

CITY OF BETHEL
CITY COUNCIL

Regular Meeting of July 13, 1993

I. CALL TO ORDER

The meeting was convened at 7:30 p.m. by Mayor Feaster in the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Feaster, Metcalfe, Trantham, Vanasse,

Absent : Jones (excused); Warner (unexcused); Wintersteen (excused)

III. APPROVAL OF MINUTES

motion M/M by Trantham, 2nd by Metcalfe to adopt the minutes of June 22, 1993, regular Council meeting as amended by indicating that Councilman Jones absence was excused by Mayor Feaster for the June 22 meeting. Voice vote. Motion carried unanimously.

motion M/M by Vanasse, 2nd by Trantham to adopt the minutes of June 29, 1993, Special Council meeting as amended by indicating that Councilmen Jones and Wintersteen absences were excused by Mayor Feaster for the June 29 meeting. Voice vote. Motion carried unanimously.

IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA

Mayor Feaster and Councilman Trantham requested the following items under New Business be removed from the Consent Agenda:

Item G: Award of Bid for Construction of Lagoon Hydraulic Control Structures

Item I: Resolution #93-23: A Resolution Authorizing the Issuance and Sale of 1993 Series A Bond Anticipation Note.

motion M/M by Trantham, 2nd by Vanasse to approve Items E, F, H, J, and K under New Business on the Consent Agenda. Voice vote. Motion carried unanimously.

Items approved by consent follow:

- Item E: Award of Bid for Purchase of Ford Bronco (City Administration) and Ford Pickup (Public Works)
- Item F: Award of Bid for Bethel Heights Western Addition No 1/Tundra North Water and Sewer Project
- Item H: Introduction of Ordinance #93-18-A: FY 94 Budget Amendment to Establish a Reserve Fund for the City's Insurance Program
- Item J: Resolution #93-24: A Resolution Accepting a Municipal Grant from the State of Alaska for Renovation of the Braund Building
- Item K: Resolution #93-25: A Resolution Accepting the FY 94 Child Care Assistance Program as a Pass Through Grant from the Department of Community and Regional Affairs.

motion M/M by Trantham, 2nd by Metcalfe to approve the regular agenda as amended. Voice vote. Motion carried unanimously.

V. MAYOR'S REPORT

With regard to sponsorship of the 4th of July celebration traditionally sponsored by the City, Mayor Feaster proposed that the Council and City Administration consider transferring the responsibility to another group or groups in town with respect to future celebrations.

VI. MANAGER'S REPORT

City Manager Hunter directed Council to his written report. Discussion was held on the following items:

1. Regarding the issue of overtime and exempt status on specific positions, City Manager advised Council that he would like to carry out further study. In response, Councilman Trantham stated that a copy of the report should be sent to either the City Attorney or the City's labor law attorneys for review and a written opinion.

2. Contractual Services for the Dock. Those services that could be accomplished in-house were pointed out to City Manager Hunter. Mr. Hunter stated that he would meet with the Port Director and review the recommendations from Council.

motion M/M by Trantham, 2nd by Vanasse to approve City Manager Hunter's request to attend the American Society for Public Administration National Training Conference scheduled for July 17 - July 21, 1993. Councilman Trantham requested Mr. Hunter submit a trip report and a breakdown of the costs to the Council. Voice vote. Motion carried unanimously.

motion M/M by Trantham, 2nd by Vanasse to approve a sole source procurement for the development of Information Master Plan with T.C. Foss and Associates in the amount of \$5,000. Voice vote. Motion carried unanimously.

City Manager Hunter introduced Tom Bouillion, the Planning Manager and Gerald Meece the Police Lieutenant to the Council.

City Manager Hunter was requested to provide Council with the approximate dates the work on the Lagoon Control Structure project and the Bethel Heights Western Addition project were scheduled to begin.

VII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming committee meetings were announced.

Councilman Trantham reported that the Youth Services Committee met July 12, 1993. The Committee reviewed the approved FY 94 budget. Mr. Trantham announced that the completion date for restoration of the Youth Center floor was planned for the end of July, 1993. Councilman Trantham said there was some question from some Committee members as to whether the funds budgeted in FY 93 for the floor restoration project were carried over into the FY 94 budget. City Manager Hunter stated he would get back to Mr. Trantham with that information.

