

CITY COUNCIL

*Tad Miller
Dario Notti
Mike O'Brien
Agnes Phillips, Mayor
Ruth Richardson
Stanley Rodgers
Thor Williams*



CITY MANAGER
Ken Weaver

CITY CLERK
L.J. Warren

**City of Bethel
Regular Council Meeting Minutes
June 24, 1997**

I. CALL TO ORDER

The meeting was convened at 6:30 p.m. by Mayor Phillips at the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Miller, Notti, O'Brien, Phillips, Richardson, Rodgers, Williams

Absent: none

Also present: City Manager Ken Weaver, City Clerk L.J. Warren, and 23 persons in the audience.

III. PEOPLE TO BE HEARD

Dennis Gunder discussed a complaint he has against the Police Department. Dave Trantham gave his opinion of the City Manager's handling of City finances. Terry Miller expressed appreciation for the "People to be Heard" portion of the agenda. Jim Libby stated that street use and bicycle safety instructions are needed for schoolchildren.

IV. APPROVAL OF MINUTES OF JUNE 10, 1997 REGULAR MEETING.

motion M/M by Richardson, 2nd by Rodgers to approve the minutes of the June 10, 1997 regular meeting, as presented.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

Mayor Phillips added New Business Item G, Review of the City Manager Evaluation Form.

motion M/M by Miller, 2nd by Rodgers to approve the agenda as amended.

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Phillips, noting that a discussion of the Police Department was on the agenda, reminded the Council that they may not discuss personnel issues during the regular Council meeting.

Mayor Phillips made the following appointments to the Youth Services Committee: Darcy Anderson and Susan Jacobson.

motion M/M by Miller, 2nd by Richardson to ratify the appointments of Darcy Anderson and Susan Jacobson to the Youth Services Committee.

vote Voice vote. Motion carried, unanimously.

Mayor Phillips asked for volunteers to help with the 4th of July festivities. Interested persons can call Janet or Betty at the Youth Center, 543-2088.

Nomination forms for Alaska State Chamber of Commerce awards, and information on the Alaska Federation of Natives Subsistence Conference are available from the City Clerk.

Council member Miller stated that he would bring a Resolution supporting subsistence practices to the next Council meeting, and that he supported sending a Council member to the AFN Conference.

VII. MANAGER'S REPORT

City Manager Weaver referred Council to the written reports, and discussed the following:

- Resignation of Finance Director: Bonnie Duke has submitted her resignation, effective July 15. She has accepted a new job out-of-state.
- Water & Sewer Violations: Two violations of the City's Public Services code were noted. An in-depth discussion of the Council's policy on private water and sewer delivery is needed.

motion M/M by Rodgers to schedule a special meeting, due to time constraints, to discuss the issue of private water and sewer delivery.

failed No second.

A brief discussion followed on the question of private water delivery and sewer evacuation. The Council agreed to place the matter on the agenda for the July 8, 1997 regular meeting.

- VSW Grant Increase: VSW has increased one of the City's grants by \$1,000,000. The funds are allocated for extending piped water and sewer to the new 40-unit AVCP housing area.
- Sewer/Greywater Compliance letter: A copy of the City's form letter, which will be sent to all residents out of compliance with the sewer tank ordinance, was provided to the Council. A few suggestions to clarify the letter were made by the Council. Council member Notti questioned whether the greywater laws should be applied to water used in steambaths.
- Alaska Coastal Management Program Grant: Mr. Weaver noted that a portion of the City's grant funds are being withheld, pending greater involvement by the City. Mr. Weaver will find out exactly what is expected for the remaining funds to be released.
- Gaming Permit Application from ASEA/AFSCME: The City has acknowledged receipt of the permit application. Discussion followed on outside organizations conducting raffles in the City.

Questions from Council members:

1. Council member Miller, noted that there is no park or playground planned for the new 40-unit AVCP subdivision. He asked if there were any federal regulations providing for a ratio of residential units to parks. Mr. Weaver responded that the National Parks & Recreation Organization has a set of standards that could be applied.

2. Mayor Phillips asked if booths for the 4th of July were available on a first come, first serve basis. Council member Miller "yes."
3. Council member Miller asked about the status of speed limit reductions in residential areas. Mr. Weaver responded that he is awaiting word from Lee Sharp on the extent of the traffic study required by the Department of Public Safety.
4. Council member Williams pointed out that the Youth Center budget is completely spent. The Director, Janet Athanas, has spent \$1,000 of her personal income on supplies needed by the Youth Center. The budget should be watched more carefully next year to insure the same situation doesn't occur again.
5. Council member O'Brien noted that the City had committed to delivering 10 loads of sand to the park in Tundra Ridge, about 1-1/2 years ago. Mr. Weaver said that he would make the necessary arrangements.
6. Council member Williams asked for an update on the state project to pave the Front Street Loop with recycled asphalt. Mr. Weaver said that an update would be in the next Council packet.
7. The Council directed the City Manager to have the Police direct traffic at funerals.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

The current list of recommendations was read for the record by the City Clerk.

