

**CITY COUNCIL**

Antone Anvil  
Dario Notti  
Mike O'Brien  
Agnes Phillips, Mayor  
Stanley Rodgers  
Karol Sanchez-Pobrislo  
Thor Williams

**CITY MANAGER**  
Ken Weaver

**CITY CLERK**  
L.J. Warren

**MINUTES**

**City of Bethel, Regular Council Meeting**

January 27, 1998

I. CALL TO ORDER

Mayor Phillips called the meeting to order at 6:30 p.m. at the City Offices conference room.

II. ROLL CALL

Present: Anvil, Notti, O'Brien (phone), Phillips, Rodgers, Sanchez-Pobrislo, Williams  
Absent: none  
Also Present: City Manager Weaver (phone), Acting City Manager Stuart Greydanus, City Clerk L.J. Warren. Five other department representatives were also present.

III. PEOPLE TO BE HEARD

There were no citizens signed up to speak.

IV. APPROVAL OF MINUTES

**motion** M/M by Williams, 2nd by Anvil, to approve the minutes of the January 13, 1998 regular City Council meeting, as presented.

**vote** Voice vote, motion carried unanimously.

V. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA

Council member Notti removed New Business Item B from the Consent Agenda.

**motion** M/M by Williams, 2nd by Sanchez-Pobrislo, to approve New Business Items A and C by consent.

**vote** Voice vote, motion carried unanimously.

**motion** M/M by Williams, 2nd by Sanchez-Pobrislo, to approve the agenda as amended.

**vote** Voice vote, motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Phillips thanked Acting City Manager Stuart Greydanus for his efforts in welcoming the House Community and Regional Affairs (CRA) Committee to Bethel during their visit. Mr. Greydanus thanked City Clerk L.J. Warren for her assistance. The trip was considered a success, as the Council had several opportunities to meet with the legislators, including a public

hearing held on January 22 to discuss the fisheries disaster. The Mayor updated the Council on the Disaster Aid from the Magnuson-Stevens Act. A letter from Governor Knowles, included in the packet, explained the allocation of \$9.3 million in some detail.

Noting the stack of recently received City Manager candidate resumes, Mayor Phillips asked if the Council wished to request formal applications from any of the interested persons. There were no requests for applications from any of the Council.

Mayor Phillips stated that Paul O'Brien, Council member O'Brien's brother, had applied for the open position on the Public Works Committee, and asked if there would be a conflict of interest. Council member O'Brien assured Mayor Phillips that it was unlikely he and his brother would agree on anything, so there wasn't a problem with conflict of interest. Mayor Phillips appointed Paul O'Brien to the Committee.

**motion** M/M by Williams, 2nd by Anvil, to ratify the appointment of Paul O'Brien to the Public Works Committee.

**vote** Voice vote, motion carried unanimously.

Next, Mayor Phillips appointed James Berlin, Jr. to the Public Safety Commission.

**motion** M/M by Williams, 2nd by Notti, to ratify the appointment of James Berlin, Jr. to the Public Safety Commission.

**vote** Voice vote, motion carried unanimously.

Mayor Phillips pointed out information in the packet from the Sexual Assault Response Team, and asked if the Council wished to make a donation. Discussion followed. Council agreed to review the issue at the first meeting in February and directed the Clerk to place the item on the February 10 meeting agenda.

Mayor Phillips asked the City Clerk to report on her recent computer problems. The Clerk reported that the hard drive had crashed, probably due to a recent brownout. The drive had been sent to a data recovery firm. In the meantime, a check of her computer showed that it is not Year 2000 compliant, and to make it compliant would cost more than to purchase a brand new computer. In addition, the Clerk has been experiencing many problems with her aging laser printer. The Clerk asked for a supplemental capital expenditures appropriation of \$2,500, to purchase a new computer, printer, and tape backup device. Council discussion followed. The Council agreed that the Clerk should spend \$3,000 and get the best computer possible.

**motion** M/M by Rodgers, 2nd by O'Brien, to place the additional \$3,000 appropriation on the upcoming budget amendment ordinance.

**vote** Voice vote, motion carried unanimously.

The Clerk stated that the equipment is needed immediately, and asked the Council to approve an emergency expenditure, since the budget amendment will not be adopted until February 24.

**motion** M/M by O'Brien, 2nd by Notti, to authorize the Clerk to spend the \$3,000 and purchase the equipment on an emergency basis.

