

CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

CITY COUNCIL MINUTES SEPTEMBER 16, 1981

COUNCIL CHAMBERS

7.30 p.m.

MEETING TO ORDER

The regular meeting of the Bethel City Council was called to order at 7.35 p.m. by acting Mayor Carpenter.

ROLL CALL

Present: Charles, Twitchell, Carpenter and E. Hoffman.
Absent: Elliott, B. Hoffman and Guinn.

APPROVAL OF MINUTES

City Clerk Maiers read the summary report of the minutes for the 8/25/81 regular Council meeting.

Motion

M/M by Charles, seconded by Twitchell to accept the reading of the summary report of the minutes for the 8/25/81 Council meeting. Voice vote was taken; motion carried.

APPROVAL OF AGENDA

Council Member Carpenter requested that Item G under New Business be placed under Unfinished Business as Item B; Council Member Charles noted a correction to be made in Item A under New Business, in that the Ordinance Number should be changed from Number 130 to Number 131.

Motion

M/M by Charles, seconded by Twitchell that the Agenda be approved as amended. Voice vote was taken; motion carried.

MANAGER'S REPORT

Assistant Manager Kraning reported that Helen Beirne had notified the City that the State of Alaska has determined that it is in its best interest to construct and operate the new correctional facility planned for Bethel.

MAYOR'S REPORT

None.

REPORTS OF THE STANDING COMMITTEES

Planning

Council Member Charles reported that the Planning Committee had approved for the October ballot the concept for the public utilities shop. The Committee was continuing to negotiate for the sale of the Parks/Recreation building. There were no recommendations for the Council to consider.

Parks & Recreation

Council Member Twitchell reported that the Parks/Recreation Committee had accepted the resignation of Parks/Recreation Director Jane Dudley. The Committee would meet with administration to review applications and make a recommendation as to a successor for Director Dudley. The Committee is also to meet with the director of the Bowling alley to evaluate the program. Director Dudley reported that the materials for the new recreational facility were on the last barge. It is hoped that the facility would be open by Christmas.

Finance

Council Member Carpenter reported that the Finance Committee had held two meetings. Since the jail facility proposal by the City of Bethel has been turned down by the State, \$500,000.00 in Municipal Assistance funds allocated for the jail facility are now available for other projects. Requests had been received from agencies within Bethel for a portion of those funds to assist the agencies in their operation. A second finance committee meeting was held to consider the submitted requests. Council Member Carpenter stated that additional requests for projects by agencies within Bethel would be accepted at this Council meeting. Finance Director McGowan has prepared a form to be used in submitting requests for the use of the funds. All requests should be submitted to the Finance Committee by Tuesday, September 22. The Committee will meet on September 23 or 24 to consider the requests.

PEOPLE TO BE
HEARD

Dan Hicklin requested that the Council take action on the problem of roving bands of dogs. It was suggested that an emergency ordinance be enacted. It was noted that there is at the present time an emergency ordinance that can be put into effect with ten days notice by the chief of police. Mr. Hicklin is to meet with Police Chief Varnell concerning the dog problem.

Barb Knapp requested the date set for the completion of the Mission Road completion. City Planner Tony Stigall reported that the delay in the completion of the repair work was due to the number of encroachments existing along Mission Road. City Planner Stigall thought that the work should be completed before freeze-up. It was suggested that the sand piles that block the road be moved so that emergency vehicles can move freely on the road.

Richie Goldstein requested the completion date for the paving and graveling project. Assistant Manager Kraning reported that the project was awaiting the arrival of the culverts that were on the barge.

Council Member Carpenter stated that there have been complaints concerning water delivery. Some people did not receive a make-up delivery after the holiday. It was suggested that the Council take up the matter at its next meeting.

Rosie Porter asked why the feasibility report on the purchase of Bethel Utilities had not been released. Diane Carpenter reported that the report had been received and that a formal meeting on the report would take place. At the present time the report is at City offices in rough form.

Council Member Twitchell reported that honey buckets were not being picked up or that if two or three were placed together, that not all of them were emptied. Assistant Manager Kraning stated that personnel changes during the past month had caused some problems with honey bucket pickup. The City is now hiring for additional personnel to assist with honey bucket pickup. It was suggested that this problem be discussed along with other city services at an upcoming Council meeting. Council Member Twitchell suggested that if the service does not improve perhaps it should be turned over to private business.

UNFINISHED
BUSINESS
ITEM A.

