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# City of Bethel, Alaska

## City Council Minutes

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July 25, 2000

Regular Meeting

Bethel, Alaska

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### CALL TO ORDER

The regular meeting of the Bethel City Council was held on July 25, 2000, at 6:30 p.m. in the Council Chambers, Bethel, Alaska.

Mayor O'Brien called the meeting to order at 6:33 p.m.

### ROLL CALL

The following were present:

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| Mayor O'Brien | Dario Notti    |
| Jerry Drake   | Agnes Phillips |
| Joerene Hout  | Tundy Rodgers  |

Comprising a quorum of the Council.

Absent: Karol Sanchez-Pobrislo

Also in attendance were the following:

Bob Herron, City Manager  
Louann Cutler, City Attorney  
Elaine Tompkins, Acting City Clerk

### PEOPLE TO BE HEARD

**TERRYL MILLER** discussed his continuing problems with the Transportation Commission. Prior to his recent hearing before the Commission, he was not notified that it would be a formal proceeding; thus he had no time to organize a legal defense. He did prevail in the hearing as the Commission voted 5 to 1 for him to retain his permit. However, he has not received formal notification of the Commission's decision; thus he is still not operating his taxi and is losing revenue. He requested written notification from the Commission. A third concern of Mr. Miller's is the reduction of the number of taxi permits by attrition. Finally, he expressed frustration at the behavior of the Police Department. Mr. Miller asked the Council to address this issue. In closing Mr. Miller announced a public meeting on July 26 to discuss taxi cab issues and policies. Mayor O'Brien told Mr. Miller that he would advise the Safety/Transportation Commission to send Mr. Miller written confirmation of the decision of the Commission.

**ANTONE ANVIL** expressed his concern not only about taxi cabs that exceed speed limits and drive through stop signs; and about the police officers who do not enforce the laws. Mr. Anvil also expressed his frustration at the dust problem in Bethel and the failure of the City and the State to pave Tundra Ridge Road and Ptarmigan. A third issue Mr. Anvil raised is the number of loose dogs in town that pose a danger to children soon to be walking to school. A final concern raised by Mr. Anvil is the junk cars parked around town which create a bad impression for tourists.

Council Member Rodgers noted that the scheduling of the paving of Ptarmigan is a DOT issue. He noted also that Council has directed the Animal Control Officer to make loose dogs his first priority. Mr. Rodgers asked the City Attorney about the individual rights of private owners to have junk cars on their own property versus a nuisance law that would take precedence over the individual's rights. The City Attorney responded that the nuisance law does take precedence, but the case is difficult to prove.

**WILLIE KEPPEL** stated his support for a resolution on the agenda to endorse continuation of Hovercraft service in the region. He also commented on the airport master plan and encouraged public comments to be forwarded to DOT. Mr. Keppel requested that the bike path be postponed one year in order to have the highway project and the bike path done at the same time.

#### **APPROVAL OF MINUTES**

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| <b>MOVED BY:</b>    | Drake | To approve the minutes of the regular meeting of July 11, 2000. |
| <b>SECONDED BY:</b> | Hout  |   |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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#### **APPROVAL OF AGENDA**

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| <b>MOVED BY:</b>    | Drake   | To approve the agenda with the addition of:<br>New business item E, Resolution #01-13<br>New business item F, Ordinance #01-20<br>Executive Session items to include a personnel issue and two legal issues. |
| <b>SECONDED BY:</b> | Rodgers |  |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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#### **MAYOR'S REPORT**

Mayor O'Brien announced the following:

1. Receipt of Chamber of Commerce letter requesting approval for placing the question of home delivery of mail in Bethel on the fall ballot. The Mayor requested that the request be put on the agenda for the next meeting.
2. AML / JIA request for nominees for Board of Trustees
3. First Lady's Volunteers Awards
4. Office of the Governor – Fishery Disaster
5. AML Legislative Committee Summer Meeting August 24-25, 2000

Mayor O'Brien made the following committee appointments:

