
City of Bethel, Alaska

City Council Minutes

April 13, 1999

Regular Meeting

Bethel, Alaska

CALL TO ORDER

The Regular Meeting of the Bethel City Council was held on April 13, 1999, at 6:30 p.m. in the Log Cabin, Bethel, Alaska. Mayor Agnes Phillips called the meeting to order at 6:37 p.m.

ROLL CALL

There were present:

Mayor Agnes Phillips	Mike O'Brien
Antone Anvil	Karol Pobrislo
Joerene Hout	Stanley "Tundy" Rodgers

comprising a quorum of the Council.

Absent:

Dario Notti, excused

Also in attendance were:

Bob Herron, City Manager
Gaye Vaughan, City Clerk

PEOPLE TO BE HEARD

Tom Rowe, stated he was going to hold a concert with three live bands in Bethel. No alcohol would be allowed and there would be security guards on the premises. It would be for people 21 years of age and up. He requested the Council to extend the closing hours of entertainment from 1 am to 3 am.

City Manager Herron read a letter submitted by Mr. Rowe. Mr. Herron recommended granting the waiver.

A short discussion ensued with it being noted that a waiver of the Code had been given for other activities and the Mayor stating she could support a 2 am closing but not 3 am.

MOVED BY:	Pobrislo	To waive BMC 9.28.010, for Tom Rowe's concert.
SECONDED BY:	Hout	

VOTE ON MOTION	Motion carried 5 yes, 1 no.
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ANVIL Yes	HOUT Yes	NOTTI Absent	O'BRIEN Yes
PHILLIPS No	RODGERS Yes	SANCHEZ-POBRISLO Yes	5 YES 1 NO

Jim Valcarce, stated he was an attorney in the offices of Chris Cook. He has built a house in Kasayulie Subdivision and lives there. He objected to the increase in water/sewer for that subdivision, Ordinance #99-05. He stated that his house is no further from the pump house than several homes on Tundra Ridge. He said citizens should all be treated the same especially regarding utilities. He added that discrimination is never good.

Dave Trantham, referenced a recent article in an Anchorage publication about how "bad" the senior citizens are. He has formed a club and feels the club should meet with the City on Thursday at 10:00 a.m. at the Lulu Heron Building. He invited Bob Herron to join them. He noted that Gladys Jung is the leader of the group. He went on to note that the "*Drum*" stated there were 600 senior citizens in Bethel. He said it was closer to 265. The City expects to raise \$365,000 in sales tax from the seniors and that 35% of sales to seniors had been fraudulent. He wondered how the City came to this conclusion. He felt he should get to the bottom of this. He said if the City truly wants to compromise, they should let the seniors know.

Gene Peltola, spoke against Ordinance #99-05 and the 33% increase for water and sewer to Kasayulie Subdivision. He said it is 5.9 miles from the pump house to the farthest lot in Kasayulie, 4.5 miles to BIA Road, and 3.0 miles to Blueberry Subdivision. He felt the city should have a comprehensive water/sewer review done for the entire city. He said it was needed, would be fair and not discriminate.

Bob Medinger, Principal for Bethel Alternative High School, stated he had previously requested a reduction in water/sewer fees for the school. Currently the school is \$73,000 in the hole. He has requested a reduction in rent, etc. The school has provided \$500,000 to Bethel. Thirty students attend the school, mostly drop outs with drug and alcohol problems. He felt their participation in the school would lead to reduced police work and less vandalism. He also noted that the students do about 200 hours of community service in a month.

City Manager Herron provided monthly costs for water and sewer for the Delta cottages: a 10% discount equaled \$570; 25% discount equaled \$475 per month. He noted that March 1 to June 31 would equal \$300 at a 10% discount.

MOVED BY:	Pobrislo	To grant a 10% discount on water and sewer for the Bethel Alternative High School.
SECONDED BY:	Rodgers	

Council Member Pobrislo said this is a very good school.

