

CITY COUNCIL
Tad Miller
Dario Notti
Mike O'Brien
Agnes Phillips, Mayor
Ruth Richardson
Stanley Rodgers
Thor Williams



CITY MANAGER
Ken Weaver

CITY CLERK
L.J. Warren

City of Bethel
Regular Council Meeting Minutes
July 22, 1997

I. CALL TO ORDER

The meeting was convened at 6:30 p.m. by Mayor Phillips at the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Notti, O'Brien, Phillips, Richardson, Rodgers, Williams

Absent: Miller (excused)

Also present: Acting City Manager George Young, City Clerk L.J. Warren, 16 in the audience.

III. PEOPLE TO BE HEARD

Peter Twitchell spoke with regards to treatment of his daughter by a former Bethel Police Officer. Dave Trantham spoke about the Kasayuli Subdivision, good government, and promotion of tourism in Bethel. Deborah Reichard reminded the Council of their commitment to repair the sewer line that runs in front of her house. Doreen O'Brien protested the re-instatement of Terryl Miller's taxi permit, an action the Council took at their July 8 regular meeting. Dan Twitchell described an incident involving the Police Department that occurred at his sister's apartment. Kevin Penix discussed his complaints to the Police Department about the treatment of his girlfriend, and the lack of response to his complaints by the City. Acting City Manager Young invited the Twitchells and Mr. Penix to make an appointment with him to discuss the incidents described.

IV. APPROVAL OF MINUTES OF JULY 8, 1997 REGULAR MEETING.

Mayor Phillips noted that "extra water truck driver" on page 5, should be changed to "extra temporary water truck driver." Council member O'Brien noted that the vote to re-instate Terryl Miller's taxi permit should have been noted at 5-yes, 1-No, 1-Abstain (Miller)

motion M/M by Richardson, 2nd by Rodgers to approve the minutes of the July 8, 1997 regular meeting, as amended.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

Mayor Phillips added Executive Session Item B, John Ryan Legal Action against the City, and moved the City Clerk Evaluation to Executive Session Item C.

motion M/M by Williams, 2nd by Notti to approve the agenda as amended.

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Phillips thanked the World Horizons group for repainting the interior of the Log Cabin, and reported on the party held for them at the Senior Center.

Ms. Phillips noted that Senator Ted Stevens and Commissioner Hensley of Commerce & Economic Development have both visited Bethel recently. Senator Stevens will be unable to attend the seawall dedication ceremony.

Mayor Phillips recognized August 1-7, 1997 as World Breastfeeding Week, and noted that there are environmental benefits as well as personal benefits of breastfeeding. She thanked Council member Richardson for the sample proclamation and additional information.

Mayor Phillips reminded Council members of the upcoming work session to review the Rules of Procedure, 6:30 p.m., City Offices, on Thursday, July 24.

VII. MANAGER'S REPORT

Acting City Manager Young referred Council to the written reports, and discussed the following:

- Sewer Line repairs in City Sub: Council member Richardson noted that funds were appropriated in the current fiscal year budget for repairs. Acting Public Works Director Clair Grifka stated that the previous Director and the City Manager had been working with Willie van Hemert of CRW. The Acting City Manager and Acting Public Works Director agreed to develop a plan for the repairs and report back to Council by July 31.
- Playground Equipment: Youth Center Director Janet Athanas is working with various agencies to procure equipment for the recently dismantled Ayalpik playground. In addition, AVCP has agreed to fund equipment for a new park at Owl & Ptarmigan. Council member Notti pointed out that the Planning Commission has requested the City Council to set up a workgroup to examine the issues surrounding designation of a park at Owl & Ptarmigan more closely.

motion M/M by Richardson, 2nd by Williams to override the recommendation of the Planning Commission, accept the offer from AVCP, and move ahead with plans for dedication of a park at the corner of Owl & Ptarmigan.

Council member Notti pointed out that the park will still have to be formally dedicated via a Resolution. Council member O'Brien recognized that there are still a number of issues such as fencing, safety, and dust that will have to be addressed.

vote Voice vote. Motion carried unanimously.

