



CITY of BETHEL

P. O. Box 388 • Bethel, Alaska 99559

543-2297 — Area Code 907

CITY COUNCIL MINUTES MARCH 23, 1981 COUNCIL CHAMBERS 7:30 p.m.

ROLL CALL

Mayor Guinn called the meeting to order at 7:30 p.m. and roll call was taken. Present: Elliott, B. Hoffman, E. Hoffman and Guinn. Absent: Charles, Twitchell, and Carpenter. Quorum Established.

APPROVAL OF MINUTES

Mayor Guinn asked if there were any corrections, deletions or additions to the minutes of February 23, 1981.

M/M by B. Hoffman/seconded by E. Hoffman to accept the minutes of February 23, 1981 as presented. Voice vote was taken; Motion carried.

APPROVAL OF AGENDA

Mayor Guinn asked if there were any corrections, deletions or additions to the agenda for March 23, 1981.

There were five (5) additions to the agenda;

- 1) Item G. under New Business to read, "Letter to Mayor Sullivan concerning Fourth Avenue Drunks" by E. Hoffman, Sr.
- 2) Item H. under New Business to read, "Summer Schedule for Council Meeting" by B. Hoffman,
- 3) Item I. under New Business to read, "Salary Survey conducted by City Administration and Price-Waterhouse Co." by Manager Hoffman,
- 4) Item J. under New Business to read, "Public Meeting on I.L.O.C. Ordinance" by Manager Hoffman,
- 5) Item D. under Unfinished Business to read, "Games of Skill and Chance" by Manager Hoffman.

M/M by E. Hoffman/seconded by B. Hoffman to accept the agenda for March 23, 1981 with the addition of Item D. under Unfinished Business, and the addition of Items G, H, I, and J under New Business. Voice vote was taken; Motion carried.

MANAGER'S
REPORT

Manager Hoffman gave a report on the following;

- 1) The City of Bethel has submitted a grant to the State of Alaska, Department of Environmental Conservation for acquisition of a new water truck that will be added to the water route, if funded.
- 2) A Special Committee on the Bethel Petro Port met last week to discuss an approach to secure funding for construction of the port. It was decided that Silidas and Associates be contracted to design the facility along with the design that they are currently doing on the present port facility. If Council has no objections with this, administration will proceed along these lines.
- 3) The Childrens Play Area is under construction in the twenty-one acre park and is scheduled for completion by June 30, 1981.

MAYOR'S
REPORT

Mayor Guinn discussed the recent conflict of interest controversy concerning the introduction of two proposed land leases for Public Hearing. He stated that our legal staff advised the City Council and Administration that there is no conflict of interest during an "Introduction" of an ordinance or land lease as long as it is posted for thirty (30) days as stated in the City of Bethel City Ordinances.

Guinn also stated that it is only after the thirty (30) day introduction period, during the Public Hearing, that a controversy of conflict of interest can arise; this is when official action is being taken, not at the introduction.

Mayor Guinn announced the two (2) vacancies on the Planning Commission, and with Councils approval, would like to appoint Joe Sullivan and Bob Herron.

REPORTS
OF THE
STANDING
COMMITTEES

Elliott stated that the Public Safety and Transportation Committee met and had two (2) recommendations for Council:

- 1) Two (2) cab permits currently owned by Yellow Cab should be transferred to Checker Cab, and one (1) permit currently owned by Yellow Cab should be transferred to Kusko Cab. After the permits are transferred, they are to be destroyed, leaving only nineteen (19) cab permits in the City of Bethel.

2) They also suggested that the two-way road running in front of Swanson's Store be converted to a one-way road.

Tony Stigall presented Council with a rough draft of the last Planning Commission meeting.

