
City of Bethel, Alaska

City Council Minutes

June 25, 2002

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A regular meeting of the Bethel City Council was held on June 25, 2002, at 6:30 p.m. in the council chambers, Bethel, Alaska.

Mayor Rodgers called the meeting to order at 6:30 p.m.

ROLL CALL

Comprising a quorum of the Council, the following were present:

Gary Vanasse	Jerry Drake
Dario Notti	Stanley "Tundy" Rodgers

Excused absence(s):

Carl Berger
Hugh Short, Jr.
Sue Trantham

Unexcused absence(s): none

Also in attendance were the following:

Bob Herron, City Manager
Colleen Soberay, Acting City Clerk

Howard "Butch" Morris, the new Chief of Police, was formally introduced to the council and members of the community.

PEOPLE TO BE HEARD

Paul Gregory – spoke to the issue of the number of stolen boats and motors. Mr. Gregory explained that the 5 mph sign, which was on the slough bridge, has been taken down. His recommendation is to replace the sign and add an additional sign. He further explained his concern for the children who play in the area of the slough and that some of the bigger boats are going through at 40 – 50 miles per hour causing a danger to the children. Mr. Gregory would like to see enforcement of the speed limit. He also added his concern over the amount of juveniles out during the hours in which the curfew should be enforced. He stated that there has been an escalation in elder abuse and said that it will take all members of the community to change the community.

Michael O'Shea – Mr. O'Shea, director of cargo operations for Crowley Marine, thanked the council for its support of the tank farm project and the council's effort to support the local economy. Mr. O'Shea provided the council with 23 letters of support for the project. He stated that he would be available if any questions were to arise.

APPROVAL OF MINUTES

MOVED BY:	Drake	To approve the minutes of the June 11, 2002 regular meeting
SECONDED BY:	Notti	

**Corrections noted by clerk*

VOTE ON MOTION	Motion carried by unanimous voice vote.
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APPROVAL OF AGENDA

MOVED BY:	Vanasse	To approve the regular agenda and consent agenda
SECONDED BY:	Drake	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MAYOR'S REPORT

The Mayor's Report included the following:

- Announcement from Alaska Municipal League/Alaska Conference of Mayors Summer Meeting in Pelican, Alaska August 22-23, 2002
- Letter from Bethel Native Corporation encouraging the council to pass ordinance #02-20 BNC/Crowley
- Press release from Governor Knowles office re: the signing of the bill to maintain veterans' memorial
- Letter from Lt. Governor Fran Ulmer re: a pay raise for state election workers
- Article from Anchorage Daily News re: this years king salmon run
- Governor's Talking Points for the week of June 10, and June 17, 2002
- Letter from Boys and Girls Club

Mayor Rodgers reviewed the finance committee's recommendations to council.

The first recommendation was for the council to investigate the curfew ordinance. The finance committee's recommendation – "due to financial hardships on the City, recommend Council to amend the curfew ordinance from "under 18 years of age" to "16 years and under", and direct the police department to start enforcing the curfew." City Manager Herron stated that this was the previous ordinance language and that in 1998 the council was concerned about the 16 and 17 year olds and adopted ordinance to increase the age. Mayor Rodgers requested that the administration investigate the matter further. City Manager advised Mayor Rodgers that he would contact the city attorney regarding the matter.

The second recommendation – "repeal the language of the ordinance having to do with a sales tax on sales between an individual and a buyer, and refund the taxes collected since the ordinance took effect." Council Member Vanasse requested that this recommendation be placed on the next council agenda as a discussion item.

The third recommendation – "the City retain the Youth Center and Parks and Recreation Department as one department under the City, run by the City, and staffed by the City, and continue the partnership with the 4-H program. The Committee doesn't mind if Boys and Girls comes to Bethel, but let them do their own thing, as a stand alone program." Council Member Drake stated that he and City Manager Herron would provide the council a full report after touring the facilities in Anchorage.