- Community Watch: Acting City Manager Young reported that Officer Kammer and one member of the Public Safety Commission will attend Community Watch training in Anchorage, August 8-9.
- Illegal Trash Dumping: The Acting City Manager reported that the Bethel Police Department is investigating the trash dumping near the dumpsters by Trailer Court and citations may be issued in the near future. Council member O'Brien asked about the status of the dumpsters themselves. They were supposed to have been moved long ago. Mr. Young replied that new, smaller

dumpsters have just been received. These will be placed within Trailer Court, and the large dumpsters across the highway (where the dumping has occurred) will be removed.

- Hot dog stand at small boat harbor: Mr. Young reported that the tenant has leased the site from the City and is paid through July 31. The building will be removed by August 1, or the City will remove the building at the expense of the tenant.
- Hovercraft docking at City facilities: Mr. Young noted that Port Director Stuart Greydanus has been directed to contact the Hovercraft operators to find out if they are interested in docking at City facilities.
- Reduced residential speed limits: Police Chief Eilers is communicating with the City Attorney to find out the exact requirements for reducing speed limits.
- Private sewage disposal at City lagoon: The City staff committee will meet on July 23 to discuss the issue, and will report back at the August 12 Council meeting.
- Dust Control: Mr. Young and Acting Public Works Director Grifka updated Council on their dust control efforts. Public Works will continue to use Calcium chloride, despite its limited effectiveness. In addition, two different products for dust control are being investigated. Mr. Grifka has drafted a comprehensive dust control plan for review by City manager Weaver. The Acting City manager was directed to contact the DOT to find out if paving of the Front Street loop could be traded for paving of Akakeek instead.
- Seawall rock bids: Bids were received for the City's purchase of rock for seawall maintenance. A memo from the Purchasing Agent recommended award to Red Samm Construction, at \$39.00 per cubic yard.

motion M/M by Richardson, 2nd by O'Brien to award the contract for purchase of seawall maintenance rock to Red Samm Construction, at a price of \$39.00/ton.

vote Voice vote. Motion carried unanimously.

- Youth Center pilings repairs: Mr. Young noted that the bid opening for repairs to the Youth Center is scheduled for August 11, 1997.

Questions from Council members:

1. Council member O'Brien pointed out that the DOT has place a large culvert near the water treatment plant as part of the Ridgecrest Drive project. Mr. O'Brien wondered if the culvert would interfere with the construction of upgrades to the treatment plant itself. Mr. Young stated that he would check with CRW.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

The City Clerk read the Committee recommendations for the record.

Finance Committee: Mayor Phillips reported that the work session of the Committee had been canceled. Minutes from their last meeting are in the packet.

Planning Commission: Council member Notti reported that the Commission discussed the Kasayuli Subdivision, and the proposed park at Owl & Ptarmigan. Mr. Notti agreed with the Council's decision not to form a working group to review the feasibility of the park.

Port Commission: The next Commission meeting will be on August 18. Children are still swimming in the entrance channel to the small boat harbor. The City should put up "no swimming" signs.

Public Works Committee: Council member O'Brien reported that there was not a quorum for the July meeting. The committee will view a video on Soil Sement at their next meeting.

Public Safety Commission: Council member Richardson stated that the Commission has not met since the last Council meeting.

Transportation Commission: The next meeting is on August 7.

Youth Services Committee: Glen Goepfert, Chairman of the Youth Services Committee, reported to Council. The Committee is discussing joint efforts with the Boys & Girls Club of America, opening the Youth Center for family & adult nights, and installation of recently received parks equipment.

⇒ Noting a letter from Buford McComas in the Council member handout folders, Mayor Phillips directed the City Clerk to schedule a discussion of Mr. McComas' complaint for Executive Session at the August 12, 1997 regular Council meeting.

IX. OLD BUSINESS

Item A: Public Hearing on Ordinance #97-10, Disposal of City Property

Mayor Phillips opened the Public Hearing. Seeing and hearing no one to be heard, Mayor Phillips closed the Public Hearing.

motion M/M by Williams, 2nd by O'Brien to adopt Ordinance #97-10.

vote Voice vote. Motion carried, 5-Yes, 1-Abstain (Rodgers).

Item B: Public Hearing on Ordinance #97-16, Establishing a Department of Parks and Recreation and a Senior Services Department (Weaver)

Mayor Phillips opened the Public Hearing. Seeing and hearing no one to be heard, Mayor Phillips closed the Public Hearing. Acting City Manager George Young briefly described the ordinance and stated his support for it.

motion M/M by Richardson, 2nd by Rodgers, to adopt Ordinance #97-16.

vote Voice vote. Motion carried, unanimously.

