City of Bethel
City Council

Regular Meeting of September 27, 1994

I. CALL TO ORDER

The meeting was convened at 7:30 PM by Mayor Chris in the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Chris, Jones, Metcalfe, Miller, Tubbs, Wintersteen

Absent: Trantham

III. PEOPLE TO BE HEARD

Paula Maloy addressed Council regarding questions raised about her participation in the Senior Center programs. Mrs. Maloy stated she had been advised that she must pay full price for her meals at the Center. Mrs. Maloy said that the eligibility rules had not changed; therefore, participation was dependent upon age, not finances. Mrs. Maloy referred Council to her age eligibility which was documented at the Senior Center. Mayor Chris asked for a report from City Administration at the next Council meeting on eligibility requirements.

Jerry Korthuis stated he was concerned about the sewer lagoon project and related some of the history of the project. Mr. Korthuis asked how the houses in the Bethel Heights subdivision could be added to the piped system which empties into the existing lagoon without causing it to overflow. Mr. Korthuis stated the project was supposed to be completed in June, but no work had occurred in the past six months. Mr. Korthuis charged that the community's health was at stake and the Council is responsible for the community's health and safety.

IV. APPROVAL OF MINUTES

motion M/M by Tubbs, 2nd by Jones to approve the minutes of the August 23, 1994, regular meeting as presented. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Wintersteen to approve the minutes of the September 6, 1994, special meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA

Council member Tubbs requested New Business Item C be removed from the Consent Agenda.

motion M/M by Jones, 2nd by Wintersteen to approve by consent, Items A, B, D, E and F under New Business. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Tubbs to amend the agenda by removing Executive Session Item A: Seal v. City of Bethel, and adding Executive Session Items A: Update on APEA Negotiations and B: Update on Wulvik Grievance. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Tubbs to approve the agenda as amended. Voice vote. Motion carried unanimously.

V. MAYOR'S REPORT

Mayor Chris referred Council to her written report which contained three proclamations. Mayor Chris summarized the proclamation for 5 a Day Week and read the proclamations for Fire Prevention Week and National Disability Employment Awareness Month.

motion M/M by Wintersteen, 2nd by Jones to ratify the three proclamations. Voice vote. Motion carried unanimously.

Mayor Chris also referred to a letter in her report from a citizen regarding restraining dogs with puppies to protect children. Council referred the letter to the Public Safety Committee for its recommendation.

Mayor Chris reported on the Lobbyist RFP which was opened September 26, 1994, and asked for Council's wishes for this service since only one response was received and the proposed cost was over the budgeted amount.

motion M/M by Miller, 2nd by Jones to direct the City Manager to reissue the RFP for Lobbyist services quoting reimbursement of $20,000. Poll vote. Motion carried, 5-yes, 1-no (Tubbs).

VII. MANAGER'S REPORT

City Manager Hunter reviewed his written report with Council and requested direction on the following items:

1. Request for Land Disposal

motion M/M by Metcalfe, 2nd by Jones to direct the City Manager to proceed with the disposal process to dispose of land under M.E. School to LKSD. Voice vote. Motion carried unanimously.

2. Review of Exit Interview Form

City Manager Hunter stated he was requesting input from the Council on the Exit Interview Form recently developed. By consensus, the Council agreed to adding some questions to the form which would allow employees an opportunity to express opinions.

3. Direction on Grantwriter RFP

City Manager Hunter recommended the Council refer this matter to the Finance Committee for its recommendation. The Council agreed by consensus.

4. Laundromat RFP

motion M/M by Jones, 2nd by Tubbs to accept the proposal of Circle A Enterprise for the lease of the Laundromat.

Discussion followed on questions raised by the proposal, such as reduced rates for water and sewer, ownership of equipment should the business fail and the renewal clause.

Motion and second withdrawn.

motion M/M by Jones, 2nd by Wintersteen to refer the proposals to the Finance Committee for its recommendation and to allow Administration time to review the proposal and provide a recommendation at the next Council meeting. Voice vote. Motion carried unanimously.

Informational Items/Discussion/Questions on City Manager's Report:

motion M/M by Jones, 2nd by Miller to direct the City Manager to pay $1500 out of the Contingency Fund to the Cultural Center for the purchase of chairs as agreed during FY93-94. Poll vote. Motion carried unanimously.

Council member Miller asked the City Manager to provide Council with a schedule of his travel planned for the next six months. The City Manager agreed to do so.

