

CALL TO ORDER

The meeting was called to order by Mayor Warner at 7.30 pm.

ROLL CALL

All members present except for Korthuis (vacation)

APPROVAL OF MINUTES

M/M by Reich, 2nd by Carpenter to approve the minutes of the 1/13/87 Council with the following correction: p 2, Councilmember Comment, to read: Councilmember Carpenter asked if the Centennial Book had been sent to the State legislators. City Manager Widom responded that it had not been sent. Voice vote, motion carried.

motion

motion

M/M by Carpenter, 2nd by Edge to approve the minutes of the 1/27/87 Council meeting as presented. Voice vote, motion carried.

motion

M/M by Carpenter, 2nd by Dale to approve the minutes of the 1/29/87 Council meeting as presented. Voice vote, motion carried.

motion

M/M by Dale, 2nd by Chris to approve the minutes of the 2/4/87 Council meeting as presented. Voice vote, motion carried.

APPROVAL OF AGENDA

M/m by Dale, 2nd by Chris to approve the agenda with the following changes: deletion of Item D under Unfinished Business (Committee Appointments); delay Item A, Unfinished Business, Executive Session, until arrival of Attorney. Voice vote, motion carried

MAYOR'S REPORT

MAYOR'S REPORT

Mayor Warner reported to Council on the following:

- a. letter from Attorney Myron Angstman regarding City costs to defend former Manager Widom in the case of Southern v. Widom. Mayor Warner noted for Council that the City did not incur any costs with respect that action
- b. letter from LKSD regarding water pipe damage at the high school - the matter was referred to the Public Works Director for review

MANAGER'S REPORT

There was no Manager's Report.

COUNCILMEMBER COMMENT

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Councilmember Carpenter suggested that Councilmembers make known at what times they are available for phone calls.

Councilmember Dale suggested that the City's purchasing policy with respect to local merchant bidding and notification be reviewed for changes to better facilitate local vendors ability to bid on purchases made by the City.

Mayor Warner clarified for Council the City sales tax exemption for items leaving the community.

REPORTS OF STANDING
COMMITTEES

REPORTS OF STANDING COMMITTEES

Councilmember Chris reported on the meeting of the Port Commission noting that the Commission is reviewing 4 options for the operation of the dock:

- a. 100% City operation
- b. handling by permit
- c. contract out all or part of operation
- d. renegotiate KTC agreement

It was also noted that Bob Herron has resigned from the Commission; that the Commission has 3 openings.

Ward Sattler of Operation Mop-Up noted for Council that the committee is preparing a final report for Council; that the committee has two vacancies.

PEOPLE TO BE HEARD

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Gary Korthuis of Korthuis Auto Parts of Bethel addressed Council regarding the City's purchasing procedures requesting that the City give local vendors the opportunity to bid on all City purchases. Mayor Warner directed Administration to present to Council a City policy regarding local purchase.

Ivan Widom, former City Manager, noted for Council that the City did not incur any costs in the Southern v. Widom case; that only Attorney Angstman made money on the case.

Antone Anvil addressed Council concerning Council procedure used in dismissing the City Manager and objecting to Council allowing Councilmember Reich to return to Council after Councilmember Reich had stated that he had resigned from Council. Mayor Warner noted that Council did not formally accept the resignation and as such Mr. Reich was allowed to return to Council. Councilmember Reich noted that he had reconsidered his statement of resignation and has returned to Council with the intention to remain on Council through his term.

David Trantham suggested that Council place suggestion boxes at various places around town for citizen comments about City operations; that the City establish an employee of the month award to recognize outstanding employees. Police Chief Clayton noted for Council that the Police Department will hold its employee awards banquet on February 15.

