

CALL TO ORDER

Mayor Vanasse called the regular Council meeting to order at 7:35 PM.

ROLL CALL

Present: Dale (tardy), Feaster, Lilienthal, Richardson, Trantham, Vanasse & Wallace.

APPROVAL OF MINUTES

M/M by Feaster, 2nd by Wallace to approve the City Council minutes of 07/23/91 Council meeting as presented. Voice vote, motion carried.

motion

M/M by Feaster, 2nd by Wallace to approve the City Council minutes of 08/07/91 special Council meeting as presented. Voice vote, motion carried unanimously.

APPROVAL OF AGENDA

Councilman Dale came in at this time. Council at this time discussed the confidential letter regard-River Pawn Shop. Interim City Manager Hohman pointed out that since it had been discussed previously in executive session, that it was marked confidential.

motion

M/M by Trantham, 2nd by Feaster that letter dated August 15, 1991 to Phillip Francisco be declassified to public document. Poll vote, motion carried. 4-yes and 3-no (Dale, Richardson and Wallace).

After brief discussion, it was indicated that this can be discussed under the Manager's report instead of adding it onto the agenda.

motion

M/M by Feaster, 2nd by Richardson to approve the agenda with the addition under Old Business: Item B Bowling Alley status. Voice vote, motion carried unanimously.

MAYOR'S REPORT

Mayor Vanasse reported to Council on the following:
- received letter from ONC indicating that they were conducting enrollment of Native persons living in Bethel and requested that this be posted;
- letter received from Senator Stevens regarding wetlands regulatory program and requesting that if any problems with that to contact Senator Stevens;
- appointed Chris Devlin to the Transportation Commission per his letter of interest.

motion

M/M by Trantham, 2nd by Feaster to confirm Mayor Vanasse's appointment of Chris Devlin to the Transportation Commission. Voice vote, motion carried unanimously.

MANAGER'S REPORT

Interim City Manager Hohman reviewed his written Manager's report with Council on the following:
- reported on the status of the seawall, effective of Mr. Earnest's travel to Juneau, which he met with 5 of the Governor's staff and successful in getting part of the allocation and indicated that letter from Mr. Earnest was enclosed in the packet;
- indicated that the auction went well and that KYUK would be getting 20% of the public auction sales and thanked the Police Department and KYUK for conduct-

MANAGER'S REPORT
continued

ing the auction and also thanked all the other workers that were involved in the auction; indicated that the total revenue was \$17,032.18 and another possible auction scheduled for September and or October;

- NC Machinery awarded the equipment purchase bid; and equipment on barge due to arrive first part of September;

- indicated that attached in the Council packet were materials which related to a project that legislature was dealing with to provide stable sources of funding for tourism, which he thought might be useful to the City for seeking alternative revenue sources;

- indicated that the land and water conservation funds information was provided to Bev Hoffman as first step for a swimming pool project and that she was working with other agencies to implement the funding and that City was ready to assist with her efforts;

- reminded Council to attend the Governor's reception on August 29th at 4PM at the BNC Lobby and that the City was co-sponsoring the reception;

- indicated that a copy of the certified letter to Mr. Jason Young was enclosed and another sheet showing the activities just related to Kusko Inn;

- indicated that the letter to Phil Fransciso was asking him to cease money transfer business; asking for sales tax payments for the money transfer business and payment schedule been made and last payment to be made October 11th with the penalty and interest waived on the sales tax.

Councilman Feaster indicated that he thought that Council directive was clear in collection of sales tax and to also include the collection of penalty & interest, since this had been a hot topic then.

Councilman Trantham concerning the City letters, that in the future they be typed on City of Bethel letter head. After further Council discussion, Interim City Manager Hohman was directed to get a written contract signed with a collection of sales tax penalty and interest.

Madam Richardson asked what the cost of the road equipment purchase was. Interim City Manager Hohman indicated that it was approximately \$360,000 and purchased were: grader, rubber tired bucket loader and a D6H cat. Madam Richardson also indicated she had the Governor's itinerary schedule if anyone was interested to see it.

Mayor Vanasse asked regarding the funding sources relating to tourism industry, if a resolution was requested. Mr. Hohman indicated that a special legislative committee charged with identifying stable funding sources for tourism would travel; but not sure if they would travel to Bethel since he had not been contacted.