The fourth recommendation – "amend the sales tax exemption language to include an exemption for childcare services who provide a service to less than 10 customers at any given time." Mayor Rodgers asked that this recommendation be placed on the next council agenda as a discussion item.

Mayor Rodgers explained that in previous minutes under people to be heard, the council heard from numerous members of the community regarding 4-wheelers. He further stated that George Dahl, Chief of Police was directed to look into defining which roads could be used for law abiding 4-wheel driving. Mayor Rodgers highlighted a letter written by the police department to a member of the community regarding the manner in which a 4-wheeler may be driven. Mayor Rodgers feels that if a law-abiding citizen is riding a 4-wheeler and going only 5 miles per hour the police department should leave him alone. Mayor Rodgers would like more answers from the police department. Council member Drake stated that he has an overwhelming response from members of the community opposing 4-wheel and snowmachine operation in the City of Bethel. City Manager Herron requested that the Public Safety and Transportation review the issue so that members of the public may state their opinion on the matter. Mayor Rodgers recognized George Dahl, Chief of Police from the audience. Chief Dahl also agreed that the issue should be brought to the Public Safety and Transportation Commission. Chief Dahl expanded on the City's and police departments liability with regards to 4-wheelers.

MANAGEMENT TEAM'S REPORT

City Manager Herron noted the management reports included in Council packets.

City Manager Herron informed the council that on June 18, 2002, Mr. Wintersteen gave the city first right of refusal to purchase his property. The asking price for the property is higher than the appraised price. The city's position is such that they are unable to extend an offer in excess of the appraised value. Mr. Wintersteen thanked City Manager Herron and is now seeking a buyer for the property.

Deputy City Manager Soberay informed the council that from April 1, 2002 to date 5 grants have been applied for with a total dollar amount of \$136,815.00. The award notices will be forthcoming.

REPORTS OF STANDING COMMITTEES

Senior Advisory Board

Council Member Berger was not present.

Parks and Recreation Committee

Council Member Trantham was not present.

Planning Commission

Council Member Notti reported that due to the lack of items on the agenda a meeting of the planning commission was not held.

Port Commission

Mayor Rodgers reported that the Port Commission met on June 17, 2002. The seawall fence has been repaired. Mayor Rodgers expanded on the repair of the seawall caps. He went on to explain the Kids Don't Float program. The port commission will work in conjunction with YKHC and Tom Fazzini to facilitate the program.

Public Works Committee

Council Member Vanasse reported that the public works committee met on June 18, 2002. The first item discussed was proposed road improvements. Some of the roads that are included: Tundra Ridge, Hoffman Subdivision, 7th Ave, 6th Ave, 5th Ave, Main Street, Willow Street, Uiviq

and Blueberry Subdivision. The second item was the identification of routes for off-road vehicles. The committee was opposed to identifying any routes as well as having any unlicensed vehicles on the roadway. The committee also felt that the police department should be allowed to use its own discretion to enforce any laws relating to the matter. The committee also addressed ordinance #02-09. It was committee's feeling that paragraph (b) should be stricken. The committee requested more time to review the ordinance and make recommended changes. Requested by one of the members of the committee was for Deputy City Manager Soberay to research the Local Improvement District. A short explanation of the Local Improvement District was given. The water/sewer and billing ordinance was discussed and the recommendation was made by the committee to re-evaluate the vacation policy. They will be discussing it and forwarding recommendations to the council.

Public Safety and Transportation Commission

Council Member Drake stated that the Public Safety and Transportation Commission did not meet this month due to arranged absences by members. The next meeting will be July 1, 2002 at 7:00 pm.

Finance Committee

Council Member Short was not present.

