



# CITY of BETHEL

P. O. Box 388 • Bethel, Alaska 99559

543-2297 — Area Code 907

## MUNICIPALITY OF BETHEL CITY COUNCIL MINUTES JULY 2, 1979

### COUNCIL CHAMBERS

7:30 P.M.

Manager Hoffman called the meeting of July 2, 1979 to order at 7:30 p.m., at the Council Chambers.

Manager Hoffman opened the floor for nominations for Acting Mayor in Mayor Elliotts absence.

M/M by Charles to nominate D. Carpenter as Acting Mayor. Voice vote was taken and was unanimous. Motion passed.

### INVOCATION

Invocation was given by Gregory.

### APPROVAL OF MINUTES

Charles stated that on page 2, a whole section is missing, should read as follows: "2 from Administration and one", also on page 4 under PERMIT FEES, should read: "\$25.00 instead of \$20.00."

M/M by B. Hoffman to accept the Minutes of May 30, 1979 with the corrections. Voice vote was taken and was unanimous. Motion passed.

### APPROVAL OF AGENDA

Charles stated that she'd like to add ITEM D. INSURANCE to the agenda.

Manager Hoffman stated that he'd like to put ITEM E. MANAGER'S CONTRACT also onto the Agenda. Both are under New Business.

M/M by B. Hoffman to accept the agenda of July 2, 1979 with the following additions: ITEM D. INSURANCE & ITEM E., MANAGER'S CONTRACT. Voice vote was taken and was unanimous. Motion passed.

Charles stated that some meetings ago we had Nora Guinn's First Lady's Award to give to her. Instead of putting it off to many times, we should send her the plaque. Manager Hoffman stated that he'd do so.

Manager Hoffman stated that on ITEM D. RATIFICATION OF THE FINANCE DIRECTOR, we have 2 applicants coming in on tuesday and thursday so would the Council table this item until the next council meeting.

M/M by B. Hoffman to table ITEM D. RATIFICATION OF THE FINANCE DIRECTOR. Voice vote was taken and was unanimous. Motion passed.

#### COMMUNICATIONS

None

#### MANAGER'S REPORT

Manager Hoffman stated that the City of Bethel has received a signed contract from the State of Alaska, Department of Education for the construction of a Regional Fire Fighting Training Center for \$500,000.00 and the firm of Wran-Kuimn has been selected to design the facility for construction next season.

Last month the City requested a budget revision in the contract we have with the Office of Aging because of under spent funds. This revision included a request for a 15 passenger van to be utilized in transportation all that participate in Bethel elderly program.

Manager Hoffman stated that although there hasn't been good weather for swimming there has been some discussion on swimming holes along the highway. Since the Parks & Recreation isn't offering a swimming course this summer, because of inadequate training staff, I have been informed by our legal Council that it be the City's position that there be a general prohibition against swimming in any area, lake or slough within the City of Bethel to prevent injury from drowning.

Regarding the Finance Director's position, I asked that it be tabled until the next Council meeting. One candidate will be here tomorrow 7/3 and the other will be here on thursday 7/5. Both of them are from Anchorage. Council is invited to participate in the noon interviews.

Hoffman stated that last week he did receive a telegram from the Division of Corrections and they will be contracting with the City of Bethel for \$375,462.00 as I previously reported to Council.

As many of you may be aware the Bethel Community Schools Committee has been disbanded. I have since requested Nora Guinn, Chairman of LKSD, to let the Committee finish the Financial Report of the First Class City Status as it effects the operation of the School District.

Manager Hoffman stated that Tom Murdock of the Corp of Engineers contacted him last week and informed him that a crew will be here in Bethel from 7/9 - 7/12, to complete the Cross Sectional Survey for the River Profile on the Kuskokwim Erosion Project.

The City of Bethel Utilities Department will be taking delinquent customers to the small claims court in the future.

Hoffman stated that the Alaska Public Employee's Association is in the process of solicitating signatures to hold a vote to form a union representing the employees.