Council Member Rodgers felt that a 10% discount was a small repayment for 200 volunteer community hours.

Council Member O'Brien said he cannot take the sales tax exemption away from the senior citizens and then give a discount on water and sewer to another group.

Council Member Hout felt that this school is a benefit to Bethel and the City should help where it can.

Council Member Anvil stated that the City should help where ever it can. He believed the council should do what the people want.

VOTE ON MOTION	Motion carried 4 yes, 2 no.
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ANVIL Yes	HOUT Yes	NOTTI Absent	O'BRIEN No
PHILLIPS No	RODGERS Yes	SANCHEZ-POBRISLO Yes	4 YES 2 NO

Louise Charles, Director of Senior Services, read an anonymous letter regarding the senior citizen sales tax exemption. She read another letter objecting to Ordinance #99-05 and the senior citizen water and sewer discount which asked for the ordinance to be postponed.

APPROVAL OF MINUTES

MOVED BY:	O'Brien	To approve the minutes of March 16, and April 1, 1999.
SECONDED BY:	Rodgers	

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

Mayor Phillips read the consent agenda items by title only.

Resolution #99-08: Supporting the Alaska Native Tribal Health Consortium for a Statewide Inhalant Treatment Program (Mayor Phillips)

Ordinance #99-07: Prohibiting Possession Of Laser Pointers By Minors (City Manager Herron) (Public Hearing 4/27/99)

MOVED BY:	Anvil	To approve the agenda and consent agenda.
SECONDED BY:	Hout	

VOTE ON MOTION	Motion to approve agenda and consent agenda carried by unanimous consent.
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MAYOR'S REPORT

Mayor Phillips announced the following:

She noted that the next City Council meeting will be April 27. The Mayor noted she had signed proclamations declaring May as Teen Pregnancy Month, May 3-9 as Municipal Clerks' Week, and May 17-23 as Nobody Gets Hurt Week. Mayor Phillips noted receipt of a request for information from three senior citizens. She noted that the City Manager would provide what was available.

She noted receipt of a letter from Representative Mary Kapsner and added that Rep. Kapsner had been in Bethel and held a town meeting. She, Council Members Anvil and Hout had attended.

She said a public hearing had been held on the consolidation of the Departments of Community and Regional Affairs and Commerce.

She had also received information regarding the elimination of Safe Communities Funding.

The mayor had received a list of road projects from the Department of Transportation.

A letter had been received from the United Pentecostal Church regarding the elimination of sales tax exemptions for non-profits.

The mayor had meet with the senior citizens on April 7. She thanked Acting Director Maggie Simeon for arranging that meeting.

CITY MANAGER'S REPORT

City Manager Herron noted that department head reports were included in the council packets.

He asked that the council meet in Executive Session to discuss the APEA contract negotiations, the forecast for the FY00 budget, the Lee lawsuit, and the retirement incentive program.

He noted that schedules for July 4th had been given to the council members.

The city manager introduced Louise Charles, the new Director of Senior Services.

Mr. Herron noted that a pre-bid conference on the Braund Bldg. would be held on Friday.

He noted that the attorney had suggested a change to the laser point ordinance which had first reading tonight.

City Manager Herron gave a special recognition to Roger Burton for removing the campaign signs from around town.

He commented on the copy of a letter he had provided the council which was his letter to the editor in response to an article in the "Drums" about the elimination of the senior citizens' sales tax exemption.

The city manager also mentioned how the reductions to the Power Cost Equalization program would affect rural residents in their May and June electrical billing.

Council Member Rodgers asked about a new cemetery to which City Manager Herron replied that BNC has offered a site near Kasayulie Subdivision but the ground has not been tested yet.

STANDING COMMITTEES

Mayor Phillips noted there are vacancies on the Parks and Recreation, Transportation, Port and Public Works Commissions/Committees.

