

CITY COUNCIL
Antone Anvil
Dario Notti
Mike O'Brien
Agnes Phillips, Mayor
Stanley Rodgers
Karol Sanchez-Pobrislo
Thor Williams



CITY MANAGER
Ken Weaver

CITY CLERK
L.J. Warren

City of Bethel
Regular Council Meeting Minutes
November 11, 1997

I. CALL TO ORDER

The meeting was convened at 6:35 p.m. by Mayor Phillips at the City Offices, Bethel, Alaska.

II. ROLL CALL

Present: Anvil, Notti, Phillips, Rodgers, Williams
Absent: O'Brien, Sanchez-Pobrislo (both excused)

Also present: Acting City Manager - John Malone, City Clerk, and 1 member of the public.

III. PEOPLE TO BE HEARD

There were no people to be heard.

IV. APPROVAL OF MINUTES

Mayor Phillips added "on the video" to her comments on debut of TWC's new video, and noted a typographical error on page 2.

motion M/M by Rodgers, 2nd by Notti to approve the minutes of the October 28 regular meeting, with corrections as noted.

vote Voice vote. Motion carried unanimously.

V. APPROVAL OF AGENDA

motion M/M by Rodgers, 2nd by Notti to approve the agenda as presented.

vote Voice vote. Motion carried unanimously.

VI. MAYOR'S REPORT

Mayor Phillips reported that she was unable to attend the last meeting of the Kuskokwim Coordinated Response Team. The U.S. Department of Commerce has followed through on Gov. Knowles request to declare a fishery disaster for the Bristol Bay and Kuskokwim regions, and the Governor is seeking assistance through the Magnuson-Stevens Fishery Conservation and Management Act.

Next, Mayor Phillips announced the brown-bag luncheon meeting being held by Senator Lyman Hoffman this Friday, November 14; 12:10-1:55 p.m. at KUC. She urged the Council members to attend.

VII. MANAGER'S REPORT

Acting City Manager, John Malone distributed some additional information to the Council:

- Notice of Closure - The State Fire Marshall has closed the Kuskokwim Inn and Restaurant. Criminal charges are pending, so no further information can be made available.
- Memo from Attorney regarding Public Safety Commission: The City Attorney, at the Council's request, has reviewed the authority of the Commission to review Police Department complaints. A memo detailing the methods and ramifications was distributed. The Clerk was directed to place the matter on the November 25 Council agenda for discussion.
- Gravel for Kasayuli - Council member Rodgers, noting the memo on page 59, pointed out that he had wanted to make sure that Faulkner-Walsh had obtained enough gravel to pave the road into the Kasayuli Subdivision.
- UST Remediation - Mr. Malone noted that the cleanup project is almost complete. Harding Lawson, the contractor chosen to do the work, should be finished by November 13 or 14.
- City Web Page - Council member Notti asked if the City web page would provide links to information provided on the web by DCRA. The Clerk noted that there would be links.

VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

The Clerk read the following recommendations for the record:

- The Planning Commission recommends adoption of the August 1997 final draft of the Comprehensive Plan. (See New Business Item B)
- The Port Commission recommends setting aside 50% of the fuel through-put tax in a seawall maintenance account in the Port Enterprise Fund.

Finance Committee: Mayor Phillips reported that the Committee will meet on November 13. Noting that the Finance and Planning meetings are on the same date, Mayor Phillips expressed interest in attending the HDR airport master plan presentation portion of the Planning Commission meeting. City Planner (and Acting City Manager) John Malone stated that he would come get the Finance Committee members before HDR started their presentation.

Planning Commission: Council member Notti reported that the Commission will meet on November 13. One item on their agenda is the airport master plan. Mayor Phillips asked if any Commission members needed to be replaced due to repeated absences. Mr. Notti remarked that Chairman Guinn should be consulted for his recommendation on removal of Commissioners.

Port Commission: Council member Rodgers reported on the November 10 special meeting of the Commission. They recommended that the Council adopt Resolution #97-54, which establishes a dedicated seawall maintenance fund, using 50% of the fuel through-put fees.

Public Works Committee: Council member O'Brien was absent, so there was no report.

Public Safety Commission: Council member Anvil noted that he attended the Public Safety Commission meeting, but they did not have a quorum.

Transportation Commission: Council member Williams reported that the Commission met on November 6, and had a quorum. They discussed writing a procedure manual for the Police Department to use. Commissioner Doreen O'Brien has submitted her resignation, effective January 1, 1998. They discussed the need to have new laws in place for the issuance of new tax

permits, and would like the Attorney to begin drafting an ordinance for this purpose. Council member Notti disagreed, noting that the City would probably not need any new taxi permits for 15-20 years, by which time the ordinance would be out-of-date.

motion M/M by Williams, 2nd by Rodgers to request that the Attorney begin drafting an ordinance, based on the Anchorage taxi ordinances, to allow for the issuance of new permits.

vote Voice vote. Motion carried, 4-Yes, 1-No (Notti)

The Commission had also discussed working with the Planning office, to make sure that new commercial construction takes into account the need for taxi parking. Council member Anvil pointed out that taxis cause a lot of congestion at the airport, making it difficult for people in private vehicles to load and unload baggage and passengers. Mayor Phillips, noting that HDR will be discussing the airport master plan at the next Planning Commission meeting, stated that this concern should be included in their study. Acting City Manager Malone also noted that HDR will be conducting a surface transportation study in the next few months.

motion M/M by Rodgers, 2nd by Williams to direct the City Manager to make airport parking and taxi queuing a part of the airport master plan and surface transportation study.

vote Voice vote. Motion carried, unanimously.

