

CITY COUNCIL

*Kent Harding
Buford McComas
Tad Miller
Mary Pavil
Ruth Richardson, Mayor
Stanley Rodgers
Wally Wallace*



CITY MANAGER

Ken Weaver

CITY CLERK

L.J. Tanner

**City of Bethel
Regular Council Meeting Minutes
January 23, 1996**

I. CALL TO ORDER

The meeting was convened at 7:30 p.m. by City Clerk L.J. Tanner in the Log Cabin, Bethel, Alaska.

II. ROLL CALL

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

motion M/M by Miller, 2nd by Wallace to appoint Buford McComas as Acting Mayor

Voice Vote. Motion carried unanimously

III. PEOPLE TO BE HEARD

There were no people to be heard.

IV. APPROVAL OF MINUTES

motion M/M by Pavil, 2nd by Wallace to approve the minutes of the January 9, 1996, regular meeting as presented.

Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

motion M/M by Miller, 2nd by Pavil to amend the agenda by removing Item A from the Executive Session.

Voice vote. Motion carried unanimously.

motion M/M by Pavil, 2nd by Miller to move Old Business: Items B and C to New Business: Items G and H.

Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Incoming Correspondence

Acting Mayor McComas read a letter from Anastasia Cooke, AVCP Program Director, complementing the Bethel Police Department and Officer Mason for superb service to the Receiving Home.

Mr. McComas discussed a letter received from DCRA with regard to FY97 Revenue Sharing Data Elements. He further directed Council's attention to a letter from the AML stating that Municipal Assistance and Revenue sharing will be cut by the governor by 9.8%.

motion M/M by Miller, 2nd by Pavil to have the City Manager draft a Resolution stating the City's position that, as a rural community, we advocate for a more egalitarian distribution of the state wealth through revenue sharing, to avoid burdening rural communities with the economic dilemma that the state faces.

Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Rodgers to authorize the City Clerk to attend the annual AAMC conference, in Juneau, Alaska, February 24-March 1.

Voice vote. Motion carried unanimously.

VII. MANAGER'S REPORT

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

Item A: Fiscal Impact of 1% Increase in Sales Tax

Council Member Miller proposes that the City increase the sales tax by 1%, from 5% to 6%. Mr. Miller proposes that this item be placed on the October ballot, together with any other referendum items, giving the community the ability to choose. Mr. Miller would like the Mayor, City Manager, and City Clerk to look into the legalities of putting the item on the next election ballot.

Council Member Wallace questioned whether Bethel, a 2nd Class City, can legally raise the sales tax above 5%. Mr. Miller responded that there have been sales tax increases on previous ballots, and directed the City Clerk to investigate the matter and report back at the next Council meeting.

Item B: Ambulance Billing Services Contract Review

City Manager Weaver informed the Council that no further information was available, and he would like to postpone the item to the next Council meeting.

Item C: Napakiak Drive Drainage Easement

City Manager Weaver directed Council's attention to a letter from the homeowner's attorney, which stated that the homeowner wants \$7,140 for the drainage easement. Mr. Weaver stated that the

easement is necessary to fix the drainage problems in the neighborhood, and he thinks the price is warranted because of the effect on the homeowner's property. Mr. Weaver added that the homeowner is also requesting a zoning variance. He has checked with the City Attorney and it is not possible to grant the zoning variance together with purchase of the easement.

motion M/M by Miller, 2nd by Pavil to authorize the City Manager to negotiate at the requested price for the easement.

Voice vote. Motion carried unanimously.

Mr. Weaver stated that an amendment to Ordinance #95-25 may be necessary, because said Ordinance stated a cap of \$500.00 to purchase the easement. The City Clerk will check with the City Attorney, and draft an Ordinance if necessary.

Item D: Award of Ice Road Maintenance Contract

City Manager recommended that the contract be awarded to O'Brien-Kairaivak, Inc., the company that submitted the lowest bid. Council Member Miller stated that he would abstain from the vote, because he owes money to losing bidder Foundation Services, and has stated so on his conflict of interest statement.

motion M/M by Rodgers, 2nd by Pavil, to authorize the City Manager to award the contract for ice-road maintenance to O'Brien-Kairaivak, Inc.

Discussion ensued on whether O'Brien-Kairaivak, Inc. possesses the necessary equipment to fulfill the contract, and what the City's recourse would be if the company failed to meet the contract specifications. Other items of discussion were plowing only when there is snow, and whether other villages receive funds for ice-road maintenance. Purchasing Agent Laurie Adams stated that the bid did not specify the equipment to be used.

Voice vote. Motion failed, 1-yes (Rodgers,) 2-no (Pavil, Wallace.)

motion M/M by Miller, 2nd by Wallace to have the City Manager award the contract to the next best bidder.

