4th of July celebration.

IX. OLD BUSINESS

Item A: Public Hearing on Ordinance #97-10, Disposal of City Property
TABLED UNTIL JULY 22, 1997

Item B: Public Hearing on Ordinance #97-11, Changing Taxi Fares (Williams)
Mayor Phillips opened the Public Hearing. The following people spoke: Kevin Penix, Robert Testa, and David O'Malley. Seeing no one else to speak, Mayor Phillips closed the Public Hearing.

motion M/M by Williams, 2nd by Richardson, to adopt Ordinance #97-11.

vote Roll Call vote. Motion failed, 3-Yes, 4-No (Miller, Notti, Phillips, Rodgers).

Item C: Public Hearing on Ordinance #97-13, Changing Chauffeur's License Requirements
Mayor Phillips opened the Public Hearing. The following people spoke: Terryl Miller, Kevin Penix, Robert Testa, and David O'Malley. Seeing no one else to speak, Mayor Phillips closed the Public Hearing. Council discussion followed. Council members Miller and Notti expressed their opposition to the ordinance. Council member Richardson noted that the Transportation Commission must consider what is in the best interests of public safety.

motion M/M by Williams, 2nd by Richardson, to adopt Ordinance #97-11.

vote Roll Call vote. Motion failed, 1-Yes (Williams), 6-No.

X. NEW BUSINESS

Item A: Discussion - Private Water and Sewer Services.
The City Clerk explained that an ordinance was adopted by the Council in 1990, which allowed for private disposal of sewage in the lagoon. This ordinance was never codified, and is in direct conflict with a subsequent ordinance adopted in 1994, which requires all residents to subscribe for sewer service from the City. The 1994 ordinance did not repeal the earlier law.

motion M/M by Miller, 2nd by Richardson, to direct the City Manager to work with the City Attorney to modify the City's ordinances to allow for private sewage disposal.

vote Voice vote. Motion carried, unanimously.

Further discussion followed. Council member O'Brien noted that the permitting system for private disposal should be strengthened. Council member Rodgers suggested that the City work with Irv Kreider and utilize some of his experience and suggestions.

Item B: Introduction of Ordinance #97-16, Establishing a Department of Parks and Recreation
Acting City Manager George Young explained that the ordinance will separate the functions of Parks and Recreation from Senior Services.

motion M/M by Richardson, 2nd by O'Brien, to introduce Ordinance #97-16.

vote Voice vote. Motion carried, unanimously.

Item C: Ordinance Discussion Draft: Options regarding removal of City Commissioners
Acting City Manager George Young explained that several ordinance drafts (A, B, and C) were prepared by the City Attorney. Each establishes a different way of removing City Commissioners. Council discussion followed.

motion M/M by Richardson, 2nd by O'Brien to instruct Administration to have Ordinance Draft C prepared for introduction at the July 22, 1997 meeting.

vote Roll Call vote. Motion carried, 5-Yes, 2-No (Miller, Notti).

Item D: Introduction of Ordinance #97-17, Regarding Signs in the City Rights-of-Way (Richardson) - REMOVED FROM AGENDA.

Item E: Resolution #97-32, Safe Communities Funding from DCRA (Weaver)

motion M/M by Miller, 2nd by Rodgers to adopt Resolution #97-32.

Council discussion followed. Council member O'Brien explained the differences between Safe Communities and the old Municipal Assistance program.

vote Voice vote. Motion carried, unanimously.

Item F: Discussion - Dust Control
Several people were signed up under People to be Heard for this agenda item. Public testimony was heard from Buford McComas, James Colonel (by letter), and Robert Testa. Council discussion followed. Council member Miller noted that a comprehensive dust control plan has been requested of the City Manager several times, but no plan has yet been developed. Council

member O'Brien told Acting Public Works Director Clair Grifka that he has done an outstanding job with the road watering and has accomplished much. Still, road watering is not a long-term solution to the problem. Mr. Grifka thanked the public for their patience, and stated that he would like an extra temporary water truck driver in the budget next year. Several suggestions were made, including an increased gasoline tax, getting estimates on paving Akakeek & Ptarmigan roads, and greater enforcement of speed limits.

Item G. Appeal of Denial of Taxi Permit - Terryl Miller

Council member Miller requested permission to leave the Council table and abstain from any vote on the matter, because Terryl Miller is his brother. Permission was granted by Mayor Phillips. Terryl Miller addressed the Council and distributed information related to his appeal. Transportation Commissioner David O'Malley expressed support for re-instatement of Mr. Miller's taxi permit. Council discussion followed. It was noted that at the time of Mr. Miller's appeal to the Transportation Commission, the Transportation Inspector (Police Chief) supported re-instatement of his permit.

motion M/M by Rodgers, 2nd by Notti to support the Transportation Inspector's recommendation and re-instate Mr. Miller's permit, with the stipulation that he pay the January renewal fee of $100, the renewal fee of $100 for the current month, and that he pay his fees on time each month hereafter.

vote Roll call vote. Motion carried, 5-Yes, 1-No (Williams), 1-Abstain (Miller).

motion M/M by Miller, 2nd by Richardson to continue the meeting past 10:00 p.m.

vote Voice vote. Motion carried, 5-Yes, 2-No (Rodgers, Williams).