UNFINISHED BUSINESS

Item A — Public Hearing — Ordinance #02-20: Authorizing the City to enter into an agreement for modification to the after-acquired title agreement between Bethel Native Corporation ("BNC") and the City of Bethel ("City") dated November 19, 1982; authorizing the City to enter into a non-exclusive easement agreement with BNC for the sole purpose of constructing, operating and maintaining a pipeline system to transport petroleum and petroleum products from a tank farm located on tract 2 of the BNC Industrial Park Subdivision ("tank farm") to and from the Bethel Petroleum Dock ("dock") and authorizing the City to enter into a facilities use agreement with Crowley Marine Services, Inc. for use of the dock in connection with the tank farm operation

Mayor Rodgers opened the public hearing. There were no members of the public to be heard.

MOVED BY:	Notti	To adopt ordinance #02-20
SECONDED BY:	Drake	

Council Member Vanasse questioned City Manager Herron regarding the date that the ordinance would become effective. Discussion ensued.

VOTE ON MOTION	Motion carried by roll call vote of 4 - 0.
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MOVED BY:	Drake	To approve the amendments to ordinance #02-20
SECONDED BY:	Vanasse	

Council Member Drake brought forth clarification on the amendment. The amendment was described as being a clean-up amendment. All parties involved previously agreed upon the changes. Council Member Notti asked for clarification to be certain that all parties were in agreement.

VOTE ON MOTION	Motion carried by a roll call vote of 4 - 0.
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Item B — Public Hearing — Ordinance #02-02: Providing for bank service sales tax exemptions

Mayor Rodgers opened public hearing. There were no members of the public to be heard.

MOVED BY:	Drake	To postpone ordinance #02-02 until the July 9, 2002 meeting
SECONDED BY:	Vanasse	

VOTE ON MOTION	Motion passed with a unanimous voice vote.
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NEW BUSINESS

Item A – Introduction – Ordinance #02-22: Authorizing the exemption of sales tax on payment of rent to Bethel Community Services clients who live off site

Ordinance #02-22 was introduced under the consent agenda and set for public hearing on July 9, 2002

Item B – Introduction – Ordinance #02-23: FY02 Year end budget modification

Ordinance #02-23 was introduced under the consent agenda and set for public hearing on July 9, 2002

Item C – Introduction – Ordinance #02-24: Budget Modification – Customer Service Supervisor

Ordinance #02-24 was introduced under the consent agenda and set for public hearing on July 9, 2002

COUNCIL MEMBER COMMENTS

Council Member Berger – was not present.

Council Member Trantham – was not present.

Council Member Drake pointed out a crisis in Bethel. All of the stores in Bethel are sold out of bug dope, indicating a very bad year for mosquitoes. Council Member Drake asked for a co-host for the radio show and invited a council member to join. All of the council members were unable to attend. It was suggested by Council Member Vanasse to invite an employee of the City of Bethel to co-host.

Mayor Rodgers shared his concern over the dryness of the tundra. He reminded everyone to keep the matches away from kids and to wear pfd's to prevent drowning. He expressed his outrage over the court system and the lack of sentencing for bootleggers. Mayor Rodgers has requested bootlegging statistics from the police department and when he is in possession of those he will read them for public record. He stated that he would be certain to ensure that the speed limit signs in the slough would be posted. He went on to thank his brother from coming to help him for two weeks with his project.

Council Member Notti stated that he has two intern positions at work available and explained the positions. Council Member Notti asked for the 4-wheeler fans to continue to write letters of support.

Council Member Vanasse asked everyone to enjoy the weather while it is still here.

Council Member Short was not present.

ADJOURNMENT

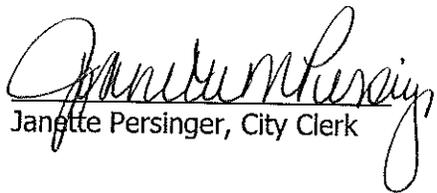
MOVED BY:	Drake	To adjourn the meeting.
SECONDED BY:	Vanasse	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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With no further business before the Council, the meeting adjourned at 7:45p.m.

APPROVED THIS 9th of July 2002.

ATTEST:


Janette Persinger, City Clerk


Stanley "Rudy" Rodgers, Mayor