

- CALL TO ORDER Mayor Kelly called the Regular City Council meeting of 09/12/89 to order at 7:35 P.M.
- ROLL CALL Present: Anvil, Dale, Kelly, Trantham, and Warner.
Absent: Hoffman.
- APPROVAL OF MINUTES MOTION M/M by Warner, 2nd by Anvil to approve the 08/22/89 minutes as presented.
- APPROVAL OF AGENDA MOTION M/M by Warner, 2nd by Anvil to approve the agenda as presented.
- MAYOR'S REPORT
- Mayor Kelly reported that she has received numerous telephone calls regarding the new water & sewer rates; some bills, she said, have been raised up to and beyond \$30.00 per month. Perhaps Council can reconsider the rates in the future if this is posing a problem for the citizens of Bethel.
 - Last year, the students at Bethel Regional High School expressed interest in nominating a student to serve as an ex-officio member of the Council, Mayor Kelly explained that at her direction, the City Clerk sent a letter to BRHS and invited them to send a letter of interest for Council consideration. Council has received a letter, and Andrei Jacobs, who was nominated is in attendance. Student ex-officio member Jacobs was accepted by Council at that time. Mayor Kelly expressed her appreciation to the BRHS Student Government for their show of interest in the City Government.
- Manager's Report
- Ken Hamm, Administrative Personnel Officer, acted City Manager at this meeting due to City Manager Earnest being ill.
- Mr. Hamm reported that three applications were received and the interviews for the Finance Director's position are currently taking place.
 - Mr. Hamm asked Tom Graham, Accounting Manager to summarize the price quotes received for the survey of lowering the sales tax cap from \$10,000 to \$1,000 on a single unit sale. Mr. Graham said three quotes were received; two just under \$10,000, and the third was perhaps, a mistake at \$2,000. The low quote also listed 200 telephone calls at their expense.
 - Councilmen Warner asked Mr. Hamm if there was any preparation for placing of rock this year. Mr. Hamm explained that the bid has been awarded with work to begin this fall. (This was actually an emergency procurement and not a bid as described).
 - At the City Council/Finance Committee worksession on 08/31/89, Councilmen Warner, said changes were made on the three draft sales tax ordinances; along with the changes and those suggested by the Bethel Chamber of Commerce, Council requested one final form be prepared and presented to Council for an introduction process.

Manager's Report
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-Mr. Hamm agreed to begin compiling the work and will have the sales tax in final form for the 09/26/89 Council meeting.

-For the next meeting also, Councilmen Trantham requested an analysis of the survey results, a recommendation on acceptance of the three survey price quotes for the sales tax, and where the funds will come from.

-Since the cost will most likely be around \$10,000, Councilmen Warner suggested a formal bid process be followed as required by ordinance.

MOTION

M/M by Warner, 2nd by Dale for a formal solicitation of request for proposals for a survey on lowering the cap on a single unit sale from \$10,000 to \$1,000. Voice vote, motion carried.

-Councilmen Trantham said recently City Manager Earnest, Public Works Director Stock, and the owner of Shay apartments, located at the east end of 6th Avenue, looked into the possibility to hooking the apartment building into the nearby sewer line which is 10 feet away. Mr. Trantham asked that Administration look into the matter and see if there is any movement forward on the issue.

COUNCILMEMBER COMMENTS

-Councilmen Anvil had several concerns: -People who not authorized to use city-owned vehicles should not be using the vehicles after 5 P.M. Mr. Anvil asked the City Manager and Public Works Director to ensure employees are not using vehicles after hours for personal use.

-Councilmen Anvil asked the City Clerk to call Nome Elections Office to see if the wording on the Local Option can be changed because it is complicated and difficult to understand.

-Mr. Hamm responded explaining we are required by State Law to use that precise wording, but we can contact the State Legislature for future elections.

