

CITY COUNCIL

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



CITY MANAGER

Ken Weaver

CITY CLERK

L.J. Tanner

**City of Bethel
Regular Council Meeting Minutes
January 28, 1997**

I. CALL TO ORDER

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

II. ROLL CALL

Present: Miller, Notti, O'Brien, Phillips, Richardson, Rodgers, Williams (via teleconference)
Absent: none

III. PEOPLE TO BE HEARD

Rick Robb discussed the issue of snow-machines on Bethel's streets. He stated that snow-machines and ATV's are an economical means of transportation, as well as a long-standing tradition in bush Alaska, and should be allowed to share the roads with cars and pedestrians. Council Member Miller asked the City Manager if there was in fact a "crack down" on snow-machines. Mr. Weaver responded that he believes the Police Department is issuing warnings to people who drive their snow-machines on the road.

IV. APPROVAL OF MINUTES

Council Member Williams had several corrections: changing "the ITC, *in* Russian Mission" to "the ITC of Russian Mission", changing "plowed *up* against the seawall" to "plowed *down* against the *bank stabilization project* by the seawall", changing "damage the *seawall*" to "damage the *bank*", changing "*make* more money" to "*charge* more money", and adding his suggestion of contingency plans for sewer trucks and Mayor Richardson's referral of that suggestion to the Public Works Committee.

motion M/M by Williams, 2nd by Miller to approve the minutes of the January 14, 1997, regular meeting as amended.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

Council Member Miller asked to remove Rodgers vs. City of Bethel from Executive Session, and New Business Item D "Janitorial Service Bid Questions." Mayor Richardson added New Business Item D "Resolution #97-05" and New Business Item E "Resolution #97-06."

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

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Richardson noted that the Finance Director has submitted the audited annual financial statements to the Council, and that a work session needs to be held to review these statements. The work session would also be used to review the City sales tax policy and ordinance. The Mayor suggested February 10. Council Member Williams stated that he would be in Juneau on February 10. City Manager Weaver pointed out that the meeting needs to be held on the 10th, so that a Resolution accepting the audited financial

statements can be adopted at the Council meeting on February 11th. All other Council members will be able to attend on the 10th, so the Council agreed to meet on February 10, at 6:30 p.m. at the Log Cabin.

Ms. Richardson discussed the upcoming Y-K Delta Leadership Conference, which is scheduled for February 24-26, at the Cultural Center. The City Clerk attended a planning meeting on January 24, and will distribute copies of the draft agenda to all Council members. The Mayor noted that all Council members are encouraged to attend.

Next, Mayor Richardson announced that she and City Manager Weaver would be traveling to Juneau February 3-5, to attend meetings set up by the City's lobbyist, Paul Richards.

VII. MANAGER'S REPORT

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

- Janitorial Services: Mr. Weaver stated that a clerical error had been made in tabulating the bids for the janitorial services contract. The bid amount submitted by Newman & Newman should have been calculated to \$29,111, rather than \$33,166. This new total does not change the award of the contract to Newman & Newman.

motion M/M by O'Brien, 2nd by Rodgers to accept the amended bid by Newman & Newman of \$29,111.

vote Voice vote. Motion carried unanimously.

- K-300 Race: Mr. Weaver pointed out that animal control services and water/sewer services had been provided free of charge to the K-300 Race Committee.
- Youth Center Pilings - Mr. Weaver introduced Rick Buttons, an engineer for EEIS. Mr. Buttons is currently working on the City's Braund Building renovation and OSHA repairs at the City shop. Mr. Buttons has reviewed the rotting pilings under the Youth Center building, and stated that the least expensive method of repair would be to saw the old pilings off below the point of decay, replace the decayed sections, bolt the building to the new pilings, and brace the building against the wind. This could cost between \$35,000-60,000. The next step for the City is to develop the plans and bid the job.

Council Member Rodgers asked about using post and pad construction. Mr. Buttons responded that post and pad would cost the same or more as replacing the pilings, and would actually be less stable. City Manager Weaver stated that funds for this repair need to be appropriated during the 6-month budget review. Mr. Weaver also asked for a motion to approve a sole source contract with EEIS to write the bid specifications.

motion M/M by Miller, 2nd by O'Brien to authorize an emergency sole source contract with EEIS for the preparation of bid specifications to repair the Youth Center pilings.

vote Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by O'Brien to approve the City Clerk's leave request for February 13-18, 1997.

vote Voice vote. Motion carried unanimously.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

Finance Committee: Council Member Phillips reported that the Committee has recommended that an award be presented to the Finance Director and her staff for their work in obtaining the first clean audit in the City's history. The Committee has also recommended that the City Manager work with the attorney to draft an ordinance authorizing an 8% bed tax. Finally, the Committee will move their meetings to the second Thursday of each month. They will meet at 7:30, in the City Office-Finance Conference Room.

