

- CALL TO ORDER Mayor Feaster called the regular Council meeting to order at 7:30 PM.
- ROLL CALL Present: Dale, Feaster, Richardson, Vanasse, Wallace, Warner, Wintersteen
- APPROVAL/MINUTES M/M by Vanasse, 2nd by Warner to approve the minutes of the March 24, 1992, regular Council meeting as corrected: Page 4, first paragraph, change "Warner" to "Wintersteen." Voice vote. Motion carried unanimously.
- APPROVAL/AGENDA M/M by Richardson, 2nd by Warner to approve the amended agenda as follows: Under OLD BUSINESS: Item A--Cultural Center, City Land; Item B--Public Hearing, Amendment #2 to Ordinance #177; Item C--Vehicle Lease Purchase; Item D--BNC/Petro Port. Under NEW BUSINESS: Item A--Consideration of Reduction in Wharfage Rates; Item B--Resolution #704. Voice vote. Motion carried unanimously.
- MAYOR'S REPORT Mayor Feaster announced a town meeting coordinated by Kuskokwim Campus, Community Education, scheduled for April 22, 1992, from 10:00 - 2:30 PM. The meeting which will be held at the College has been scheduled to provide Bethel organizations with the opportunity to share short and long term goals. Mayor Feaster also announced the City Clerk's six-month evaluation will be held at the May 12, 1992, regular Council meeting.
- MANAGER'S REPORT City Manager Hohman reviewed his written Manager's Report with Council on the following items:
- Trip report for the LEPD/LEPC meeting held in Anchorage, March 25-27. Another meeting scheduled for April 16 in Soldotna will be attended by Councilwoman Richardson on behalf of the City. Travel expenses are paid for out of the \$50,000 grant funds received from LEPD.
 - Request from Karen Cooke, Bethel resident and an elementary education major at Smith College, to rent the Log Cabin for 10 weeks during the summer to house a day camp for children.
 - Provided materials for the new state fish tax sharing program; program is in the formative stage.
 - Power Cost Equalization reimbursement: the City has received materials that indicate that once the people who are involved in the state subsidy program are satisfied, the City will receive credit for city facilities retroactive to July 1, 1991.

--The Department of Environmental Health has contacted the City about the possibility of leasing the busbarn.

--Meeting in Anchorage with Mr. Johanssen, contractor for the pumphouse project and Mr. Hendricksen, Coffman Engineers, concentrating on the concern for lowering the ISO rating for Bethel in order to effect an insurance cost savings.

Discussion concerning proposal from Kare-n-Kare for use of the Log Cabin for a day camp facility followed. Before a decision to authorize leasing the facility to Kare-n-Kare, Council directed Administration to research city ordinances and procedures concerning leasing requirements.

In addition, the proposal submitted by Paula Stybor, Youth Services Program Coordinator, requesting permission to hold a Bethel Youth Resource Camp was added to the agenda for the April 28, 1992, regular meeting of the Council.

In response to a question from Councilman Vanasse concerning the Power Cost Equalization reimbursement, Planning Director, Jerry White, provided Council with the following information. Currently, the City does not receive PCE credit for its facilities because of a misinterpretation in the change of regulations by Bethel Utilities. A list of city facilities was submitted to the Alaska Energy Authority for review. The Authority has come back to the City requesting further information about the facilities and the sources of funding for the facilities. Mr. White indicated he thought the City should be able to provide a successful argument to receive credit for some of the facilities in question. Councilman Vanasse requested Administration provide additional background information such as the regulation change and inception date of the program.

COUNCIL MEMBER
COMMENTS

Councilman Dale advised Council that if it were to pursue the purchase of the Bethel Utilities, it should provide Juneau with some indication of the Council's position while the legislature is in session. Councilman Dale suggested holding another public forum to discuss the issue and receive public input.

City Manager Hohman informed Council that he had been in contact with Gerri Sumpter, of KuC, and discussed the possibility of scheduling a public forum for late April.

motion

M/M Dale, 2nd by Richardson that the Council support Gerri Sumpter in her effort to hold another town meeting for discussion on the possible purchase of Bethel Utilities Corporation. Voice vote. Motion carried unanimously.

Concerning the purchase of the utilities company, Councilmen Warner and Vanasse informed Council that private citizens had contacted them stating that they firmly believed the proposal should go to an advisory vote of the voters and should not be merely a Council decision.

Councilman Wintersteen expressed his concern about the order in which Council meetings are conducted and made the following proposal for a change in the ordinance for introduction at the next regular Council meeting: At 8:00 PM, Council should stop whatever it's doing and open the PEOPLE TO BE HEARD section of the agenda, followed by OLD BUSINESS. Councilman Wintersteen stated that so often by the time the Council reaches the Old and New Business sections of the agenda, it is late in the evening, Council is not as alert as it could be. In addition, by allowing the public to be heard at 8:00 PM, the likelihood of getting more public participation would be increased.

Councilwoman Richardson stated that she agreed with Councilman Wintersteen.

