City of Bethel
City Council

Regular Meeting of March 22, 1994

I. CALL TO ORDER

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

II. ROLL CALL

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

III. PEOPLE TO BE HEARD

Sophie Owens expressed her concern about dogs running loose in the City, and asked if there was an ordinance that required fencing of the dog pound and those residences where homeowners owned dogs. Ms. Owens advised Council of an incident involving her son that she had reported to the Police Department several times. Ms. Owens also stated that the Police Department had not responded to her calls. Police Chief Liu said he would look into the matter the following day, and Mayor Chris asked the City Clerk to send Ms. Owens a copy of the City's animal control ordinance.

IV. APPROVAL OF MINUTES

motion M/M by Jones, 2nd by Tubbs to approve the minutes of the March 14, 1994, regular meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA

motion M/M by Jones, 2nd by Tubbs to approve by consent, Items A, B, and C under New Business. Voice vote. Motion carried unanimously.

motion M/M by Wintersteen, 2nd by Jones to approve the agenda as amended by adding Item E under New Business, Gaming Permit Application for Ducks Unlimited. Voice vote. Motion carried unanimously.

V. MAYOR'S REPORT

1. Mayor Chris requested ratification of the appointments of Kilsoo Seo to the Finance Committee and Sharon Trish to the Youth Services Committee.

motion M/M by Trantham, 2nd by Jones to confirm Mayor Chris' nomination of Kilsoo Seo to the Finance Committee and Sharon Trish to the Youth Services Committee. Voice vote. Motion carried unanimously.

2. Mayor Chris distributed the Winter Cities '94 report (a copy is attached as part of these official minutes).

3. Mayor Chris announced the resignation of Jane Elam as City Clerk effective Friday, April 8, 1994. In response to questions from the City Manager regarding filling the position, Council approved the following:

   A. Advertise statewide and locally; also recommended advertising in the AML Legislative publication that is sent out weekly to all AML member municipal offices.

   B. That the position description approved by Council, September 14, 1993, be kept in its current status (attached as part of these official minutes).

   C. That the position remain open until filled.

   D. That the City Manager appoint an Acting City Clerk trying first to fill from current City staff, and second to fill the position from the outside. The Acting City Clerk will serve until the appointment of the new City Clerk is made.

   E. That applications and resumes will be submitted to the Mayor, and the Council will assume responsibility for screening and recruiting the City Clerk.

VII. **MANAGER'S REPORT**

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

1. **Unused City Buildings (Bus Barn, Bojangles, Old Cutting Edge).**

Discussion was held regarding the disposal of the above properties. Councilmember Trantham pointed out that the City has a mortgage on the Bus Barn and Bojangles properties (**Note--information from City records:** On April 10, 1992, the City of Bethel signed a Confession of Judgment in favor of AIDEA for $77,000. The City of Bethel repays this judgment in monthly installments of $971.60 with the last installment due the first day of August, 2002). Mr. Trantham stated that the property should not go out for bid below what is owed on the *Confession of Judgment*.

motion M/M by Jones, 2nd by Tubbs to go out for bid to dispose of the Bojangles building (at a bid price that is not below what is owed on the mortgage); to give purchasers of the Bojangles the option to lease land on the parcel designated by the City Manager; to bid out disposal of the Old Cutting Edge building; and to retain the Bus Barn as City property. Voice vote. Motion carried unanimously.

Council also directed that the Invitation for Bid for the Old Cutting Edge building require purchasers assume responsibility for moving the building off City property. The City Manager was directed to ask the City Attorney to determine that the City has no legal obligation to Pacifica for the Bus Barn and the Bojangles. In addition, should purchasers of the Bojangles desire to lease a part of the 2-acre parcel of land on which the building is presently located, the Bojangles must be moved the required distance from the Bus Barn to meet the appropriate fire code regulation for the intended use of the building.

2. Disposal of Old Museum Building

motion M/M by Trantham, 2nd by Wintersteen to direct the City Manager to dispose of the Old Museum building at his discretion. Voice vote. Motion carried unanimously.

3. Chamber of Commerce Membership

motion M/M by Tubbs, 2nd by Jones to approve the expenditure of $300 from the Contingency Fund to join the Bethel Chamber of Commerce.

4. Request from VFW to Place an Advertisement in State Convention Program Booklet

motion M/M by Jones, 2nd by Trantham to place a full page advertisement for the City of Bethel in the VFW State Convention Program Booklet, the $150 cost of the ad to come from the Contingency Fund. Voice vote. Motion carried unanimously.

Councilmember Trantham recommended that the ad not include a listing of City departments but include wording to the effect of--"City of Bethel--Committed to providing quality service to Bethel and the YK-Delta Region."

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

In response to a question from Councilmember Trantham regarding the Main and Kilbuck lift station grants, the City Manager stated that he would provide a report at the next Council meeting.

VIII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming Committee/Commission meetings were announced.