Item C: Discussion - Road to Kasayuli Subdivision

Acting City Manager Young noted that the permits are almost complete and are being reviewed by legal counsel. Council member Williams expressed concern about the Subdivision plat, and asked for a report from the Planning Commission at the August 12 regular Council meeting. Council member Notti pointed out that the Commission will not have their next meeting until August 14. Mr. Williams suggested that the Commission schedule a work session. Mr. Young noted that the City has received an extensive letter from attorney Lee Sharp, outlining his concerns about the plat.

motion M/M by Notti, 2nd by Richardson, to quitclaim the City land in question back to BNC, and allow them to give the land to YKHC.

Discussion followed. Council member O'Brien noted that the land in question also includes the sandpit, which was conveyed under ANSCA 14(c)3. Council member Richardson pointed out that any changes to the conveyance would be subject to a one-year public comment period. Council member

Notti stated his support for the road to the subdivision. Mr. O'Brien agreed with Mr. Notti, but noted his concerns about the use of the road, and potential liability problems for the City if someone should have an accident on the road. Council member Williams suggested that the City shut the road down and put the burden on YKHC and Faulkner/Walsh Constructors to iron out the problems.

vote Roll Call vote. Motion failed, 2-Yes (Notti, Richardson), 4-No.

X. NEW BUSINESS

Item A: Sales Tax Recodification Update.

Mayor Phillips stated that the Finance Committee will need to hold another work session to finalize their proposed changes to the sales tax codes. Council member O'Brien urged the Council to move forward with a transient lodging tax before finalization of the remaining proposed changes. The City Clerk was directed to have an ordinance enacting a transient lodging tax prepared for introduction at the August 12 regular Council meeting.

Item B: Introduction of Ordinance #97-17, Providing for the Removal of Commissioners (Weaver)

motion M/M by Williams, 2nd by Richardson, to introduce Ordinance #97-17.

vote Roll vote. Motion carried, 5-Yes, 1-No (Notti).

Item C: Introduction of Ordinance #97-18, Amending the FY-1998 Budget (Weaver)

motion M/M by Williams, 2nd by O'Brien, to introduce Ordinance #97-18.

vote Roll vote. Motion carried, 4-Yes, 1-No (Richardson), 1-Abstain (Rodgers).

XI. COUNCIL MEMBER COMMENTS

Miller - Absent, no comment.

Notti - Wished a Happy Birthday to his daughter Angela.

O'Brien - Thanked Clair Grifka and George Young for doing a fine job in their "acting" positions. Thanked Public Works for promptly delivering sand to the park in Tundra Ridge.

Phillips - Wished the City Clerk a Happy Birthday. Sent best wishes to City Manager Weaver, and thanked Clair Grifka and George Young for their efforts.

Richardson - Expressed appreciation for the efforts of George Young and Clair Grifka. Wished a speedy continued recovery to Mr. Weaver.

Rodgers - Offered condolences to the Guy family and Lindsay family. Thanked the people who had come to the meeting to express their opinions. Thanked the Mayor and George Young for running a fine Council meeting.

Williams - Wished his wife a very Happy Birthday.

XII. EXECUTIVE SESSION

motion M/M by Richardson, 2nd by Rodgers to go into Executive Session for the purpose of reviewing the following:

Item A: Legal Action brought by Brent Lawrence and Wook Lee

Item B: Legal action brought by John Ryan

Item B: City Clerk annual performance evaluation

vote Voice vote. Motion carried, unanimously.

motion M/M by O'Brien, 2nd by Rodgers to come out of Executive Session, at 8:52 p.m.

vote Voice vote. Motion carried, unanimously.

Mayor Phillips asked the Council members to return their completed City Manager evaluation forms to her as soon as possible.

XIII. ADJOURNMENT

motion M/M by Williams, 2nd by Richardson to adjourn the meeting, at 8:52 p.m.

vote Voice vote. Motion carried, unanimously.

PASSED AND APPROVED THIS 12TH DAY OF AUGUST, 1997.



Agnes L. Phillips, Mayor

ATTEST:



L.J. Warren, City Clerk