

CITY COUNCIL
Kent Harding
Buford McComas
Tad Miller
Agnes Phillips
Ruth Richardson, Mayor
Stanley Rodgers
Wally Wallace



CITY MANAGER
Ken Weaver

CITY CLERK
L.J. Tanner

City of Bethel
Regular Council Meeting Minutes
May 28, 1996

I. CALL TO ORDER

The meeting was convened at 6:35 p.m. by Mayor Richardson in the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Harding, McComas, Miller, Phillips, Richardson, Rodgers
Absent: Wallace (Excused)

III. PEOPLE TO BE HEARD

There were no people to be heard.

IV. APPROVAL OF MINUTES

Council Member Rodgers noted that he was absent from the May 14 meeting, and therefore the motion to adjourn, showing his vote as the 2nd, was incorrect.

motion M/M by Miller, 2nd by Phillips to approve the minutes of the May 14, 1996, regular meeting as amended.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

motion M/M by Miller, 2nd by Harding to approve the agenda as presented.

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Richardson called Council's attention to a leave request from City Clerk L.J. Tanner. Laurie Adams, Purchasing Agent, will fill in for Ms. Tanner at the June 11, 1996 meeting.

motion M/M by Miller, 2nd by Rodgers, to approve the City Clerk's leave request.

vote Voice Vote, motion carried, unanimous.

Mayor Richardson discussed the recent increase in tickets being issued by the Police Department, especially regarding boat trailers without taillights or current registrations. She suggested that perhaps the Police Department could establish a "grace period," during which people can take care of lights and registrations. Acting Police Chief Al Schadle responded to the Mayor's concerns.

Next, Mayor Richardson inquired as to the status of the search for a new Police Chief. City Manager Weaver responded that very few applications have been received to-date, and so the application period has been extended to June 15. Mr. Weaver further noted that he is just getting started in the formation of a community-based screening committee.

VII. MANAGER'S REPORT

City Manager Weaver referred Council to his written report on the following:

Dust Control

A memo in the packet from Public Works Director Parsi indicated that two drums of the EMc2-EMC product have been ordered, and are expected to arrive in 1 week. After a trial period to determine how well the product works, the City will consider purchasing additional inventory. Money has been budgeted for this purpose in Fiscal Year 1997.

Other items included in the Manager's report:

- **Enhanced 911 System:** Due to the Council's referral of this issue to the Public Safety Commission, an ordinance authorizing the E911 surcharge has not yet been prepared. After the Commission meets on June 3, an ordinance will be prepared and submitted at the June 11, 1996, regular council meeting.
- **AVCP-RHA -** A letter and memo expressing support for the proposed assisted-living project. The Public Hearing on Ordinance 96-19, which was introduced at the May 14, 1996, meeting, will not take place until June 25, 1996, due to the City's 30-day notice of disposal ordinance.
- **RFP's for Protective Custody Service:** Council Member Harding has submitted a draft RFP to privatize the City's protective custody service. Council had many questions, and referred the issue to the Finance Committee and Public Safety Commission for review. City Manager Weaver was also requested to review the City's agreement with YKDRH.
- **Water and Sewer Facility Master Plan:** City Manager Weaver proposed that Council hold a work session to hear from Village Safe Water on the 95% completed Master Plan. A Resolution needs to be adopted by Council in support of the plan by June 25th. Council decided to hear from VSW at the June 11, 1996 regular meeting and consider a Resolution at the June 25, 1996 regular meeting.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

Finance Committee: Terry Mead, out-going chair of the Finance Committee, gave a report for the Committee. Issues they have reviewed include sales tax on sales of "rippies" and future economic alternatives for local businesses. A written report was handed out and is attached to these minutes.

Planning:

Public Safety Commission:

Public Works Committee:

Senior Citizens:

Transportation: Thor Williams, Commission Chair, reported on a work session held by the Commission on May 23rd. They are considering the re-regulation of the Taxi Industry.

Youth Services:

IX. OLD BUSINESS

Item A: Public Hearing - Ordinance #96-17: Transportation Commission

Mayor Richardson opened the Public Hearing on Ordinance #96-17. Thor Williams explained that the ordinance will allow the Commission to declare a commissioner's seat as vacant when that commissioner has missed three consecutive unexcused meetings. There being no further people to speak, Mayor Richardson closed the Public Hearing.

motion M/M by Miller, 2nd by Rodgers to adopt Ordinance #96-17.

vote Voice vote. Motion carried, unanimous.

Item B: Public Hearing - Ordinance #96-18: Council Appointed Officers

Mayor Richardson opened the Public Hearing on Ordinance #96-18. There being no people to speak on the ordinance, Mayor Richardson closed the Public Hearing.

motion M/M by Miller, 2nd by McComas to adopt Ordinance #96-18.

vote Voice vote. Motion carried, unanimous.

Item C: Selection of Legal Services Firm

motion M/M by McComas, 2nd by Phillips, to retain the services of Preston Gates and Ellis.

vote Roll Call vote. Motion passed, 4-Yes, 2-No (Miller, Richardson)

motion M/M by McComas, 2nd by Miller, to leave all pending legal cases which have entered the investigative stage with the current attorney, Hicks, Boyd, Chandler, and Falconer for completion, and turn over all pending legal cases which have not yet entered the investigative stage, and all new legal cases, to the new attorney, Preston Gates and Ellis.

vote Voice vote. Motion passed, unanimous.