MANAGER'S REPORT
continued

Councilman Feaster requested clarification on the possible \$2,500 refund on the adult softball program, since he thought the City did away with adult recreational programs. Interim City Manager Hohman explained that the league had brought in for league fees was \$5,000, and since they were at mid-point, instead of actually refunding them, they were credited \$2,500. 'PK', a former 4th of July Coordinator hired to rundle the tail end of softball season. At this time, Councilman Feaster felt that an outline was needed for the recreation department as to what the recreation department's goal and what their job service level was going to be; indicated that it had been discussed before, but no actual outline been done. After Council discussion, it was requested that this be placed on the next agenda.

COUNCILMEMBER COMMENT

Madam Richardson commented regarding comments made by Councilmembers regarding citizens within the City of Bethel. Indicated that those type of comments should not be made since all the Councilmembers on the Council table represent the citizens of Bethel whether Council likes them or not, and felt that an apology was necessary from Councilman Trantham to Mark Earnest and his family. Councilman Trantham indicated that he was not going to apologize and anticipated more comments tonight. Madam Richardson wished then that they would not be as ugly as those printed in the paper.

Councilman Dale at this time thanked the Police Department and efforts of the reporters regarding the issue he had brought up about the Kusko Inn night time activities. Also suggested to close the outside sales by 1am and tenants be given a key to outside door, etc. and asking Council's help in directing Administration to go through with this.

Acting Police Chief Liu indicated that Kusko Inn Manager willing to cooperate and meeting to be held later this week. Councilman Dale further reiterated his suggestion for Council's support to direct Administration to do something. Amending the business closing hours ordinance to include convenience stores between the hours of 1am and 6am.

motion

M/M by Dale, 2nd by Trantham to draft an ordinance for the next agenda. Poll vote, motion carried. 6-yes; 1-no (Richardson).

Councilman Dale further indicated that he had previously commented regarding ATV's on the state highway shoulders; indicated that enforcement should be done since it was a problem, also another way of protecting the \$5 million highway. Concluded by pointing out that the gate at the dump was still locked and problem had not gone away. Suggested keeping the 1st gate open and keep the 2nd gate locked. Councilman Trantham indicated that the Public Works Committee had discussed this and

COUNCILMEMBER COMMENT
continued

recommendation was that Council re-think their dump policy as far as hours, fine for after hours dumping and public education via radio, newspaper, etc. and turn back to Council for possible action.

Councilman Wallace commented that the dog problem was arising again and alot of the loose dogs traveling in packs due to alot of females in heat.

Councilman Trantham commented in response to Madam Richardson's comments, indicated that the comments made were comments made from alot of constituents calling and letting him know and that he would continue to represent his constituents until the end of his term. Also thanked the Department Heads for their valuable department reports; thanked MarkAir for providing round trip tickets to EMT's for attending the workshops & training in Anchorage; also thanked the City Clerk for posting election notices and information for the public; also pointed out that the former City Manager and former Administrative/Personnel Officer had done an investigation and requested that the numerous notarized documents, even regarding the 4 councilmembers currently sitting at the Council table tonight, be made public; concluded by informing fellow Councilmembers and his constituents that he would not be running for re-election; felt that it was time he spend more time with his family, since he was a great grandfather now and felt it was time for an old man to move over and give younger generation a chance; indicated he has taken alot of heat from Council and City Managers', but felt it was called democracy. Concluded by thanking the public for allowing him to represent them the past 4 years.

Councilman Feaster commented regarding sales tax letters from the City; indicated that there was a concern of street talks, regarding sales tax settlements. Concluded by indicating that he was informing the City Manager that there was unqualified street talk going on. Interim City Manager Hohman indicated that the City Manager's position dealt with alot of City wide operations and not just sales tax, and that the Finance Director would be the one more aware of any sales tax matters and any penalty & interest waivers. Finance Director Graham pointed out that he was not aware of any sales tax penalty and interest since about February, the last time Council dealt with penalty & interest forgiveness. Councilman Feaster asked if any sales tax penalty and interests were waived since the last time Council dealt with a request. Mr. Hohman indicated that he feels when a citizen comes in, he listens and encourages the people to respond and human consideration considered.

