
City of Bethel, Alaska

City Council Minutes

November 26, 2002

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A regular meeting of the Bethel City Council was held on November 26, 2002, at 6:30 p.m. in the council chambers, Bethel, Alaska.

Mayor Short called the meeting to order at 6:30 p.m.

ROLL CALL

Comprising a quorum of the Council, the following were present:

Stanley "Tundy" Rodgers	Joy Shantz
Hugh Short, Jr.	Andrei Jacobs
David Trantham	Jerry Drake
Carl Berger	

Excused absence(s): none

Unexcused absence(s): none

Also in attendance were the following:

Bob Herron, City Manager
Janette Persinger, City Clerk
Louann Cutler, City Attorney

SPECIAL ORDER OF BUSINESS

Item A – Certificate of appreciation to Anne Kosacheff for EMS Service to the Community

Mayor Short presented a certificate of appreciation to Anne Kosacheff for her dedication and outstanding service.

MOVED BY:	Drake	To allow the "Spanish Highlights" Bethel Tour Group 2003 to present their presentation under item B of Special Order of Business
SECONDED BY:	Jacobs	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Item B – The "Spanish Highlights" Bethel Tour Group 2003

A power point presentation was made by Bethel Regional High School students requesting a donation from the City of Bethel.

MOVED BY:	Drake	To donate \$558.00 to the "Spanish Highlights" Bethel Tour Group 2003
SECONDED BY:	Jacobs	

VOTE ON MOTION	Motion carried by roll call vote of 6 – 1 (Trantham).
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Item C – Public Hearing – Proposed project(s) for the Community Block Development Program

Mayor Short opened public hearing.

Deputy City Manager Soberay stated that this is a public hearing so that members of the community may present Community Development Block Grant projects to the Council for consideration. She stated Council may consider any eligible community project presented to them. Ms. Soberay said The CDBG grant is a capital grant that may be used for community development, planning or special economic development. She also said the granting agency is the Dept. of Community and Economic Development and proposals are due December 6. She continued that this is a competitive grant requiring substantial cash and in-kind match and that Grant requests may be made up to \$500,000.

Ms. Soberay explained that proposed projects must meet the National Objective of benefiting populations or targeting areas (or specific clientele) which consists of at least 51% low and moderate income persons, as defined by census data and the DCED. Projects must also benefit the public. Ms. Soberay said Council may consider any eligible community project presented to them for the CDBG program.

After explaining the grant requirements, Ms. Soberay explained how the Senior Center was chosen for the project. She further explained the senior center is almost 20 years old and is in need of constant maintenance. She said this project will sustain the building and would be an investment in a public facility. The proposed improvements were discussed by Ms. Soberay. Deputy City Manager Soberay also stated that the cost for the project to be approximately \$293,000 and that the grant has a 100% matching requirement. Of the 100%, 25% of matching requirement must be cash. The cash match amount would be about \$73,000. To date, AVCP Housing Authority has agreed to contribute \$10,000.00 towards the cash match.

Discussion ensued regarding the length of the grant and the time constraints regarding the cash match. Ms. Soberay stated that the project would allow two years for completion. She also stated that the cash match would not be required at the time of submitting the application and could be appropriated at a later time and that if the City was awarded the grant, the City would be committed to proving the 25% match. Council member Drake suggested that the match be appropriated in the next budget cycle which is shortly after this grant would be awarded.

Louise Charles, Senior Center Director explained the conditions of the Senior Center and reiterated the need for the project.

Ms. Soberay also told Council that clients of the senior center have continually expressed their concerns about the condition of the senior center at Senior Advisory Board meetings. She also told Council that senior services have been noted as being a community concern throughout the recent community strategic planning project meetings.

Council Member Berger stated that while the cash match is substantial that the project would protect the community's investment in the senior center. The investment would not only be the Senior Center building but the quality of life for the seniors. Council Member Berger further stated that the grant is highly competitive and strongly encouraged council members to support the project.