Manager Hoffman stated that Lane Knorr & Plunkett has completed the knee bracing of the walls and ceiling at the Bowling Alley. The Department of Parks & Recreation will be holding an open house on Sunday the 15th of July and will be open for business on the 16th of July.

There was some discussion on the subject of swimming in the City of Bethel area. Manager Hoffman stated that he'd check with YKHC to see if they can provide us with a volunteer program for a life guard.

#### FINANCE DIRECTOR'S REPORT

None

#### MAYOR'S REPORT

None

#### REPORT OF THE STANDING COMMITTEE'S

B. Hoffman of the Public Works Committee stated that his Committee had nothing to report.

E. Hoffman of Public Safety/Transportation Committee stated that they will have a meeting after the Commercial fishing period.

Gregory of the Environmental Health Committee stated that they met on the 29th of June and discussed the summer schedule as follows: July 27th & August 31, 1979 both will be held at noon at the Council Chambers.

Some discussion on the subject of the swimming holes in the City of Bethel area. According to Parks & Recreation Director, John Alder, stated that all of the holes in the Bethel area are contaminated except the one at the Sand Pit. It was suggested that the City Manager check with YKHC and other organization for a volunteer life guard program for the summer.

Detox section of the PATC will be handled by the City Jail and the Public Health Service from July 9th to the 13th while they (maintenance) is fixing the center.

This year the booths of the PATC are going to focus on the Marijuana problems. Gregory encouraged the public to see the booths.

Gregory stated that they are having problems with the Committee members being notified about the meetings that are scheduled to be held.

Charles of the Planning Commission stated that they had a meeting on the 4th of June and that there were two items that are on the agenda that they discussed: ITEM D. REPORT ON COMPREHENSIVE DEVELOPMENT PLAN AND ITEM E. OVERALL ECONOMIC DEVELOPMENT PLAN 1978. Also in the minutes of the last meeting under Communications the letter from Harold Sparks, that was referred to the Planning Commission on the 42% raise in the Bethel Utilities Corporation the Planning Commission decided that this was to be referred back to Council that it doesn't deal with Land Use Planning. The decision should be made by Council.

Mayor Elliott stated that on this subject of the Bethel Utilities 42% raise it will be taken up on a later date.

#### PEOPLE TO BE HEARD

Pat Mackey, Counselor of Tundra Women's Coalition, stated that she has several lady's that work for the TWC that would like to read a couple of letters for the Cab Companies and then to the City Council.

Barb Knapp, read a letter directed to the two cab companies in town, Checker cab and Kusko Cab. Dealt with verbal and physical assaults on women.

Another member of the TWC, read a letter directed to the City Council on the role of the Police Department.

Manager Hoffman stated that we have with us Paul Barnhardt, the Acting Chief of Police for any comments, in regard to the complaints made.

P. Barnhardt stated that the Police Department does record all of the calls coming in for distress. Barnhardt stated that he investigated it and no-one remembers any call coming in for distress.

Manager Hoffman asked what is he doing about the identification request of the Cab Drivers identification.

Barnhardt stated that he ordered 5" x 7" cards for that purpose and they have not yet arrived.

Manager Hoffman stated that he did meet with F. Pearson and C. Miller and that they are working together to solve the problems of the lights in the cabs. Hoffman stated that if the public has any problems with cabs to call the Police Station or the Cab Companies.

Some comments on the leadership of the Police Department.

R. Goldstein stated that in the Ordinance of the Permits System there is nothing that stated the penalties for failure for not carrying and showing.

Mayor Elliott advised our City Manager, Lyman Hoffman to draft something up to pertain to the penalties for failure to show and carry, chauffeur's permits. Also give the City Manager authority to advise the Officers that this starts immediately.

M/M by Carpenter move that the Police Officers conduct a spot check on the cabs over the next two weeks to see if this has been complied with and would like to know the extend of this problem. The number of cabs not having their chauffeurs licenses etc., and report back to the Council on the next meeting.

E. Hoffman 2nd for discussion.

Voice vote was taken and was unanimous. Motion passed.