Planning Commission: Council Member Notti stated that the Commission has not met since the last Council meeting. They will meet again on February 13th.

Port Commission: Council Member Rodgers reported that the next Commission meeting will be held in the Log Cabin, instead of the City Dock office. The Commission will discuss issuance of finger floats at the small boat harbor. Disposal of the Port Boat, and transfer of land from the General fund to the Port fund, will be on the next Council agenda.

Public Works Committee: Council Member O'Brien stated that the Committee will hold a special meeting on January 29, to discuss the City's STIP request.

Public Safety Commission: Mayor Richardson reported that the next meeting of the Commission is February 3, however, she will be in Juneau.

Transportation Commission: Council Member Williams stated that the Commission has not met since the last Council meeting. Their next regular meeting is on February 6.

Youth Services Committee: Council Member Miller reported that the Committee's next meeting is February 11. They have decided to hold their regular monthly meetings on the second Tuesday, at 12:00, at the Youth Center.

IX. OLD BUSINESS

Item A: Second Public Hearing on Ordinance #96-48, Halting the Issuance of Taxicab and Dispatch Service Permits.

Mayor Richardson opened the Public Hearing for Ordinance #96-48, or for the substitute Ordinance, #96-48-S. The substitute has been modified so that its' meaning is more clear, but the substance of the ordinance, or its' effects, was not changed from the original.

Terryl Miller spoke against the ordinance, especially the fact that citizens are not able to vote on the matter. Mr. Miller stated that the cap on permits will not help to solve the problems of traffic, congested parking lots, and bootlegging.

Rick Robb, a member of the Transportation Commission, spoke in support of the ordinance. Mr. Robb stated that most citizens support a reasonable amount of regulation of the taxicab industry.

Council Member Rodgers questioned why the Transportation Commission had not followed up on Resolution #96-46, which requested private business owners to limit and regulate taxi parking on their premises.

Robert Himschoot, Chairman of the Transportation Commission, responded that the City is limited in what it can request private businesses to do on their property. Mr. Himschoot spoke in support of the ordinance, stating that the Commission didn't just look at current problems, but also thought about the future in drafting the ordinance.

Council Member O'Brien expressed gratitude to the Commission for their hard work on the ordinance. Mayor Richardson noted that in the two days since the emergency ordinance lapsed, 1 new cab company has been issued a dispatch service permit, and 5 new taxi permits have been issued.

Seeing and hearing no one else to speak, Mayor Richardson closed the Public Hearing.

motion M/M by Notti, 2nd by Miller to amend Section 4 of substitute Ordinance #96-48-S, by adding sub-sub-section 5 to 5.30.040(A), to read "a request for the transfer of a taxicab permit by the person who has inherited the permit from a deceased person."

vote Voice vote. Motion carried, unanimously.

motion M/M by Williams, 2nd by Notti to adopt substitute ordinance #96-48-S as amended.

Discussion followed. Council member Miller stated that he respects differences of opinion, and is still opposed to the ordinance. Mayor Richardson agreed with some of Mr. Miller's comments, but stated that the ordinance is a good place to start in solving Bethel's transportation problems. Council member Williams thanked Rick Robb and the Transportation Commission for their support of the ordinance. Council member Rodgers stated that he is not against private industry. He would prefer to see business owners regulate taxis on their property.

vote Roll call vote. Motion carried, 5-Yes, 2-No (Miller, Rodgers)

After the vote, Council member Notti added that some business owners may not be aware that they can regulate the number of taxis on their private property.

Item B: Sewer Spill Contingency Plan and City Sub Water and Sewer Improvements Update

City Manager Ken Weaver introduced Mr. Willy Van Hemert, an engineer from CRW. Mr. Van Hemert first addressed the water and sewer improvements planned for City Sub. Showing the Council several aerial photographs, he pointed out the proposed location of the new water treatment plant in City Sub. Currently, the schedule calls for preliminary plans to be completed in April, with public meetings to follow. Design work would continue from July-October, and from November through Spring of 1998, easements would be procured. Construction could then start. Mr. Van Hemert noted that the existing sewer line through City Sub (the one that has broken several times) may need to be replaced by a larger line.

Council Member O'Brien stated that emergency funds may be available to help pay for the cost of enlarging the sewer line. Mr. Van Hemert responded that it is an issue of defining the enlargement as maintenance or a capital improvement. If they determine that a larger line is actually needed, the line could potentially be replaced this summer. Replacing the sewer line will definitely be a part of the City Sub improvement.