Discussion followed on whether Mr. Miller, having previously stated a conflict of interest, could in fact move for award to the next bidder. Council Member Wallace stated that he has nothing against Mr. O'Brien, he just wants to make sure that Mr. O'Brien can do the job.

amend motion Miller amended his motion to the following: have the City Manager determine if O'Brien-Kairaivak, Inc. is capable of fulfilling the contract, and if he decides they are, then to award the contract to O'Brien-Kairaivak, Inc.

Voice vote. Motion carried unanimously (Council Member Miller abstaining)

Item E. Purchase/Lease of New Trucks and Equipment

City Manager Weaver reviewed the proposal from Public Works to Purchase and/or Lease new trucks and equipment. Four recommendations were made: 1) The City purchase the new water truck that is in the current budget, 2) The City order new vehicles and equipment as recommended in an attached report, and by the Public Works "Rolling Stock" sub-committee, 3) The City implement appropriate recommendations on operation effectiveness that are produced by sub-committees of the Public Works Commission, and 4) The City re-organize the Public Works department as detailed in an attached report, especially with regard to Foreman Positions.

Discussion followed on each of the four recommendations. Council Member Miller requested that the Public Works Commission Chair be allowed to address the Council, and further suggested that members of the Public Works Bargaining Unit should be involved in discussions about a possible re-organization.

motion M/M by Miller, 2nd by Pavil to divide the question and support recommendations 1-3.

Discussion ensued on the ability of the Public Works Department to operate and maintain new equipment. Acting Mayor McComas questioned why, if the vehicles are being maintained, as stated in the attached report, are they still in such poor condition. Mike O'Brien, Chair of the Public Works Commission, stated that the vehicles are simply too old to be kept in good condition. Council Member Pavil agreed that if a new water truck is detailed in the budget, it should be purchased.

Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Pavil to schedule a Public Hearing for the next Council meeting on Recommendation #4, re-organizing Public Works.

Voice vote. Motion carried unanimously.

Council member Rodgers stated that he believes Recommendation #4 should be implemented, because the Public Works Department needs leadership.

motion M/M by Rodgers, 2nd by _____ to implement Recommendation #4.

Motion rejected for lack of a 2nd.

motion M/M by Pavil, 2nd by Miller to hold a Public Forum on Recommendation #4 at the next scheduled Public Works Commission meeting.

Discussion followed on whether the suggested positions could be filled from within the City structure. Mr. Weaver stated that there are qualified people in Public Works who are being ignored.

Voice vote. Motion carried. 3-Yes, 1-No (Wallace)

Item F: Carl Russel house on City Right-of-Way

motion M/M by Miller, 2nd by Pavil to postpone enforcement of the eviction notice until June 1st, allowing Mr. Russell sufficient time to move his house.

Discussion followed on the fact that Mr. Russell's house is on 2nd Avenue, which will be put in this summer with Ice Tea funds. Mr. Russell will have to move before the construction can begin.

Voice vote. Motion carried unanimously.

Other Information in Manager's Report

- The Purchasing Agent position will now report to the City Manager instead of the Finance Director.
- Bethel Council on the Arts has requested a donation from the City. In the past, the City donated in-kind Police Department services, and in some years, \$1,000. Council Member Pavil directed the City Manager to find out if the City has money to donate, and report back at the next Council.

VIII. REPORTS OF STANDING COMMITTEES

Public Works Committee - Mike O'Brien, Public Works Commission Chair, addressed the Council. He stated that Public Works is investigating selling the City's backhoe. Discussion followed on the value of the backhoe to the City. He suggested that the City look at how other organization's, such as DOTs, manage their equipment. For example, a preventative maintenance program would be helpful. The Finance Director is compiling numbers for the last 4 years to see any trends in revenue and expenditures. The Fiberglass shop should be moved to the Landfill gates soon. Mr. O'Brien suggested that a grader could be purchased from the State DOT at their next auction. He stated that because they rotate their stock every four years, their equipment is immaculately maintained.

Youth Services Committee: No Report.

Finance Committee: No Report.

Senior Citizens: Council Member Pavil reported on the last meeting. The nursing home fund balance was reviewed. The Seniors requested that Ms. Pavil contact YKHC and/or AVCP regarding a nursing home. Local seniors are interested in joining AARP. Ms. Pavil is investigating. There was a concern that their water rates may be increased, but upon investigation, Ms. Pavil found that this is not the case. The Seniors are happy that John Kim is back.

Port Commission: Council Member Rodgers reported that there was no quorum at the last meeting.

Transportation: Thor Williams, Commission Chair, reported. He was glad to see the Ordinance amending Penalties and Revocation of Permit on the agenda. They are currently discussing River Taxi Permits. The Commission would like to present a plaque to Johnnie Watts for his years of service on the Commission.

Planning: Council Member McComas stated that he was unable to attend the last Planning Commission meeting.

motion M/M by Miller, 2nd by Rodgers to take a 10 minute break

Poll vote. Motion carried unanimously.