A public hearing was held on Ordinance #130, An Ordinance Authorizing the Appropriation of Certain Sums to be Obtained Under the Municipal Assistance Act from the State of Alaska. It was noted by Acting Mayor Carpenter that the Council must act on the shop facility proposal tonight in order for the proposal to go on the October 6th ballot. City Attorney Ben Esch stated that any item in excess of \$1 million must be approved by the voters. However, requests for municipal assistance money can be done piecemeal. The City does not have to request or make proposals for use of all the money at one time. But once a request is submitted to Juneau, the State has 10 days in which to act on the request. City Attorney Esch further stated that an ordinance would be required putting the request on the ballot and that a second ordinance would be required to fund a particular project. Ordinance #130 was only concerned with placing the matter on the ballot, and then it was necessary to place the matter on the ballot because an expenditure was in excess of \$1 million.

Barb Knapp asked whether items 2, 3 and 4 of ordinance # 130 could be struck, thereby making Ordinance # 130 only applicable to item # one.

Rosie Porter stated that the public had not had sufficient opportunity to discuss items 2, 3 and 4 of Ordinance # 130 and therefore they should be deleted from Ordinance # 130 and reconsidered at a later date.

Diane Carpenter again noted the need to act on the shop request as stated in Ordinance # 130 at tonight's council meeting. Public hearing closed.

Motion

M/M by Charles, seconded by Twitchell that Ordinance # 130, An Ordinance Authorizing the Appropriation of Certain Sums to be Obtained under the Municipal Assistance Act from the State of Alaska be accepted upon the deletion of items 2, 3 and 4 from the Ordinance.

Poll vote was taken. Yeas: Charles
Nays: Twitchell, Carpenter and
E. Hoffman.

Motion failed.

ITEM B.

Public hearing on First Class City status. City Attorney Ben Esch stated that he had sent a letter to the Mayor questioning the validity of the public hearing held on September 3 concerning the question of First Class status for the City of Bethel. City Attorney Esch did not believe that the September 3 meeting met the requirements for a public hearing in that a quorum of Council members was not present at the hearing. A discussion followed as to what constituted a public hearing. City Attorney Esch stated that there is no specific state statute defining what constitutes a public hearing. It was the recommendation of City Attorney Esch that Council hold another public hearing on the matter of First Class City status for Bethel so that there would be no questions as to the validity of the hearing process. The City Attorney indicated that if the public hearing was not valid under State law that any subsequent vote taken on the matter presented at the questioned public hearing would be subject to attack in the courts.

Council Member Charles agreed with City Attorney Esch that the prudent thing to do would be to hold another public hearing on the matter of First Class status for the City of Bethel.

Andy Edge stated that the vote on the question of First Class City Status by postponed until after January, 1982.

City Attorney Esch stated that if the matter is to be heard again at a public hearing, the earliest that the voters of Bethel could vote on the question of First Class status would be January, 1982. There is insufficient time to hold another public hearing and place the matter on the October 6, 1981 ballot. A special election could be held on the matter but it could not take place until 90 days after the General Election, thereby making January, 1982 the earliest date at which the matter could be brought to a vote if not place on the October 6 ballot.

Discussion of the effect that First Class status for the City of Bethel would have on the education system in Bethel.

Motion

M/M by Twitchell, seconded by Charles to close the public hearing. Voice vote taken; motion carried.

Motion M/M by Twitchell, seconded by Charles to accept the recommendation of the City Attorney to postpone for at least 90 days the vote on First Class City status for the City of Bethel and to rescind the motion of the September 3 special council meeting recommending that the question of First Class City status be placed on the October 6 ballot. Poll vote taken. Yeas: Charles, Twitchell, Carpenter and E. Hoffman. Nays: none. Motion carried.

NEW BUSINESS
ITEM A.

Introduction of Ordinance # 131, An Ordinance of the City Council of the City of Bethel Accepting the Comprehensive Plan. City Attorney Esch stated that a first class city must adopt a comprehensive plan, a second class city may adopt a plan.

Rosie Porter suggested that the City adopt the plan with an update provision contained in the ordinance.

City Attorney Esch stated that if the plan is adopted in January that it would be put into the ordinance.

Motion M/M by E. Hoffman, seconded by Charles that a public hearing on Ordinance # 131 be held in 30 days. Poll vote taken. Yeas: Charles, Twitchell, Carpenter and E. Hoffman. Nays: none. Motion carried.

ITEM B.

Resolution # 352, A Resolution of the City Council, City of Bethel, Alaska, Appointing, from the Qualified Electors of the Municipality, Judges of Elections in Precinct Numbers: One, Two and Three.

