



CITY of BETHEL

P. O. Box 537 • Bethel, Alaska 99559

15 April 1971

Regular Council Meeting 12 April 1971

CALL TO ORDER

The meeting was called to order by Councilman Bruce Crow at 8:08 P.M., April 12, 1971, VFW Hall, Bethel.

ROLL CALL

Present: Jack Baxter, Bruce Crow, Ben Dale, John Guinn, Ed Hoffman and Kevin Murphy

Absent: Bill Zahradnicek (late)

M/M Crow, Baxter that John Guinn be appointed mayor pro-temp in place of Mayor Zahradnicek and to proceed with the meeting.

Motion passed by unanimous voice vote.

M/M Murphy, Crow that the meeting be postponed until after the school board election for those who wanted to vote.

Roll Call Vote

Yes - Dale, Guinn, Hoffman and Murphy

No - Baxter and Crow

Motion carried.

The meeting was recessed and re-scheduled to convene at 9:00 P.M.

The meeting re-convened at 9:00 P.M. announcing Sarah Baxter was elected to the school board.

MINUTES

Minutes of March 22, 1971, Regular Council Meeting were read and approved with correction to Page 2, last paragraph, showing \$12,000.00 rather than \$12,500.00 relative to library bid.

Minutes of March 29, 1971, Special Council Meeting were read and approved with correction; stating investigation reflected Mel Braund had no connection with NW Joint Ventures, Inc. of Anchorage, the contractor for the library.

COMMUNICATIONS

Mr. Webb read the following communication: 1) Senator Mike Gravel, dtd 3/16/71, regarding Bethel area consideration for earth statelite station. Mr. Webb also reported on a letter from Representative Nick Begich announcing an extension to May 5 on Washington D.C. seawall construction hearings.

COMPLAINTS AND PEOPLE TO BE HEARD

None

TREASURER'S REPORT

None

ADMINISTRATOR'S REPORT

Mr. Webb reported on the April 6, 1971 meetings at VFW Hall with Corps of Engineers, carriers and merchants on the seawall funding report filed by Corps. The administrator said that the meetings came to no solution but that now he could understand that the Corp could not feasibly hand in any other report on Bethel seawall construction considering the cumbersome legislation they (The Corps.) operate under.

MAYOR'S REPORT

None

STANDING COMMITTEES REPORTS

Councilman Baxter reported the land use committee moving right along on their considerations.

Councilman Crow said Economic Development Committee continues to meet Thursday noon, for luncheon meetings at Kuskokwim Inn.

Before going on to Old Business, Mr. Webb requested a resolution authorizing Department of Highways, right of entry to land adjacent to Brown's Slough for bridge construction be placed on the agenda.

M/M Dale, Baxter to include the item on tonight's agenda.

Motion passed unanimously by voice vote.

Mr. Zahradnicek arrived.

OLD BUSINESS

AN ORDINANCE PROVIDING FOR WORK FURLOUGHS AND REHABILITATION FURLOUGHS FOR PERSONS CONVICTED OF CRIMINAL VIOLATIONS OF THE ORDINANCES OF THE CITY OF BETHEL AND SENTENCED TO JAIL OR IMPRISONED IN JAIL was up for thrid reading and final consideration.

M/M Baxter/Murphy that the ordinance be placed in thrid and final reading.

Roll Call Vote

Yes - Baxter, Crow Dale, Guinn, Hoffman, Murphy and Zahradnicek

No - None

Motion carried.

Mr. Webb read the ordinance in full.

There was discussion regarding the administrative aspect of the work furlough program. Mr. Webb stated there would be an administrative procedure in the form of a directive allowing some discretionary scale concerning each individual prisoner.

It was also stated that the court can determine no work furlough privileges for a prisoner and that the ordinance does not apply to those prisoners and/or State prisoners.

M/M Murphy/Hoffman accept Ordinance # 44, as entitled above in third and final reading.

Roll Call Vote

Yes - Baxter, Crow, Dale, Guinn, Hoffman, Murphy and Zahradnicek

No - None

Motion carried.

NEW BUSINESS

AVCP Resolution No. 71-16, presented to council by Mr. Hoffman was read in full by Mr. Webb.

M/M Hoffman/Murphy the resolution be left until all the alcohol resolutions were ready to be acted on at once.

M/M Baxter/Zahradnicek to amend the motion to table all items relative to alcohol on tonight's agenda until all resolutions are ready for consideration.

The motion to amend was passed by unanimous voice vote.

The amended main motion also passed unanimously by voice vote.

The motion in effect tabled remaining agenda items: Ordinance on bar closing hours, alcohol resolutions from council subcommittee, and the AVCP resolution formerly mentioned.