Councilmember Jones reported the Finance Committee met March 17 and covered the following items: 1) Recognition of Warren Loschky's nine years of service to the City as Chairman and Member of the Finance Committee; 2) sales tax audits; 3) hiring of one additional police officer.

Councilmember Wintersteen reported the Port Commission met March 21 and covered the following items: 1) recommendation to increase the stevedoring permit fee from $500 to $3,000 per year; 2) investigate whether the City can put a lien on the assets of fish companies who use the dock in advance of the use of the dock facilities; and 3) putting the fish tax back in the general fund.

IX. OLD BUSINESS

ITEM A: <u>Public Hearing: Ordinance #94-08: An Ordinance Amending the FY 94 Budget</u>

Mayor Chris explained that the amendment to the FY 94 budget was submitted for the purpose of allocating funds for the addition of a police officer to the Police Department effective on or about April 1, 1994. Mayor Chris opened the hearing to the public. There was no one who wished to speak and she closed the hearing to the public.

A lengthy discussion among council members followed. Expressing support for the addition of a police officer were Councilmembers Jones and Tubbs, and speaking in opposition to the addition of a police officer prior to passage of the FY 95 budget were Councilmembers Wintersteen and Trantham.

motion M/M by Jones, 2nd by Tubbs to approve Ordinance #94-08 amending the FY 94 budget. Poll vote. Motion failed. 2-yes (Jones, Tubbs); 3-no (Chris, Trantham, Wintersteen).

ITEM B: <u>Public Hearing: Ordinance #94-09: An Ordinance Amending Title 4, Acquisition and Land Disposal, Chapter 4.08.030 (B), Disposal to Entity Providing Necessary Public Service</u>

Mayor Chris opened the hearing to the public. There was no one who wished to speak, and she closed the public hearing.

motion M/M by Jones, 2nd by Trantham to approve Ordinance #94-09, amending Title 4, Acquisition and Land Disposal, Chapter 4.08.030 (B), Disposal to Entity Providing a Necessary Public Service. Poll vote. Motion carried unanimously. 5-yes; 0-no.

ITEM C: Public Hearing: Substitute Ordinance #94-06S: An Ordinance for the Disposal/Sale of City Property to an Entity Providing a Necessary Public Service (FAA)

Mayor Chris read the changes to the substitute ordinance and then opened the hearing to the public. There was no one who wished to speak, and she closed the public hearing.

motion M/M by Wintersteen, 2nd by Trantham to approve the substitute Ordinance #94-06, an ordinance for the disposal/sale of city property to the Federal Aviation Administration. Poll vote. Motion carried unanimously. 5-yes; 0-no.

ITEM D: Substitute Resolution #94-09S: A Resolution Opposing Trapping within Bethel City Limits and Authorizing the City to Submit a Proposal for Closing the City of Bethel to Trapping to the State of Alaska Board of Fish and Game

motion M/M by Jones, 2nd by Wintersteen to approve the substitute Resolution #94-09 as amended by changing the introductory line to read "A Resolution Opposing the Placing of Spring-Powered Killer Traps with a Jaw Spread Exceeding Seven Inches within 300 Feet of An Occupied Dwelling Upon or Above the Surface of Land or Water Within the City Limits of Bethel, Alaska" and changing *300 yards* to read *300 feet*. Voice vote. Motion carried unanimously.

motion M/M by Jones, 2nd by Tubbs to continue the meeting past 10:00 p.m. Voice vote. Motion carried unanimously.

X. NEW BUSINESS

ITEM A: Introduction of Ordinance #94-10: An Ordinance Amending Chapter 4.20 of the Bethel Municipal Code to Establish a Local Preference of Five Per Cent for the Purchase of Materials, Supplies and Services

Approved under Consent Agenda for Public Hearing to be held April 12, 1994.

ITEM B: Resolution #94-11: A Resolution Authorizing the Application for an FY 95 Anti-Drug Abuse Grant - Multijurisdictional Task Force

Approved under Consent Agenda

ITEM C: Resolution #94-12: A Resolution Supporting the Construction of a Middle School in Bethel

Approved under Consent Agenda

ITEM D: Discussion Regarding Letter from Councilmember Miller to City Manager Hunter

Item tabled, letter was not submitted.

ITEM E: Gaming Permit Application

motion M/M by Jones, 2nd by Wintersteen to approve the 1994 Gaming Permit Application submitted by Ducks Unlimited. Voice vote. Motion carried unanimously.

XI. COUNCIL MEMBER COMMENTS

Councilmembers Jones, Trantham and Mayor Chris thanked Warren Loschky for his nine years of service on the Finance Committee and to the City.

Councilmember Wintersteen stated that his vote in opposition to the budget amendment ordinance was not a vote against the concept of adding another police officer to the Police Department. Mr. Wintersteen recommended the issue should be addressed during the FY 95 budget discussions.

XII. ADJOURNMENT

motion M/M by Jones, 2nd by Wintersteen to adjourn. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 12TH DAY OF APRIL, 1994.

Donna J. Chris, Mayor

ATTEST:

Connie Tucker

Connie Tucker, Acting City Clerk