Item H: Resolution #97-33, Regarding Rural Subsistence Preference (Miller)

Council member Miller read the Resolution for the record. Discussion followed. Mayor Phillips pointed out that the resolution support rural preference, but not Alaska Natives preference.

motion M/M by Notti, 2nd by O'Brien to adopt Resolution #97-33.

Council member O'Brien pointed out that has Senator Stevens asked the Alaska Legislature to resolve this issue. Council member Miller noted that the Alaska Federation of Natives will forward the resolution to the Alaska congressional delegation and State legislature.

motion S/M by Richardson, 2nd by Miller to amend the Resolution to add "and Alaska Native citizens living in urban areas" in the preference clause.

vote S/M Voice vote on amendment. Motion carried, unanimously.

vote M/M Voice vote on main motion. Motion carried, unanimously.

Item I: City Land Reclamation Compliance through State Dept. of Natural Resources, Division of Land (Miller) (Re-seeding of sand-pits)

Council member Miller explained that the City should seed its sandpit to help control dust and erosion. Acting City Manager George Young noted that Red Samm's hydroseeder, which the City intends to purchase, will be back in Bethel on July 14th.

Item J: Resolution #97-34, Regarding Police Investigation of Bootlegging (O'Brien)
The City Clerk read the resolution for the record. Council member O'Brien explained his reason for requesting the resolution. The citizens have spoken and are waiting for the Council to give direction to the City Manager that bootlegging should not be tolerated. Council discussion followed.

motion M/M by Miller, 2nd by Rodgers to amend the Resolution to say "*a* top priority" rather than "*the* top priority."

vote Voice vote. Motion carried, unanimously.

motion M/M by Richardson, 2nd by Williams to remove "eventual prosecution of".

vote Voice vote. Motion carried, unanimously.

motion M/M by Rodgers, 2nd by Williams to adopt Resolution #97-34 as amended.

vote Voice vote. Motion carried, unanimously.

Item K: Discussion - Comprehensive Plan Update (Miller)
Council member Miller explained that he has a problem with the population growth estimates used in the Update. He would like City Administration to work with YKHC to develop better estimates. Mr. Miller wondered if the Update is simply a regurgitation of statistics. He didn't note very much discussion of greenery, arts, culture, or vocational diversification. Mayor Phillips thanked all the people who participated in the meetings that were held to review the Update throughout its development, and noted that Council member Miller did not attend any of those meetings.

XI. COUNCIL MEMBER COMMENTS

Miller - Congratulated Mayor Phillips for giving a fine speech at the 4th of July. Will be absent from the next meeting. Will attend the subsistence summit in Anchorage.

Notti - Offered condolences to Mike and Maggie Williams on the death of their daughter. Thanked Dick Russel for his letter to the Public Safety Commission, although he disagreed with the content.

O'Brien - Pointed out that there is only so much the Council can do about problems in Bethel. Individuals must get involved and help out.

Phillips - Offered condolences to Mike and Maggie Williams on the death of their daughter. Voiced support for the letters from Chris Walker (published in Tundra Drums) and Dick Russel (distributed at Public Safety Commission meeting.) Wished a speedy recovery to City Manager Weaver.

Richardson - Pointed out the letter from AVCP that was distributed to Council members. AVCP has offered to pay for playground equipment at the proposed Owl & Ptarmigan park.

Rodgers - Offered condolences to co-worker Felix Flynn, who's mother passed away recently. Appreciated the community support for the Police Department.

Williams - Wished a quick recovery to City Manager Weaver. Has concerns about the Hovercraft operating. Reminded people that drinking and boating do not mix.

XIII. ADJOURNMENT

It was noted that the City Clerk's annual performance evaluation was scheduled for Executive Session. However, due to the late hour, it was decided that Council members would give their completed forms to the Mayor, and the results would be reviewed at the next Council meeting. The City Clerk concurred.

motion M/M by Richardson, 2nd by O'Brien to adjourn the meeting, at 10:57 p.m.

vote Voice vote. Motion carried, unanimously.

PASSED AND APPROVED THIS 22ND DAY OF JULY, 1997.

Agnes L. Phillips

Agnes L. Phillips, Mayor

ATTEST:

L J Warren

L J Warren, City Clerk