With no one else to speak to this public hearing, Mayor Short closed public hearing. Mayor Short stated a resolution that is later on the agenda will be considered for authorization to participate in the CDBG program.

PEOPLE TO BE HEARD

A. John Dickens: Bethel Fire Department
Mr. Dickens:

Voiced his pride for the entire Bethel Fire Department and Public Safety community

- Stated that the volunteers volunteer an extensive amount of time
- Suggested that the amount of the stipend to volunteers be reevaluated
- Suggested that the volunteers receive the same water and sewer benefits as City employees

B. Willy Keppel: Yuut Elitnaurviat
Mr. Keppel:

- Voiced his opposition to Mayor Short voting on the Yuut Elitnaurviat project
- Opposed the attorney bills
- Questioned the right of City Manager Herron to introduce ordinances

City Manager quoted 2.04.160 C which states that the City Manager may introduce an ordinance.

C. Oly Olson: Finance Committee and Omni property
Mr. Olson:

- Stated that there is rumor that Finance Committee members are going to be removed
- Expressed his concern over council representative absences
- Opposed the purchase of the Omni property due to contamination

D. Colleen Soberay: Community Development Block Grant
Ms. Soberay:

- Gave clarification of the fact that she had been approached by Janelle Vanasse of the Yuut Elitnaurviat Center regarding the grant. Ms. Vanasse yielded to the City to apply on behalf of the Bethel Senior Center
- Announced the third Community Strategic Planning meeting to be held on December 5, 2002 from 7:00 to 9:00 p.m. at the Cultural Center

E. Jerry Drake: Finance Committee
Mr. Drake:

- Expressed himself not as a council member but as a citizen
- Dispelled the rumor regarding the Finance Committee
- Opposed Council Member Trantham sitting on the Finance Committee as a voting member even though he was appointed by the Mayor to the Public Works Committee
- Opposed the attempts of a council member to micro-manage
- Opposed the appearance that members of the Finance Committee are working to further their personal agenda
- Opposed the accusations made against council of conspiracy
- Opposed the conduct of the Finance Committee during the November 20, 2002 meeting
- Reminded council that the budget is the single most important document that they will work on

APPROVAL OF MINUTES

MOVED BY:	Berger	To approve the amended minutes of the 10-22-02 regular minutes and the 11-6-02 special meeting
SECONDED BY:	Drake	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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APPROVAL OF AGENDA

MOVED BY:	Berger	To approve the agenda
SECONDED BY:	Drake	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MAYOR’S REPORT

Items included in the Mayor’s report:

- Letter from the United States Postal Service re: an additional collection box and posting of notices
- Letter from the State of Alaska Local Boundary Commission re: unorganized boroughs and standards for borough incorporation
- Recommendation from the Public Safety and Transportation Commission re: chauffeur testing
- Recommendation from the Finance Committee re: Council Member absences
- Recommendation from the Finance Committee re: dispute over utility bill
Council concurred to allow Mr. Graham to exhaust administrative remedies and allow City Manager Herron to address the issue.
- Recommendation from the Finance Committee re: hauled services versus piped services
- Recommendation from the Finance Committee re: ordinance #02-31
- Recommendation from the Finance Committee re: budget modifications

MOVED BY:	Trantham	To direct administration to draft an ordinance changing 5.40.020 to continue to renew chauffeur permit applications yearly and require that written/driving tests be taken every two years
SECONDED BY:	Drake	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MANAGEMENT TEAM’S REPORT

City Manager Herron’s report included the following:

- Explanation of the final Master Plan Update
- The oil spill which occurred due to mechanical malfunction on 10-22-02 under the Fire Department has been cleaned up
- Overview of third cemetery site
- Resolution #02-14
- STIP special meeting for December 17, 2002
- Personnel matters
- City Manager travel status
- Governor Murkowski transition meeting
- Appraisal of Yuut Elitnaurviat land
- Report from Public Works and Finance Director regarding Public Works Committee recommendation to consolidate services
- Memo from Denali Commission regarding needs of the community
- Gave the status of the City Subdivision water and sewer project

Council Member Trantham requested that the City of Bethel travel policy for the City Manager and City Clerk be placed on the agenda for the next meeting. Also requested was the funding source for the travel.

