CITY OF BETHEL
CITY COUNCIL

Regular Meeting of October 26, 1993

I. CALL TO ORDER

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

II. ROLL CALL

Present: Chris, Jones, Metcalfe, Miller, Trantham, Tubbs, Wintersteen

III. APPROVAL OF MINUTES

motion M/M by Jones, 2nd by Wintersteen to approve the minutes of the October 12, 1993, regular Council meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA

Council member Jones requested New Business Items C & D be removed from the Consent Agenda.

motion M/M by Jones, 2nd by Metcalfe to amend the regular agenda by removing New Business Items C & D from the Consent Agenda for placement on the regular agenda.

Discussion was held regarding the motion. Council member Miller stated that he would like to add to the motion. Because there was a motion on the floor and seconded, it was recommended that he make a separate motion. Council then voted on the motion on the floor.

vote Voice vote. Motion carried, 5-yes, 1-no (Miller).

motion M/M by Wintersteen, 2nd by Miller to add New Business Item I, Gaming Permit Application Approval. Voice Vote. Motion failed, 2-yes, 4-no (Jones, Trantham, Tubbs, Wintersteen).

motion M/M by Trantham, 2nd by Wintersteen to direct the City Clerk to send a letter to all non-profit agencies to advise them of the procedure to get gaming permit applications on the agenda for Council approval. Voice vote. Motion carried, 6-yes, 1-no (Jones).

V. MAYOR'S REPORT

Mayor Chris referred Council to her written report. In addition, Mayor Chris shared her views on the Council's role and responsibility to the community.

VI. MANAGER'S REPORT

City Manager Hunter reviewed his written report with Council and requested direction on the following items:

1. Library Agreement

motion M/M by Trantham, 2nd by Jones to approve the agreement between the University of Alaska-Fairbanks and the City of Bethel as presented. Voice vote. Motion carried unanimously.

2. Preventative Measures (Traffic Accident Involving School Children)

City Manager Hunter outlined the four options presented to the Council for resolving the problem.

motion M/M by Jones, 2nd by Miller to approve option #1 and #4. Motion and second withdrawn after it was pointed out that the funds to pay for those options was not included in the budget.

motion M/M by Jones, 2nd by Miller to make an appropriation of $800 from the contingency fund to pay for option #1 and #4. Poll vote. Motion carried unanimously.

motion M/M by Jones, 2nd by Wintersteen to amend the City's request to the Department of Transportation to include option #2 in their plans for Ridgecrest Drive reconstruction. Voice vote. Motion carried unanimously.

3. Request from Prematernal Home

motion M/M by Wintersteen, 2nd by Metcalfe to approve the request from the Prematernal Home that the City provide them with a light fixture for their parking area. Voice vote. Motion failed, 2-yes, 4-no (Jones, Trantham, Tubbs, Wintersteen).

4. Copy Machine Upgrade

motion M/M by Trantham, 2nd by Jones to approve City Administration's request to amend the contract with Xerox

to upgrade the copy machine, provided the upgrade can be done within the current budget. Voice vote. Motion carried, 4-yes, 2-no (Metcalfe, Wintersteen).

5. Mileage Plan

motion M/M by Metcalfe, 2nd by Jones to authorize the City Manager to enroll the City in Alascom's mileage plan on his account. Voice vote. Motion carried, 5-yes, 1-no (Trantham).

6. Interim Acting Assignments (PW Director and City Clerk)

motion M/M by Jones, 2nd by Miller to confirm the interim assignments of Acting Public Works Director and Acting City Clerk for a period not greater than 60 days. Voice vote. Motion carried unanimously.

Manager's Report (Informational)

1. Community Development Block Grant Application Public Hearing
The meeting had the best turnout of any public meeting held in the six months the City Manager has been in town, and City Manager Hunter stated it has given him renewed hope and faith in the community.

2. EPA Water Quality Hearing
City Manager Hunter announced that the proposed administrative order from the EPA had been rescinded after a hearing with the EPA, City Manager, Utilities Foreman and DEC.

In response to a question from Mayor Chris regarding reports of teens sitting in cars in front of the Youth Center and drinking, City Manager Hunter stated he would investigate and provide a report to Council at the next meeting.

At 8:30 p.m. in order to hear the People to be Heard portion of the meeting, discussion on the Manager's Report was suspended.

Continuation of Manager's Report discussion:

Council member Metcalfe questioned Chief Liu about an incident involving a standoff. Chief Liu related the details and stated that the suspect had been arrested without injury to anyone.

City Manager Hunter acknowledged the outstanding work of all departments on the incident and asked that copies of Police press releases also be sent to Council members.

Council member Jones requested a Resolution be prepared commending the Police Department and all involved in the incident recognizing outstanding performance and that it be placed in each person's personnel file.

VII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming committee/commission meetings were announced.

Transportation Commission Chairman John Watts gave an oral presentation of the previous meeting, and reported on the items to be considered at the Work Session scheduled for the following evening.

Council member Jones reported that the Finance Committee had voted that the City should spend $4000 to conduct Sales Tax audits of area businesses, and to set aside part of the money collected for future audits. Mr. Jones also stated the Finance Committee recommended the City not sponsor the Fourth of July celebration, other than to provide Pinky's Park and Police protection.

motion M/M by Jones, 2nd by Miller to place the Fourth of July issue on the Council's agenda at a future meeting for the purposes of holding a public hearing. Voice vote. Motion carried unanimously.