Manager Hoffman discussed the Finance Committee meeting of March 5, 1981. There were reports given to the committee on the following:

- 1) Tax relief proposals
- 2) Current status of the hydroelectric project
- 3) Bethel Utilities study
- 4) There also was a report by the Finance Director on the status of the Price-Waterhouse audit. We should be receiving copies of the audit around the first part of April, 1981.
- 5) It was also stated that a training seminar is to be given to staff members regarding use of the IBM 3400.
- 6) Report on Business License Applications.
- 7) Analysis of increase of sales tax from three percent (3%) to five percent (5%).
- 8) Transit system proposal. It was recommended that the City of Bethel purchase the two (2) buses with U.M.T.A. (Urban Mass Transit Authority) funds from the State of Alaska, and the City contract with Nelson Brown to run the buses.
- 9) The Utility Surcharge referred to the committee by Council was discussed, and it was decided that a fifteen (15) or thirty (30) day implementation time was to soon, and they recommended waiting sixty (60) days.
- 10) The Teen Center buildings were discussed, and the committee decided that the two buildings should be appraised, and also that alternative sights should be looked at.

M/M by E. Hoffman/seconded by B. Hoffman to accept the minutes of the March 5, 1981 Finance Committee Meeting. Voice vote was taken; Motion carried.

PEOPLE
TO BE
HEARD

Chuck Lonewolf discussed the recent conflict of interest controversy. He stated that most of what was printed in the paper was accurate, but that some of it was not. He also disagreed with the City Attorneys' analysis of the conflict of interest statement. He quoted Title 39 Chapter 50. Mr. Lonewolf stated that there were a number of illegalities found in the conflict of interest statements filed by Council Members, and he asked Council to begin an investigation into the filing of Conflict of Interest Statements by the City Council.

Councilmember Elliott had a complaint concerning his dog being shot. He stated that he believes more discrimination should be used in the shooting of animals.

Councilmember E. Hoffman made a complaint against the Police Department regarding two (2) leather coats taken from his house for testing against rabies a week ago, and have never been returned.

UNFINISHED
BUSINESS

ITEM A. TEEN CENTER REPORT

Parks and Recreation Director Dudley brought a recommendation from the Parks and Recreation Committee to Council regarding the Teen Center. The Committees' recommendation to Council was that Council dedicate the \$538,000.00 currently reserved for Recreational/Agricultural Youth be used for construction of a facility to be used for the youth of Bethel. They also would like Council to authorize the Administration to initiate the design in order to receive materials on the July barge.

Manager Hoffman recommended to Council that they accept the Parks and Recreation Committees' recommendation to direct management to contact an architectural firm to have the facility designed.

Manager Hoffman also recommended that the site selection be referred to the Planning Commission.

M/M by Elliott/seconded by B. Hoffman to direct the City Administration to contact an architectural firm to design the facility, and to refer site selection to the Planning Commission.

Councilmember E. Hoffman questioned the choice of sites recommended for the Teen Center.

There was discussion on the site.

Roll call was taken. Yes: Elliott, B. Hoffman and Guinn. No: E. Hoffman. Motion failed.

Manager Hoffman suggested that the Council make a second motion to authorize the Administration to begin the design of the facility and that site selection take place at a later date.

M/M by B. Hoffman/seconded by Elliott to authorize the Administration to contact an architectural firm and begin design of the Teen Center. Voice vote was taken; Motion failed.

ITEM B. RESOLUTION #324 REQUESTING THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES AND THE DEPARTMENT OF HEALTH AND SOCIAL SERVICES TO GRANT THE CITY OF BETHEL THE FUNDS NECESSARY TO PLAN, DESIGN, AND CONSTRUCT THE NEW STATE JAIL FACILITY TO BE LOCATED IN BETHEL, ALASKA.

Manager Hoffman discussed the resolution with Council. He stated that if the State grants the City the funds to plan, design and construct the new State Jail Facility, it will provide the City with the possibility of building a new police station along with the jail facility.

He also stated that if the state does not provide the City with the funds to build the new state jail facility, and the City does not secure the contract for the operation of the facility, the City could bear additional burden in the running of the Police Department.

Manager Hoffman recommended to Council that we adopt Resolution #324 and start the proceedings necessary under Alaska Statutes Chapter 3515.080 to acquire the construction of the State Jail Facility.

Councilmember Elliott questioned where the location of this new facility will be.