#### UNFINISHED BUSINESS

##### ITEM A. PUBLIC HEARING ON MODIFICATION #1 OF ORDINANCE #107, TAXI FARE RATES.

Manager Hoffman stated that the taxi fare is a .25¢ increase in most areas. They never had a raise for over a year. He recommends to Council these rates be approved tonight as the increase in fuel along justifies the increased fare.

Mayor Elliott opened the Public Hearing on Modification #1 of Ordinance #107, Taxi Fare Rates to the public.

Discussion on the subject of Chauffeurs Permits, make them visible to the public and safe from the public. Also the cab rates for children with parents should be less. They lowered the age limit to 5 and under - free and 6 - 12 be charges \$1.00 per stop.

Gregory asked if we can go into a 5 minute recess.

Mayor Elliott called for a 5 minute recess.

Mayor Elliott called the meeting back to order.

Mayor Elliott closed the public hearing on Modification #1 of Ordinance #107, Taxi Rates to the public.

Manager Hoffman suggested that the wording be "the first 2 children with parents 5 and under is free and each additional child be a \$1.00, children 6 - 12 with parents be \$1.00. Also Modification #1 of Ordinance #107, Taxi Rates will be effective with proper identification being installed in the taxi.

M/M by Charles that Modification #1 of Ordinance #107, be adopted with the recommended rate changes: 1) 2 children under 5 be free, and additional children, \$1.00,; 2) also modification #1 of Ordinance #107 be effective with proper identification and license, and children 6 - 12 be charges a \$1.00 with the effective date of 8/1/79 and proper display of identification of driver. Poll vote was taken. Yeas: Charles, Twitchell, Gregory, B. Hoffman, Carpenter and Elliott. E. Hoffman Abstained. Motion passed.

ITEM B. PUBLIC HEARING ON ORDINANCE #117, HOUSING AND URBAN DEVELOPMENT POWERS

Mayor Elliott opened the Public Hearing on ORDINANCE #117, HOUSING AND URBAN DEVELOPMENT POWERS to the public.

Manager Hoffman stated that this Ordinance was requested on behalf of the AVCP Housing Authority. Basically to get additional funds for the Elderly Apartment Units, its giving a very limited Housing and Urban Development Power for the City of Bethel. That being development of the Senior Citizens Housing Project to comply with the funding of the 24 units of the Elderly Apartment units.

Mayor Elliott closed the Public Hearing on ORDINANCE #117, HOUSING AND URBAN DEVELOPMENT POWERS to the public.

M/M by Carpenter to approve Ordinance #117, Housing and Urban Development Powers for the AVCP for approval of the Senior Citizens Apartments. Poll Vote was taken. Yeas: Charles, Twitchell, Gregory, B. Hoffman, Carpenter and Elliot. E. Hoffman Abstained. Motion passed.

ITEM C. PUBLIC HEARING ON:  
KCC LEASE OF 2ND FLOOR OF RECREATION BUILDING #2  
BUCK ROGERS DISCO ON 1ST FLOOR OF RECREATION BUILDING #2  
ELM FISHERIES LEASE OF THE OLD LIBRARY

Mayor Elliott opened the Public Hearing on all of the above.

Manager Hoffman stated that the Council asked him to check with the lessors on whether we could decrease the rent because of the rising fuel costs and find out what the fuel and electric costs were, because we were going to obligate ourselves to rising utilities for up to 10 years. He contacted KCC and they didn't have any problems with reducing the monthly fee of about \$150.00 to \$175.00 that's about average in the last 6 months. They would pick up the electricity on a quarterly basis. We would bill them on a quarterly basis. Manager Hoffman stated that the Disco had no opposition on the lease but had a problem, they already have a five year lease and they didn't have any problem with the other five years but this coming 5 years they do. They pay the Utilities on a quarterly basis. And would like a total of 12 years lease. Annual interest cost of 10% increase on the lease. On Elm Corporation lease they have had the building for the last 3 years. It would bring into the City of Bethel revenue of \$25,000.00 for the next five (5) years. (10% per year on the lease.)