Mayor Vanasse indicated that earlier this year alot of work had been done to finalize the personnel rules and regulations and asked what the status was.

COUNCIL MEMBER COMMENT
continued

Interim City Manager Hohman indicated that the Administrative/Personnel Officer Hastie had been assigned the task, but since his employment, has been assigned with other personnel tasks, but has plans to work on this later down the line. Administrative/Personnel Officer Hastie indicated that since his tenure he had been overcome by a lot of personnel matters, but as soon as events are cleared that he had intentions to concentrate on the Personnel rules and regulations. Mayor Vanasse strongly urged concentration on the personnel rules and regulations. Madam Richardson suggested a time frame be done in final form within 45 days.

motion

M/M by Richardson, 2nd by Trantham that personnel rules and regulations be drafted in final form to be presented to Council within 45 days. Voice vote, motion carried unanimously.

Council indicated that extra efforts have been put in getting this together and would like to see it done and that worksessions can be scheduled if needed.

REPORTS OF STANDING
COMMITTEES

Councilman Dale indicated that Transportation Commission is scheduled to meet tomorrow night at 7:30 PM at the Conference room and at least 1 vacancy even after the Mayor made an appointment.

Madam Lilienthal reported that there was no quorum at the last regularly scheduled Port Commission meeting.

Madam Richardson reported that the last Public Safety Committee meeting she had attended was in July and major concern of the joint public safety department was that more information was needed, and recommendation was to move real slow on this project. Lt. Chris Liu at this time indicated that the public safety recorder was not working well and options he presented were: freeze 1 personnel item; or lease/purchase option and or use the contingency fund. Indicated that he recommended option 2, which was the lease/purchase option. After brief discussion, Interim City Manager Hohman was directed to come up with a funding mechanism and present at the next Council meeting.

Madam Richardson also reported that she was also on the Transportation Commission and that they were in the process of redrafting the vehicle for hire ordinance.

Councilman Feaster reported that the Finance Committee met last Thursday and recommended that next auction to get big blocks from the Museum be assembled, keeping in mind Christmas was coming; sales tax and business license also discussed and games of skill and chance looked into and next meeting scheduled for 3rd Thursday in September.

REPORTS OF STANDING
COMMITTEES cont.

Councilman Trantham reported that the Public Works Committee met on August 20th. Indicated that the Chairman selected was Mike O'Brien and Ms. Mary Pavil selected as Vice-Chair. Following items were discussed: alot of vandalism going on around town and encouraged that public to keep an eye out for anything unusual that might be happening and report any vandalism; recommendation that Council approve the 'adopt-a-dumpster' program; recommendation for local stores to use paper bags vs plastic bags; and as far as open house situation, reported that the one that was suppose to be scheduled for this summer was not held since the parties involved in putting this together were no longer employed with the City, and Public Works Director's recommendation is to hold off the open house activities until next summer and concluded by indicating that if Council was willing to deal with abandoned vehicles along the highway to refer this matter to the Planning Commission to look at the impound/wrecking yard ordinance. Next meeting scheduled for 3rd Tuesday in September, 1991.

Councilman Dale further reiterated that wreckin' yard towards the Tundra Ridge should be looked into before the winter plowing season begins, since some of the wrecked vehicles might be on City's right of way. Mayor Vanasse directed that this be placed on the next Planning Commission agenda.

Councilman Wallace suggested on the open house issue to have the honey bucket drivers put the process together since they do their job well.

Mayor Vanasse reported that the Parks & Recreation Committee's next meeting was for September 9, 1991.

PEOPLE TO BE HEARD

No people to be heard at this time.

OLD BUSINESS:

Item A: Public Hearing Amend1 to Ord 46 & BMC 1.20/Elections

PUBLIC HEARING AMENDMENT #1 TO ORDINANCE #46 & BMC 1.20 - ELECTIONS

Mayor Vanasse indicated that the City Attorney had indicated that a preclearance needed to be done with Division of Justice in Washington, D.C., and the new change could not be used this election, until a clearance was received from the Department of Justice. William Updegrave at this time commended the City Council and the City Clerk for their efforts on this, but pointed out that indicated that Council was not really changing policy, but changing procedure. Mark Barker at this time requested that public be provided with copy of document with expected changes. Tom Warner wondered if Bethel should draft a preclearance letter in case it was not approved. Mayor Vanasse closed the public hearing at this time. Council at this time discussed this in length. Pointed out that if this ordinance were to pass, it would not be until next October to enforce the ordinance due to the preclearance

Item A continued

had been approved by the Department of Justice.