Manager Hoffman responded, saying that no location has been picked, but that a recommendation is under New Business for this meeting.

M/M by Elliott/seconded by B. Hoffman accepting Resolution #324 requesting the Department of Transportation and Public Facilities and the Department of Health and Social Services to grant the City of

Bethel the funds necessary to plan, design and construct the new State Jail Facility to be located in Bethel, Alaska. Voice vote was taken; Motion carried.

ITEM C. RESOLUTION #325 REQUESTING GRANT FUNDS FROM THE DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES TO PURCHASE VEHICLES NECESSARY TO PROVIDE MASS TRANSPORTATION SYSTEM FOR THE RESIDENTS OF THE CITY OF BETHEL.

Manager Hoffman discussed the Resolution with Council. He stated that; one (1) bus would be run, the funds to operate the bus service would come from the receipts collected by the service, and that Nelson Brown would be contracted with to provide the service.

E. Hoffman wondered why we were going to contract with Nelson Brown rather than with the Cab Company.

Manager Hoffman stated that if the Cab Companies would lower their rates then they could consider contracting with them, but that the concept of purchasing two (2) buses is to provide cheaper transportation to the citizens of Bethel.

There was discussion on the issue.

Mayor Guinn recommended that this item be tabled until the next meeting pending further information.

M/M by B. Hoffman/seconded by Elliott to table Resolution #325 until the next Council Meeting. Voice vote was taken; Motion carried.

ITEM D. GAMES OF SKILL AND CHANCE

Manager Hoffman stated that there was one (1) application for Games of Skill and Chance submitted by V.F.W.

Mayor Guinn asked if Administration found the application to be in order.

Manager Hoffman responded that it was.

M/M by Elliott/seconded by B. Hoffman to approve the application of Games of Skill and Chance by the V.F.W. Voice vote was taken; Motion carried.

NEW
BUSINESS

ITEM A. STATE JAIL SITE RECOMMENDATION

Manager Hoffman asked City Planner Tony Stigall to present to Council the recommendations of the Planning Commission.

Tony Stigall discussed the site possibilities and concluded that the Department of Transportation and Public Facilities and the Planning Commission recommend Lot 5 USS 4117. This land is located by the Bethel Utilities Power Plant, and is currently owned by the Bethel Native Corporation.

Mayor Guinn asked Tony Stigall if the Planning Commission had taken in mind the use of "Waste Heat".

Mr. Stigall responded that they had.

M/M by Elliott/seconded by B. Hoffman to authorize the Administration and the Planning Commission to work with the Bethel Native Corporation to acquire Lot 5 USS 4117. Voice vote was taken; Motion carried.

ITEM B. MODIFICATION OF VEHICLE FOR HIRE ORDINANCE TO ALLOW FOR TRANSPORTATION BY BUS.

Manager Hoffman discussed the modification. He asked that a Public Hearing on this ordinance be placed on the April 27, 1981 Council Meeting agenda.

M/M by B. Hoffman/seconded by E. Hoffman to approve the reading and modification of the Vehicle for Hire Ordinance to allow for transportation by bus, and set a Public Hearing for April 27, 1981. Voice vote was taken; Motion carried.

Council took a five minute break at 8:25 p.m.

Mayor Guinn called the meeting to order at 8:34 p.m.

ITEM C. MODIFICATION OF CHAPTER 13.04 OF THE BETHEL CODE OF ORDINANCES ON DOG CONTROL TO INCLUDE SECTION .115 ON EMERGENCY DOG CONTROL.

Mayor Guinn introduced the modification.

M/M by B. Hoffman/seconded by E. Hoffman to approve the reading and introduce the modification of Chapter 13.04 of the Bethel Code of Ordinances of dog control to include section .115 on emergency dog control, and set a Public Hearing for April 27, 1981. Voice vote was taken; Motion carried.

ITEM D. PUBLIC HEARING ON LAND PROPOSAL TO
V.F.W. OF LOT 1, USS 870.