Mike Samuelson, Public Works Committee

Amber Vukich, Parks & Recreation Committee

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| <b>MOVED BY:</b>    | Notti   | To approve the Mayor's appointments to the Public Works and Parks & Recreation committees. |
| <b>SECONDED BY:</b> | Rodgers |  |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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### MANAGER'S REPORT

City Manager Bob Herron reported the following:

1. Regarding the seawall disintegration above Brown Slough, Mr. Herron reported that Senator Stevens was able to get emergency funds held by the Corps of Engineers released for use in the current situation, although the funds will not be available before October 1, 2000. Governor Knowles must approve the receipt of federal funds; he will tour the seawall problem area on Thursday, July 27, 2000.
2. Regarding Mr. Anvil's concern about loose dogs, the Council has directed the City Manager and the City attorney to review the dog ordinance; the review has taken place. The ordinance will be brought back to Council at a future date.
3. The City has today received a resolution from DOT regarding the BIA and Standard Oil roads and other projects as well. After review by the City attorney and the City planner, the resolution will be brought to the Council.
4. In Executive Session, council members will have opportunity to review the city clerk applications.

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| <b>MOVED BY:</b>    | Rodgers | To request that the City Manager draft a resolution regarding the establishment by DOT of a safety crossing on the State highway at the YKHC hospital / office building location. |
| <b>SECONDED BY:</b> | Notti   |   |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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## REPORTS OF STANDING COMMITTEES

### Senior Advisory Committee

Council Member Hout reported that the senior advisory committee is not meeting during the summer months. However, in September the election of officers will be held.

### Planning Commission

Council Member Notti reported that the commission did meet this month. Three variances were on the agenda for consideration.

### Port Commission

Council Member Rodgers reported that Guardian Security was the low bidder for security cameras to be purchased for the small boat harbor. The Commission is concerned about the City's liability with kids swimming at the entrance to the small boat harbor. Howard Elliott is working with the Corps of Engineers on the seawall on the east side of Brown's Slough. In conclusion, Mr. Rodgers commended Bruce Perry for his watering the roads during the night.

### Public Works Committee

Council Member Drake reported that the July meeting was postponed from July 8 until August 8; members were encouraged to attend the DOT meeting in Bethel scheduled for July 8. The committee is working on the revision of an abandoned vehicle ordinance to better facilitate snow removal. The next meeting of the technical committee is set for August 4.

### Public Safety / Transportation Commission

Four different hearings have been held during the month of July but no regular meeting. The next meeting of the commission is scheduled for August 2.

## OLD BUSINESS

### Item A -- Ordinance #00-18: Increasing the Sales and Use Tax Rate from Five Percent to Six Percent and Placing the Issue on the October 3, 2000, ballot (City Council)

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| <b>MOVED BY:</b>    | Rodgers | To adopt Ordinance #00-18. |
| <b>SECONDED BY:</b> | Hout    |                            |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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### Item B -- Ordinance #00-19: Amending the Adopted Annual FY 2000-2001 Budget (City Manager Herron)

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| <b>MOVED BY:</b>    | Drake   | To adopt Ordinance #00-19. |
| <b>SECONDED BY:</b> | Rodgers |                            |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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**Item C – Contract Award – Type “B” Rock (City Manager Herron\_**

City Manager Herron reported that administration had earlier requested a delay in awarding the contract until the budget modification was in place. With the budget modification now approved, the City Manager recommended that the Council award the contract for the “B” rock to Knik Construction.

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| <b>MOVED BY:</b>    | Drake   | To award the contract for the “B” rock to Knik Construction. |
| <b>SECONDED BY:</b> | Rodgers |  |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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**NEW BUSINESS**

**Item A -- Contract Award -- Relocate Recycling Center Quonset (City Manager Herron)**

City Manager Herron reported that Salzbrun’s bid had been rejected as being too high. At the Council’s recommendation, City Manager Herron brought back Ben Dale’s bid of \$38,200; the City Manager’s recommendation is that Ben Dale be awarded the contract.