Councilman Vanasse stated that he would like to see the City become more actively involved in a voter registration drive between now and this fall's elections. Councilman Vanasse also asked about the status of the Tidelands Lease Survey. Jerry White advised Council that it was reviewed by the Planning Commission at its April 9, 1992, meeting; however, the Commission had not signed for the acceptance of the survey at that meeting. At this time, Councilman Warner pointed out that there were only four members present at the Planning Commission meeting and a couple of those members indicated that they had not had enough time to review the survey and were not prepared to accept it at that time. It was tabled until the next Planning Commission meeting with a couple of additional items requested: One item was that the plat be presented so that both the survey and the plat could be signed at the same time.

motion M/M by Warner, 2nd by Vanasse that Council make a formal request of the Planning Commission Chairman to hold a special meeting as soon as possible to consider acceptance of the Tidelands Lease Survey and Plat. Voice vote. Motion carried unanimously.

Councilman Warner noted that the Council had not received a report from lobbyist, Rick Urion.

motion M/M by Warner, 2nd by Wintersteen that the Mayor, representing the Council, send a letter to Mr. Urion asking for a status report and also reaffirming to him what the Council's legislative capital projects priorities were for this session; in addition, ask that he direct his energies toward those priorities. Voice vote. Motion carried unanimously.

In response to a question from Councilman Wallace concerning grading the roads, Jerry Korthuis advised Council that the roads must thaw before they can be graded; plans had been made to begin grading, but the weather turned cold and the grading had to be postponed.

Councilman Warner requested that a progress report on the status of 14(c)(3) land acquisition from Bethel Native Corporation for sewage lagoon expansion be put on the agenda for discussion at the April 28, 1992, Council meeting.

Council scheduled a work session to review the compiled draft of the Personnel Rules and Regulations for April 22, 1992, at 7:30 PM in the Log Cabin.

REPORTS OF STANDING Mayor Feaster announced the meeting of the Finance COMMITTEES Committee scheduled for April 16, 1992, 7:30 PM, City Offices. Two major issues to address are: 1) excise tax rebate on fuel sales and how it effects payment of City sales tax, and 2) sales tax on bingo and pull tabs.

Councilman Wallace reported that the Planning Commission met on April 9, 1992. He stated that a number of issues were discussed and testimony heard; action will be taken at the next regular meeting. Councilman Warner had earlier reported on the results of the Tidelands Lease Survey.

Councilwoman Richardson directed Council to the minutes of the Public Safety Committee included in the Council packet. The next meeting of the

Committee is scheduled for May 6, 7:00 PM, Fire Station.

Councilman Wintersteen announced that the Port Commission meeting is scheduled for April 20, 1992, 7:30 PM, Port Director's Office.

Councilman Dale stated that the Transportation Commission did not have a meeting scheduled. He noted from the minutes of the Public Safety Committee meeting of April 8, 1992, that the Committee voted to maintain its current status and not consolidate with the Transportation Commission.

PEOPLE TO BE HEARD

Peter Jacobs, a City employee for 31 years, expressed his appreciation for the outstanding job that City Manager Hohman and Public Works Director, Sonny Davis, were doing and that he very much enjoyed working for both of them.

Council broke at 8:35 PM for a short recess. At 8:45 PM, Mayor Feaster called the meeting back to order.

OLD BUSINESS:

Item A: Cultural
Ctr-City Land

CULTURAL CENTER - CITY LAND

Mr. Lamont Albertson, Director, Kuskokwim Campus and Mr. John Dickenson, Director of Educational Real Estate, University of Alaska, Fairbanks, presented the proposed site plan for construction of the Cultural Arts Center and requested affirmation of the Planning Commission's recommendation to convey approximately 30,000 square feet of city land located in the City Center Subdivision to the Kuskokwim Campus. Mr. Albertson and Mr. Dickenson were requesting a letter of intent to convey the land from the Council that could be presented to the Board of Regents of the University of Alaska, Fairbanks, at its meeting scheduled for April 22, 1992.

In response to a question from Councilman Warner concerning completion of the survey so that the City would know where the property lines would be drawn, Mr. Dickenson stated that the final geotechnical work would be completed the week of April 17, 1992, and the ground survey for the site of the building completed within two weeks after completion of the geotechnical work. Councilman Warner pointed out that the Planning Commission and the Council could not grant final approval until a plat of the subdivision was submitted. Mr. Dickenson indicated he understood the Council's

position, and that at this point what was needed was Council's conceptual approval of intent to convey the land in order to present the plan to the Board of Regents. The issue of compensation will be addressed at a later date.

motion

M/M by Warner, 2nd by Wintersteen that a letter be drafted to the University of Alaska, Fairbanks, affirming the Council's conceptual approval of the conveyance of land of approximately 30,000 square feet with the legal description, Block 1, Lot 4A of the City Center Subdivision, barring any major objections that come up during the public hearing process. Voice vote. Motion carried unanimously.

Item B: Public
Hearing-Amend.
#2, Ord. #177

Public Hearing: Amendment #2 to Ordinance #177--
ANIMAL CONTROL ORDINANCE

Councilwoman Richardson reviewed the recommendation from the Public Safety Committee to revise the Animal Control Ordinance. Mayor Feaster opened the public hearing to the public. There being no comments from the public, Mayor Feaster closed the hearing and asked for discussion from the Council.