Council member Wintersteen asked how the public notice regarding honeybucket service was distributed and how assistance had been defined. City Manager Hunter said the notices had been mailed to those with Post Office boxes and the rest would be hand delivered by the Public Works drivers on their regular routes. Mr. Hunter also said that the ordinance requiring sewer services also defined assistance and it would entail a subsidy by the City until such a time that the person could pay for the service.

Council broke at 9:05 p.m. for a short recess. At 9:15 p.m., Mayor Chris called the meeting back to order.

VIII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming Committee/Commission meetings were announced.

Council member Miller reported the Public Works Committee met on September 21, but that he was unable to attend. The Public Works Director informed Council that the Committee attended the Department of Transportation public hearing.

Council member Tubbs referred Council to the minutes of the Public Safety Committee and pointed out that the Committee has changed its regular meeting to the first Wednesday of each month at 7:00 p.m.

Council member Jones reported the Finance Committee had not met due to lack of a quorum and would meet in a special meeting.

Council member Wintersteen referred Council to the minutes of the Port Commission included in the packet.

Council member Metcalfe reported the Planning Commission could not complete its meeting due to lack of a quorum.

IX. OLD BUSINESS

ITEM A: Public Hearing--Ordinance #94-19: An Ordinance Amending Title 14, Harbors and Ports, by Adding Chapters 14.04.060-.070, Fishing From Docks Prohibited

Mayor Chris opened the Public Hearing.

Mary Gregory addressed Council, stating that 99% of her food is Yupik and she fishes from the City Dock when the tides are good and barges are not present. Mrs. Gregory said most of the people that fish off the dock are elders who depend on the fresh fish, pointing out that during freeze-up, people cannot use boats to get fish and cannot go on the ice until it is thick enough, leaving fishing from the dock as their only option for fresh fish. In response to a question from Mayor Chris, Mrs. Gregory stated that people fish from the dock in the spring until the salmon run and again in September until the ice is thick enough.

Paula Maloy spoke to the importance of keeping the traditional ways for the next generation. Mrs. Maloy stated that the type of fishing off the dock is very different from other types of fishing, and that people who are fishing should give way to people who are working on the dock.

Katie Albrite addressed Council in Yupik and Mary Gregory interpreted. Mrs. Albrite stated that fresh foods are important and the seawall and docks are the only source of fresh fish until people can get on the ice in the winter.

There being no one else who wished to speak, Mayor Chris closed the Public Hearing.

motion M/M by Wintersteen, 2nd by Jones to approve Ordinance #94-19 with the amendment of adding "during the months of June, July and August" to Section 14.04.060. Poll vote. Motion carries, 5-Yes, 1-No (Metcalfe).

ITEM B: Public Hearing--Ordinance #94-20: An Ordinance Amending Title 14, Harbors and Ports, by Adding Chapters 14.08.060-.070, Personal Floatation Device Required

Mayor Chris opened the Public Hearing.

Mary Gregory stated that the proposed ordinance should not apply to responsible people, only to children and those not responsible. Mrs. Gregory also stated that some people do not have floatation devices because they cannot afford to purchase them. Mrs. Gregory also stated that the ordinance should exempt elderly people.

Bonnie Kowchee addressed Council stating that the people who fish are responsible people who want to catch fish, not cause trouble. Mrs. Kowchee suggested the ordinance apply to children.

Paula Maloy stated the only problems are created by children and intoxicated people. Mrs. Maloy pointed out that other activities occur along the seawall and this ordinance would increase the load on the Police Department. Mrs. Maloy also expressed reservations about

any liability protection the ordinance would provide to the City.

There being no one else who wished to speak, Mayor Chris closed the Public Hearing.

motion M/M by Wintersteen, 2nd by Miller to adopt Ordinance #94-20.

Council member Miller stated he did not support the ordinance and the City should provide life preservers on the seawall for accidents.

Council members Jones and Metcalfe also stated their non-support of the ordinance.

Council member Wintersteen reminded Council that the Port Commission had voted unanimously in support of this ordinance, as it would provide some protection to the City in the event of an accident.

vote Poll vote on the motion. Motion failed, 1-Yes, 5-No (Chris, Jones, Metcalfe, Miller, Tubbs).

ITEM C: Update on Sewer Lagoon Project

City Manager Hunter reported that he and the Public Works Director had met with representatives from Village Safe Water and Farmers Home Administration to discuss the sewer lagoon project. City Manager Hunter reported that an agreement had been reached to contract out the remainder of the project instead of completing it using force accounting.

City Manager Hunter also related that they had discussed the redesign of the outflow, which would direct the flow onto Native Allotment land. The City would have to acquire the land, which is a long process and would further delay the project. Mr. Hunter stated that the City is continuing to investigate a gravity outflow.

motion M/M by Jones, 2nd by Tubbs to go past 10:00 p.m. Voice vote. Motion carried unanimously.