-Councilmen Trantham began a discussion on the Personnel Rules & Regulations. He said the City allows relocating expenses which are not to exceed \$3,000; a Department Head has recently resigned whose moving expenses were covered by the City exceeding \$3,000 and did not fulfill his or her contract and because of this, moving expenses for his return should not be covered by the City. Councilmen Trantham asked Administration to look into the situation of the departure of the Finance Director who left the City in August --- if the City did pay relocating costs and since he did not meet his obligation of his contract, the City is requested to make an effort to retrieve the funds, if in fact, money was spent.

COUNCILMEMBER COMMENTS M/M by Trantham, 2nd by Anvil for Administration not
MOTION to provide moving expenses for contract employees whose contracts have not been fulfilled. Voice vote motion carried.

-Councilmen Warner was opposed to not paying re-locating costs for the employee resigning, he felt if the moving expenses were paid for the Finance Director, the City should pay moving costs regardless if the obligations were met or not.

-Mr. Hamm said there is a State Statute ruling when an employer pays a contract employees moving expenses, they are required to pay a portion of the travel back to the origin. For instance, if \$3,000 is allocated for moving, only a plane ticket may be purchased for the employees return. However, there is an open question if the employee did not fulfill the contractual agreement.

MOTION

M/M by Trantham, 2nd by Dale to amend the preceding motion as follows: Direction is give to Administration to investigate to determine if the Finance Director's transportation expenses were paid; if so, an effort is to be made for recovering the return travel funds. Poll vote, motion carried, 5/0.

-Councilmen Warner stated that he would like the Personnel Policies to read that the City "will not" pay moving expenses unless it is approved at the Council level. And, if the policies do read the City "may" pay moving expenses, changes are not required if we do not exercise the "may".

-Mr. Hamm explained that any changes made now could create problems with labor negotiations.

-Councilmen Warner asked the issue of moving expenses be tabled until after the up-coming election and the new City Council is seated.

-Councilmen Trantham said he received a number of telephone calls on the article published in the Tundra Drums regarding a Police Officer receiving machine gun training. Mr. Trantham said he spoke with the City Manager and Police Chief, with permission, and would like to announce that the City does not own a machine gun and there is not a machine gun on order. The article was misleading and Mr. Trantham said he would like to set the record straight regarding the rumors on the non-existent City machine gun.

-Police Chief Clayton explained that machine gun training the officer received was only a portion of the training. Mr. Clayton thanked Council for the funds provided to send the officers to training which provides for a well-rounded police force.

COUNCILMEMBER COMMENTS
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Mayor Kelly said she has received a number of calls regarding the way Police Officers handle citizens who are being arrested, not only from those being arrested, but by others observing. Police Chief Clayton asked that specific situations be brought to his attention for the matter to be looked into. If officers are manhandling and "over-doing it", he said, he would like to know about it so the problem can be resolved with whatever action is necessary.

REPORTS OF STANDING
COMMITTEES

Councilmen Warner said the Planning Commission met on 09/05/89; he had his dates confused so was not in attendance. Action was taken and approval for a building of a snowfence behind ASHA was granted. -Councilmen Dale asked if any action was taken on Ron Peltola's house between 6th & 7th Avenue. -Councilmen Warner apologized for not having it placed on the last agenda, but will ask the Planning staff to place it on the next agenda. Usually, the Planning Commission meets the 1st Monday of the month.

PEOPLE TO BE HEARD

Paul Gregory, a long-time resident of Bethel shares the same concerns Councilmen Anvil has regarding the wording on the Local Option Elections. He said he feels something needs to be corrected, and a change of wording would take away the confusion. Mr. Gregory also suggested that imposing tax on incoming alcohol beverages would slow down the booze traffic and help out the City's finances. Council informed Mr. Gregory that the tax would have to be approved by the voters, and thanked him for sharing his concerns.

NEW BUSINESS:
Item A: Lobbyist
for the City

LOBBYIST FOR THE CITY OF BETHEL

Councilmen Dale stated that this item (with letter from Nels Anderson, desiring to be Bethel's Lobbyist) was an agenda item previously and questioned the intent to rediscussing it. Mayor Kelly said she wanted to respond to Mr. Anderson's letter, but Mr. Dale felt the "nay" vote was the response.

