



CITY of BETHEL

P. O. Box 388 • Bethel, Alaska 99559

543-2297 — Area Code 907

MUNICIPALITY OF BETHEL REGULAR COUNCIL MEETING JULY 13, 1977

COUNCIL CHAMBERS

7:30 P.M.

Meeting was called to order by Mayor Peltola at 7:35 P.M.
Present: Council Members Elliott, Guinn, Peltola, Hinsvark, and Malone following ratification by Council.
Absent: Council Members Charles and Hickling.

APPROVAL OF MINUTES

M/M by Councilman Guinn to approve the Minutes of the June 22, 1977, Regular Council Meeting as presented to Council. Voice vote was taken and was unanimous. Motion carried.

APPROVAL OF AGENDA

M/M by Councilman Guinn to add to the Agenda as Item E. Intended lease of Tract B of the Bethel Heights Western Addition to the Jesuit Volunteer Corps; as Item F. Intended Lease of Tract D and G of the Bethel Heights Western Addition to the Alaska State Housing Authority; as Item G. Intended lease of Block 8, Lot 1, U.S. Survey No. 3790 East Addition to the townsite of Bethel, Alaska. Voice vote was taken and was unanimous. Motion carried.
M/M by Councilman Hinsvark to approve the Agenda as presented with amendments. Voice vote was taken and was unanimous.

COMMUNICATIONS

Manager Hoffman stated that the Taxi rate increase that had been proposed was not on the Agenda because the Transportation Committee had not yet met to review the proposal. He recommended that the Finance director's report be postponed until July 27, 1977, to allow Council time to study the Revised Budget.

MANAGER'S REPORT

Manager Hoffman gave an update on the litigation involving the City of Bethel and Community Liquor Sales vs. United States. He stated that the Federal Government has until July 23, 1977 to appeal the decision of Judge Fitzgerald in favor of the City of Bethel and Community Liquor Sales tax exempt status. If the decision is not appealed this will mean approximately \$25,000 refund for the years 1969, 1970 and 1971 plus \$6,000 interest. At that time the attorneys will move for a dismissal of the year of 1972 and 1973 taxes which the City of Bethel did not file. The taxes and penalties for those two years amount to

approximately \$100,000. Second, the Director of the Parks and Recreation Department, David Blanchett submitted his resignation effective August 10, 1977 which is the date his one year service contract expires. The City has been advertising for the position since the 8th of July. Third, the Director of the Alcohol Treatment Center, Eugene Strickland, has submitted his resignation and the City is accepting applications for that position. Robert Buttane will be the Acting Director until the position is filled. Fourth, The City's "old" dump is officially closed. As of this week the Public Works Department will be starting cleanup measures which will entail pushing the garbage back, burning it and covering it with dirt. No dumping signs will be posted. The new dump has been open since the beginning of this week and the hours will be from 8-5 Monday through Friday and from 10-4 Saturdays. The dump will be closed on Sundays. Fifth, Susan Ruddy of Northrim Associates will be working with the Alaska Coastal Management Program and Bethel has been selected as a workshop site. A meeting in Bethel is set for the week of July 25, for community input and an opportunity for any questions about either the program itself or their plans for the near future.

FINANCE DIRECTOR'S REPORT

Postponed until July 27, 1977.

MAYOR'S REPORT

Mayor Peltola recommended that the three vacant Planning Commission seats be filled by Thomas Pierce-Bulger, Virginia Burrego, and Norman Cohen. He requested that these appointments be ratified by Council. M/M by Councilman Hinsvark that Thomas Pierce-Bulger, Virginia Burrego, and Norman Cohen be ratified by Council to fill the three vacant seats on the Planning Commission. Voice vote was taken and was unanimous. Motion carried. Mayor Peltola also recommended that Council ratify John Malone as the person nominated from Bethel for appointment from the Southwest Alaska region to sit on the Alaska Coastal Policy Council. This Council would begin to provide planning for coastal resource use at the local level. Because the Governor had requested that the seat be filled by the Mayor or a Council Member, he recommended that the seat be filled by Mr. Malone pending Council's decision on his ratification as a Council Member. He also recommended that Item D. Appointment of Council Member to fill the seat vacated by Council Member Stichick be moved on the Agenda to Item A.-New Business. M/M by Councilman Guinn to place Item D. Appointment of Council Member to fill the seat vacated by Council Member Stichick on the Agenda as Item A. under New Business. Voice vote was taken and was unanimous. Motion carried.