Mayor Elliott closed the Public Hearing on KCC lease of 2nd floor of the Recreation Building, Buck Rogers Disco 1st floor of the Recreation Building #2 and Elm Corporation Fisheries lease of the Old Library and 1000 sq. ft. of land on the NW corner of USS Survey 1002 to the public.

M/M by Carpenter that the Council approve the lease of the three buildings:

KCC LEASE OF 2ND FLOOR OF RECREATION BUILDING #2 - 5 years  
for \$1,110.00

BUCK ROGERS DISCO ON 1ST FLOOR OF REC. BUILDING #2 - 12  
years for \$905.00

ELM FISHERIES LEASE OF THE OLD LIBRARY - 6 years for \$225.00  
a month. All the above leases would have a 10% annualized

increase each year. Buck Rogers Disco be a Modification of the existing lease that would separate the fuel and electricity costs. The fuel cost would be billed separately and a reduction per month in the KCC lease and Buck Rogers Disco. Poll vote was taken. Yeas: Charles, Twitchell, Gregory, B. Hoffman. E. Hoffman, Carpenter and Elliott. Motion passed.

Carpenter stated that during the break they got new information on the Bethel Utilities Rates from Harold Sparks and apparently it is possible for us to have a Public Hearing on this matter.

M/M by Carpenter that Council write a letter to the APUC also form a Committee to explore some alternative ways that might be possible. Voice vote was taken and was unanimous. Motion passed.

ITEM D. REPORT ON COMPREHENSIVE DEVELOPMENT PLAN

Manager Hoffman stated that he request Jay Livey, City Planner, to report on ITEM D., REPORT ON COMPREHENSIVE DEVELOPMENT PLAN.

J. Livey stated that the following items were supposed to be completed by the end of June:

- 1) Mapping
- 2) Community Attitude Survey
- 3) Preliminary Housing Element

J. Livey gave a brief description of each of the above.

J. Livey stated that the Planning Commission is scheduled to meet on the 9th of July, 7:30 p.m. at the Council Chambers. They will have to set a date for a worksession on the 12th or the 19th. Darbyshire and one of the staff will be out to present the Attitude Survey and the Housing Element. They will have the information to the Council on the next meeting.

Manager Hoffman asked City Planner, J. Livey, if he'd also like to include ITEM E. OVERALL ECONOMIC DEVELOPMENT PLAN.

J. Livey presented the OEDP report for 1979. He stated that two previous work sessions had been held by the Planning Commission and Council. The Goals and Objectives found in this report are the result of those work sessions.

M/M by Charles to accept the Overall Economic Development Plan, Annual Report for 1979, as presented. Voice vote was taken and was unanimous. Motion passed.

Manager Hoffman stated that since Mr. Livey is here we can also get ITEM H. INTRODUCTION OF MODIFICATION TO ORDINANCE #114, BUILDING PERMIT SYSTEM.

Manager Hoffman stated that this is basically the same Ordinance and there are minor changes. We did not have the language at the time and these are the changes:

J. Livey stated that he'd like to refer this to the Planning Commission.

Manager Hoffman stated that this can be introduced and then the Planning Commission can work on it.

M/M by Carpenter to INTRODUCTION OF MODIFICATION TO ORDINANCE #114, BUILDING PERMIT SYSTEM, and set a Public Hearing date for the 1st monday in August, and go to the Planning Commission. Voice vote was taken and was unanimous. Motion passed.

ITEM F. BUDGET HEARING ON FEDERAL REVENUE SHARING

Mayor Elliott opened the Public Hearing on ITEM F.,  
BUDGET HEARING ON FEDERAL REVENUE SHARING to the public.

Manager Hoffman stated that this is a formality, we would  
have to have two Public Hearings, one on Intended Use of  
the Federal Revenue Sharing and the second on Budget  
Hearing on Federal Revenue Sharing.