Finance Committee: Mayor Phillips reported that the next special meeting, to review the Sales Tax Ordinance, is June 26. The bed tax will be incorporated as part of the overall sales tax re-codification. The Council may need to hold a special meeting to review the draft ordinance.

Planning Commission: Noted that the Commission gave preliminary approval on a draft plat prepared by the City, for the lot occupied by the Korean Church. Discussion on the road to Kasayuli Subdivision was tabled until further information is received from the lawyer. Will have a second public hearing on the proposed park at Owl & Ptarmigan, at the July meeting.

Port Commission: The Port is busy and is generating much revenue. The next Commission meeting will be on August 25.

Public Works Committee: Council member O'Brien reported that due to lack of a quorum, the Committee did not hold their regular meeting. There are still two vacancies on the committee.

Public Safety Commission: Council member Richardson stated that the Commission did not have a quorum for their June meeting. She will relay Council's concerns at the July meeting.

Transportation Commission: Council member Williams stated that the Commission held a joint meeting with the Public Works and Finance Committees to discuss road use fees. Council member O'Brien noted that a road use fee on heavy equipment may take some of the financial load off of taxi drivers. Thor noted that the Commission has re-scheduled their July meeting, due to the 4th of July holiday, to Wednesday, July 2nd.

Youth Services Committee: Council member Miller reported that the Committee has placed a skateboard park discussion on the back burner, due to cost and liability concerns. Asked the Mayor and former Mayor to make introductory remarks at the 4th of July. A brief discussion followed on

people who set up booths across the road from the Log Cabin on the 4th of July. They should obtain business licenses.

Comprehensive Plan Update: Mayor Phillips reminded the Council of the next Comprehensive Plan meeting, June 25, 7:30 p.m., at the Lion's Club.

IX. OLD BUSINESS

Item A: Financial Update - Bank Stabilization Project - U.S. Army Corps of Engineers

City Manager Weaver introduced Mr. Carl Borash with the US-ACOE. Mr. Borash, referring to the financial update in the Council member's packets, discussed the payment due in July. Mr. Borash also recommended that the City have a seawall dedication ceremony, sometime in late August when the seawall is almost complete. Senator Stevens, who advocated for federal funding, should be invited. The Council directed City Manager Weaver to plan and schedule the dedication. Mr. Borash answered questions from the Council and City Manager.

Item B: Discussion - First 1,000 feet of road into Kasayuli Subdivision

Council member Williams, who requested the agenda item, explained that he is concerned about the road's status as a public conveyance, and possible liability exposure to the City should someone have an accident on the road. City Manager Weaver explained that the City could issue a temporary access permits to YKHC. A more permanent solution will be recommended to the Council by the Planning Commission, later in the summer

motion M/M by Miller, to authorize the City Manager to provide a temporary access permit to YKHC, per the letter from Lee Sharp included in the packet.

City Manager Weaver pointed out that a permit should also be issued to YKHC's construction contractor, allowing them access to the sandpit.

withdrawn Motion withdrawn

motion M/M by Miller, 2nd by Richardson to direct the City Manager to pursue language for temporary access permits for YKHC and it's construction contractor, such permits to specify a deadline or expiration date.

vote Roll Call vote. Motion carried, 4-Yes, 3-No (O'Brien, Rodgers, Williams).

Mayor Phillips, noting that there were several people signed up under People to be Heard for this agenda item, asked them to speak at the this time. Dave Trantham and Oly Olson commented on the road to Kasayuli Subdivision.

X. NEW BUSINESS

Item A: Introduction to Ordinance #97-10.

motion M/M by Williams, 2nd by Richardson to introduce Ordinance #97-10.

Council member Rodgers, to whom the ordinance would authorize the conveyance of a parcel of land, noted that his dispute with the City could've been resolved four years ago with a handshake and an apology. Mayor Phillips apologized for the previous Council's inability to settle the matter. Council member Miller pointed out that the previous Council did make sincere attempts to settle the lawsuit.

vote Voice vote. Motion carried, 6-Yes, 1-Abstain (Rodgers).

Item B: Resolution #97-31, Regarding the Bethel Police Department

Council member Rodgers, who requested the agenda item, explained the intent of the Resolution and Mission Statement. He has received numerous calls about Police harassment and intimidation. He has tried to get answers by going through the City Manager and chain of command, to no avail. The City Clerk read the Resolution for the record. A lengthy discussion followed, with input from all Council members. It was pointed out that the Police Department already has a Mission Statement and complete Policies and Procedures Manual. Sgt. Jim Brogdan addressed the Council with regards to the Resolution. Council member Rodgers stated that he wants the entire community to be proud of their Police Department.

motion M/M by Miller, 2nd by Rodgers, to adopt Resolution #97-31.

