

CITY COUNCIL

*Donna Chris
Kent Harding
Buford McComas
Tad Miller
Joanne Swanson
Don Tubbs
Allan Wintersteen, Mayor*



CITY MANAGER
William Hunter

CITY CLERK
Connie Tucker

City of Bethel
Regular Council Meeting Minutes
June 13, 1995

I CALL TO ORDER

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

II ROLL CALL

Present Chris, Harding, McComas, Miller, Swanson, Wintersteen

Absent Tubbs (excused)

III PEOPLE TO BE HEARD

Jerry Korthuis, Bethel, addressed Council as a taxpayer, tax collector and private citizen, stating that he had a problem with the layoffs in the work force when the City is wasting money in defiance of a City ordinance governing the disposal of property. Mr. Korthuis reported the Public Works Department had thrown away more than \$10,000 in parts, and called this a misuse of public funds. Mr. Korthuis stated the City could derive money from the sale of this surplus material rather than throwing it away. Mr. Korthuis also asked why the City had hauled gravel and stockpiled it near the City Shop, stating that the City had moved the gravel twice at a cost of \$17,310. Mr. Korthuis asked why the gravel was not being used and why the City did not leave the gravel in the Knik yard. Mr. Korthuis then asked why a new office was built at Public Works instead of utilizing existing office space.

Peter Jacobs, Bethel, told Council he has worked for the City for 35 years and 5 months. Mr. Jacobs stated that during his time with the City, he has used his personal vehicle for City business. Mr. Jacobs stated that his office is currently located in the Braund Building and does not require him to use his vehicle much; however, he was recently told to move his office to the Public Works Shop. Mr. Jacobs stated that this would place a lot of use on his own vehicle. Mayor Wintersteen asked to meet with Mr. Jacobs to discuss this matter fully.

Mike O'Brien, Public Works Committee Chairman, addressed Council regarding the stockpile of old waste oil and cleaning solvents near the fire training tower. Mr. O'Brien stated that the Department of Environmental Conservation had inspected the site and wanted an action plan for clean-up from the City or DEC would clean the site itself and bill the City. Mr. O'Brien stated the containers were placed along the perimeter of the north and east fences and estimated that 75-85% of the soil was contaminated from the containers.

George Sam, Bethel, stated that he was concerned about the security of the Boat Harbor, adding that someone stole his boat motor while it was docked at the Small Boat Harbor. Mr. Sam asked Council to have the Police Department investigate the theft and concentrate on the Boat Harbor. Mr. Sam stated that he was told where to find his motor, and when he told the Police, the Police said he had to provide papers as proof of ownership. Mr. Sam then asked for an apology.

IV. APPROVAL OF MINUTES

motion M/M by Chris, 2nd by Swanson to approve the minutes of the May 18, 1995, public hearing, the May 23, 1995, regular meeting, the May 25, 1995, special meeting, the May 25, 1995, public hearing, the May 30, 1995, public hearing, the May 31, 1995, special meeting, and the June 6, 1995, special meeting as presented. Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA AND CONSENT AGENDA

Council member McComas requested New Business Items A, B and D be removed from the Consent Agenda.

motion M/M by McComas, 2nd by Miller to approve, by consent, New Business Items C, E and F. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Harding to amend the agenda by adding Old Business Item G: BUC Use Permit and Item H: Lunch Wagon Use Permit, and by placing Executive Session immediately after Old Business. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Harding to approve the agenda as amended. Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Wintersteen referred Council to his written report, and reminded everyone that the Clerk's Office would be closed June 14-22.

Mayor Wintersteen then addressed the request from Bethel Community Services regarding the waiver of freight charges and donation of sand.

motion M/M by Chris, 2nd by McComas to approve the request from BCS. Voice vote. Motion carried unanimously.

Council member Chris suggested the City Manager develop a policy regarding donations to govern future requests. The Council agreed with the suggestion.

Mayor Wintersteen then addressed the request for a financial donation from Miss Alaska Teen for expenses. The Council took no action.

Mayor Wintersteen discussed the letter from Governor Knowles regarding the Green Star program and asked City Administration to write a letter commending the state and mention the Council's support of Bethel Recycling.

motion M/M by Miller, 2nd by Harding to begin copying the Council packet materials on both sides of the paper and purchase recycled paper whenever practical. Voice vote. Motion carried unanimously.