Council member Metcalfe stated the Planning Commission had a vacancy and requested it be publicized.

VIII. PEOPLE TO BE HEARD

At 8:30 p.m., the Manager's Report was suspended to take up the People to be Heard portion of the meeting. The manager's Report was completed following People to be Heard.

There were no people to be heard.

Council broke at 8:45 p.m. for a short recess. At 9:00 p.m., Mayor Chris called the meeting back to order.

IX. OLD BUSINESS:

None

X. NEW BUSINESS

ITEM A: Resolution #93-41: A Resolution Requesting Municipal Assistance Funding Through State Revenue Sharing and Municipal Assistance Programs for FY 95 from the State of Alaska.--*Approved by consent as presented.*

ITEM B: Resolution #93-42: A Resolution Applying for Municipal Capital Project Matching Program for FY 95--*Approved by consent as presented.*

ITEM C: Resolution #93-43: A Resolution Establishing a Citizen Task Force to Evaluate Municipal Options Addressing the Alcohol Issue.

Mayor Chris read Resolution #93-43 into the record.

motion M/M by Jones, 2nd by Trantham to disapprove Resolution #93-43 in its entirety.

Council member Jones stated it was unethical for the Council to take a stand on alcohol.

Council member Trantham stated it is illegal to expend funds through a resolution, it must be done through a budget amendment.

vote Voice vote. Motion carried, 5-yes, 1-no (Miller).

ITEM D: Resolution #93-44: A Resolution Encouraging Public Participation in City Affairs by Providing Easier Access in Meetings:

Mayor Chris read Resolution #93-44 into the record.

motion M/M by Jones, 2nd by Tubbs to disapprove Resolution #93-44 in its entirety.

Council member Trantham again stated it is illegal to appropriate money in a resolution, it must be done through a budget amendment. He reminded the Council any action with a fiscal impact must be approved by ordinance.

vote Voice vote. Motion carried, 4-yes, 2-no (Metcalfe, Miller)

motion M/M by Metcalfe, 2nd by Wintersteen to increase the amount of time for People to be Heard from three to five minutes per person. Voice vote. Motion carried unanimously.

ITEM E: Presentation by Morgan Wilcox Regarding the Regulation of the Taxi Cab Industry

Morgan Wilcox, owner of Delta Cab Company, requested a sixty day freeze on issuing permits for taxicabs until a solution is discovered. Mr. Morgan also requested the Council freeze cab rates.

Howard Kehoe suggested the Council adopt an emergency ordinance to limit permits.

ITEM F: Presentation by Naim Konjuhi on Regulation of the Taxi Cab Industry

Naim Konjuhi, owner of Tundra Limo, addressed the Council and presented a petition signed by the cab company owners, which is attached as part of these official minutes.

motion M/M by Miller for the Council to adopt committee status for the purposes of hearing public testimony. Motion died for lack of a second.

Council member Trantham stated the Council could put an emergency ordinance into effect if it contains a finding that a true emergency exists.

motion M/M by Miller, 2nd by Wintersteen to find that an emergency exists in the cab business and to freeze the issuance of cab permits for sixty days.

Discussion on the definition of an emergency and if one existed followed.

vote Roll call vote. Motion failed, 2-yes, 5-no (Chris, Jones, Metcalfe, Trantham, Tubbs).

ITEM G: Executive Session:

motion M/M by Metcalfe, 2nd by Jones to go into Executive Session for the purpose of discussing legal strategy--1) McPeck vs. City of Bethel; and 2) APEA update. Voice vote. Motion carried unanimously.

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

XI. COUNCIL MEMBER COMMENTS

Council member Wintersteen relayed a citizen's complaint about the missing boards in the boardwalk across the street from the Kusko

Inn, and expressed concern about the lot in Tundra Ridge that seems to be the new junk yard.

Council member Metcalfe suggested contacting EPA about the lot and requested Public Works look into the boardwalk. He also commended the Police Department on their actions at the gun call, stating this was the second or third gun call in as many months.

Council member Tubbs commended the Police Department on the fine job it is doing, and thanked the Fire Department for the excellent job they did in donating time and effort to the Fire Prevention month activities.

Council member Trantham thanked Council member Tubbs for his service on the Youth Services Committee. He also thanked the K-300 committee for donating materials to the Youth Center. Mr. Trantham asked the City Manager to look into why the V&E budget is $63,000 in the red. Mr. Trantham stated he is preparing a resolution and letter to send to ASHA, requesting they not sell junk houses; that he is still looking for alternate sites for the Receiving Home; and that he wants to introduce the ordinance from Brooks clarifying the taxing of games of skill and chance at the next meeting.

Mayor Chris reminded the Council that the meeting scheduled for November 9 needed to be postponed.

motion M/M by Metcalfe, 2nd by Wintersteen to tentatively schedule a meeting on November 16, 1993. Voice vote. Motion carried unanimously.

XII. ADJOURNMENT

M/M by Metcalfe, 2nd by Wintersteen to adjourn the meeting at 12:10 am. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 16TH DAY OF NOVEMBER, 1993.

Donna J. Chris, Mayor

ATTEST:

Connie Tucker, Acting City Clerk