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| <b>MOVED BY:</b>    | Drake   | To award the contract for moving the recycling center to Ben Dale. |
| <b>SECONDED BY:</b> | Rodgers |  |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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**Item B -- Resolution # 01-11: Accepting a Municipal Grant for the Renovation of the Braund Building**

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| <b>MOVED BY:</b>    | Phillips | To adopt Resolution #00-11. |
| <b>SECONDED BY:</b> | Hout     |                             |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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**Item C -- Contract Award -- Security Cameras at Port (City Manager Herron)**

According to City Manager Herron, Guardian Security submitted the low bid of \$62,480.49 for security cameras to be installed at the Port facility. The administration recommended that the Council award the contract to Guardian Security.

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| <b>MOVED BY:</b>    | Rodgers | To award the contract for security cameras at the Port to Guardian Security. |
| <b>SECONDED BY:</b> | Hout    |  |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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**Item D -- Resolution # 01-12: Amending FY00-01 Budget**

The Resolution was not voted on; however, Council agreed that the amount of the increase in the Port budget should be changed from \$30,000 to \$22,500.

**Item E – Resolution # 01-13: Resolution of the City Council of Bethel, Alaska, Supporting Alaska Hovercraft’s Postal Contract**

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| <b>MOVED BY:</b>    | Hout  | To adopt Resolution #01-13. |
| <b>SECONDED BY:</b> | Notti |                             |

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| <b>VOTE ON MOTION</b> | Voice vote; 3-Yes, 3-No. Motion failed. |
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**Item F –Ordinance # 01-20: Ordinance Relating to Acquisition of a Vehicle for the Police Department**

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| <b>MOVED BY:</b>    | Drake | To introduce Ordinance #01-20. |
| <b>SECONDED BY:</b> | Hout  |                                |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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At 8 p.m. Mayor O’Brien announced a ten minute break before the executive session.

**COUNCIL MEMBER COMMENTS**

**Council Member Hout** reported that she has just returned from Ketchikan where she attended a high school class reunion; there were 330 former students in attendance.

**Council Member Notti** announced that he and his daughter will be opening a business, Mardi Gras Video, on August 11, 2000.

**Mayor O’Brien** offered condolences to the family of Mary Valka.

**Council Member Drake** offered condolences to the family of Mary Valka.

**Council Member Rodgers** offered condolences to the family of Mary Valka. He extended his thanks to the City Manager for the resolutions presented to the Council tonight. He expressed his pleasure at the approval of funding for the security cameras at the Port as a positive step in preventing vandalism and theft during the summer and the winter. He welcomed back his son, who is home from Ft. Jackson, South Carolina.

**Council Member Phillips** wished everyone good berry picking and a good summer.

**Council Member Hout** expressed concern about the theft of fuel from fuel tanks on Willow Street and asked for suggestions of how to prevent such loss.

**Council Member Drake** reminded Council Member Notti to be sure to get his business license for his video business. He also encourage Council members to attend the AML Legislative meeting scheduled for August 24-25, 2000.

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| <b>MOVED BY:</b>    | Rodgers | To go into Executive Session. |
| <b>SECONDED BY:</b> | Drake   |                               |

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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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### EXECUTIVE SESSION

There was no executive session business brought before the Council.

### ADJOURNMENT

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| <b>MOVED BY:</b>    | Phillips | To adjourn the meeting. |
| <b>SECONDED BY:</b> | Drake    |                         |

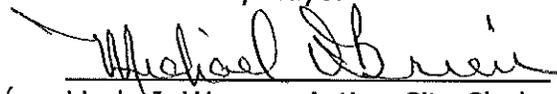
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| <b>VOTE ON MOTION</b> | Motion carried by unanimous voice vote. |
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With no further business before the Council, the meeting adjourned at 9:07 p.m.

APPROVED THIS 8<sup>TH</sup> DAY OF AUGUST, 2000.

ATTEST:

Mike O'Brien, Mayor

  
for Linda J. Warren, Acting City Clerk  