IX. OLD BUSINESS

Item A: Public Hearing on Ordinance #96-1: An Ordinance Establishing a Department of Port and Harbor.

Acting Mayor McComas opened the Public Hearing.

Jay Barrett, KYUK, asked what difference it makes if the Port is a department or a commission. City Manager Weaver explained that there is not a big difference. The change may have an effect on collective bargaining, because it removes one position from the Bargaining Unit. Making the Port a Department makes a statement that the Port is a priority for the City for economic development. In addition, it frees the Port Director from having all purchases, no matter how small, approved by the City Manager.

There being no further comments, Acting Mayor McComas closed the Public Hearing.

motion M/M by Miller, 2nd by Rodgers to adopt Ordinance #96-1.

Voice vote. Motion carried unanimously.

X. NEW BUSINESS

Item A: Introduction of Ordinance #96-2: An Ordinance to establish New City Job Classifications

motion M/M by Miller, 2nd by Pavil to introduce Ordinance #96-2, an Ordinance to establish new City Job Classifications.

Voice vote. Motion carried unanimously.

Item B: Introduction of Ordinance #96-3: An Ordinance to Amend the 1995-96 Fiscal Year Budget.

motion M/M by Pavil, 2nd by Miller to introduce Ordinance #96-3, an Ordinance to amend the Fiscal Year 1995-96 Budget.

Discussion followed on which new positions at Public Works were funded in the amended budget. City Manager Weaver stated that funding for only the Customer Service Representative was included in this amendment. Council Member Pavil requested that a Working Session be scheduled for the Council to review the proposed amendment. Tuesday, February 6 was decided as the date for the Working Session. The City Clerk will schedule and post the working session.

Voice vote. Motion carried unanimously.

Item C: Resolution #96-2: A Resolution to recognize Mr. Jerry Haines as the Director for the Homeless Project.

motion M/M by Miller, 2nd by _____ to adopt Resolution #96-2, recognizing Mr. Jerry Haines.
Motion rejected for lack of a 2nd.

Item D: Resolution #96-3: A Resolution to Accept the Fiscal Year 1995 Year-end Financial Statement

motion M/M by Pavil, 2nd by Miller to adopt Resolution #96-3, accepting the Fiscal Year 1995 year-end Financial Statement
Voice vote. Motion carried unanimously.

Item E: Issue Request for Proposal's for sub-contracting the City's Senior Services to other non-profit organizations.

City Manager Weaver stated that several non-profit organization's have contacted him with regard to operating the City's Senior Services Program. He added that the City would be able to provide in-kind services, and would expect Senior's to receive the same level of support.

motion M/M by Rodgers, 2nd by Miller to request that the City Manager notify the Older Alaskan's Commission that the city is interested in issuing RFP's for operation of the Senior Program.
Voice vote. Motion carried unanimously.

Item F: Introduction of Ordinance #96-6: An Ordinance to Modify Penalties and Remedies (Vehicles for Hire)

motion M/M by Rodgers, 2nd by Wallace to introduce Ordinance #96-6, an Ordinance to modify the Vehicle for Hire Penalties and Remedies.
Voice vote. Motion carried unanimously.

Item G: Introduction of Ordinance #96-4: An Ordinance to Change City Council Meeting Time.

motion M/M by Pavil, 2nd by Miller to introduce Ordinance #96-4, an Ordinance to Change City Council Meeting Time.
Voice vote. Motion carried unanimously.

Item H: Introduction of Ordinance #96-5: An Ordinance to Exempt Charitable Games from City Sales Tax.

motion M/M by Wallace, 2nd by Pavil to introduce Ordinance # 96-5, an Ordinance to Exempt Charitable Games from City Sales Tax.
Voice vote. Motion carried unanimously.

XI. COUNCIL MEMBER COMMENTS

Council Member Rodgers commented that today is his 28th anniversary, and he wished to congratulate his son-in-law, Jim Valcarce, the new Assistant District Attorney.

Council Member Pavil offered her congratulations to Mr. Rodgers. She briefly discussed a meeting she attended at the Legislative Information Office regarding HB 383.

Council Member Wallace had no comments.

Council Member McComas thanked the Police Department for the good job they have been doing in recent months. He added that he hopes they are not neglecting the drug problem in Bethel.

Council Member Miller stated that it is good to be home in Bethel and he had a good vacation.

XII. EXECUTIVE SESSION

XIII. ADJOURNMENT

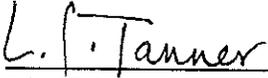
motion M/M by Wallace, 2nd by Rodgers to adjourn the meeting at 9:30 p.m.
Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 13th DAY OF FEBRUARY, 1996.



Ruth M. Richardson, Mayor

ATTEST:



L.J. Tanner, City Clerk