Precinct No. 1 Stephanie Walker
Elsie Konick
Bessie Hoffman
Pauline Chaney

Precinct No. 2 Sharon Jenkins
Debbie Barnhardt
Sheri Ward
Donna Anaruk

Precinct No. 3 Sophie Shomler
Joyce Freeman
Nancy Kraning

Supervisor for Precincts 1,2 and 3 Wayne J. Maiers

Motion M/M by Charles, seconded by Twitchell accepting Resolution # 352. Voice vote taken; motion carried.

ITEM C

Proposed use hearing on Federal Revenue Sharing. The City received notice on September 16 that its allocation for the next fiscal year would be #370,110. Revenue sharing, unlike municipal assistance money, has certain restrictions placed upon it. Finance Director McGowan stated that such moneys had to be used for items such as public safety, street and roads, senior citizens.

Discussion as to how the funds could be used. Council Member Twitchell suggested some of the money be used for Parks/Recreation to offset the lose of CETA funding.

Council Member E. Hoffman suggested that \$25,000.00 be allocated from the funds for a drug abuse program for Bethel and the nearby villages.

Rosie Porter suggested that the funds be used to fund some of the projects that are now being considered for municipal assistance money. It was noted that the requests for municipal assistance money exceeded the funds available. It was suggested that those requests that are eligible for either municipal assistance money or federal revenue sharing be placed in the revenue sharing category.

The question was asked if the revenue sharing money can be used by non-profit organization. Council indicated that it would have to check on this matter before answering the question..

The matter of the use of Federal Revenue Sharing money was referred to the Finance Committee for the reception of requests. The Finance Committee is to report back to the Council on the matter.

ITEM D.

Department of Transportation. The two requests, 1) request to accept first avenue, 2) request concerning public transportation facility were suggested, by Assistant Manager Kraning, for appropriate committee action.

Motion

M/M by E. Hoffman, seconded by Dharles that the two requests be referred to the appropriate committees, Planning, Public Works and Finance. Voice vote taken; motion carried.

ITEM E.

Community Service Patrol. City Attorney Ben Esch reported that there is public concern about the level of service provided by the police and PATC with respect to the inebriate problem in Bethel. City Attorney Esch outlined various options available to the City with respect to the use of community patrols. Among the options presented were a) continuance of the status quo, b) cutting back on the number of patrols, and c) turn detox over to a private non-profit agency to operate. Suggested that the City Council establish a committee to review the options available

to it as outlined.

Council Member Charles recommended that the villages be included on the committee because PATC serves not only the City of Bethel, but also those villagers who need help when in Bethel.

Rosie Porter suggested that the villages might use some of their municipal assistance money to help finance a program in Bethel to combat the alcohol problem as it relates to Bethel and the villages of the area.

Council Member E. Hoffman recommended that City Council pass a Resolution asking for money from the villages to assist Bethel in attacking the alcohol problem and aid in the funding of the community patrol and that the Resolution should be presented to AVCP.

Motion

M/M by Charles, seconded by Twitchell requesting that the Mayor appoint a committee consisting of Bethel residents and residents of nearby villages to review the community patrol program in Bethel and to present a Resolution to AVCP requesting that the villages assist in the funding of the community patrol program. Voice vote was taken; motion carried.

Motion

M/M by Twitchell, seconded by E. Hoffman requesting that City Council prepare a letter of commendation for Jane Dudley, Director of Parks and Recreation, for her work done on behalf of the City of Bethel. Voice vote was taken; motion carried.

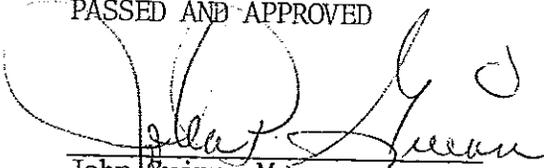
ITEM F.

Borough Study Report by Harold Napoleon. The Report was postponed to a future date at the request of Mr. Napoleon.

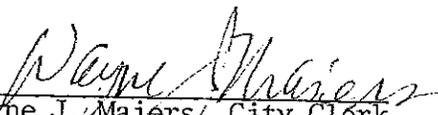
ADJOURNMENT

M/M by Charles, seconded by E. Hoffman to adjourn the meeting. Meeting adjourned at 10.08.

PASSED AND APPROVED


John Guinn, Mayor

ATTEST:


Wayne J. Maiers, City Clerk
Date: _____