

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
June 25, 1996

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

III. PEOPLE TO BE HEARD

James Hoppenworth read a statement appealing his firing by City Manager Weaver and requesting a grievance hearing by the Council.

Dave Trantham discussed the dismissal of the Seal vs. Feaster, et al lawsuit.

Joan Hamilton spoke on behalf of Mr. Hoppenworth and said that as a member of the Planning Commission, she has enjoyed working with him.

IV. APPROVAL OF MINUTES

motion M/M by Miller, 2nd by McComas to approve the minutes of the June 11, 1996, regular meeting as presented.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

Council Member Miller requested two additions: a discussion of the firing of City Planner Hoppenworth, a discussion on co-sponsoring a benefit for the Recycling Project. Mayor Richardson stated that City Attorney Lee Sharp (present at the meeting) would review the City's personnel rules to see if Council has the power to grant Mr. Hoppenworth a grievance hearing. If so, an Executive Session discussion would be held, if not, no discussion would take place. Mr. Miller agreed.

motion M/M by McComas, 2nd by Miller to amend the agenda by adding New Business Item F: City Co-sponsorship of Recycling Project benefit.

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Richardson did not have an official report or correspondence to pass on to Council.

VII. MANAGER'S REPORT

City Manager Weaver did not have a written report, but discussed the following issues:

- **Police Department Investigation:** Mr. Weaver read a press release issued by the City earlier in the day. It stated that there will be no criminal charges filed, and an internal administrative investigation is underway. Council Member Miller asked if the State Troopers are still running the Police Department. Mr. Weaver responded that Burton & Associates, the private firm retained by the City, is running the department.
- **DEC Compliance/Fuel Tank Removal:** Responding to a question from Council Member Miller, Mr. Weaver said the City has filed a registration form and plan of action for the removal with DEC.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

Public Safety Commission: Tom Hildreth gave a report for the Public Safety Commission. They have had a vacancy for two months and would like the Council to make an appointment. They would also like Council to take actions on some of their outstanding recommendations. These include finding out if the City can publish the names of people taken into Protective Custody in the newspaper, and investigating the feasibility of an alcohol delivery site.

Mr. Hildreth met with Dispatch Manager Patty Waters to discuss requirements for the enhanced 911 system. Mayor Richardson requested Mr. Hildreth to go through the City Manager for any future meetings with City personnel.

Other issues the Commission is discussing are fast food delivery drivers, a new ambulance purchase, and the recommendations of the police audit. Council Member Miller requested that proposed ordinances for a delivery site and for collections of sales tax on alcohol sold in Anchorage be presented at the next Council meeting. Mayor Richardson asked Lee Sharp to look into publishing the names of PC's in the newspaper.

Planning: Council Member McComas reported on the Planning Commission's activities.

Public Works Committee: Mike O'Brien, Committee Chair, said they will have a recommendation on the landfill hours in the next few days. They would like an ordinance drafted which requires homebuilders to install camlocks on their sewage evacuation tanks. Council Member Miller requested the City Clerk to have an ordinance prepared for the July 9 Council meeting.

Finance: Council Member Wallace stated that he was out of town for the last Finance Committee meeting.

Transportation: A report was given at the first June City Council meeting.

Port: Allen DeSousa reported that the City Dock passed a surprise Coast Guard inspection with just a few problems noted.

Youth Services: Council Member Harding reported that there was not a quorum at the last meeting. The Committee will meet again on July 11, at 5:30 p.m., at the Log Cabin.

IX. OLD BUSINESS

Item A: Public Hearing - Ordinance #96-19: Lease of City Property to AVCP-RHA.

Mayor Richardson opened the Public Hearing on Ordinance #96-19. Council Member McComas noted that the Planning Commission had voted to lease the property to AVCP for \$1.00/month. Jim Hoppenworth stated that the reason for the \$1.00/month lease rate is because the Assisted Living Facility is a much-needed public service in Bethel.

motion M/M by McComas, 2nd by Wallace to amend Ordinance #96-19 by specifying a monthly lease of \$1.00.

vote Voice vote. Motion carried, unanimous.

motion M/M by McComas, 2nd by Wallace to adopt Ordinance #96-19.

vote Roll call vote. Motion carried, unanimous.

Item B: Public Hearing - Ordinance #96-29: Increase in Solid Waste Fees

Mayor Richardson opened the Public Hearing on Ordinance #96-29. There being no public comments, Mayor Richardson closed the Public Hearing.

motion M/M by McComas, 2nd by Wallace to adopt Ordinance #96-29.

Council Member Harding stated that if people are going to pay increased fees, they should be able to expect increased service. Dumpsters should be emptied more frequently and Public Service Announcements should be made before dumpsters are moved.

Mayor Richardson expressed disagreement with the monthly residential rate increase from \$8.00 to \$16.00. She thinks \$12.00 would be more fair. Council Member Miller agreed.

motion M/M by Miller, 2nd by McComas to amend Ordinance #96-29 by changing the new residential monthly rate from \$16.00 to \$12.00.

vote Voice vote. Motion carried, unanimous.

vote on main

motion Roll Call vote. Motion carried, unanimous.