Councilmember Dale suggested that Council should contact the Governor's office regarding the closure of the recorder's office. M/M by Dale, 2nd by Carpenter directing Administration to prepare a resolution requesting that the Bethel District Recorder's office remain open and intact. Voice vote, motion carried. Councilmember Chris suggested that the City should not appear to be offering to fund the position.

motion

7b102

Mayor Warner read a letter from the Mayor of Nuna-pitchuk concerning village cabs operating in Bethel. Councilmember Dale noted that the Transportation Commission is developing a policy regarding village cabs operating within Bethel.

UNFINISHED BUSINESS

CITY ATTORNEY REPORT

Item A: City
Attorney Report

City Attorney Hicks reviewed for Council the status of legal matters involving the City requesting that Council go into executive session for certain specified matters. The executive session was set for the end of the agenda. Attorney Hicks also noted for Council that the City did not incur any costs in the Southern v. Widom lawsuit. Attorney Hicks reviewed for Council the procedure for reviewing City ordinances suggesting that Council be clear in what it wishes the Attorney to do with respect to reviewing or drafting ordinances; that it would be preferable for the Attorney to be involved with the initial draft on ordinances so that the Attorney is working with a familiar format.

Item B: Sales Tax
Audits

SALES TAX AUDITS

motion

Mayor Warner recommended that the City continue its auditing of businesses licensed with the City. M/M Carpenter, 2nd by Dale to continue the sales tax audits in the amount of \$7000 pending budget review and additional funding. Poll vote, motion carried. Councilmember Reich asked who is doing the audits and the procedure for doing the audits. Finance Director Donnell noted that Becky Donnell is doing the audits; a discussion took place concerning the procedure for conducting the audits. Councilmember Chris asked if owed sales tax is a public record. City Attorney Hicks noted that such information is not a public record until an action is filed in the court; that he, as the City Attorney, would not proceed in court without specific direction from Council.

Item C: Utility
Bills

UTILITY BILLS

motion

Mayor Warner noted that the City has a number of utility bills outstanding and that the City needs a procedure for collecting the bills. A discussion took place as to options regarding the collection of unpaid utility bills. M/M by Carpenter, 2nd by Chris directing the Administration and the Utility office to draft proposed regulations for presentation regarding past due bills and uncollectible bills. Voice vote, motion carried. City Attorney Hicks recommended that the City not publish a list of accounts owing the City.

Councilmember Carpenter recommended that during the interim period that Council review documents and personnel actions. Mayor Warner concurred with reviewing contract matters but not personnel actions unless required by the personnel rules and regulations (grievance matters). Council agreed to review contractual matters during the interim and make no other special restrictions to the Managers actions.

Ivan Widom suggested that the engineering firm of Galliett and Silides is no longer under contract with the City and that the City should go with an RFP for engineering services for the seawall project

City Attorney Hicks noted for Council that he works under the direction of the City Manager until directed otherwise by a majority of Council.

Item D: Games of Skill and Chance

GAMES OF SKILL AND CHANCE

Council approved the application for a Games of Skill and Chance application by the Bethel Volunteer Firefighters.

EXECUTIVE SESSION

EXECUTIVE SESSION LEGAL MATTERS

motion

M/M by Chris, 2nd by Carpenter to go into executive session to discuss the following legal matters:

- a. Bethel Utilities
 - b. Southern v. City v. Hoffman
 - c. Malone
 - d. Bethel v. Lloyds
 - e. Walsh Arbitration
 - f. tax claim
 - g. native allotment appeals
- Voice vote, motion carried.

Council took no action on matters discussed in executive session upon return to open session.

motion

Council reviewed the proposed contract with Mr. Vaska for his services as interim City Manager. M/M Carpenter, 2nd by Reich to approve the contract with the starting date of February 9. Voice vote, motion carried.

ADJOURNMENT

M/M by Reich to adjourn. The meeting adjourned at 12.17 am.

PASSED AND APPROVED THIS 26 DAY OF FEBRUARY, 1987.

TEST:

Anna McGowan

Tom Warner, Mayor

Thomas Warner

for Wayne J. Maiers, City Clerk
7b105