Council Member Jacobs asked that the travel policy for council members also be placed on the agenda.

City Manager Herron explained the manner in which travel is funded by the travel line item for each department. The amount of the line item is established by the yearly budget. City Manager Herron cited the funding sources for his recent travel.

Discussion ensued regarding the travel and training completed for the Caselle system. Rob Strahan, Finance Director explained the travel and the modules in which the staff were trained on.

Mayor Short reiterated that the department travel budgets are established during the budget season and that it is not necessary to micro-manage each individual person or trip.

With council concurrence, all members of council who attended the Alaska Municipal League conference will be providing a written report of their trip.

REPORTS OF STANDING COMMITTEES

Senior Advisory Board

Council Member Berger:

- Reported that the senior advisory board had not met
- Council Member Berger gave a report on his activities at the Alaska Municipal League Conference held in Valdez, AK.

Parks and Recreation Committee

- Council Member Jacobs reviewed items discussed at the Parks & Recreation Committee held on November 19, 2002
- Council Member Jacobs gave a report on his activities at the Alaska Municipal League Conference held in Valdez, AK.

Planning Commission

- Council Member Shantz reviewed the agenda and items discussed at the meeting of the Planning Commission meeting held on November 21, 2002
- Council Member Shantz gave a report on her activities at the Alaska Municipal League Conference held in Valdez, AK.

Port Commission

- Council Member Rodgers reviewed the minutes of the November 18, 2002 meeting of the Port Commission

Public Works Committee

- Council Member Trantham reviewed the draft minutes of the November 19, 2002 meeting of the Public Works Committee

Public Safety and Transportation Commission

- Council Member Drake reviewed the agenda items of the Public Safety and Transportation Commission held on November 12, 2002

Finance Committee

- Mayor Short reviewed the minutes of the October 24, 2002 Finance Committee meeting

UNFINISHED BUSINESS

Item A – Public Hearing – Ordinance #02-33: An ordinance authorizing the disposal of a ten acre parcel within the surface estate of the southwest quarter of section 8, range 71 west, township 8 north, seward meridian, to Yuut Elitnaurviat-People’s Learning Center, Inc.

Mayor Short opened public hearing.

Mike O’Brien spoke in opposition to the council not following the processes of the Bethel Municipal Code.

Jorene Hout voiced her concerns over the sustainability and community support of the project.

Willy Keppel asked what the City’s obligation is for the project. He also requested the Mayor and City Manager to identify their involvement in the project.

Janelle Vanasse urged members of council to focus on the merits of Yuut Elitnaurviat and the positive impact that the center will have on the community of Bethel as a whole.

Mayor Short closed public hearing.

MOVED BY:	Drake	To set for public hearing on December 10, 2002 and January 14, 2003 with the intent of taking action on the ordinance on January 14, 2003
SECONDED BY:	Trantham	

M/M by Drake: To direct administration to prepare a substitute ordinance containing the language that 4.08.040 will be applied to the conveyance of the identified land. Section 2 to read “authorizes the City Manager ~~Mayor~~ to execute...”

2nd by Rodgers. Motion carried with unanimous roll call vote.

City Attorney Louann Cutler explained that the City has been following the intent of the ordinance. Section 3 of 02-33 states that “BMC 4.08.040 **does not** apply to the conveyance authorized therein.” This legally authorizes the City to dispose of the land without following the procedures in 4.08.040.

Council Member Drake asked that the record reflect the fact that the City was acting within its legal rights to proceed without the processes of 4.08.040.

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Item B – Public Hearing – Ordinance #02-34: Adding a new chapter to Title 4 of the Bethel Municipal Code entitled “Revenue and Finance” regarding disposal of property in the Police Department’s possession

Mayor Short opened public hearing.