REPORTS OF STANDING COMMITTEES

Councilman Elliott reported that the Public Works Committee had not met. Following appointment of new committee members they would schedule a meeting.

Councilman Hinsvark reported that the Parks and Recreation Committee had not met.

Councilman Guinn reported that the Planning Commission had met on June 17, 1977, and offered the following recommendations for Council's consideration: 1) That the Planning Commission obtain a reassessment of the 100 year flood plain map as it affects the commercial lot area that the Planning Commission is planning to sell, and that an additional estimate of the value be developed to determine a price per square foot that more closely resembles the price the residential lots in the Ptarmigan Subdivision have sold for. 2) That the application criteria for the sale of City Subdivision Lots be application fee-voting age- non-property owner in Bethel City Limits, or a property owner in the flood plain. 3) That the village subdivision lots be sold at the appraised value of .30 cents per square foot, and that the first one-third down be non-refundable. 4) That the recent recipients of the Village Subdivision Lots be asked if they would like to exchange their current lots for a lot closer to power hook-ups; if they decline the City is not obligated to provide power this year because of the recent history. 5) That the Planning Commission extend all people who have contacted the City and paid for their lots who have indicated that they will build this summer a blanket sixty day extension; and those individuals who have not contacted the City do not get the extension. 6) That the lottery be an open public lottery with an alternate number maintained for all future disposition of lots. 7) That the lease agreement with ASHA be approved with the stipulation that if funding is not received within two years the land will revert back to the City, and that the plans for the recreation area be approved by the Parks and Recreation Committee. M/M by Councilman Elliott to approve the Planning Commission Minutes of June 17, 1977. Voice vote was taken and was unanimous. Motion carried.

Mayor Peltola reported that the Finance Committee had met on May 13, 1977, and recommended that the Minutes of that meeting be approved as presented to Council. M/M by Councilman Elliott that the Finance Committee Minutes of May 13, 1977, be approved as presented to Council. Voice vote was taken and was unanimous. Motion carried.

Manager Hoffman presented the Minutes of the Social/Cultural/Economic Committee Meeting of June 2, 1977, for Council's approval. M/M by Councilman Guinn that the Minutes of the Social/Cultural/Economic Committee Meeting of June 2, 1977, be approved. Voice vote was taken and was unanimous. Motion carried.

MAYOR'S SPECIAL COMMITTEE

The Committee established on June 22, 1977, for the purpose of holding a hearing to interpret the incidents surrounding the V.F.W. Convention and the City of Bethel's Police Department held a hearing on June 27, 1977. It was determined after extensive interviews with the Bethel Police Department, management, and members of the V.F.W. and the District Attorney, that a lack of communication had occurred between the V.F.W. general membership with respect to the inspection "spot check" arranged between the Police Department and the management of the V.F.W. The charge of Police harrassment by the V.F.W. stemmed from the probationary action taken by the Superior Court against the V.F.W. in April of 1977. The action gave rise to a possible probation violation.

After the hearing was held, it was determined by the parties that no further action shall be necessary and that the matter be considered resolved. All parties have been appraised of the decision by this Committee and are in agreement. This Committee shall not be viewed as establishing a precedent for inquiry into Police action that may occur in the future. The Mayor's Special Committee report was read by Manager Hoffman.

PEOPLE TO BE HEARD

Mrs. Vicki Malone stated that a resolution by Council was necessary for the application of a RDA Grant needed by Bethel Social Services to secure funding for the building of an infant care facility as part one of a two part building program now planned by Bethel Social Services. She was informed that the resolution had been drawn up but that the Council had planned to act on it at the July 27, 1977, meeting. Mrs. Malone stated that the application deadline was close and asked that Council if possible act upon the resolution at this meeting. M/M by Councilman Guinn that Resolution No. 201 (A RESOLUTION OF THE CITY OF BETHEL, ALASKA, PROVIDING SUPPORT AND APPROVAL FOR BETHEL SOCIAL SERVICES, INC. TO APPLY FOR A RURAL DEVELOPMENT ASSISTANCE GRANT TO OBTAIN FUNDS FOR THE CONSTRUCTION OF A DAY CARE/NURSERY FACILITY), be added to the Agenda as Item H. Voice vote was taken and was unanimous. Motion carried.