Item C: Review of Legal Contract with PG&E

Council Member Wallace raised the issue of caseload transition in the event the contract is terminated. Attorney Lee Sharp responded that the firm has a legal obligation to continue to represent the City until such time as the City could find a new attorney. At any rate, they would work with the City and the new attorney to effect a smooth transition. Council Member Miller stated that he would prefer a 90-day notice requirement for PG&E to terminate the contract, instead of the 30 days currently required. Attorney Sharp stated that 90 days would be fine.

motion M/M by Miller, 2nd by Harding, to accept the contract for services with Preston Gates & Ellis, with the change to a 90-day termination notice.

vote Voice vote. Motion carried, unanimous.

Item D: Strategic Planning Task Force

Council Member Miller reported that DCED Commissioner Perkins is preparing a report for the City of Bethel, which outlines the options for reclassification. The report is expected sometime in late July or early August. The Task Force is also discussing a community recreation center.

X. NEW BUSINESS

Item A: Discussion: Water & Sewer Commercial Utility Rates

Council Member McComas stated that he asked for this agenda item. A letter from Mr. Irv Krieder was distributed before the meeting which requests a lower per gallon rate on discharge of sewage into the lagoon. Mr. McComas expressed that if preferential rates are extended to the Laundromat, they should be extended to all businesses.

motion M/M by McComas, 2nd by Miller, to refer the matter of Commercial Water & Sewer Rates to the Finance Committee.

vote Voice vote. Motion carried, unanimous.

Item B: Resolution #96-24 - Supporting Bethel Prematernal Home

motion M/M by Miller, 2nd by McComas to adopt Resolution #96-24.

Doreen O'Brien, Manager of the Prematernal Home, read the Resolution to the Council, and explained what their plans are for expansion of the facilities.

vote Voice vote. Motion carried, unanimously.

Item C: Discussion - Privatization of City Services

Council Member McComas stated that he asked for this agenda item. Several magazine articles on the topic were included in the packet. Privatization could start with refuse hauling. Mr. McComas asked that the Public Works Committee look into privatization.

Item D: Motor Vehicle Regulations

A sample ordinance from another city, provided by Council Member McComas, was included in the council packet. Mr. McComas would like the Council to investigate whether all vehicles in the City of Bethel should be subjected to annual inspections. The matter was referred to the Public Safety Commission.

Item E: Information - Municipal Classifications

Council Member McComas provided information from the Local Boundary Commission on the difference between First and Second class cities.

Item F: Co-Sponsorship of a Benefit for the Recycling Project *(added during Approval of Agenda by Council Member Miller)*

Brian Glasheen, the Can-Man, explained that they would like to hold a benefit, to raise funds for a new baling machine. They have investigated using the Cultural Center, and found that they need co-sponsorship from the City for insurance purposes. They would like the City to pay for half of the insurance premium. The Council expressed support for the benefit and referred the matter to City Manager Weaver.

XI. COUNCIL MEMBER COMMENTS

Harding - Requested a report from the Public Works Department at the July 9 Council meeting, on the success of the new dust control materials.

McComas - Said the Troopers have done an excellent job at the Police Department.

Miller - Would like to receive press releases from the City before they are sent to the press. Noted that there was no Yup'ik translation on the City's new voicemail system. City Manager Weaver explained that the City is holding off on the Yup'ik translation until they hire a Yup'ik speaking translation clerk.

Phillips - Noted that thank-you letters should be sent to the legislators for passing the \$1.6 million seawall match. Thanks also go to Mary Pete for her work on subsistence.

Richardson - Wished everyone a safe and happy 4th of July. Thanked Laurie Adams for doing a great job filling in for the City Clerk at the last Council meeting. Asked for patience with the noise generated by the seawall construction.

Rodgers - Absent, no comments.

Wallace - Likes seeing the Council agendas posted on the DDC. Appreciated the short meeting agenda.

XIII. EXECUTIVE SESSION

motion M/M by McComas, 2nd by Wallace to adjourn the regular meeting, and enter executive session for the purpose of giving the City Clerk 6-month performance review, at 8:40 p.m.

Council Member Miller requested that a discussion of the City Planner firing be held in Executive Session. Attorney Sharp stated that the City's personnel rules do not allow for the Council to grant a grievance hearing to a probationary employee. Mayor Richardson decided that there would not be a discussion of the firing in Executive Session.

vote Voice vote. Motion carried, 5-Yes, 1-No (Miller)

Council Member Miller left the meeting at this time.

motion M/M by Wallace, 2nd by McComas to come out of executive session at 9:00 p.m.

vote Voice vote. Motion carried unanimously.

motion M/M by McComas, 2nd by Wallace to award the City Clerk a 10% salary increase based on an above-satisfactory performance.

vote Voice vote. Motion carried, 4-Yes, 1-No (Phillips)

XIII. ADJOURNMENT

motion M/M by Harding, 2nd by Wallace to adjourn the meeting at 9:08 p.m.

vote Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 9TH DAY OF JULY, 1996.



Ruth M. Richardson, Mayor

ATTEST:



L.J. Tanner, City Clerk