



CITY of BETHEL

P. O. Box 537 • Bethel, Alaska 99559

543-2297 — Area Code 907

REGULAR COUNCIL MEETING DECEMBER 13, 1976

CITY OFFICE

7:30 P.M.

Meeting was called to order by Mayor Peltola at 7:30 P.M.
Present: Elliott, Guinn, Hickling, Hinsvark, Stichick.
Absent: Alexie.

INVOCATION

Invocation was given by Rev. Hinsvark.

APPROVAL OF MINUTES

M/M by Councilman Stichick to approve the Minutes of the Regular Council Meeting of November 22, 1976 as written.
Voice vote was taken and was unanimous. Motion passed.

APPROVAL OF AGENDA

Manager Bartlett recommended the addition of Item C under Unfinished Business entitled Resolution #181 (A Resolution of the City of Bethel, Alaska, Requesting the Award of an Energy Research and Development (ERDA) Grant to the Energy Resources Division of Northwest Industries, Inc. for the Purpose of Demonstrating a Grid-Connected Integrated Community Energy System within the City of Bethel), and that Item A under New Business be made the final item on the agenda.

M/M by Councilman Hinsvark that there be added to the Agenda Item C under Unfinished Business entitled Resolution #181 and that Item A under New Business be made the last item on the Agenda.
Voice vote was taken and was unanimous. Motion passed.

COMMUNICATIONS

Manager Bartlett brought to Council's attention a letter received from Ben Esch concerning the legal ramifications of modifying municipal utility rates.

MANAGER'S REPORT - None.

MAYOR'S REPORT

Mayor Peltola urged full attendance of Council members at the forthcoming December 14, 1976 Council work session concerning Goals and Objectives, Codified Ordinances, and Personnel Rules and Regulations.

COMMITTEE REPORTS

Councilman Hinsvark notified Council of the tremendous snow machine traffic at the intersection of Willow and 7th Avenue. He opined that, for the safety of pedestrians and snow machine operators, lights should be installed at that intersection, and wherever pedestrian traffic crosses a recognized snow machine trail.

Councilman Stichick furthered that the speed of snow machine traffic in the City was excessive, and that safety and regulatory action should be taken pursuant to the snow machine ordinance which addresses this problem.

Manager Bartlett stated that the BUC was notified of the need for lights.

Mayor Peltola advised Manager Bartlett to inform the Police Department regarding the snow machine problem.

Manager Bartlett recapitulated the Planning Commission Meeting Minutes of November 5, 1976 for Council's consideration. The Planning Commission recommended that the selvedge spaces of the two lots be left as open space; and that the lot be resurveyed to register that Mr. Leonard's lot is one true lot size and that an as built survey should be incorporated in the new boundaries; and that the remaining spaces adjacent to the new lot survey not be sold; that the City give up its option relative to the repurchasing of Lot 10 of Block 4 and allow the present owner to sell his home and lot on the open market; and that a two year lease with four two year options at the discretion of the Lessor (City) be granted to Tundra Towing and Wrecking Company, subject to the terms and conditions of Ordinance #74.

Councilman Hinsvark foresaw the quickened pollution of the river by the collection of rusted cars at the wrecking site.

Manager Bartlett stated that the designated site is tentative and would remain so, pending the determination of an industrial development site. As the need for a towing and wrecking company exists, Tundra Towing and Wrecking Company should be granted business rights in the City and leased land.

Planning Commissioner Porter reiterated that the two year lease options were established to enable the Tundra Towing and Wrecking Company to relocate at such time that the City develops an industrial area.

Manager Bartlett added that there should be a stipulation in the lease obligating the lessee to move to the industrial site, when developed.

Councilman Hinsvark queried about the inclusion of a provision in the lease regarding the clearing of the wrecking site upon the termination of the lease.

Manager Bartlett returned that it would be the responsibility of the lessee to clear the area.

COMMITTEE REPORTS Con't.

Councilman Elliott made reference to Commissioner Malone's statement that on-site surveys should be performed on lots in the City Subdivision prior to construction, noting that individual surveys would be too expensive.

Councilman Guinn remarked that the slope stakes on the lots are easily mistaken and have caused numerous problems in the determination of lots. The expense of the surveys would therefore save the City from costly errors.

Manager Bartlett stated that the owner is required to provide an as built.

M/M by Councilman Guinn to ratify the Planning Commission Meeting Minutes of November 5, 1976 as presented.

Voice vote was taken and was unanimous. Motion passed.