Councilwoman Richardson stated that the effect of the amendment would afford the Animal Control Officer the ability to impose stricter fines on people who violate the code, and to better define the meaning of "adequate care."

Discussion followed concerning the definition of "shelter," tightening the language of Section 6.04.020, and setting a time limit on the charges assessed for violations.

motion

M/M by Wintersteen, 2nd by Richardson to approve Amendment #2 to Ordinance #177--Animal Control Ordinance--by deleting the words "impoundment and" from Section 6.040.020 (C) and adding the words "within 90 days" at the end of Section 6.040.090(A). Poll vote. Motion carried unanimously.

Item C: Vehicle
Lease

VEHICLE LEASE PURCHASE AGREEMENT

Councilman Dale stated that his intent for putting the purchase of vehicles on the agenda was to set up a schedule for replacement of vehicles on a timely basis which could be accomplished through the proposed lease arrangement prepared by Administration. In addition to replacement of small vehicles, the City needed to provide for the

replacement of water and sewer trucks. Councilman Dale proposed that the City acquire three or four pickups and a water or sewer truck to be determined based on the City's needs.

Fire Chief, Mark Barker, reviewed the proposed lease purchase arrangement submitted by GE Capital Public Finance, Inc. with Council. Financing arrangements provided for two options: 1) By combining the funding of the Police and Fire Radio Dispatch System with the purchase of utility trucks the interest rate would be 6.7%; and 2) Financing the utility trucks alone would be at a rate of 6.9%.

Councilman Wintersteen pointed out that it was unclear as to what the specific needs of the City were concerning the replacement of vehicles and suggested that Administration identify, prioritize and justify its needs in order to make a decision.

Finance Director, Larry Elam, informed Council that the Public Works Department had requested both a water and an evac truck in the budget for FY 93.

Councilman Warner noted that the utilities fleet is not completely aged: the City has purchased two new water trucks and one new evac truck within the last three years as well as it refurbished an evac truck one year ago and is in the process of putting new tanks on three water tanks.

Council further discussed the size, type, model and price range of vehicles to be purchased, as well as financing required for this budget cycle and for establishing a method for future replacement. Following a lengthy discussion the following motion was made taking into consideration a request in the budget for a water and evac truck:

motion

M/M by Dale, 2nd by Richardson that the Council commit to a lease/purchase from GE Capital of six Ford Ranger pickups to be configured as needed. Poll vote. Motion carried. 6-yes; 1-no (Wintersteen).

Item D: Petro
Port Land Plat

PETRO PORT LAND PLAT

Mayor Feaster provided a short overview by stating that at the time the plat was originally presented (approximately 6 weeks ago), there was concern over the wording in the section requiring endorsement from the City Planning Commission and from the City

Council Representative. Mayor Feaster further stated that Bill Biven, President of Bethel Native Corporation, had explained that the plat contained easements for the seawall work, thus, satisfying his concerns. Councilman Warner informed Council that the Planning Commission had approved the plat and signature of the Chairman of the Commission would be obtained on his return to Bethel.

motion

M/M by Warner, 2nd by Wallace for acceptance of the plat for conveyance of tracts 5-A,B,C and D of U.S. Survey 4000, drawing number PL91-163. Voice vote. Motion carried unanimously. Councilwoman Richardson abstained from voting because of a conflict of interest.

NEW BUSINESS

Item A: Wharf-
Rates

CONSIDERATION OF REDUCTION IN WHARFAGE RATES

Stuart Greydanus, Port Director, had originally requested Council consider reducing the wharfage rates on outbound fish because rates are five times higher in Bethel than rates in Western Alaska. For this reason, Northland Services indicated that it would attempt to barge out the 5,000,000 pounds of salmon processed in Bethel to Dutch Harbor which would then be transshipped to Japan. If this occurred, the Japanese trampers would no longer come to Bethel, thus reducing the dockage revenue generated from their 10-14 day stay in the Port. Mr. Greydanus stated, however, that the wharfage revenue the dock would receive on the outbound fish would likely balance the loss on dockage revenue. Therefore, he requested Council disregard the request for the reduction in rates. For this reason, Council indicated that it was satisfied with the explanation and no action was taken on the request.

Item B: Res.
#704

RESOLUTION #704--SUPPORT FOR EXPANSION OF THE AVCP
HEAD START PROGRAM IN BETHEL

motion

M/M by Dale, 2nd by Wallace to adopt Resolution #704 in support of increased funding for the expansion of the Association of Village Council Presidents Head Start Program in Bethel. Voice vote. Motion carried unanimously.

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CITY COUNCIL MINUTES
APRIL 14, 1992

motion M/M by Dale, 2nd by Vanasse, to adjourn the meeting
at 9:50 PM. Voice vote. Motion carried
unanimously.

PASSED AND APPROVED THIS 28th DAY OF April, 1992.

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

ATTEST:

Jane Elam
Jane Elam, City Clerk