VII MANAGER'S REPORT

City Manager Hunter referred Council to his written report and requested direction on the following items:

1. Personal Property Disposal Ordinance Request

City Manager Hunter addressed the concerns raised earlier in the meeting regarding the disposal of personal property, informing Council that no ordinance governed such disposal. Mr. Hunter stated that the only disposal ordinance in the Code pertained to the disposal of land.

motion M/M by Chris, 2nd by Miller to direct the City Attorney to draft a Personal Property Disposal Ordinance. Voice vote. Motion carried unanimously.

2. Tidelands Subleases Public Hearing Request

City Manager Hunter informed the Council that a public meeting had been scheduled for June 26, 1995, at 6:30 p.m., at the BNC conference room with the upland owners, and requested Council authorization for the City Attorney to attend the meeting.

motion M/M by Chris, 2nd by Harding to schedule a public meeting June 26, 1995, for upland owners and authorize the City Attorney's attendance. Voice vote. Motion carried unanimously.

3. Bethel Fuel Sales Land Trade Request

City Manager Hunter referred Council to the recommendation from the Planning Commission to proceed with the proposed land trade, and requested Council authorization to begin the noticing requirements for the disposal of the property.

motion M/M by Miller, 2nd by Chris to accept the recommendation regarding the land trade and proceed with the disposal process. Voice vote. Motion carried unanimously.

Informational Items/Discussion/Questions on City Manager's Report

City Manager Hunter referred Council to the information regarding the Disaster Declaration from the Governor providing funding to replace the rock used to repair the dock.

Council member Miller questioned the status of relief for flood damage. Mr. Hunter replied that after reviewing the information provided by affected residents, not enough damage had occurred to qualify the City for any type of state relief.

Council member Miller asked if the City had adopted a policy to replace culverts for private citizens. Mr. Hunter responded that the City had no such policy, however the City will work with private owners if drainage has an impact on arterial roads. Mr. Miller asked the City Manager to follow up on a culvert installed on Ptarmigan.

Council member McComas asked if the City had applied for funding for school signs. Mr. Hunter stated that he had sent the information on funding to all departments and was waiting for their responses.

VIII REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming Committee/Commission meetings were announced

Council member McComas reported that the Planning Commission met June 8, 1995, and discussed an ordinance proposal that would require utility lines be buried.

Council member Swanson reported that the Transportation Commission met May 17, 1995, and discussed changing the renewal date for Chauffeur's permits to a calendar year rather than December 31. Ms. Swanson also reported the Commission heard an appeal of a Chauffeur's License denial.

Council member Harding reported that the Youth Services Committee had not met.

motion M/M by Harding, 2nd by Miller that the City accept the recommendations of the Public Works Committee and not pursue accepting the asphalt. Voice vote. Motion carried unanimously.

Council member Chris reported that the Port Commission met May 15, 1995, and recommended the Council award a use permit to the lunch wagon to operate at the Small Boat Harbor.

Mayor Wintersteen reported that the Senior Services Committee had not met.

IX. OLD BUSINESS

Item A: Telephonic Presentation by Sharon Macklin, City Lobbyist

City Lobbyist Sharon Macklin addressed Council and gave a brief overview of the legislative session and the funding Bethel received in the Capital Budget. Ms. Macklin reported that Bethel received more money than any other Senate district in the state in the Capital Budget.

Ms. Macklin also reviewed specific bills passed that affected the City of Bethel, and commended the Council on sending Council member McComas to the Legislative Conference in Juneau.

Item B: Public Hearing--Ordinance #95-14: An Ordinance Establishing a City of Bethel Budget for Fiscal Year 1995-96 Beginning July 1, 1995

Mayor Wintersteen opened the Public Hearing. There being no one who wished to speak, Mayor Wintersteen closed the Public Hearing.

motion M/M by Miller, 2nd by Chris to adopt Ordinance #95-14. Poll vote. Motion carried, 6-Yes, 0-No.

Item C: Public Hearing--Ordinance #95-15: An Ordinance Amending Chapter 4.08, Entitled Acquisition and Disposal of Land, by Adding Section 4.08.055, Entitled Use Permit Procedures

Mayor Wintersteen explained that this ordinance added a procedure to allow for short-term seasonal use of City property.

Mayor Wintersteen opened the Public Hearing. There being no one who wished to speak, Mayor Wintersteen closed the Public Hearing.

motion M/M by McComas, 2nd by Chris to adopt Ordinance #95-15. Poll vote. Motion carried, 6-Yes, 0-No.

Item D: Public Hearing--Ordinance #95-16: An Ordinance Authorizing the Disposal/ Lease of Property No Longer Necessary for Municipal Purposes-- Dock Warehouse

City Manager Hunter explained that the disposal of this property had been brought to Council once before and this was the result of an effort to provide more public notice of Council's wishes to lease the property.