PEOPLE TO BE HEARD

Rosy Porter announced to Council a joint venture between Swansons and the BUC to install cable vision in Bethel. The two companies have secured the rights, but she cautioned that they should wait until such time as the BUC can produce adequate electrical power to the City before engaging in further ventures.

Councilman Guinn informed Council that the rights to such cable vision are not effective until next year and that it is not the Council's business to act on pending situations.

UNFINISHED BUSINESS

A. COURTHOUSE PROGRESS REPORT

Manager Bartlett reported that December 15, 1976 was the projected date of occupancy for the Alaska Court System.

B. CITY OF BETHEL WATER AND SEWER SYSTEMS PROGRESS REPORT

Manager Bartlett reported on a meeting in Anchorage at the Alaska Disaster Office, represented by the Public Works Director and the Utility Services Foreman, supporting the City's appeal of the decision on the Bethel Heights Disaster Survey Report. The \$5.8 million for Plan A of URS Engineering (ratified by Council) will be met with only \$4.9 million by the FDAA. Council may have to decide either to appeal again or to accept the proffered \$4.9 million and seek the remaining \$800,000 from other sources.

C. RESOLUTION #181

Manager Bartlett introduced Resolution #181, recommending that it be considered and passed. Council has already approved the submission of the grant associated with Resolution #181.

C. RESOLUTION #181 Con't.

M/M by Councilman Guinn to approve Resolution #181 (A Resolution of the City of Bethel, Alaska, Requesting the Award of an Energy Research and Development (ERDA) Grant to the Energy Resources Division of Northwest Industries, Inc. for the Purpose of Demonstrating a Grid-Connected Integrated Community Energy System within the City of Bethel).

Roll call vote: Yes, Elliott, Guinn, Hickling, Hinsvark, Peltola, Stichick.
Motion passed.

NEW BUSINESS

B. INTRODUCTION OF THE CITY OF BETHEL'S GOALS AND OBJECTIVES FOR FY 1977

Manager Bartlett disseminated a format sheet to be utilized for the Goals and Objectives and recommended that this item be tabled until the next Regular Council Meeting.

M/M by Councilman Guinn that Item B be tabled until the next Regular Council Meeting.

Voice vote was taken and was unanimous. Motion passed.

C. INTRODUCTION OF THE CITY OF BETHEL'S PERSONNEL RULES AND REGULATIONS

Manager Bartlett recommended that Council accept Ordinance #86 (An Ordinance Providing for the Establishment of Personnel Rules and Regulations, a Compensation Plan and Classification Plan for City Employees for the City of Bethel, Alaska) for publication and the establishment of a public hearing on December 20, 1976. He added that Ordinance #86 was not part of the codified ordinances, but that due to the inclusion of Section 20 of the ordinance, it will automatically be codified.

M/M by Councilman Guinn to accept Ordinance #86 (An Ordinance Providing for the Establishment of Personnel Rules and Regulations, a Compensation Plan and Classification Plan for City Employees for the City of Bethel, Alaska) for publication and a public hearing to be established on December 20, 1976 at 7:30 P.M. in the City Office.

Voice vote was taken and was unanimous. Motion passed.

D. MAYOR'S APPOINTMENT OF COMMITTEE MEMBERS TO STANDING COMMITTEES OF CITY COUNCIL

Mayor Peltola informed Council and those in attendance that, according to Title 29, the Mayor is vested with the power of appointment of members to standing committees. He reported on the abolition of existing committees and the institution of new ones to specifically address problem areas. The committees will be expected to perform with greater effectiveness and professionalism. The standing committees recommended by Mayor Peltola are as follows: Finance Committee; Parks and Recreation Committee; Personnel Committee; Planning Commission; Public Safety Committee; Public Works Committee; and a Social/Economic/Cultural Committee.

D. STANDING COMMITTEES Con't.

Manager Bartlett disbursed a list of committee members appointed by Mayor Peltola (refer to attachment) and noted that not all confirmations from members and appointees have been received. The list of committee members should be complete by the next Regular Council Meeting. The individual committees will decide when to schedule meetings, with agendas to be published seven days in advance of such meetings.

E. PUBLIC HEARING ON ORDINANCE #84 (CITY OF BETHEL GARBAGE PICK-UP ENABLING ORDINANCE)

Mayor Peltola broached the public hearing on Ordinance #84 (An Ordinance Providing for the Collection and Disposal of Garbage, Rubbish, Waste Material in Residential, Commercial and Industrial Areas).