Mr. Kevin Murphy requested that the Council delegate a representative to attend all future meetings of the AVCP. Second, that Checker Cab be requested by the City to remove the obstruction of tires and salvage vehicles blocking the streets, and that some check be made of all City streets as there were quite a few that he had noted having some obstruction. Both requests were referred to Manager Hoffman for investigation.

Mrs. Maloy requested that some action be taken to rid the streets of dogs causing obstructions on City streets, as there presence could lead to automobile accidents. She also requested that the dump be open weekends or after hours during the week, stating that the hours originally established would be difficult for persons whose working schedules did not allow them to use the facility at the regularly scheduled hours. She was informed that the dog problem was already being checked and that an assistant for the dog catcher would be added to the staff, and that the hours for the dump had already been changed to accomodate those persons who would not have been able to use the facility during the hours originally scheduled.

Mr. Donald Elliott stated that he felt that overhead doors should be installed on the garage to conserve fuel during winter months, and that garbage on the City property now leased to Nelson Brown was in violation of the lease agreement. Both requests were referred to Manager Hoffman.

Pastor John Hinsvark inquired as to the completion date of the new firehouse. Manager Hoffman stated that the project was being conferred on and that a new target date would be established.

UNFINISHED BUSINESS

ITEM A. PUBLIC HEARING ON INTENDED LEASE OF THE FIRST FLOOR OF THE CITY OF BETHEL'S RECREATION BUILDING NO. 2.

Manager Hoffman stated that the lease had been published in accordance with requirements of the City of Bethel's Code of Ordinances. Mayor Peltola called at Public Hearing at 8:00 P.M. Mr. Bruce Werba was asked what age group the center was intended for and replied that curfew requirements and the hours the center planned to be open limited its use to a great extent to young persons age eighteen and older. Manager Hoffman stated that the lease was in the standard form used previously by the City, that the monthly rental was \$1000.00 per month, and that most of the renovation work was to be done by the lessee with materials provided by the City, and that the building would be brought up to fire code. Mayor Peltola closed the Public Hearing at 8:05 P.M. M/M by Councilman Guinn that Council approve the lease of the First Floor of the City of Bethel's Recreation Building No. 2 to Bruce Werba and Roger Little d/b/a Little Disco. Roll call vote was taken.

In favor: Hinsvark, Peltola, Elliott, Guinn.

Opposed: None.

Motion carried.

ITEM B. PUBLIC HEARING ON INTENDED LEASE OF THE "OLD LIBRARY"
AND A 70' x 50' SECTION OF LAND IN FRONT OF THE "OLD LIBRARY"
OF THE CITY OF BETHEL.

Manager Hoffman stated that the lease had been published in accordance with requirements of the City of Bethel's Code of Ordinances. Mayor Peltola called a Public Hearing on the lease at 8:15 P.M. Mr. Kevin Murphy suggested that Council contact some of the former club members of the Bethel Women's Club to determine if they would in the future be using the building, as it was his understanding that the building had originally and still was owned by that group. The request was referred to Manager Hoffman for investigation. Mayor Peltola closed the Public Hearing at 8:20 P.M. M/M by Councilman Elliott to approve the lease of the "Old Library" and a 70' x 50' section of land in front of the "Old Library" to Galean Steinback d/b/a Elm Corporation following approval of the lease arrangement with ex-members of the Bethel Women's Club. Roll call vote was taken.

In Favor: Hinsvark, Elliott, Peltola, Guinn.

Opposed: None.

Motion carried.

NEW BUSINESS

A. APPOINTMENT OF COUNCIL MEMBER TO FILL SEAT VACATED BY COUNCIL MEMBER STICHICK.

Mayor Peltola recommended that John Malone be appointed to fill the vacated Council seat. M/M by Councilman Guinn that John Malone be ratified by Council to fill the vacant seat left by Council Member Stichick. Roll call vote was taken. In favor: Guinn, Peltola, Hinsvark, Elliott. Opposed: None. Motion carried.

Council went into executive session at 8:30 P.M. Council came out of executive session at 8:35 P.M.

The Oath of Office was administered by the City Clerk to Councilman John Malone.

B. PUBLIC HEARING ON FEDERAL REVENUE SHARING JANUARY THROUGH SEPTEMBER - 1977.

Mayor Peltola called a Public Hearing at 8:40 P.M. Mayor Peltola closed the Public Hearing at 8:45 P.M. M/M by Councilman Hinsvark to approve the proposed Federal Revenue Sharing January through September - 1977 as presented: 1) Public Safety-Capitol Expenditures of \$14,696; 2) Public Safety-Operating/Maintenance Expenditures of \$32,605; 3) Recreation-Operating/Maintenance Expenditures of \$38,950; Total anticipated Revenue Sharing Payment of \$86,251. Voice vote was taken and was unanimous. Motion carried.