Butch Morris, Chief of Police said that ordinance #02-34 will allow the police department to process the property taken in by the department.

Mayor Short closed public hearing.

MOVED BY:	Drake	To adopt ordinance #02-34
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous roll call vote.
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Item C – Public Hearing – Ordinance #02-35: Designating approximately 9.5 acres of the area commonly known as the “sand pit” as a third City cemetery site and relating to the process for surveying City cemeteries

Mayor Short opened public hearing.

Willy Keppel expressed his concerns regarding the value of the sand of the selected cemetery site and suggested that it was time to approach Bethel Native Corporation for a donation of land for the cemetery site.

Ray Watson stated his support for the new cemetery site and explained that the conditions for the burials are substandard.

City Manager Herron explained the history of the Ptarmigan Cemetery and stated that an additional site was identified by Bethel Native Corporation with the stipulation that the City purchase the land at full value. That offer was declined by the council.

Harry Faulkner, Jr. explained that recently when digging a burial site, the site was a complete failure and stated the urgent need for an appropriate burial site.

Mayor Short closed public hearing.

MOVED BY:	Rodgers	To continue the meeting past 10:00 pm
SECONDED BY:	Drake	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MOVED BY:	Drake	To adopt ordinance #02-35
SECONDED BY:	Rodgers	

M/M by Drake: to set for third public hearing ordinance #02-35 on December 10, 2002.

2nd by Jacobs. Motion carried by 6 – 1 voice vote (Short).

VOTE ON MOTION	Motion was suspended.
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NEW BUSINESS

Item A – Discussion Item – Omni property

MOVED BY:	Drake	To direct administration to draft an ordinance to pursue the purchase of the Omni property land
SECONDED BY:	Berger	

Discussion ensued regarding the location of the property, possible uses and alternative sites.

VOTE ON MOTION	Motion carried by 5 – 2 roll call vote (Trantham, Rodgers).
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Item B – Discussion item – Amendment to Project Cooperation Agreement with Army Corps of Engineers for Seawall Project Above Brown Slough

MOVED BY:	Drake	To direct administration to bring back appropriate documents and to move forward with the project
SECONDED BY:	Rodgers	

City Manager Herron and City Attorney Cutler gave an explanation of the required documents and of the project.

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Item C – Discussion item – Brownfields grant (contaminated site(s) clean-up grant)

Deputy City Manager Soberay gave an overview of the Brownfields grant program and listed the sites chosen for clean-up. With council consensus Ms. Soberay was directed to move forward with the grant project.

Item D – Resolution #02-32: A resolution of the Bethel City Council authorizing participation (submittal of application) in the Community Development Block Grant Program

MOVED BY:	Berger	To adopt resolution #02-32
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous roll call vote.
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COUNCIL MEMBER COMMENTS

Council Member Berger encouraged members of the community to be thankful during this thanksgiving season.

Council Member Shantz encouraged pedestrians to make themselves visible by wearing reflective tape, etc. She also wished everyone a happy thanksgiving.

Mayor Short stated that Anchorage Police Department describes the most influential leaders as possessing humility and an intense desire to get things done.

Council Member Jacobs stated that he and thirteen others from Bethel recently attended a workshop by Walter Montigan, Anchorage Police Department Chief of Police. The topic of the workshop was leadership.

Council Member Drake also expressed his concern for the pedestrian and wished everyone a happy thanksgiving.

Council Member Trantham apologized to the community for the flavor of the meeting and wished everyone a happy thanksgiving.

Council Member Rodgers gave his condolences to the Kameroff, Bean, and Nick family. He reminded everyone to stay off of the ice until it was safe and to wear their pfd's.

ADJOURNMENT

MOVED BY:	Rodgers	To adjourn the meeting
SECONDED BY:	Drake	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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With no further business before the Council, the meeting adjourned at 11:25 pm.

APPROVED THIS 10th day of December 2002.

ATTEST:

Hugh Short, Jr., Mayor

Janette Persinger, City Clerk