City Manager Hunter stated the approximate cost for completion of the project is $80,000, and that he and the Public Works Director would develop a project schedule after meeting with the project engineer.

In response to a question regarding the additional houses added to the piped system, City Manager Hunter stated that the Village Safe Water engineer did not think it would pose any problems, and added that the existing lagoon can handle current usage with the additions, but would not be able to handle the planned future growth.

ITEM D: Consortium Library Agreement

City Manager Hunter stated he supported investigating providing additional funding for janitorial services at the six month budget review, along with looking at any additional funding at that time. Mr. Hunter was also in support of grading the parking lot twice a year, with the University providing the gravel and fill material.

motion M/M by Jones, 2nd by Wintersteen to approve the agreement with the amendment of adding a provision for the City to biannually grade and level the parking lot. Poll vote. Motion carried, 6-Yes, 0-No.

ITEM E: Discussion Item--Role of Council Committees/Commissions

Mayor Chris stated she had included this item as some committees and commissions seem to be operating outside the basic guidelines set by Council. Mayor Chris referred to Resolution #94-21 which provides for the establishment of Council committees and sets their roles as an advisory group working for the Council. Mayor Chris asked for opinions in establishing rules and procedures for committees and commissions. The Council agreed by consensus.

ITEM F: Review of Project Report Form

Council member Jones suggested postponing this item until the next meeting, due to time constraints.

Mayor Chris asked that the Council review the list and prioritize their five most important projects and provide them to the Mayor.

X. NEW BUSINESS

ITEM A: Introduction of Ordinance #94-21: An Ordinance of the City Council of Bethel, Alaska, Amending Title 2, Chapter 2.04.010, Entitled Sessions, and Chapter 2.04.040, Entitled Agenda, of the Bethel Municipal Code

Approved under Consent Agenda

ITEM B: Resolution #94-34: A Resolution Appointing From the Qualified Electors of the City of Bethel Election Judges for Precincts One, Two and Three for the October 4, 1994, Municipal General Election

Approved under Consent Agenda

ITEM C: Resolution #94-35: A Resolution Recognizing Patricia Fitka for Her Service to the City of Bethel

Mayor Chris read the resolution.

motion M/M by Tubbs, 2nd by Wintersteen to pass Resolution #94-35. Voice vote. Motion carried unanimously.

ITEM D: Resolution #94-36: A Resolution Requesting Capital Funding Through the State of Alaska Village Safe Water Program

Approved under Consent Agenda

ITEM E: Resolution #94-37: A Resolution Requesting Municipal Assistance Funding From the State of Alaska

Approved under Consent Agenda

ITEM F: Resolution #94-38: A Resolution Certifying That the Municipality Did Suffer Significant Effects from Fisheries Business Activities

Approved under Consent Agenda

XI. COUNCIL MEMBER COMMENTS

Council member Miller stated he had sensed some irritation when discussing the City Manager's travel schedule and added that it was not appropriate to belittle the concern about the Manager's travel. Mr. Miller asked that the Youth Softball Coaches receive some type of recognition. Mr. Miller also asked about the status of warning lights near Kilbuck School.

Council member Tubbs thanked people for donating time to work on the parks, and added special thanks to the Boy Scouts, David Murray and Harry Faulkner, Jr.

Council member Jones congratulated the City Manager on his election as Vice President to the ICMA Executive Board.

Council member Wintersteen encouraged everyone to vote in the upcoming election. Mr. Wintersteen also related that the Fire Department provides brushes free of charge to clean out chimneys and also sells carbon monoxide detectors. Mr. Wintersteen also stated that the boardwalk in Pinky's Park was missing boards.

Council member Metcalfe thanked everyone for working with him during the past two years and encouraged everyone to run and serve on Council for the experience. Mr Metcalfe also expressed his concern regarding the boardwalk in Pinky's Park.

XII. EXECUTIVE SESSION

motion M/M by Jones, 2nd by Miller to go into Executive Session for the purpose of discussing APEA Negotiations and Wulvik grievance. Voice vote. Motion carried unanimously.

motion M/M by Wintersteen, 2nd by Jones to come out of Executive Session. Voice vote. Motion carried unanimously.

XII. ADJOURNMENT

motion M/M by Wintersteen, 2nd by Metcalfe to adjourn the meeting at 11:10 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 11TH DAY OF OCTOBER, 1994.

Donna J. Chris, Mayor

ATTEST:

Connie Tucker, City Clerk