

City of Bethel
City Council

Regular Meeting of June 28, 1994

I. CALL TO ORDER

The meeting was convened at 7:30 PM by Mayor Chris in the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Chris, Jones, Metcalfe (late), Miller, Trantham, Tubbs,
Wintersteen

III. PEOPLE TO BE HEARD

Bill Stokes, DEC, addressed Council with an update on the barrels of tar across the river. Mr. Stokes stated the contractor had removed 23 barrels of tar to the landfill, and that he had been contacted by DOT regarding purchasing the tar. Mr. Stokes suggested the City require the contractors to place a 70 mil liner in the landfill to store the barrels. Mr. Stokes also related he had discovered a methodology that would allow the City to place cars in the landfill.

John Hastie addressed the City Council and alleged the City Manager had used an honorary title of Kentucky Colonel in an attempt to receive military leave in his contract. Mr. Hastie referred to a letter he had received from the Kentucky Colonel organization, but was not distributed to Council.

Howard Elliott stated he spoke as a representative of current employees, because they were afraid of repercussions if they spoke up. Mr. Elliott stated he did not know of any employee who had participated in the Information Master Planning process as the City Manager said. Mr. Elliott also stated the City Manager had rewritten the job descriptions without input from employees, and the Citizens Committee was asking for the City Council to terminate the City Manager.

Doreen O'Brien told the Council she was circulating a petition to restructure the DEC field office into a district office. Ms. O'Brien stated one person monitored over 75,000 square miles for the DEC and money that should be used in this region was funding positions in Anchorage. Ms. O'Brien asked for Council support of her petition. In response to Council member Miller's question, Bill Stokes informed the Council that Bethel is the largest field office in the state, geographically, and he is responsible for over 180 water systems, 13

million gallons of fuel storage and two rivers. Council member Jones stated he would sponsor a resolution in support of the restructuring.

Chris Liu, Police Chief, thanked the Council for the opportunity to attend the FBI Academy. Chief Liu stated he had completed his training in the top 15 of his class of 250.

IV. APPROVAL OF MINUTES

motion M/M by Jones, 2nd by Trantham to approve the minutes of the June 14, 1994, regular meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA

motion M/M by Trantham, 2nd by Jones to approve by consent, Items A, B, C, and D under New Business. Voice vote. Motion carried unanimously.

motion M/M by Wintersteen, 2nd by Jones to approve the agenda. Voice vote. Motion carried unanimously.

V. MAYOR'S REPORT

Mayor Chris referred Council to the letter from Sharon Macklin, City Lobbyist.

VII. MANAGER'S REPORT

City Manager Hunter welcomed the Police Chief back from his training at the FBI Academy and acknowledged the Fire Chief, Public Works Director and officials from Bethel Utilities Corporation for their assistance regarding the bid process for the Braund Building electrical system upgrade. Mr. Hunter reported the bid for the work was within the amount budgeted.

City Manager Hunter also reviewed the recommendation from the Police Chief, Fire Chief and City Manager allowing the use and sale of fireworks July 1-4, 1994, from 12:00-11:00 p.m. Chief Liu read the regulations governing the use of fireworks for the audience.

City Manager Hunter then reviewed his written report with Council and requested direction on the following items:

1. Lunch Wagon Direction

Council member Wintersteen asked that the Council direct the City Manager to direct the Port Director to bill the owners of the lunch wagon for the \$150 agreed

upon for the use of City property. The Council agreed by consensus.

2. Water Truck Invitation for Bid

motion M/M by Trantham, 2nd by Jones to accept the City Manager's recommendation to reject the bid received and readvertise the IFB. Voice vote. Motion carried unanimously.

Informational Items/Discussion/Questions on City Manager's Report:

Public Works Director Harry Parsi provided an update regarding Pinky's Park refurbishing. City Manager Hunter stated the repairs would continue after the Fourth of July celebration.

motion M/M by Trantham, 2nd by Wintersteen that the City advertise for the sale of the Hitachi following the correct disposal procedure, with a minimum bid to be determined.

Public Works Director Parsi pointed out that the Public Works Department could still use the Hitachi for projects such as dredging the Small Boat Harbor, since the City does not have a backhoe large enough for large projects. Mr. Parsi stated his opinion that the City would not be able to sell the machine for more than \$50,000-\$60,000.