Councilmen Dale said he feels the City would benefit from hiring a lobbyist, but the majority of Council voted it down.

Councilmen Warner said he stands his grounds of opposition for several reasons: 1st) Philosophical reasons - paying a lobbyist is offensive to him; and 2nd) The City Manager has connections in Juneau, he feels this is revealed by the funds brought in on a federal level as well as the state level; 3rd) Several trips to Juneau by the Mayor and City Manager towards the end of the Legislative Session should be sufficient as the last four days determines who gets funds, he felt.

NEW BUSINESS

-Councilmen Dale said the City cannot send the City Manager off to Juneau without neglecting the City as we won't know when the last four days of the Legislative Session would be. Also, Mr. Warners philosophical reasoning was difficult to understand because the idea of paying a lobbyist is offensive to him does not mean it is not helping the community. And, the Council is here to represent the City to the best of their ability. Mr. Dale said if it takes hiring a lobbyist to make sure money is obtained from the State for water & sewer projects, he is all for it. Mr. Dale also said his statement is not argumentative, but just clarification.

-Councilmen Trantham said he voted against hiring a lobbyist because of his own feelings; input from the community; and he met with Representative Hoffman (Co-chair of House) and Senator Binkley (Co-chair of Senate) both felt the City cannot afford a lobbyist; it would not do any good; and they can represent the interest of the City of Bethel.

MOTION

M/M by Dale, 2nd by Warner to table Item A: Lobbyist for the City of Bethel as a postive outcome will not come of this. Voice vote, motion carried.

Councilmen Dale told the audience that seven Council members were supposed to be in attendance and only five were seated tonight; he encouraged people to apply for City Council before 09/18/89 at 5 P.M.

ITEM B: OFF-ROAD
VEHICLES

OFF-ROAD VEHICLES

This was placed on the agenda because of previous Council discussion at the 08/22/89 meeting. It was felt two issues were arising from the off-road vehicles: a safety issue and road destruction. In addition to the material on off-road vehicles delivered to Council in this meetings packet, Police Chief Clayton handed out more information. He explained that off-road vehicles are prohibited to be operated on State highways except under circumstances as: Crossing highways when not interfering with traffic; when use of highway is impassible for other traffic due to snow or ice; where a posted notice appears or designated as open for off-road vehicles. He told Council that the Bethel Airport Road is controlled, therefore off-raod vehicles are prohibited from driving on any portion of the road.

Chief Clayton also said his department will toughen up on enforcing the law: anyone operating a licence without a license will be issued a ticket, if the machine is not registered, another ticket will be issued, and the machine impounded with towing and impound fees; children driving and parents allowing children underage to drive will all be issued tickets.

NEW BUSINESS -cont-
ITEM C: Street light
plan

STREET-LIGHT PLAN

Before this meeting, City Manager asked that the Street-light plan be tabled indefinitely as he would not be in attendance.

ITEM D: Res. 638

RESOLUTION 638 - REGIONAL ELECTRICAL UTILITY
FEASIBILITY STUDY

There was some Council discussion on this item, but since the City Manager was not present and only a letter from City Manager Earnest to Alaska Energy Authority without a resolution for Council to adopt, a motion was in place:

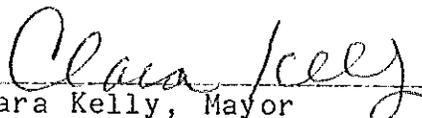
MOTION

M/M by Warner, 2nd by Trantham to approve the concept of the letter and support the City Manager's request of the letter dated 08/23/89 to the Alaska Energy Authority. Voice vote, motion carried.

MOTION

M/M by Warner, 2nd by Trantham to adjour at 9:30 P.M.

PASSED AND APPROVED THIS 26 DAY OF SEPTEMBER, 1989.


Clara Kelly, Mayor

Attest:


Karole A. Kohl, Acting City Clerk