Councilman Metcalfe reported that the Planning Commission had met July 8 and discussed the following items: Request for City land from Bethel Group Home for construction of the Bethel Receiving Home; variance granted to George Hohman; revised preliminary plat submitted by Dario Notti for development of a subdivision on his mother-in-law's native allotment. On behalf of the Planning Commission, Councilman Metcalfe requested comments from the public regarding the subdivision. Councilman Trantham requested City Administration provide the Planning Commission, for its review, City Manager Hunter's memorandum regarding the proposed variance issuance policy.

VIII. PEOPLE TO BE HEARD

Port Director, Stuart Greydanus, advised Council that the purpose of his request to contract labor for projects at the dock was to complete projects in-house rather than going out to bid for these projects. Howard Elliot is not able to complete all work by himself as it takes two people to do various jobs, such as welding ladders along the seawall, installation of concrete floor in the warehouse, and other general maintenance.

IX. OLD BUSINESS:

ITEM A: Public Hearing: Ordinance #93-20--An Ordinance Amending the Personnel Classification Plan, Title 3, Chapter 3.029

Mayor Feaster gave an explanation of the purpose of the ordinance stating that the classification plan required an amendment as a part of the FY 94 budget process. He opened the public hearing and asked if anyone wished to speak. There were no comments from the public and, Mayor Feaster closed the public hearing.

motion M/M by Vanasse, 2nd by Metcalfe to adopt Ordinance #93-20 as presented with an effective date retroactive to July 1, 1993. Poll vote. Motion carried unanimously.

ITEM B: Public Hearing: Ordinance #93-21--An Ordinance to Authorize the Execution of a Common Investment Agreement Among Political Subdivisions of the State of Alaska and to Authorize Creating and/or Becoming a Member of the Alaska Municipal League Investment Pool, Inc.

Mayor Feaster gave a brief explanation of City Administration's intention to open an investment account with the Alaska Municipal League Investment Pool. He opened the public hearing and asked if anyone wished to speak. There was no one and, Mayor Feaster closed the public hearing.

In response to a question, Finance Director Larry Elam stated that the account would be used for short-term investing when the interest rates obtained exceed what the City can earn through its sweep account at the bank.

motion M/M by Trantham, 2nd by Vanasse to adopt Ordinance #93-21 as presented with an effective date of July 13, 1993. Poll vote. Motion carried unanimously.

ITEM C: Sales Tax Issue Regarding Isan Enterprises

Mr. Lee Hajdari, Isan Enterprises, was not present to address the Council on this matter.

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motion M/M by Metcalfe, 2nd by Vanasse to table the matter to the next meeting of the City Council scheduled for July 27, 1993. Voice vote. Motion carried unanimously.

Council requested that City Administration notify Mr. Hajdari by certified mail of the postponement to July 27.

break Council broke at 8:15 PM for a short recess. At 8:20 PM, Mayor Feaster called the meeting back to order.

X. NEW BUSINESS:

ITEM A: City Clerk's Office Hours of Operation

Mayor Feaster provided a brief explanation of the purpose of setting the City Clerk's office hours of operation. Mr. Feaster pointed out that during the budget process Council gave City Administration direction to reduce the cost of overtime. A reduction in the office hours would offset the hours the City Clerk is required to attend City Council meetings. Mayor Feaster also discussed the recommendation to include the City Clerk's position as exempt from overtime compensation. Since City Administration requested further study on the issue of overtime compensation, Council concluded that the matter of the City Clerk's office hours be postponed at this time. Councilman Trantham addressed the areas of responsibility with regard to hiring/evaluating/terminating by the City Council of the City Clerk and general supervisory responsibilities by the Mayor, Council and City Manager, respectively.

motion M/M by Trantham, 2nd by Metcalfe to table the matter to the July 27 City Council meeting to allow time to develop a plan. Voice vote. Motion carried unanimously.

Councilman Trantham stated that he would assume responsibility for the development of the plan to submit to Council.

ITEM B: Presentation by Bill Stokes of the Alaska Department of Environmental Conservation Regarding the Issue of Water Quality and the Need for a Public Nuisance Ordinance

Bill Stokes, the Alaska Department of Environmental Conservation representative in Bethel, addressed the issues of 1) the need to adopt a public nuisance ordinance, and 2) the illegal honeybucket dumping in Bethel. Mr. Stokes introduced for public record a packet of letters from concerned citizens regarding the dangers associated with honeybucket dumping. Copies of these letters are attached as part of these official minutes. Mr. Stokes stressed the seriousness of the problems associated with honeybucket dumping and asked City Council for its assistance in eliminating the

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problem. He placed importance on the following: 1) water and sewer services for all Bethel residences; 2) strategic placing of sewage collection tanks in areas where honeybucket dumping occurs; 3) enforcement of the City's honeybucket ordinance; and 4) the need to educate the public about the dangers of honeybucket dumping.