Council member Wintersteen asked if the Public Works Director could prepare a report on the uses of the Hitachi for the next five to ten years.

Council member Trantham reminded the Council that it had made a public statement that the City was getting out of the construction business and three companies were interested in purchasing the equipment. Mr. Trantham stated the City could lease a backhoe if needed.

Council member Miller suggested referring the matter to the Public Works Committee.

Council member Metcalfe suggested leasing the Hitachi to others.

vote Poll vote on the motion. Motion failed, 2-yes, 5-no (Chris, Jones, Metcalfe, Miller, Wintersteen).

Council member Miller referred to the report regarding safety lights near Kilbuck School and questioned if the City could pressure the school district to hasten funding of these lights. Chief Liu responded that the School Board was aware of the issue, but had other priorities it also has to consider.

VIII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming Committee/Commission meetings were announced.

Council member Wintersteen reported the Port Commission was investigating security systems for the Port and would be introducing an ordinance to prohibit fishing from the City Dock and mandating that anyone fishing from the seawall must wear a personal floatation device. In response to concerns regarding subsistence lifestyles, Mr. Wintersteen stated the Commission was addressing potential liability.

Council member Metcalfe reported the Planning Commission had met to review the disposal/lease to YKHC for PATC, and expressed concern over the clause in the lease in which the landlord paid utilities. City Manager Hunter replied that this clause had been removed after the meeting and the revised lease was sent to YKHC.

Council member Miller reported the Public Works Committee did not meet for lack of a quorum.

Council member Trantham reported the Senior Advisory Board meeting was postponed and the Transportation Commission met and discussed adopting the FAA standard of .04 as the legal limit for alcohol for persons possessing chauffeur permits.

Council broke at 8:45 p.m. for a short recess. At 8:55 p.m., Mayor Chris called the meeting back to order.

IX. OLD BUSINESS

ITEM A: Public Hearing--Ordinance #94-12S: An Ordinance Amending Chapter 13.08 of the Bethel Municipal Code to Require Subscription to Municipal Sewer Services

Mayor Chris opened the Public Hearing.

Bill Stokes spoke in favor of the revised ordinance and pointed out one change was still needed in the size of the sanitary can description. Mr. Stokes stated other villages are looking at this ordinance and will follow suit with their own.

Paula Maloy questioned Section 2 on page 1 of the ordinance and asked if this was a standard clause. Mayor Chris replied it was.

There being no one else who wished to speak, Mayor Chris closed the Public Hearing.

motion M/M by Trantham, 2nd by Jones to approve Ordinance #94-12S with an effective date of July 1, 1994.

motion M/M by Wintersteen, 2nd by Miller to amend the motion by changing the word "may" to "shall" in Chapter 13.08.241 (B)(5).

Discussion on financial need standards followed.

The motion and second to amend the main motion were withdrawn.

motion M/M by Miller, 2nd by Wintersteen to amend the motion by moving Chapter 13.08.241(B)(5) with new language establishing economic concerns to Chapter 13.08.080 Credits/Deposits/Assistance. Poll vote. Motion failed, 2-yes, 5-no (Chris, Jones, Metcalfe, Trantham, Tubbs).

motion M/M by Jones, 2nd by Trantham to amend the motion to include language in Chapter 13.08.080 such as "The City shall provide assistance to any subscriber proving financial need," and to establish in Chapter 13.08.010 the definition of financial need which will be determined by the Finance Department according to government standards and approved by the Council on an annual basis. Poll vote. Motion carried unanimously.

motion M/M by Miller to amend Chapter 13.08.241(B)(4) by changing 48 hours to five working days and the maximum fine to \$100, not per day. Motion died for lack of a second.

Council member Trantham restated the main motion with an effective date of August 1, 1994.

vote Poll vote on the main motion. Motion carried unanimously.

ITEM B: Memorandum of Agreement-Bethel Recycling Project

Brian Glasheen addressed the Council and stated the Solid Waste Subcommittee had recommended the present agreement be changed to a 90/10 division of profits. Mr. Glasheen stated he liked the City Manager's proposed agreement with the exception of the insurance requirement, and asked the City to continue to cover the project under its general liability insurance.