Council requested the City Manager to submit the legal services agreement with Preston Gates and Ellis for final approval at the June 11, 1996 regular council meeting. Mayor Richardson stipulated that this agreement should be more well-defined than the current agreement with Hicks, Boyd, Chandler and Falconer. Council also requested that a list of all legal cases, and the attorney that will handle each case, be presented at the June 11 meeting.

Item D: Police Audit Report

Council Member Harding said that he brought this issue before the Council in the hopes that it can finally be put to rest. A lengthy discussion followed on the advantages and disadvantages of investigating the leak of the Police Audit report. Acting Chief Schadle stated that the Police Department does not currently have the manpower or expertise to undertake an investigation of the leak.

motion M/M by Harding, 2nd by Miller to offer the Council's support for any individual or groups who are attempting to determine who copied the audit report, and who was responsible for its' distribution, and to encourage the individual or group to come forward with their information to the City Council.

vote Roll call vote. Motion carried, 5-Yes, 1-No (Phillips)

X. NEW BUSINESS

Item A: Introduction of Ordinance #96-20, Fiscal Year 1997 Budget

motion M/M by Miller, 2nd by Rodgers to introduce Ordinance #96-20.

Council Member Miller requested that fund totals be added to the final ordinance.

vote Voice vote. Motion carried unanimously.

Item B: Introduction of Ordinance #96-21, Purchasing Agent report to City Manager.

motion M/M by Miller, 2nd by Rodgers to introduce Ordinance #96-21.

vote Voice vote. Motion carried, unanimously.

Item C: Introduction of Ordinance #96-22, Seawall Project Payment

motion M/M by Miller, 2nd by McComas to introduce Ordinance #96-22.

Mayor Richardson stated that she found the project cost breakdown from Carl Borash difficult to follow. She requested that the City maintain its own funding matrix table. City Manager Weaver explained the total match required of the City, \$2.1 million.

vote Voice vote. Motion carried, unanimously.

Item D: Introduction of Ordinance #96-23 - Reduce Sr. Tax Exemption Age

motion M/M by Miller, 2nd by Phillips to introduce Ordinance #96-23.

vote Voice Vote. Motion carried, unanimously.

Item E: Introduction of Ordinance #96-24, Sales Tax Exemption on 25% of Gaming Proceeds.

motion M/M by Miller, 2nd by Harding to introduce Ordinance #96-24.

vote Voice vote. Motion carried, unanimously.

Item F: Introduction of Ordinance #96-25 - Amending Title 18.16.040(B)

Mayor Richardson noted that Ordinances #96-26 and #96-27 were related to Ordinance #96-25 and questioned why they had been submitted separately. She suggested that all three ordinances could be introduced at the same time.

motion M/M by McComas, 2nd by Miller to introduce Ordinances #96-25, 96-26, and 96-27.

vote Voice vote. Motion carried, unanimously.

Item I: Introduction of Ordinance #96-28 - Classification Plan

motion M/M by Miller, 2nd by Rodgers to introduce Ordinance #96-28.

vote Voice vote. Motion carried, unanimously.

Item J: Resolution #96-21 - Support for the AVCP-RHA Assisted-Living Housing.

motion M/M by McComas, 2nd by Rodgers to adopt Resolution #96-21.

vote Voice vote. Motion carried, unanimously.

Item K: Police Department Enforcement Priorities

Discussion followed on the enforcement priorities of the Bethel Police Department.

Item L: Long-term Strategic Planning Task Force

Council Member Miller reported that date has not been set for the next meeting of the Task Force, however, he expects it will be in early June, and the date will be posted on Channel 9.

Item M: Margaret Cooke Memorial

Council Member Miller reported that Chris Cooke is interested in helping the City with the cemetery issue. Discussion followed on the status of the cemetery plan, and the potential to name a new cemetery after Ms. Cooke. Mayor Richardson stated that she would like to see the Ad-Hoc Cemetery Committee begin meeting again. Mike O'Brien reminded Council that the City Chamber of Commerce has established a Margaret Cooke Memorial Scholarship, and donations are greatly appreciated.

XI. COUNCIL MEMBER COMMENTS

Harding - Expressed concern for the materials to be used on the Ridgecrest paving project.

McComas - Commended the Police Department for their proactive enforcement of the laws.

Miller - No comments.

Phillips - Thanked the State Troopers for enforcing the laws, and thanked the City Manager and City Council for working on behalf of the seniors.

Richardson - Said that although she disagreed with the vote to change attorneys, she will work well with the new attorney.

Rodgers - No comment.

Wallace - Absent, no comment.

XIII. EXECUTIVE SESSION

motion M/M by Miller, 2nd by Harding to adjourn the regular meeting, and enter executive session for the purpose of discussing legal strategy in the Crow vs. City of Bethel case, at 9:20 p.m.

vote Voice vote. Motion carried unanimously.

motion M/M by McComas, 2nd by Rodgers to come out of executive session at 9:36 p.m.

vote Voice vote. Motion carried unanimously.

XIII. ADJOURNMENT

motion M/M by Rodgers, 2nd by Miller to adjourn the meeting at 9:37 p.m.

vote Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 11TH DAY OF JUNE, 1996.



Ruth M. Richardson, Mayor

ATTEST:



L.S. Tanner, City Clerk