Senior Advisory Board: Council member Anvil reported that the SAB held their elections on October 15. They also expressed concern over the lack of activities for seniors. Mayor Phillips explained some of the budget changes that had taken place at the Senior Center.

Youth Services Committee: Council member Sanchez-Pobrislo was absent, no report given.

IX. OLD BUSINESS - none

X. NEW BUSINESS

Item A: Introduction of Ordinance #97-22, Lodging Business Fee (Phillips)

motion M/M by Williams, 2nd by Rodgers to introduce Ordinance #97-22.

vote Roll call vote. Motion carried, unanimously.

Item B: Introduction of Ordinance #97-28, Adoption of Comprehensive Plan (Weaver)

motion M/M by Williams, 2nd by Rodgers to introduce Ordinance #97-28.

vote Roll call vote. Motion carried, unanimously.

Item C: Resolution #97-54, Seawall Maintenance Fund (Rodgers)

motion M/M by Rodgers, 2nd by Williams to adopt Resolution #97-54.

Discussion followed. Council member Rodgers stated that the City should set half of the revenue generated by the Fuel Through-put tax aside for maintenance of the seawall, thereby protecting our investment.

vote Voice vote. Motion carried, unanimously.

Item D: Discussion - AHFC Funding for Playgrounds (Notti)

Council member Notti, who requested the agenda item, distributed copies of a newspaper article about the \$1,000,000 grant from AHFC to help build a recreation center in Mountain View. Mr. Notti questioned why AHFC could fund such a large project, when they have told the City of Bethel that they can't grant \$5,000 for playground equipment. The Clerk noted that according to the latest report from the Parks and Recreation Director, we are still waiting to hear from AHFC as to the status of our grant application. The Council agreed that we should enlist the aid of the City's lobbyist to obtain funding from AHFC.

Item E: Resolution #97-55 - Mayor's Community Service Award (Notti)

motion M/M by Rodgers, 2nd by Williams to adopt Resolution #97-55.

Discussion followed. Council member Notti, who drafted the Resolution, stated that he would like to remove the first "Whereas" clause, and the word "also" from the second "Whereas" clause. Council concurred. The purpose of the award was discussed, and it was agreed by all to insert "second regular Council meeting in the month of August" in the "Resolved" clause.

vote Voice vote. Motion carried, unanimously.

Item F: Alaska Democratic Convention in Bethel (Williams)

Council member Williams reminded the Council that the Alaska Democratic party will hold their convention in Bethel, in May 1998. Although he doesn't think the Council should be involved politically, Mr. Williams wanted the Council to begin thinking about how and what they want to communicate while the Democrats are in town. Council member Notti suggested that the Council should issue an official welcome to the convention. The Clerk was directed to place the item on a Council agenda early in 1998.

Item G: City paving at Pumphouse and Watson's corners (Williams)

Council member Williams stated that the new configuration at Watson's corners is very dangerous. The curve to continue north-bound on the State highway, going towards the Brown's Slough bridge, is very sharp, and it's just a matter of time before there is a serious accident. In addition, Mr. Williams stated, the intersection near the pumphouse is dangerous, because water trucks continue to slosh water on the pavement. Mr. Williams would like the City to increase their efforts to keep both locations well sanded.

motion M/M by Rodgers, 2nd by Williams to direct the City Manager to have the Department of Public Works examine these two areas and develop a strategy for keeping them safe through the winter.

vote Voice vote. Motion carried, unanimously.

Item H: Budget Overruns and unexpected revenues (Williams)

Council member Williams stated that receiving financial statements that show the difference between budget and actual revenues and expenses has taken too long. The reports brought to the last meeting provided too much information and were difficult to read. Mr. Williams noted that he understands that the new Finance Director has had to catch up on a lot of work since the previous

director left, but this is information the Council needs. It was agreed to wait until the next Council meeting before issuing a directive to the City Manager to produce the required reports.

XI. COUNCIL MEMBER COMMENTS

Anvil - Remarked that campaign posters around town should be removed after the election.

Notti - No comment.

O'Brien - Absent, no comment.

Phillips - Wished everyone a happy Veteran's Day. The Clerk is pursuing a refund or exchange on Council member Anvil's ticket to Ketchikan.

Rodgers - No comment.

Sanchez-Pobrislo - Absent, no comment.

Williams - Wished his daughter a happy birthday. Is concerned about communications between the Council and the City Manager. Feels that he only gets half of the information he needs to make decisions. The Council Rules of Procedure manual should be at the next Council meeting.

XII. EXECUTIVE SESSION

motion M/M by Williams, 2nd by Rodgers to go into Executive Session for the purpose of discussing legal strategy in the United States vs. City of Bethel lawsuit at 7:53 p.m.

vote Voice vote. Motion carried, unanimously.

motion M/M by Notti, 2nd by Rodgers to come out of Executive Session at 7:58 p.m.

vote Voice vote. Motion carried, unanimously.

motion M/M by Notti, 2nd by Anvil to approve the Waiver of Conflict for Preston Gates and Ellis to represent the City in the United States vs. City of Bethel lawsuit.

vote Voice vote. Motion carried, 4-Yes, 1-No (Rodgers)

XIII. ADJOURNMENT

motion M/M by Notti, 2nd by Rodgers to adjourn the meeting at 8:00 p.m.

vote Voice vote. Motion carried, unanimously.

PASSED AND APPROVED THIS 25TH DAY OF NOVEMBER, 1997.

ATTEST:



L.J. Warren, City Clerk



Agnes L. Phillips, Mayor