This is a requirement of the Federal Regulations. We have  
an allocation under Federal Revenue Sharing of \$176,533.00  
and a carry over of last year of \$33,843.00. Giving us a  
total of \$210,376.00, \$156,457.00 spent on Police Salaries  
\$15,538.00 on Fire Equipment, \$38,381.00 on Vehicle and  
Equipment and Personnel. These were publicized in the Tundra  
Drums as required by Federal Guidelines.

Mayor Elliott closed the Public Hearing on Item F. Budget  
Hearing on Federal Revenue Sharing to the public.

M/M by E. Hoffman to approve the Budget Hearing on Federal  
Revenue Sharing as presented. Poll vote was taken. Yeas:  
Charles, Twitchell, Gregory, B. Hoffman, Carpenter, E. Hoffman  
and Elliott. Motion passed.

ITEM G. PUBLIC HEARING ON ORDINANCE #116, AN ORDINANCE  
ESTABLISHING A SUPPLEMENTAL APPROPRIATION FOR THE  
CITY OF BETHEL FOR FISCAL YEAR 1978-79

Mayor Elliott opened the Public Hearing on Item G. Public  
Hearing on Ordinance #116, (AN ORDINANCE ESTABLISHING A  
SUPPLEMENTAL APPROPRIATION FOR THE CITY OF BETHEL FOR FISCAL  
YEAR 1978-79 to the public.

Some discussion on the subject of the 1978-79 budget.

M/M by Gregory to go pass 10:00 p.m. Voice vote was taken  
and was unanimous. Motion passed.

Mayor Elliott closed the Public Hearing on Ordinance #116,  
(AN ORDINANCE ESTABLISHING A SUPPLEMENTAL APPROPRIATION FOR  
THE CITY OF BETHEL FOR FISCAL YEAR 1978- 79 to the public.

M/M by B. Hoffman to adopt Ordinance #116, (AN ORDINANCE  
ESTABLISHING A SUPPLEMENTAL APPROPRIATION FOR THE CITY OF BETHEL  
FOR FISCAL YEAR 1978-79 as presented. Poll vote was taken.  
Yeas: Charles, Twitchell, B. Hoffman, Carpenter, Gregory,  
E. Hoffman and Elliott. Motion passed.

Mayor Elliott called for a 10 minute break

Mayor Elliott called the meeting back to order.

NEW BUSINESS

ITEM A. APPOINTMENT OF PLANNING COMMISSION MEMBERS

Mayor Elliott stated that this is to be tabled until the next Council meeting. This is to be referred to the Planning Commission for more input.

ITEM B. INTENDED TRANSFER OF BNC PROPERTY

Manager Hoffman stated that BNC's property was transferred by mistake and that they thought that they had the property of the dump area for the City of Bethel. So we would like to transfer the property back to BNC.

Manager Hoffman stated that he recommended that the Council approve the transfer.

M/M by B. Hoffman to introduce the transfer of the BNC property back and set a Public Hearing date. Voice vote was taken and was unanimous. Motion passed.

ITEM C. SELECTION OF CHIEF OF POLICE

Manager Hoffman stated that he clarified the comp time with Lorn Campbell and Campbell is willing to work without comp time as long as he gets three (3) weeks vacation leave a year.

R. Porter stated that Council should consider this; when a Chief of Police quits he should stay with the job until another replacement is gotten. Unless he gives adequate notice etc. The City of Bethel has the right to ask them to stay on until we do get a replacement in the first year.

Manager Hoffman stated that Lorn Campbell would like to have the similar contract as the City Manager does. Hoffman stated that we can give him 6 months with cause, 3 months without cause and give the City of Bethel 90 days notification on termination.

M/M by Carpenter to offer Lorn Campbell the position of Chief of Police for the City of Bethel, with the Contract modifications as we discussed above and with final approval of the changes we agreed upon. Poll vote was taken. Yeas: Charles, Twitchell B. Hoffman, Gregory, Carpenter, E. Hoffman and Elliott. Motion passed.

Manager Hoffman stated that Lorn Campbell stated that he would like to start working for the City of Bethel on the 1st of September.