Deborah Reichard, who lives near the site of the sewer line breaks, asked about possible interim solutions. Mr. Van Hemert responded that his company has recommended that the City lay new pipe in place, so that in the event of a break, it could be quickly assembled and the sewage re-routed. Council member O'Brien asked if the existing lift station, which is not being used, could be used in the event of another break. Public Works Director Harry Parsi stated that the lift station could be used. However, it has a maximum capacity of a few thousand gallons, while the sewer line in question carries 60,000-70,000 gallons per day. Evacuation trucks would need to run continuously to empty the lift station. Council member Miller stated that he would like to see this scenario as a part of the Contingency Plan. Deborah Reichard stated that she would like to be kept informed of the project as it moves ahead. Mayor Richardson advised Ms. Reichard to stay in contact with Mr. Weaver.

X. NEW BUSINESS

Item A: Resolution #97-02 - Regarding Civil Rights

Council member Phillips, who sponsored the Resolution, explained that incidents of discrimination still happen to this day, and that people still need to advocate for civil rights. Ms. Phillips then read the Resolution.

motion M/M by Miller, 2nd by Rodgers to adopt Resolution #97-02.

vote Voice vote. Motion carried, unanimously.

Item B: Resolution #97-03 - Regarding Appreciation of Mayor Richardson

Council member Phillips, who sponsored the Resolution, explained that she appreciates that Mayor Richardson allows everyone to be heard fairly at meetings. Ms. Phillips then read the Resolution. Council member Miller suggested that the Resolution might be more appropriate at the end of Mayor Richardson's term. Council member O'Brien agreed with Mr. Miller, wondering if the Resolution might give the public the wrong impression. Mayor Richardson stated that she appreciated the Resolution, but would not mind if it were withdrawn.

motion M/M by Rodgers, 2nd by O'Brien to table Resolution #97-03 until the Mayor's last meeting in October, 1997.

vote Voice vote. Motion carried, 6-Yes, 1-No (Phillips)

Item C: Resolution #97-04 - Congratulating the Kuskokwim 300 Dog Sled Race

Council member Miller, who sponsored the Resolution, stated that the K300 is a big event in Bethel and generates positive publicity for the City. Mr. Miller thanked the K300 Committee, all of the volunteers, and the dogs. Council member Notti noted that in addition to the 300, the K300 Committee sponsors many other races and fun runs throughout the winter.

motion M/M by O'Brien, 2nd by Williams to adopt Resolution #97-04.

vote Voice vote. Motion carried, unanimously.

Item D: Resolution #97-05 - Authorizing an Application for the Alaska Native Health Board's Alaska Solid Waste Management Small Grants Demonstration Project.

Mayor Richardson read the Resolution.

motion M/M by Rodgers, 2nd by Notti to adopt Resolution #97-05.

vote Voice vote. Motion carried, unanimously.

Item E: Resolution #97-06 - Supporting the "Statewide Approach to Managing Alaska's Prisoner Population", prepared by the Criminal Justice Cabinet in February, 1996.

Mayor Richardson read the Resolution.

motion M/M by Williams, 2nd by O'Brien to adopt Resolution #97-06.

vote Voice vote. Motion carried, unanimously.

XI. COUNCIL MEMBER COMMENTS

Miller - Expressed relief that the Taxi ordinance issue is over. Encouraged people to volunteer at the Youth Center. Reminded everyone about the ice-skating at the log cabin this weekend.

Notti - Thanked all of the K300 workers and volunteers. Hopefully the use of Datu's Park by the K300 Committee will be ironed out soon. Supports the City keeping the backhoe.

O'Brien - Stated that the AML Board meeting, which he attended, was productive, although the session does not look promising for rural Alaska. The states \$100 million windfall is slated for deficit reduction. On a positive note, SB 29, Safe Communities, is moving forward.

Phillips - Thanked the Public Works staff for their work on the sewer spills.

Richardson - Noted that the Senior Advisory Board has requested that fencing at the old cemetery be repaired, or replaced. Would like to see signs erected at the old cemetery reminding people that it is full.

Rodgers - Expressed condolences to people who have lost loved ones recently. Thanked the Public Works Department for repairing the recent sewer spill, and noted that without the backhoe, the repairs could not have been made. Stated that the backhoe should be used to dredge the small boat harbor. Would like the Bethel Police Department to re-open old cases that have been put on the back-burner. Is handing out City Complaint forms to interested citizens.

Williams - Thanked City Manager Weaver for taking him on a tour of City facilities. Thanked the City Clerk for setting up an e-mail account for him.

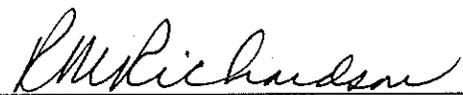
~~**XII. EXECUTIVE SESSION** Removed from the agenda.~~

XIII. ADJOURNMENT

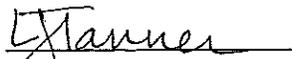
motion M/M by Williams, 2nd by Notti to adjourn the meeting at 8:50 p.m.

vote Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 11TH DAY OF FEBRUARY, 1997.


Ruth M. Richardson, Mayor

ATTEST:


L.J. Tanner, City Clerk