
City of Bethel, Alaska

City Council Minutes

January 22, 2002

Regular Meeting

Bethel, Alaska

CALL TO ORDER

A regular meeting of the Bethel City Council was held on January 22, 2002, at 6:30 p.m. in the Council chambers, Bethel, Alaska.

Mayor Rodgers called the meeting to order at 6:34 p.m.

ROLL CALL

Comprising a quorum of the Council, the following were present:

Jerry Drake
Carl Berger

Stanley "Tundy" Rodgers
Karol Sanchez-Pobrislo

Also in attendance were the following:

Robert Herron, City Manager
Colleen Soberay, City Clerk

PEOPLE TO BE HEARD

Karen Rodgers, Altman & Rodgers, Inc., City auditor, reviewed the City's FY01 audit to Council. Ms. Rodgers congratulated the City for receiving the "Excellence in Reporting" award. Ms. Rodgers reviewed the year-end audit report with Council as well as Altman & Rodger's management letter. She said the City spent federal and state monies in the correct way and summarized information in regard to the City's capital increase of about \$5million—primarily property and equipment. With respect to the management letter, Ms. Rodgers explained the Governmental Accounting Standards Board Statement (GASB) model No. 34 changes required for local government reporting. She also explained bank reconciliations had not been performed on any of the City's cash accounts in a timely manner for several months, but the City is now up-to-date; explained the recommendation that the City develop a capitalization policy; explained grant expenditure reports in that differences occurred between the City's general ledger accounting system and the reports; explained accounts receivable reconciliation process was not performed for the year and differences occurred; and discussed internal control deficiencies over the City's cash receipts.

Bob Medinger, Director of UAF-KuC, gave a presentation on the new goals outlined for the Kuskokwim campus, as well as KuC's mission and the road map to achieve the goals. He explained the need for the programs and how the community would benefit. Mr. Medinger touched on the law enforcement component that he hopes will later be incorporated in the curriculum and explained the 30-credit program.

Mayor Rodgers asked if KuC had considered the housing shortage and how the college planned to address that need. Mr. Medinger replied that KuC is exploring options to address those needs.

Willy Keppel, Bethel resident, said he turned in an application for a petition to refer [recall] Resolution #01-29. He said he does not believe Council listened at the last election in regard to City priorities. Mr. Keppel said roads, sewer and infrastructure has always been the City's priorities and Resolution #01-29 is not acceptable. He said he would support purchasing the old post office annex, but said spending millions of dollars on a new police training facility is not a City priority. Mr. Keppel requested Council reconsider Resolution #01-29 at its next regular meeting. He said he would also like to see Council follow 4.08 of the BMC in regard to disposal of land. He said the Planning Commission has a right to be involved in disposal of City property.

Mayor Rodgers said he is against Resolution #01-29. Mr. Keppel said he asked for a copy of the business plan for the police facility project, but administration could not provide him with one. Mr. Keppel said he was given 10 pages of fluff instead. He said the City needs a business plan for a project. He again asked Council to take action and reverse the adoption of Resolution #01-29.

APPROVAL OF MINUTES

MOVED BY:	Drake	To approve the minutes of the January 8, 2002 regular meeting
SECONDED BY:	Sanchez-Pobrislo	

**Correction noted by city clerk.*

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

MOVED BY:	Drake	To approve the regular agenda and consent agenda after adding new business item D: Ordinance #02-03, item E: Discussion re: Res. #01-29; and removing new business item C, and old business item C; and adding executive session item A: follow-up on legal negotiations with BNC
SECONDED BY:	Sanchez-Pobrislo	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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MAYOR'S REPORT

The Mayor's Report included the following:

- Governor's Talking Points for the week of January 14 and 16, 2002
- Letter from Alaska Dept. of Environmental Conservation — *Re: New low sulfur diesel fuel rule*
- AML Board of Directors — January meeting agenda

MANAGEMENT TEAM'S REPORT

City Manager Herron noted the management reports included in Council packets and reviewed the following items with Council.

- Water color in Bethel Heights—City has increased the flushing schedule and will maintain it. Seven new drains (or flushing points) have been installed with additional drain locations to be identified and placed within the system. The test results from the lab on the inside environment of the pipe sample have been received. There is a legacy of accumulation of iron

buildup inside the pipe. Water samples were taken Jan. 22 at five locations for Council's review.

- **Omni Property**—The 60-day window for the City to inspect and review the property and any contracts, leases, arrangements and agreements currently held by the present owner has expired. The city attorney reviewed all legal documents, has found everything in order with minor deficiencies that can be taken care of through the transfer process. The city manager is working with Bethel Utilities to craft a lease agreement. The city engineer conducted a site contamination survey in early January 2002. Based on the limited visual inspection and laboratory analyses, there is some soil contamination present at this site. The visual inspection also indicates two additional areas of potential concern—the single wall heating fuel tank at BUC's office and the area where vehicles are displayed for sale. Based on levels of contamination found and a review of ADEC regulations, no additional action is required at this time. The city engineer recommends the City of Bethel proceed with the acquisition, with the caveat that if further contamination is discovered/disturbed, then the City must manage it in accordance with state and federal regulatory requirements.