ITEM C: Presentation Regarding Proposed Land Requirements for the Bethel Group Home

This matter was canceled as the parties involved had reached an agreement on construction of the Bethel Receiving Home.

ITEM D: YKHC Memorandum of Agreement for Maintenance of the PATC Building

City Manager Hunter advised Council that the agreement before Council proposed to eliminate the \$31,000 payment to the City for all maintenance of the building, and provided for in-house maintenance of the premises, including all parts, supplies, material and labor, and maintenance of the boiler.

motion M/M by Trantham, 2nd by Metcalfe to approve the Memorandum of Agreement between the City of Bethel and the Yukon-Kuskokwim Health Corporation for lease of the PATC building as amended by adding a paragraph that states "The City reserves the right to enter the Premises and inspect the building twice a year." Poll vote. Motion carried unanimously.

Councilman Vanasse stated that he does not agree with the concept of leasing the building for \$1.00 per year, and asked that City Administration conduct negotiations next year for a better lease amount.

ITEM G: Award of Bid for Construction of Lagoon Hydraulic Control Structures

City Manager Hunter provided a brief explanation of the selection process that was used to determine the lowest responsible respondent. Mr. Hunter pointed out that the bid proposals were reviewed by and the recommendation came from the project manager, Jordan Suhr of JMM Consulting Engineers.

motion M/M by Trantham, 2nd by Metcalfe to accept the recommendation from Jordan Suhr and City Administration awarding the bid for construction of the lagoon hydraulic control structures to Construction & Rigging, Inc. in the amount of \$760,000. Voice vote. Motion carried unanimously.

PEOPLE TO BE HEARD

By resolution, the People to Be Heard portion of the meeting was reopened at 8:30 PM.

Mr. Charlie Spendman, a civil engineer from YKHC, spoke in support of Mr. Bill Stokes' presentation and the necessity to eliminate the honeybucket system. Mr. Spendman asked the City Council to attend to the issue.

ITEM I: Resolution #93-23: A Resolution Authorizing the Issuance and Sale of 1993 Series A Bond Anticipation Note.

City Manager Hunter explained that the purpose of the resolution was to allow the City the option of borrowing funds through the use of a bond anticipation note toward the \$1,000,000 bond issue from Farmers Home Administration. Finance Director, Larry Elam, pointed out that it may not be necessary to borrow as the lagoon project was virtually dormant this summer and the Village Safe Water appropriation for FY 94 should be available by August 15.

motion M/M by Vanasse, 2nd by Trantham to approve Resolution #93-23 authorizing the issuance and sale of 1993 series A bond anticipation note. Voice vote. Motion carried unanimously.

ITEM L: Executive Session: Legal Strategy--City of Bethel vs. Alaska Department of Labor, et.al.

motion M/M by Metcalfe, 2nd by Trantham to go into Executive Session for the purpose of discussing legal strategy concerning the City of Bethel vs. Alaska Department of Labor, et.al. Voice vote. Motion carried unanimously.

motion M/M by Vanasse, 2nd by Metcalfe to come out of Executive Session. Voice vote. Motion carried unanimously.

XI. COUNCIL MEMBER COMMENTS

Councilman Trantham stated that it was important that the Council take a leadership role in addressing the honeybucket problem. Mr. Trantham recommended organizing a meeting of key organizations in town to develop a strategy and then hold a public forum on the issue. The City Clerk offered to help coordinate these meetings.

Councilman Trantham again addressed the request from City Administration regarding contracting out work at the dock and the Port Director's reaction to his recommendation. City Manager Hunter stated he would speak with the Port Director.

In response to a question from Councilman Vanasse regarding the status of the BIA oil spill, City Manager Hunter reported that he had received a letter from the BIA agreeing to remove the water from 60,000 gallons of oil. Mr. Hunter stated that he would provide Council with a more detailed report regarding the question of liability, as well as the quantity of oil remaining.

Councilman Metcalfe supported Mr. Trantham's recommendation to address the honeybucket problem, and emphasized as well the need for the City to install piped water and sewer for all residences in Bethel and determine how to pay for the system.

XII. ADJOURNMENT

motion M/M by Metcalfe, 2nd by Vanasse to adjourn the meeting at 10:00 PM. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 29th DAY OF July, 1993.

James H. Feaster III
James H. Feaster III, Mayor

ATTEST:

Jane Elam
Jane Elam, City Clerk