Public Works Committee

Council member O'Brien stated the Committee met but did not have a quorum. All members of the committee are long-term Bethel residents.

Public Safety Commission

Council Member O'Brien stated the Commission had met on April 5 and highlighted the issues discussed at that meeting.

Port Committee

Council Member Rodgers stated the Committee will meet on April 19 and will discuss the new trucks and boat and slip assignments. The committee needs public input. The meeting will be held in the City conference room at 7:30 p.m.

Senior Citizens' Advisory Board

Council Member Anvil stated that he had not attended the last meeting as he had attended another meeting. The next meeting will be May 5 at 10:30 a.m. He invited the council members to attend.

Finance Committee

Mayor Phillips stated the Finance Committee met on April 8. Finance Director Stuart Robinson said that the budget requests from city departments total \$2,000,000 over budget.

Planning Commission

Council Member Notti was not present so no Planning Commission report was given.

Parks & Recreation Committee

Council Member Pobrislo did not attend the Committee's March meeting. The committee had held a public hearing regarding July 4th. Temporary food permits will be required for food booths. A skate board ramp is being set up adjacent to the log cabin. The next committee meeting will be April 20 at 6:00 p.m. at the Youth Center.

Transportation Commission

Council Member Hout stated that the Commission met on March 25. Several cab drivers were in attendance. The Commission voted against Ordinance #99-02. They will hold a work session to review the cab ordinance.

OLD BUSINESS

Ordinance #99-02: Increasing the Minimum Mandatory Insurance for Taxicabs (Rodgers)

Mayor Phillips called for public testimony with no one coming forth to speak.

MOVED BY:	Pobrislo	To adopt Ordinance #99-02.
SECONDED BY:	O'Brien	

Council Member Hout said that one cab driver stated that the cost of increased insurance would cost her \$2,000/year.

A discussion ensued regarding liability.

MOVED BY:	Rodgers	To postpone Ordinance #99-02 and refer back to the Transportation Commission.
SECONDED BY:	Pobrislo	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Ordinance #99-05: Amending Piped Rates and Senior Citizen Credit for Water and Sewer and Establishing Rates for Kasayulie Subdivision (City Manager Herron)

Mayor Phillips called for public testimony.

David Trantham, asked City Manager Herron to address the letter requesting information. He also questioned how the ordinance is fair and equitable to all senior citizens.

City Manager Herron answered each point that the information would be provided or that such a document does not exist.

William Trader, stated he moved to Bethel a few months ago to be closer to the hospital. He said less than 25% of the seniors will qualify for the senior citizen credit on water and sewer. He objected to the statement about abuses of the sales tax exemption by seniors. He stated that he lives on a fixed income of \$1100/month and only has \$400 left after paying his rent.

Virginia Turner, noted that she had gotten very upset at a previous meeting when the seniors were accused of abusing the sales tax exemption. She felt if the City had just said the City needed the revenues, the seniors would have gladly given up the exemption. She said it was very hurtful to be accused of abuse. She thought the council should put out the word that abuse was not the point for elimination of the exemption.

There being no further testimony, public hearing was closed.

MOVED BY:	Pobrislo	To adopt Ordinance #99-05.
SECONDED BY:	O'Brien	

Council Member Hout stated that the sales tax exemption issue had put a bad light on everyone. She did not feel that there had been any abuse.

Council Member Anvil also did not feel there had been any abuse.

Council Member Pobrislo stated that when she voted for the sales tax ordinance which eliminated the senior citizen sales tax exemption, she did so to keep whatever credit would be given would be given only to Bethel citizens. She thought each household should be allowed two water/sewer credits. She also wanted to see money put into a fund for an assistance program for seniors.

A discussion ensued on the type of assistance program which could be provided.

Council Member Anvil said the seniors are now paying sales tax and are hurt by it. He urged the council to give the exemption back to the seniors.