**vote** Roll call vote, motion carried unanimously.

VII. MANAGER'S REPORT

City Manager Weaver, participating by phone from Juneau, referred Council to his written reports, and discussed the following:

- **Follow-up to Buck Bukowski request for honeybucket waiver** - Mr. Weaver noted that Mr. Bukowski has been granted an extension of honeybucket service until August 15. At that time, Mr. Bukowski must be connected to nearby water and sewer piped utilities.
- **DEC Air Quality Monitoring Station** - Mr. Weaver pointed out that DEC's response, that they don't have the funds to install an air quality monitoring station, was expected. If the City wants a monitoring station, it will likely have to pay for it.
- **New AS400 Computer for Finance Department** - Mr. Weaver referred to Finance Director Stuart Robinson. Mr. Robinson advised the council that the existing AS400 must be upgraded very soon. The current system is not Year 2000 compliant, and does not meet the immediate computing needs of the Finance Department. IBM will no longer provide maintenance or support for the system. This expense has been anticipated for some time. \$50,000-\$60,000 is needed to purchase the new system, which can be paid on a lease basis. Mr. Robinson asked the Council for authorization to begin the bid process for acquisition of the new system.

**motion** M/M by Notti, 2nd by Rodgers, to place the additional \$60,000 appropriation on the upcoming budget amendment ordinance.

**vote** Voice vote, motion carried unanimously.

**motion** M/M by Williams, 2nd by Sanchez-Pobrislo, to authorize the Finance Director to initiate the bid process for acquisition of the new system.

**vote** Voice vote, motion carried unanimously.

VIII. REPORTS OF STANDING COMMITTEES

The Clerk read the recommendations for the record.

**Finance** - Mayor Phillips reported that the Committee has met several times recently. She asked Finance Director Stuart Robinson to update the Council on the Committee's conclusions. Mr. Robinson reported that the Committee agreed that most sales tax exemptions, including the senior citizen exemption, are abused. At the same time, revenues need to be increased. The Committee has therefore recommended that all exemptions be removed from the sales tax code. They also recommended that penalties and interest be added to the code, as well as a new structure for different types of business licenses.

**motion** M/M by Williams, 2nd by O'Brien, to forward the Finance Committee's recommendations to the City Attorney for drafting of an ordinance.

**vote** Voice vote, motion carried unanimously.

**Planning** - Council member Notti read the minutes of the last meeting. Wayne Smith, Acting Planning Manager, clarified some of the Council's questions regarding the Salzbrun's fill activity near Dull Lake.

**Public Works** - Council member O'Brien reported that there was not a quorum at the last meeting. Hopefully, with the addition of Paul O'Brien, there will be a quorum at their meeting scheduled for February 17.

**Youth Services** - Council member Sanchez-Pobrislo reported that she was out of town for the last regular meeting, and the work session scheduled for January 20 was cancelled. They have rescheduled their meeting for January 29. The next regular meeting is on February 10.

**Transportation** - Council member Williams stated that the Commission had a quorum at their last meeting, and elected Mary Gregory as the Chairperson. They have a work session scheduled for January 29 to discuss policies and procedures for administering the vehicle for hire ordinances.

**Port** - Council member Rodgers reported that the Commission did not have a quorum at their last meeting. The Port Director will reschedule it.

**Public Safety** - Council member Anvil reported that the Commission did not have a quorum at their last meeting. He was out of town, and would appreciate a reminder phone call the day before the meeting.

**Senior Advisory** - Council member Anvil stated he attended the last meeting of the Board. The seniors report being bored - they would like more scheduled activities, and an activity coordinator. They would like bingo and sewing among other things. Mayor Phillips noted that the Adult Day Care program does provide a number of activities, but some seniors do not participate because they fear being associated with Alzheimer patients.

#### IX. OLD BUSINESS

##### ***Item A: Discussion - Road Use Sticker Fee***

Council discussed the various options and questions presented by the City Attorney for implementing a road use sticker fee system. Council member Anvil stated that the City should put the question on the next election ballot for a vote of the citizens. Council member O'Brien expressed a concern that if local contractors have to pay the same fee for unregistered heavy equipment as out-of-town contractors, they lose any competitive advantage they might have had. Mr. O'Brien suggested that the Council meet separately in a work session to discuss the issue in more detail. The attorney should participate in the work session by phone. Council scheduled the work session for Wednesday, February 4, at 12:00 p.m. The City Clerk will arrange for the attorney's participation by phone, and lunch will be provided.

#### X. NEW BUSINESS

***Item A: Introduction of Ordinance #98-01, Reviser of Ordinances (Phillips) - introduced by Consent vote.***

***Item B: Resolution #98-01, Supporting Expansion of the Yukon-Kuskokwim Correctional Facilities (Weaver)***

City Manager Weaver noted that the Council and City Administration have been pushing for this expansion project for several years. It will provide economic development for the area, and also be beneficial for inmates to be incarcerated near their home communities. It also provides opportunities for local employment.

**motion** M/M by Williams, 2nd by Anvil, to adopt Resolution #98-01.

Council member Notti requested that the Resolution be amended to specify that local labor is used in the construction. City Manager Weaver noted that under the State's own labor laws, local labor must be used, so it is unnecessary to specify that in the Resolution.