Councilman Dale felt not to change anything if it wasn't wrong, recommended just to change the number of seats open in odd or even numbered years. Council further discussed this matter.

motion

M/M by Dale, 2nd by Richardson that the City Clerk look into placing at this election on the ballot for citizen input on changing election process. Poll vote, motion carried. 6-yes; 1-no (Feaster).

motion

M/M by Feaster, 2nd by Dale to table matter. Voice vote, motion carried unanimously.

Item B: Bowling
Alley Status

BOWLING ALLEY STATUS

Interim City Manager Hohman discussed with Council on the status of the bowling alley. Indicated that the last time someone was here to fix it, some employees had used the bowling alley and did some damages. Council indicated that they were lead to believe, by the Public Works Department report, that things were going well; and suggestion was made that the Bowling Alley be refurbished by the Public Works Department to meet the contractual obligation. The land swap was also discussed, which most of the Councilmembers were against the idea of land swapping for now.

motion

M/M by Dale, 2nd by Richardson to direct Public Works Director to follow through with the check list and land notwithstanding and turn over to ONC as soon as possible.

amended motion

Amended M/M Dale, 2nd by Richardson to include \$1,000.00 from contingency fund to implement fixing and returning to ONC.

Voice vote, on amended motion, motion carried unanimously.

Voice vote on main motion, motion carried unanimously.

NEW BUSINESS:

Item A: Transamerica
Pension Update

TRANSAMERICA PENSION UPDATE

Administrative/Personnel Officer Hastie reported that the PERS package had been mailed and received by the State and \$1.3 million expected to be transferred to PERS this week. When asked if the 4 individuals had been contacted, Mr. Hastie indicated that Transamerica was to submit another letter, but on travel until September.

Item B: City
Officials' bonding

CITY OFFICIAL'S BONDING REQUIREMENT DISCUSSION

Council at this time discussed the bonding issue with Administrative/Personnel Officer and Interim City Manager Hohman.

Item B continued

M/M by Richardson, 2nd by Wallace to set City Manager's bonding to \$50,000.00.

Council further discussed the bonding issue at this time. Councilman Trantham felt the figure was too low and won't support the motion. After further discussion, both Madam Richardson and Councilman Wallace withdrew their motions.

motion

M/M by Dale, 2nd by Wallace that bonding for the City Manager and the City Clerk be set at \$150,000. Poll vote, motion carried. 6-yes; 1-no (Richardson).

Item C: Executive Session to deliberate City Mgr selection & back to open session

EXECUTIVE SESSION TO DELIBERATE SELECTION OF CITY MANAGER & BACK TO OPEN SESSION

Hearing no objection, Mayor Vanasse called for an executive session at 11:21 PM.

Council came out of executive session at 11:40 PM.

motion

M/M by Feaster to readvertise the City Manager's position. *This motion died due to lack of a second.

motion

M/M by Dale, 2nd by Wallace to hire George Hohman as City Manager and salary based as to what's been budgeted.

mended motion

Amend M/M by Feaster, 2nd by Trantham conditional on Mr. Hohman securing bonding.

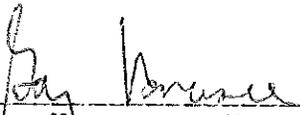
Poll vote on amended motion, motion failed. 3-yes; 4-no (Dale, Lilienthal, Richardson & Wallace).

Poll vote on main motion, motion carried. 4-yes; 3-No (Feaster, Trantham & Vanasse).

ADJOURNMENT

M/M by Dale, 2nd by Wallace to adjourn at 11:42 PM. Voice vote, motion carried unanimously.

PASSED AND APPROVED THIS 10th DAY OF September, 1991.



Gary Vanasse, Mayor

ATTEST:



Anna McGowan, City Clerk