City Manager Hunter said he would investigate the insurance coverage.

motion M/M by Miller to approve the Memorandum of Agreement proposed by the

City Manager and adding 2.(D) "The City shall maintain the current insurance relationship with the project." Motion died for lack of a second.

motion M/M by Metcalfe, 2nd by Miller to table the item until the next meeting for more information. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Wintersteen to extend the current agreement.

motion M/M by Jones, 2nd by Tubbs to amend the motion to extend the agreement by two weeks, continue the use of the building, but not provide a city vehicle. Voice vote. Motion carried, 6-yes, 1-no (Miller).

vote Voice vote on the main motion. Motion carried unanimously.

ITEM C: Discussion Item--Water and Sewer System Expansion Planning

Mayor Chris opened this item by stating the City needs to do long-range planning for city-wide water and sewer.

Harry Parsi suggested a city-wide study at an approximate cost of \$40,000-\$100,000. Council member Metcalfe asked if the 1987 Comprehensive Study could be updated instead of an entirely new study performed. Mr. Parsi indicated it could be modified and integrated with the FAA project to plan for the city as a whole.

Council member Metcalfe pointed out that the 1987 estimate for city-wide water and sewer was \$37 million and Mr. Parsi's estimate was \$75 million. Mr. Metcalfe urged Council to make a decision regarding water and sewer expansion as it cost money to do nothing.

City Manager Hunter stated that a comprehensive study would enable the City to receive more money from Village Safe Water, and that National Bank of Alaska was willing to make a presentation to Council regarding its options in issuing bonds for the project.

Council member Trantham pointed out that no money was budgeted for a study. Mr Parsi suggested the City ask FAA to fund its part of the study and Village Safe Water to fund the remainder of the study. Mr. Trantham asked that a letter be sent to Village Safe Water requesting the City's options in writing.

ITEM D: FAA Sale Agreement

This item was withdrawn pending Planning Commission review.

X. NEW BUSINESS

ITEM A: Introduction of Ordinance #94-14: An Ordinance Authorizing a Lease of City Property to an Entity Providing a Necessary Public Service

Approved under Consent Agenda

ITEM B: Resolution #94-25: A Resolution Supporting an Equal Employment Opportunity/Affirmative Action Policy

Approved under Consent Agenda

ITEM C: Resolution #94-26: A Resolution Supporting Equal Access to Housing for All Persons

Approved under Consent Agenda

ITEM D: Gaming Permit Applications

Approved under Consent Agenda

ITEM E: Agreement with AVCP for the Loan of Museum Artifacts

motion M/M by Jones, 2nd by Miller to table this item to the next Council meeting. Voice vote. Motion carried unanimously.

ITEM F: Executive Session: Legal Strategy--James Pete v. COB

motion M/M by Jones, 2nd by Metcalfe to go into Executive Session for the purpose of discussing James Pete v. City of Bethel. Voice vote. Motion carried unanimously.

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

XI. COUNCIL MEMBER COMMENTS

Council member Jones thanked the people who had called him expressing their support.

Council member Wintersteen also thanked those people who called to express support.

Council member Metcalfe wished everyone a safe and fun Fourth of July. Mr. Metcalfe

also asked that the roads across the slough be maintained.

Council member Miller stated he had attended the presentation of the Citizens Committee, and expressed his hope that the Council take a more active role in supervising the City Manager. Mr. Miller stated he attended the meeting because he felt a responsibility to understand the concerns.

Council member Tubbs stated he had also heard very positive comments about the City Manager and the City Council. Mr. Tubbs reminded people about the adopt-a-park program and invited other entities to choose a park. Mr. Tubbs also welcomed Police Chief Liu back to Bethel.

Council member Trantham thanked the people who had called him with positive and negative calls. Mr. Trantham asked the concerned citizens to present the signed petition and support documentation to the Council. Mr. Trantham also thanked Lt. Meece for his service as Acting Police Chief.

Mayor Chris stated she was uncomfortable in her position because many of the people in the ad-hoc committee were friends and she is not clear exactly what their complaints are. Mayor Chris stated the Council has asked for both oral and written presentations regarding the concerns and has not received anything. Mayor Chris pointed out the Mayor has to abide by the decisions of the Council, and the Council has decided it will only respond to written testimony.

XII. ADJOURNMENT

motion M/M by Metcalfe, 2nd by Jones to adjourn the meeting at 10:40 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 12TH DAY OF JULY, 1994.



Donna J. Chris, Mayor

ATTEST:



Connie Tucker, City Clerk