**vote** Roll call vote, motion carried unanimously.

**Item C: Resolution #98-02, Authorizing an Application for an Alaska Native Health Board small projects grant (Weaver) - Adopted by Consent vote.**

**Council member O'Brien and City Manager Weaver disconnected their teleconference to the meeting at this time.**

**Item D: Discussion - Proposed Enforcement Schedule for Water/Sewer Ordinance Requirements (Weaver)**

Acting City Manager Stuart Greydanus asked Public Works Admin. Asst. Wayne Smith to update the Council on the staff-level code enforcement committee's proposed enforcement schedule. Mr. Smith explained that the key to the City's campaign is to prompt, remind, encourage, and support local residents in a move from honeybuckets to hauled or piped utility services. This campaign will include several mailings, public service announcements, and personal phone calls and/or visits. Mr. Smith noted that the Committee has recommended changing the City's laws to provide for civil, rather than criminal charges for failing to comply. Council concurred with the direction the committee is taking, no official action taken.

**Item E: Discussion - Animal Control (Williams)**

Council member Williams noted that he is not complaining about recent increases in animal control problems, but just wanted to bring it to the Council's attention. He has learned that many people's animals are repeatedly impounded. They simply pay the fee, and soon the animal is loose again. Council discussion followed.

**motion** M/M by Williams, 2nd by Anvil, to increase the impoundment fees charged by the City by 25%.

**vote** Voice vote, motion carried, 4-Yes, 2-No (Notti, Rodgers)

The Clerk was directed to prepare a Resolution for the February 10 regular Council meeting to enact the increased impoundment fees.

**Item F: Discussion - Curfew Extension on Homecoming Night (Sanchez-Pobrislo)**

Council member Sanchez-Pobrislo explained that the Homecoming Dance is scheduled to end at 1:00 a.m. The highschool principal has requested that the City extend the curfew from midnight until 1:30 a.m., to allow students to return home from the dance without violating the curfew. Bethel Municipal Code 9.20.015 does provide for the Chief of Police to make exceptions. Chief Eilers told the Council that he didn't have a problem extending the curfew for that one night.

**motion** M/M by Sanchez-Pobrislo, 2nd by Rodgers, to extend the curfew to 1:30 a.m. on Homecoming night, February 28, 1998.

**vote** Voice vote, motion carried unanimously.

***Item G: Discussion – First Class Access for Council members (Sanchez-Pobrislo)***

Council member Sanchez-Pobrislo stated that although City-funded access to the First Class e-mail and bulletin board system has been voted down by Council members in the past, she would like to re-open the dialog on this issue. system provides a good link to various on-line discussions and goings-on in the City. No official action taken.

**XI. COUNCIL MEMBER COMMENTS**

Anvil – Would like to know when streetlights would be installed in the new AVCP subdivision. Would like the City to begin moving large piles of snow that impede pedestrian access and block motorist's views. The snow should be bulldozed onto lakes and sloughs.

Rodgers – The Council shouldn't have to wait so long to hear feedback on requests such as the one for streetlights in AVCP subdivision. A simple status update from the City Manager should be sufficient.

Williams – The City can't afford to haul snow around. Snow that has been contaminated with auto exhaust shouldn't be bulldozed onto waterways, where it will melt into the water in the spring.

Sanchez-Pobrislo – Appreciates the efforts of the Police Department.

Notti – No comment.

Phillips – Thanked Acting City Manager Stuart Greydanus and City Clerk L.J. Warren for helping greet and transport the legislators from the House CRA Committee during their trip to Bethel.

**XII. EXECUTIVE SESSION**

**motion** M/M by Williams, 2nd by Sanchez-Pobrislo, to go into Executive Session at 9:35 p.m., to discuss legal strategy in the BIA Oil Spill case, and strategy for negotiations with the employee union.

**vote** Voice vote, motion carried unanimously.

**motion** M/M by Williams, 2nd by Notti, to suspend the Council Rules of Procedure and continue the meeting beyond 10:00 p.m.

**vote** Voice vote, motion carried unanimously.

**motion** M/M by Williams, 2nd by Notti, to come out of Executive Session at 11:00 p.m.

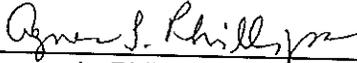
**vote** Voice vote, motion carried unanimously.

**XIII. ADJOURNMENT**

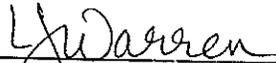
**motion** M/M by Sanchez-Pobrislo, 2nd by Rodgers, to adjourn the meeting at 11:00 p.m.

**vote** Voice vote, motion carried unanimously.

PASSED AND APPROVED THIS 10TH DAY OF FEBRUARY, 1998

  
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Agnes L. Phillips, Mayor

ATTEST:

  
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L.J. Warren, City Clerk