Mayor Wintersteen opened the Public Hearing.

Stuart Greydanus, Port Director, told Council this was an excellent opportunity for the City to fix up the warehouse and alleviate congestion on the dock. Mr. Greydanus strongly recommended passage of this ordinance and awarding the lease to D&G Express.

There being no one else who wished to speak, Mayor Wintersteen closed the Public Hearing.

motion M/M by Miller, 2nd by McComas to adopt Ordinance #95-16 and award the lease to D&G Express. Poll vote. Motion carried, 6-Yes, 0-No.

Item E: Public Hearing--Ordinance #95-17: An Ordinance Authorizing the Disposal/ Sale of Property to an Entity Providing a Necessary Public Service--ADOT

City Manager Hunter explained that this disposal was the second easement requested by the State Department of Transportation as a part of the Ridgecrest Drive reconstruction.

Mayor Wintersteen opened the Public Hearing. There being no one who wished to speak, Mayor Wintersteen closed the Public Hearing.

motion M/M by Miller, 2nd by McComas to adopt Ordinance #95-17. Poll vote. Motion carried, 6-Yes, 0-No.

Item F: Discussion Item--Response from Public Works Director Regarding Asphalt
Council took action on this item under Reports of Standing Committees.

Item G: BUC Land Use Permit

Lenny Welch, Bethel Utilities Corporation, addressed Council regarding the need to install a utility pole on City property in order to provide power to processors on the seawall.

motion M/M by Miller, 2nd by Chris to issue a use permit to BUC to place power poles on City property as provided in Ordinance #95-15. Voice vote. Motion carried unanimously.

Item H: Lunch Wagon Use Permit

motion M/M by Miller, 2nd by McComas to issue a use permit for the lunch wagon to operate on City property at the Small Boat Harbor for a fee of \$150. Voice vote. Motion carried unanimously.

XII EXECUTIVE SESSION

- Item A: APEA Negotiations**
- Item B: City Manager Contract Provisions**

motion M/M by Chris, 2nd by McComas to go into Executive Session for the purpose of discussing APEA negotiations and the City Manager contract negotiations. Voice vote. Motion carried unanimously.

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

motion M/M by Miller, 2nd by Chris to postpone pending New Business items to the next regular meeting of June 27, 1995. Voice vote. Motion carried unanimously.

X NEW BUSINESS

Item A: Introduction of Ordinance #95-12: An Ordinance Amending Section 4.16.010 of the Bethel Municipal Code, Entitled Definitions
This item was removed from the consent agenda and postponed until the June 27, 1995, regular Council meeting.

Item B: Introduction of Ordinance #95-18: An Ordinance Authorizing the Disposal/Lease of Property in Furtherance of Development of Local Trade or Industry--Omni Enterprises
This item was removed from the consent agenda and postponed to the June 27, 1995, regular Council meeting.

Item C: Resolution #95-33: A Resolution Accepting Water and Sewer Improvements Funded by the State of Alaska and U.S. Public Health Service
Passed by consent

Item D: Resolution #95-34: A Resolution Authorizing the Issuance of an RFP for an Enhanced 911 System Program for the City of Bethel
This item was removed from the consent agenda and postponed to the June 27, 1995, regular Council meeting.

Item E: Resolution #95-35: A Resolution Rescinding Resolution #95-14 and Revoking Acceptance of the COPS FAST Grant from the Department of Justice
Passed by consent

Item F: Gaming Permit Application--Catholic Church
Passed by consent

Item G: Discussion Item--Cemetery
This item was postponed to the June 27, 1995, regular Council meeting.

Item H: Discussion Item--Endowment Fund
This item was postponed to the June 27, 1995, regular Council meeting.

Item I: Discussion Item--Impound Yard
This item was postponed to the June 27, 1995, regular Council meeting.

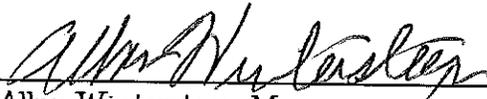
Item J: Discussion Item--Ambulance Billing
This item was postponed to the June 27, 1995, regular Council meeting.

XI COUNCIL MEMBER COMMENTS
There were no comments.

XIII ADJOURNMENT

motion M/M by Miller, 2nd by McComas to adjourn the meeting at 10:50 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 27TH DAY OF JUNE, 1995.


Allan Wintersteen, Mayor

ATTEST:


Connie Tucker, City Clerk