Further discussion followed.

vote Roll call vote. Motion failed, 2-Yes (Miller, Rodgers), 5-No.

Police Lt. R.J. Ely told the Council that they, and any member of the public, are welcome to visit the Police Station and review their Mission Statement, at any time.

Council member Williams noted that the memo from City Manager Weaver pointed out a particular Public Safety Commissioner who may be causing liability problems for the City by using his position on the Commission to investigate and harass private citizens.

motion M/M Williams, to remove John Hastie from the Public Safety Commission

failed Motion failed for lack of a second.

City Manager Weaver noted that a legal opinion from Lee Sharp is being obtained, to determine if and how Mr. Hastie can be removed from the Commission.

Item C: Introduction of Ordinance #97-11, Changing Taxi Fares (Williams)

motion M/M by Williams, 2nd by Richardson to introduce Ordinance #97-11.

Public testimony was heard from Terryl Miller and Jim Libby. Council discussion followed.

vote Voice vote on M/M. Motion carried, 5-Yes, 2-No (Notti, Rodgers).

Item D: Introduction of Ordinance #97-12, Changing Vehicle for Hire Fees (Williams)

motion M/M by O'Brien, 2nd by Williams to continue the meeting past 10:00 p.m.

vote Voice vote. Motion carried, 4-Yes, 3-No (Richardson, Rodgers, Williams).

motion M/M by Williams, 2nd by Richardson to introduce Ordinance #97-12.

Council discussion followed on the proposed fees. The cost of processing paperwork associated with taxis was discussed.

vote Roll call vote. Motion failed, 3-Yes, 4-No (Miller, Notti, O'Brien, Rodgers).

Item E: Introduction of Ordinance #97-13, Changing Chauffeur's License Requirements

motion M/M by Williams, 2nd by Richardson to introduce Ordinance #97-13.

Council discussion followed. Council member Notti pointed out that the proposed change may discourage a person with a drinking or drug abuse problem from seeking help.

vote Voice vote. Motion carried, 5-Yes, 2-No (Miller, Notti).

Item F: Introduction of Ordinance #97-14, Establishing Chauffeurs Shift Limits

motion M/M by Williams, 2nd by Richardson to introduce Ordinance #97-14.

Council discussion. Public testimony was heard from Sherry Libby, Dave O'Malley, Jesse Kim, and Jenny Jun.

vote Voice vote. Motion failed, 3-Yes, 4-No (Miller, Notti, O'Brien, Rodgers).

G. Discussion - City Manager Evaluation Form and Process

The City Clerk distributed a copy of the form used to evaluate the City Manager each year. She explained that the City Manager's contract calls for a review of the form before the end of each fiscal year, and that the approved form must be provided to him at least 30 days before his evaluation. His evaluation is tentatively scheduled for Executive Session at the August 12 regular meeting. If any Council members want to make changes to the form, please submit them to the City Clerk before the July 8 meeting.

XI. COUNCIL MEMBER COMMENTS

Miller - Commended Finance Director Bonnie Duke, not only for her excellent work, but for her kind supervision of the Finance Department and her honest appraisals of the City's finances. Stated that he would bring a Resolution supporting rural subsistence to the next Council meetings.

Notti - Invited the public to the next Planning Commission meeting, to give their opinion on the proposed park at Owl and Ptarmigan. Wondered how the Council could give the Police a directive to guide traffic at funerals, but can't set a mission statement. Noted discrepancies in the taxi fares set forth in Ordinance #97-11.

O'Brien - Good-bye and good luck to Chris Butler, and a big Thanks to Bonnie Duke. Wished everyone a safe and fun 4th of July.

Phillips - Noted that elders are always courteous in asking for assistance, and thanked the members of the taxi industry for their courteous and respectful public testimony. Wished her son Rob a Happy Birthday.

Richardson - Noted the danger of children swimming at the entrance to the small boat harbor. Asked parents to please call YKHC Injury Prevention, to schedule swim times and swim lessons for their children. Wished Bonnie Duke and Chris Butler the best in their respective future endeavors.

Rodgers - Congratulated Carl & Lisa Anvil on their recent wedding. Asked for more honesty, and less politics, on the City Council. Reminded people to be safe and wear their PFD's on the river.

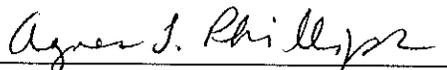
Williams - Expressed support for City recycling efforts. Thanked Chris Butler of KYUK, for his excellent coverage of City Council meetings, and wished him good luck in his future endeavors. Would like a status report on all motions and directives from October to the present.

XIII. ADJOURNMENT

motion M/M by Richardson, 2nd by Miller to adjourn the meeting, at 10:50 p.m.

vote Voice vote. Motion carried, unanimously.

PASSED AND APPROVED THIS 8TH DAY OF JULY, 1997.



Agnes L. Phillips, Mayor

ATTEST:



L.J. Warren, City Clerk