Kuskokwim Kronickle Agreement - Councilman Baxter said that after hearing discussion of the Kuskokwim Kronickle agreement during adjournment he moved, seconded by Zahradnicek that the Kuskokwim Kronicle agreement be tabled until the City Administrator and Kuskokwim Kronickle editor can reach an amiable agreement to present to council at next meeting.

Motion carried unanimously by voice vote.

Camp Nyak - Mrs. Malone made a background presentation on Camp Nyak. 40 children have been spoken for by BIA, leaving a balance of 40 still requiring sponsorers. Tuition is \$235.00 per child for a two week session including round trip transportation from Bethel to Nyak. Children must be 9 to 13 years old and at or above grade level. The sponsorer may choose child or the Bethel Social Services will fill the slot for sponsorer.

It was agreed the project would have to be budgeted for FY 1971-72 and money would not be forthcoming until after July 1.

M/M Murphy/Crow that the City of Bethel sponsor ten Bethel children for Camp Nyak.

M/M Baxter/Murphy that the ten slots be the last ten openings and providing private individuals or concerns don't use up the ten slots first.

Roll Call Vote (on amendment)

Yes - Baxter, Crow, Dale, Guinn, Hoffman, Murphy, and Zahradnicek

No - None

Amending motion passed unanimously by roll call vote.

Roll Call Vote (on main motion)

Yes - Baxter, Crow, Dale, Guinn, Hoffman and Murphy

No - Zahradnicek

Amended main motion carried 6 to 1.

Second Avenue Easement petitioned by Swanson Bros., - Keith Swanson stated that Swanson's store was planning an addition to the back of the store, width 100' and 34.4' to the south which involves 22' of the right of way easement. Mr. Swanson indicated having the materials on the first barge necessitated an early firm commitment to allow the encroachment.

Councilman Baxter indicated he had an indirect interest in the expansion requiring 2nd avenue easement.

M/M Dale/Baxter grant the encroachment on right of way easement as requested on 2nd avenue.

During discussion, Mr. Webb stated his recommendation was to grant the easement, since developing 2nd Avenue would require a bridge over Honeybucket Lake, as well as removal of houses already sitting on the street. He seriously doubted that the street would ever be developed as a declared thoroughfare. Also, that the Swanson's be responsible for legal costs and paperwork.

M/M Dale/Zahradnicek, so moved the administrator's recommendation.

Councilman Crow addressed the motion, suggesting a referral to the land use committee, or some recourse by concerned people regarding the easement request.

M/M Crow/Murphy moved to amend the motion so that council give tentative approval to encroachment, subject to personal survey by the City Administrator of adjacent property owners involved in the proposed encroachment.

Roll Call Vote (2nd amendment)

Yes - Crow, Zahradnicek, Murphy, Dale

No - Baxter, Guinn, and Hoffman

Motion carried 4 to 3.

Roll Call Vote (1st Amendment)

Yes - Baxter, Crow, Dale, Hoffman, Guinn, Murphy and Zahradnicek
No - None

Motion carried unanimously.

Roll Call Vote (amended main motion)

Yes - Baxter, Crow, Dale, Guinn, Hoffman, Murphy and Zahradnicek
No - None

Motion passed unanimously.

The amended main motion reads: That the encroachment request on 2nd Avenue right of way be granted, that Swanson's initiate the paperwork and pay legal fees and also that the approval be given tentatively, subject to survey of adjacent property owners.

M/M Crow/Murphy to extend the meeting past 10:00 P.M.

Motion carried unanimously by voice vote.

Grabage Contract - Mr. Webb presented budget figures on both the present system of grabage collection under contract by the City and also on a City operated garbage service including purchase of a truck, personnel, operational costs and probable income.

M/M Crow/Murphy to table until next council meeting, so the council might review the written proposal.

Roll Call Vote

Yes - Baxter, Crow, Dale, Guinn, Hoffman, Murphy and Zahradnicek
No - None

Resolution No. 66, A RESOLUTION AUTHORIZING DAVID E. WEBB, CITY ADMINISTRATOR, TO EXECUTE A RIGHT OF ENTRY AGREEMENT WITH STATE OF ALADKA, DEPARTMENT OF HIGHWAYS ON LOT 8, BLOCK 4 OF U.S. SURVEY 3790, BETHEL TOWNSITE, was read in entirety by the administrator.

M/M Zahradnicek/Dale for approval of Resolution No. 66.

Roll Call Vote

Yes - Baxter, Crow, Dale, Hoffman, Guinn, Murphy Zahradnicek
No - None

MOTION CARRIED.

M/M Baxter, Dale for adjournment. Motion passed unanimously by voice vote.

ADJOURNMENT: 10:30 P.M.

I certify these minutes to be true and correct to the best of my knowledge.

Kathleen F. Heddel
Kathleen F. Heddel, City Clerk

William B. Zahradnicek
William B. Zahradnicek, Mayor