Regarding the portion of the ordinance dealing with Kasayulie Subdivision, Council Member Rodgers stated he would like those sections removed from the ordinance. He was in favor of seeing the condition of the road and the well are prior to giving those residents a higher rate.

Council Member Hout asked about the liability on a washed out road in the current acceptance of the road.

City Manager Herron stated that the Kasayulie Subdivision was just a step in increased rates for the whole city.

Council Member O'Brien said a comprehensive study needs to be done. The city does not have a good idea of the actual cost of delivery water and sewer services.

The city manager noted that a bid was awarded over a year ago for a rate study which was never completed. He added that the council needs to talk about this and he will bring it up again during budget sessions.

MOVED BY:	O'Brien	To postpone Ordinance #99-05.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Ordinance #99-06: Amending BMC 2.52, Boards, Commissions And Committees (Mayor Phillips)

Mayor Phillips called for public testimony. There being none, public hearing was closed.

The mayor noted that the City Attorney had requested postponement on this ordinance.

MOVED BY:	O'Brien	To adopt Ordinance #99-06.
SECONDED BY:	Pobrislo	

MOVED BY:	Hout	To postpone Ordinance #99-06 until the next meeting.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Clerk's Note: Council Member Anvil left the meeting at this point.

NEW BUSINESS

Discussion Item - Letter from BNC regarding Dept. of Labor Training Grant

Marc Stempe, Director of BNC, requested a letter of support from the City Council for their training center.

Council Member Pobrislo asked how many people would be trained, to which Mr. Stempe replied that they hope to train 20. He added that they also hope to get additional funding in order to provide more training.

MOVED BY:	Hout	To direct City Manager to write a letter of support for BNC.
SECONDED BY:	Rodgers	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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COUNCIL MEMBER COMMENTS

Council Member Hout noted that she would be out of the country on April 20.

A discussion ensued regarding dates for the budget sessions. The first one will be held on Monday, April 26 at 6:30 p.m. in the City conference room.

Council Member Pobrislo congratulated the Lady Warriors basketball team and the cheerleaders and coaches.

Mayor Phillips congratulated City Manager Bob Herron and his wife, Margaret, on 19 years of marriage. She thanked the senior citizens for coming to the meeting.

Council Member Rodgers sent condolences to the family of Jerry Lieb. He apologized to the seniors. He said he meant an after discussion by the Council, campaign posters are still all over town.

City Manager Herron stated that the signs will come down next month with the help of a couple of men from the Tundra Center.

Council Member Rodgers thanked the manager for taking care of the signs. He also sent his condolences to the families who recently lost loved ones. He noted that several people at the table are the next generation of elders.

Council Member O'Brien offered condolences to all the families mentioned. He noted that Council Member Rodgers brought up a good point and everyone is good at procrastination. He felt everyone should take the time to say "I love you" to the important people in their life.

Mayor Phillips thanked all the participants of the recent Camai Festival.

The City Council took a short break prior to going into Executive Session at 9:20 p.m. Mayor Phillips left the meeting due to a conflict of interest.

MOVED BY:	Hout	To recess into Executive Session to discussion APEA contract negotiations, the Lee lawsuit and the budget forecast.
SECONDED BY:	Notti	

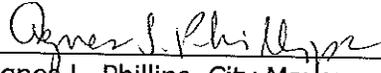
VOTE ON MOTION	Motion carried by unanimous voice vote.
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Vice Mayor O'Brien called the meeting back to order at 10:05 p.m.

ADJOURNMENT

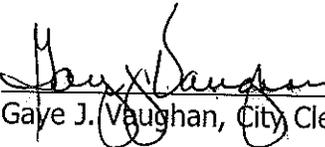
With no further business to come before the Council, the meeting adjourned at 10:06 p.m.

APPROVED THIS 27TH DAY OF APRIL, 1999.



Agnes L. Phillips, City Mayor

ATTEST:



Gaye J. Vaughan, City Clerk