ITEM D. INSURANCE

Manager Hoffman stated that the Finance Committee and Administration reviewed three brokers: Clary Insurance, which they've been with us for several years, Cooroon & Black Dawson Company and Dugan, Egan, Renolds & Wheeler.

Hoffman gave brief descriptions and compared the three brokers.

M/M by B. Hoffman to accept Cooroon & Black, Dawson & Company as the City of Bethel's Brokers for insurance. Poll vote was taken. Yeas: Charles, Twitchell, B. Hoffman, Gregory, Carpenter, E. Hoffman and Elliott. Motion passed.

ITEM E. 1979 MANAGER'S CONTRACT

Mayor Elliott called for an executive session.

Mayor Elliott called the meeting back to order.

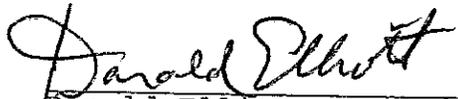
M/M by E. Hoffman to give the City Manager \$3,000 increase to his original fee and a 7% increase on the salary. Poll vote was taken. Yeas: Charles, Twitchell, E. Hoffman, Gregory, Carpenter, B. Hoffman and Elliott. Motion passed.

ADJOURNMENT

M/M by Gregory to adjourn. Voice vote was taken and was unanimous. Motion passed.

PASSED AND APPROVED This 7th day of August, 1979

APPROVED BY:

  
\_\_\_\_\_  
Donald Elliott, Mayor

ATTEST:

  
\_\_\_\_\_  
Irene Williams, City Clerk



*Goes with  
July 2nd '5*

# CITY of BETHEL

P. O. Box 388 • Bethel, Alaska 99559

543-2297 — Area Code 907

## ORDINANCE #114 BUILDING PERMIT SYSTEM AND ENCROACHMENT RULES AND REGULATIONS

Planning Commission Recommended changes:

### Section 10.06.090 PERMIT FEE:

Action - Added a section to allow for the collection of a permit application fee

Now reads:

"A non refundable permit fee of \$10. for residential and \$20. for commercial shall be collected from the applicant at the time that the preliminary application is filed".

### Section 10.06.120

Action - (1) Eliminated #d that required improvements to be set back 15 feet from front lot line, 10 feet from back and 10 feet from each side lot lines.

(2) Added the words "or hazard" in "E".

Now reads:

"Unless provided by Section 10.06.280, in no event shall a building permit be granted if the lot improvements ;

- a) Encroaches on any right of way.
- b) Requires the placement of fill on any City right of way when the width of the fill is greater than 20' at its widest point.
- c) Does not provide a proper culvert to provide adequate drainage as determined by the Department
- d) Includes a sewer and water system (Either external or domestic) that is designed in such a way as to pose a potential nuisance and hazard to neighbors

### Section 10.06.140 - Preliminary Permit Application Procedure

Action - Two additional items were added:

- (4) If applicable, a description of the water and sewer system that is being planned as part of ~~the~~ improvement.

- (5) Estimated date of completion of substantial construction.

Section now reads:

"A preliminary permit will be issued provided that the lot improvements meet the minimum standards as found in this chapter and further provided that the following information is presented to the City Administrative Officer or designee as part of the applicaiton.

- 1) A legal description of the land on which the improvement is to be located, and when possible proof of ownership.
- 2) The positioning of all existing lot improvements and all proposed lot improvements.
- 3) The positioning of all City rights of way that are adjacent to or across the lot being improved.
- 4) If applicable, a description of the water and sewer system that is being planned as part of the improvement.
- 5) Estimated date of completion of substantial construction.

Section 10.06.240 - Emergency Removal

This entire section should be omitted.

Section 10.06.320 - Non Compliance

Action - Add the words "and or levy a fine of \$100."

New reads;

"Failure to obtain a preliminary or building permit prior to a lot improvement is a violation of this Ordinance and the City reserves the right to halt the construction of lot improvements and or levy a fine of \$100.00 until the Ordinance is complied with.