ITEM C. INTRODUCTION OF ORDINANCE NO. 101 (AN ORDINANCE ESTABLISHING A SUPPLEMENTAL APPROPRIATION FOR THE CITY OF BETHEL FISCAL YEAR 1976-1977.)

Manager Hoffman introduced Ordinance No. 101 for a first reading and recommended that a Public Hearing be established on August 24, 1977. M/M by Councilman Guinn that Ordinance No. 101 be accepted in its first reading and that a Public Hearing be established on August 24, 1977. Roll call vote was taken. In favor: Guinn, Peltola, Malone, Elliott, Hinsvark. Opposed: None. Motion carried.

ITEM D. ASSISTANT CITY MANAGER

Manager Hoffman stated that the Personnel Committee had interviewed three final applicants for the position of Assistant City Manager. It was their recommendation that Ms. Kraning was the best qualified to fill the position and recommended her appointment be ratified by Council. M/M by Councilman Guinn that Ms. Kraning be ratified as the Assistant City Manager. Voice vote was taken and was unanimous. Motion carried.

ITEM E. INTENDED LEASE OF TRACT B OF THE THE BETHEL HEIGHTS WESTERN ADDITION TO THE JESUIT VOLUNTEER CORPS.

Manager Hoffman stated that this item was on the Agenda, due to the fact that the Director of the Jesuit Volunter Corps was unable to find the original lease. The City was at this time setting forth the criteria of the lease. M/M by Councilman Hinsvark that the lease be accepted for publication and that a Public Hearing be called for August 24, 1977. Voice vote was taken and was unanimous. Motion carried.

ITEM F. INTENDED LEASE OF TRACT D AND G OF THE BETHEL HEIGHTS WESTERN ADDITION TO THE ALASKA STATE HOUSING AUTHORITY.

Manager Hoffman stated that it was the intention of ASHA to apply for HUD funds to purchase recreation equipment. It was determined that the land was not encumbered under any other land use proposals. M/M by Councilman Guinn that the lease be accepted for publication and that a Public Hearing be called for August 24, 1977. Voice vote was taken and was unanimous. Motion carried.

ITEM G. INTENDED LEASE OF BLOCK 8, LOT 1, U.S. SURVEY NO 3790 EAST ADDITION TO THE TOWNSITE OF BETHEL, ALASKA.

Manager Hoffman stated that the property was intended to be used for the establishment of a small boat harbor. M/M by Councilman Guinn to accept the lease for publication and that a Public Hearing be established on August 24, 1977. Voice vote was taken and was unanimous. Motion carried.

ITEM H. INTRODUCTION OF RESOLUTION NO. 201 (A RESOLUTION OF THE CITY OF BETHEL, ALASKA, PROVIDING SUPPORT AND APPROVAL FOR BETHEL SOCIAL SERVICES, INC. TO APPLY FOR A RURAL DEVELOPMENT ASSISTANCE GRANT TO OBTAIN FUNDS FOR CONSTRUCTION OF A DAY CARE/NURSERY FACILITY.)

Bethel Social Services Director, Mrs. Vicki Malone, stated that Bethel Social Services had the land, had made arrangements with the Building Department of KCC to construct the facility, and that the plans for the building had already been submitted. She also stated that in addition to providing a much needed service-child care for infants- the facility would create seven new jobs. M/M by Councilman Guinn that Resolution No. 201 (A resolution of the City of Bethel, Alaska, providing support and approval for Bethel Social Services, Inc. to apply for a Rural Development Assistance Grant to Obtain funds for construction of a day care/nursery facility) be approved by Council. Roll call vote was taken.

In favor: Guinn, Elliott, Malone, Hinsvark, Peltola.

Opposed: None.

Motion carried.

M/M by Councilman Elliott to approve the nomination of Councilman John Malone to fill the seat on the Alaska Coastal Management Association. Voice vote was taken and was unanimous. Motion carried.

M/M by Councilman Elliott that Council adjourn. Voice vote was taken and was unanimous. Motion carried. Meeting was adjourned at 9:15 P.M. by Mayor Peltola.

APPROVED:



MAYOR GENE PELTOLA

ATTEST:



ALTHA JEAN HILL, CITY CLERK