ITEM E. PUBLIC HEARING ON LAND LEASES OF THE NORTH
HALF OF THE EAST PORTION OF USS 1002 FOR
WAREHOUSE AND PARKING AND THE SOUTH HALF OF
THE EAST PORTION OF USS 1002 FOR FREEZER
FACILITIES.

Mayor Guinn asked Manager Hoffman to discuss the
legal advice we received concerning land leases.

Manager Hoffman stated that the City's Attorney recom-
mended that we readvertise the land leases for thirty
(30) days and set a public hearing for April 27, 1981.

M/M by Elliott/2nd by B. Hoffman to readvertise the
land lease of Lot 1, USS 870 for Civic Function, the
land lease of the north half of the east portion of
USS 1002 for warehouse and parking, and the south half
of the east portion of USS 1002 for new industry (a
freezer facility). Term of all leases to be no more
than forty years, and cost to be not less than ten
(10) cents per square foot. Roll call vote was taken.
Yeas: Elliott, B. Hoffman, E. Hoffman and Guinn.
Nays: None. Motion carried.

ITEM F. YELLOW CAB PERMITS

Manager Hoffman stated that Administration received a
written request that the three (3) cab permits currently
owned by Yellow Cab be transferred; two (2) to Checker
Cab, and one (1) to Kusko Cab. This was discussed at
the Public Safety and Transportation Committee meeting.

Their recommendations are:

- (1) The proposed transfer of permits take place.
- (2) Upon transfer of the three permits that Council
take whatever action necessary to disband the
permits.

Attorney Karen Kirby addressed Council for her client,
Paul Nika. He would like to apply for the permits,
rather than have them disbanded.

Discussion on the item.

M/M by B. Hoffman/2nd E. Hoffman to transfer two (2)
of the three (3) Yellow Cab permits to Checker Cab
and one (1) Yellow Cab permit to Kusko Cab, and then
direct Administration to start proceedings to

permanently remove them. Voice vote was taken; Motion carried.

ITEM G. LETTER TO MAYOR SULLIVAN

Council Member E. Hoffman discussed the issue of "Fourth Avenue Drunks" in Anchorage.

E. Hoffman moved that Council authorize Administration to write a letter in support of his views on treatment of "Fourth Avenue Drunks" to Mayor Sullivan in Anchorage. Voice vote was taken; Motion carried.

ITEM H. SUMMER SCHEDULE

B. Hoffman requested that Council set up the summer schedule.

Manager Hoffman stated that in the past the summer schedule began in May and continued through September. Meetings are held the third Wednesday of every month, and special meetings are held when necessary at 5:00 p.m.

M/M by B. Hoffman/seconded by E. Hoffman to begin the summer schedule for Council in May and continue through September on the third Wednesday of the month. Voice vote was taken; Motion carried.

ITEM I. SALARY SURVEY

Manager Hoffman explained the Salary Survey conducted with Price-Waterhouse to Council.

Discussion on the item.

M/M by B. Hoffman/seconded by E. Hoffman to accept the Administrations Salary Survey conducted with Price-Waterhouse as presented, and salary increase implementation be effective as of March 1, 1981. Roll call was taken. Yes: Elliott, B. Hoffman, E. Hoffman and Guinn. No: none.

ITEM J. I.L.O.C. ORDINANCE

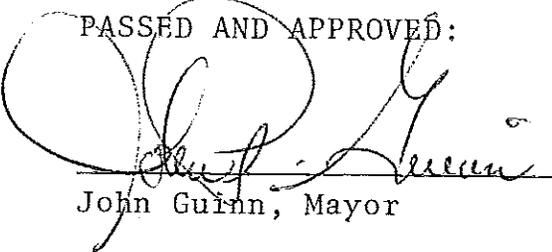
Manager Hoffman discussed the ordinance, and the results of the recent work session. The recommendation from the work session was to appeal the decision by the magistrate.

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M/M by Elliott/seconded by B. Hoffman to appeal the
I.L.O.C. Ordinance. Voice vote was taken; Motion
carried.

Meeting adjourned at 9:30 p.m.

PASSED AND APPROVED:



John Guinn, Mayor

ATTEST:



Elsie Jennings, City Clerk