Manager Bartlett recommended that Ordinance #84 be amended as delineated in the Recommended Amendments disseminated to Council and the public (refer to attachment). He stated that Ordinance #84 was an enabling and regulatory ordinance exigit usage of proper containers and permits to utilize the City dumpsite. Burning permits are also to be enforced-- the District Attorney indicated that he was prepared to persecute for violations.

The following amendments were titrated from the public hearing and included within the ordinance: Add to Section 20, "Residential and Commercial permits issued by the City may be immediately revoked by the Public Works Department if any person who has acquired such permit violates any section of this ordinance", "The City Council may permit free use of the City's Sanitary Land Fill by all persons"; Section 2 (2) sixth line, insert after the word "right" "or waive such right to a person"; Section 5 fourth line, delete "each calendar week" and replace with "every two calendar weeks"; Section 11 (2) fifth line, replace the word "determined" with "agreed upon", sixth line, after the word "contractor" add "and the person", tenth line, after the word "contractor" add "and the person".

M/M by Councilman Elliott to accept Ordinance #84 (An Ordinance Providing for the Collection and Disposal of Garbage, Rubbish, Waste Material in Residential, Commercial and Industrial Areas) as amended.

Roll call vote: Yes, Elliott, Guinn, Hickling, Hinsvark, Peltola, Stichick.
Motion passed.

F. PUBLIC HEARING ON THE BETHEL NATIVE CORPORATION AND CITY OF BETHEL LAND EXCHANGE

Manager Bartlett briefed the Council and the public concerning the BNC land exchange, stating that the tenets of the exchange are rooted in the provisions of Ordinance #74. The City is relinquishing its interest in certain properties for the purpose of procuring alternative properties.

Rosy Porter stated that, if, in the exchange, the City dumpsite is not as great

F. BNC LAND EXCHANGE Con't.

in size as those portions to be relinquished, the City will receive the balance of the acreage from other properties-- the stipulation remains that the acreage must be equal.

Councilman Elliott posed the question as to whether or not certain parcels of land allocated to native individuals would, in fact, be reconveyed to them rather than the BNC.

Russ Gallagher, Esq., explained that such individuals will not lose those portions of land for which they submitted claims; such parcels are pre-extracted from the exchange lands.

The Council and public were informed, through the usage of graphs and site plans, of the location and parameters of the exchange-- unfortunately, the dumpsite is indeterminate as to size due to snowcover. A Preliminary Fair Market Value Appraisal sheet, prepared by Dirksen Appraisal Company of Anchorage, was disbursed, with the estimates of nine BLM properties. The value estimation was performed utilizing sales prices of properties in Bethel comparable in location, shape, acreage, access, etc.

Manager Bartlett supported the appraisal, saying it was required by ordinance, but does not mandate the City to sell (or transfer) at those estimations. The City will acquire land near the sewage lagoon, a lot adjacent to the new BUC power plant, various rights of way and local service roads, and a new sanitary land fill, and will relinquish its interest in land adjacent to the state highway to the Bethel Utilities Corporation. Manager Bartlett recommended that Council ratify the land exchange between the BNC and the City of Bethel in accordance with Ordinance #74 and establish the terms and conditions of the exchange. Manager Bartlett advised Council to reflect in said terms and conditions that this exchange is separate and distinct from the minimum municipal reserve of 1280 acres to be reconveyed under the Alaska Native Land Claims Settlement Act and that the City Manager be authorized to execute the sales agreement on behalf of the City of Bethel.

M/M by Councilman Guinn to enter into the agreement with the BLM for equal land exchange with the City of Bethel in accordance with the terms and conditions specified by the City Manager.

Roll call vote: Yes, Elliott, Guinn, Hickling, Hinsvark, Peltola, Stichick.
Motion passed.

A. INTRODUCTION OF THE CITY OF BETHEL'S CODIFIED ORDINANCES

Manager Bartlett recommended that Ordinance #87 be accepted as introduced for publication and the establishment of a public hearing on December 20, 1976 at 7:30 P.M. in the City Office.

M/M by Councilman Stichick to accept Ordinance #87 (Enacting Ordinance, Code

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A. CODIFIED ORDINANCES Con't.

of Ordinances, City of Bethel, Alaska) as introduced for publication and the establishment of a public hearing on December 20, 1976 at 7:30 P.M. in the City Office.

Voice vote was taken and was unanimous. Motion passed.

M/M by Councilman Sticking to adjourn.

Voice vote was taken and was unanimous. Motion passed.

Meeting was adjourned at 9:55 P.M.



Mayor

Attest:



City Clerk