REPORTS OF STANDING COMMITTEES

Senior Advisory Board

Council member Berger said the SAB met January 18, 2002 and reviewed the agenda. He said the next meeting is scheduled for January 22.

Parks and Recreation Committee

Council member Short was not present.

Planning Commission

Council member Notti was not present.

Port Commission

Mayor Rodgers said the commission was scheduled to meet January 21, 2002, but was unable to meet due to a lack of a quorum.

Public Works Committee

Council member Drake said the committee met January 22, 2002. He said due to work emergencies he was not able to attend. City manager Herron said the contractor met with the committee in regard to the feasibility study and said the study would be presented to Council in the near future.

Public Safety and Transportation Commission

Council member Pavil was not present.

Finance Committee

Council member Sanchez-Pobrislo said the committee is scheduled to meet January 24 and reviewed the agenda.

UNFINISHED BUSINESS

Item A — Public Hearing: Ordinance #01-49: Fy02 Mid-year budget modifications

Mayor Rodgers opened the public hearing. With no one to speak to this ordinance, Mayor Rodgers closed the public hearing.

MOVED BY:	Drake	To adopt ordinance #01-49
SECONDED BY:	Berger	

Council member Berger said that because only four members of Council are present, the adoption of ordinance 01-49 should be postponed until the February 12 regular meeting. Discussion briefly ensued.

M/M by Drake: To postpone ordinance 01-49 until the February 12, 2002 regular meeting. **2nd** by Berger. Motion carried by unanimous voice vote.

VOTE ON MOTION	
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Item B — Public Hearing: Ordinance #02-01: An ordinance amending certain sections of Chapter 5.20 and 5.30 of the BMC regarding payment of fees and display of permit in vehicles

Mayor Rodgers opened the public hearing. With no one to speak to this ordinance, Mayor Rodgers closed the public hearing.

MOVED BY:	Drake	To adopt ordinance #02-01
SECONDED BY:	Berger	

VOTE ON MOTION	Motion carried by roll-call vote 4-0
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Item C — Public Hearing — Ordinance 02-02: An ordinance amending section 4.16.040I of the BMC regarding exemption of financial institution services from sales tax

Ordinance #02-02 was removed from the agenda.

Item D — Public Hearing — Ordinance #02-04: An ordinance exempting the City of Bethel from the provisions of Chapter 4.20 of the BMC to purchase Laser Fiche for City records management

Mayor Rodgers opened the public hearing. With no one to speak to this ordinance, Mayor Rodgers closed the public hearing.

MOVED BY:	Drake	To adopt ordinance #02-04
SECONDED BY:	Sanchez-Pobrislo	

The city clerk explained that Office Product Services, Inc., is the only vender that sells the product Laser Fiche in Alaska, which is the reason for an exemption. The city clerk also explained the capability of Laser Fiche for electronic document imaging and how it relates a records management program.

VOTE ON MOTION	Motion carried by roll-call vote 4-0
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NEW BUSINESS

Item A — Planning Commission Resolution #02-01: Authorizing the final plat to vacate the Third Street right-of-way

MOVED BY:	Drake	To adopt Planning Commission Resolution #02-01
SECONDED BY:	Berger	

VOTE ON MOTION	Motion carried by unanimous voice vote 4-0
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Item B — Introduction — Ordinance #02-05: Providing for a records management system including procedures for maintenance, retention and disposal

Ordinance #02-05 was introduced under the consent agenda and set for public hearing February 12, 2002.

Item C — Introduction — Ordinance #02-06: Amending Title 9 of the BMC by enacting a civil nuisance abatement program

Ordinance #02-06 was removed from the agenda.

Item D — Introduction — Ordinance #02-03: Exempting the Bethel Recycling Center's consulting agreement with Bill Hauser, Inc., from the provisions of Chapter 4.20 of the BMC

MOVED BY:	Drake	To introduce ordinance #02-03 and set public hearing for February 12, 2002
SECONDED BY:	Berger	

VOTE ON MOTION	Motion carried by unanimous voice vote
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Item E — Discussion Item — Resolution 01-29: Determining a new police building and regional public safety training facility as a priority

Council concurred to postpone this item until the next regular council meeting.

COUNCIL MEMBER COMMENTS

Council Member Berger—*no comment.*

Council Member Sanchez-Pobrislo wished her son and husband a happy birthday.

Council Member Drake—*no comment.*

Council Member Rodgers gave his condolences to the families in Aniak who lost loved ones. He also commented on the proposed requirement of commercial license to haul fuel for private home use in that it is not fair for the people in the Delta to need a commercial license.

Council Member Notti—*not present.*

Council Member Pavil—*not present.*

Council Member Short, Jr.—*not present.*

EXECUTIVE SESSION

MOVED BY:	Sanchez-Pobrislo	To go into executive session to discuss A: legal negotiations with BNC
SECONDED BY:	Berger	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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Council came out of executive session.

ADJOURNMENT

MOVED BY:	Drake	To adjourn the meeting.
SECONDED BY:	Sanchez-Pobrislo	

VOTE ON MOTION	Motion carried by unanimous voice vote.
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With no further business before the Council, the meeting adjourned at 8:35 p.m.

APPROVED THIS 12th DAY OF FEBRUARY 2002.

ATTEST:

Stanley "Tundy" Rodgers, Mayor

Colleen Soberay, City Clerk