CALL TO ORDER Mayor Feaster called the regular Council meeting of December 8, 1992, to order at 7:30 p.m.

ROLL CALL Present: Feaster, Jones, Metcalfe, Trantham, Vanasse, Wintersteen
Absent: Warner

APPROVAL/MINUTES M/M by Wintersteen, 2nd by Jones to approve the minutes of the November 24, 1992, regular Council meeting as presented. Voice vote. Motion carried unanimously.

APPROVAL/AGENDA Mayor Feaster suggested adding Resolution #724, a lease agreement for the Hitachi, and Resolution #725, in support of a sled dog race, to the agenda.

motion M/M by Wintersteen, 2nd by Vanasse to amend the agenda by adding Items G, Resolution #724, and H, Resolution #725.

Councilman Trantham asked the Mayor to identify the personnel issue under Executive Session. The Mayor said the item should be identified as Legal Strategy. Mr. Trantham asked for the Mayor and the City Manager's assurance that the item qualified for Executive Session under the Open Meetings Act. Those assurances were given.

Voice vote. Motion carried 5 yes, 1 no (Trantham).

MAYOR'S REPORT Mayor Feaster referred Council to his written report.

MANAGER'S REPORT City Manager Gross reviewed her written Manager's report with Council. Ms. Gross advised Council the Kuskokwim 300 Race Committee asked that the gate at the Port be left open so the racers could come through the port on their return trip. Ms. Gross and Stuart Greydanus, Port Director, saw no problem with it. Council agreed. Ms. Gross asked Council if they were interested in receiving the Board and Administrator Newsletter. Council answered yes.

Councilman Trantham asked Jerry Korthuis, Project Manager for the Sewer Lagoon, and the City Manager to provide a daily accounting of monies spent per day on the project. Ms. Gross asked if it was the Council's wish to receive these daily reports. Councilman Metcalfe responded that he didn't have time to read the daily figures. The Mayor said a structure was needed to update the costs. Mr. Trantham said the Council should be updated every two weeks, and the City Manager should be updated daily. Councilman Vanasse asked for a rough estimate of the costs in relation to the percentage of the project completed. Councilman Wintersteen added that he would like a short narrative to accompany the bi-weekly report to Council on what is happening with the project.

COUNCIL MEMBERS COMMENTS

Councilman Jones reminded everyone that the Mink Festival was scheduled for Saturday, December 12, and that the event was free.

Councilman Wintersteen read a letter from Mike Murray, Principal of Kilbuck Elementary School, requesting the City solve the traffic problem at Watson's Corner to make the intersection safer for pedestrians. Councilman Vanasse said the comment period is still open on the Ridgecrest Road reconstruction by the State, and the City should make suggestions to the State.

Councilman Metcalfe said a constituent suggested the Council should go through Alaska Municipal League training. Mr. Metcalfe said he though it was a good idea.

Councilman Vanasse asked if the City had received any of the new pickup trucks yet. Jerry Korthuis responded that three had arrived. Mr. Vanasse then asked on the status of the City Manager applications and the closing date. John Hastie responded that approximately 18 applications had been received as of Thursday, December 3. Ms. Gross explained that the closing date had been advertised as December 29, in order to appear in all of the publications Council had directed.

Councilman Trantham stated he had received a number of complaints concerning snow berms blocking off driveways.

motion

M/M by Trantham, 2nd by Jones to direct the City Manager to find a method of snow removal that would prevent snow berms blocking people's driveways and report back to Council in two weeks. Voice vote. Motion passed unanimously.

Mr. Trantham continued his comments by showing ground water samples he collected on November 25 from various places around town. Mr. Trantham stated that he had called the Mayor, Emergency Response, and the City Manager. Mr. Trantham also stated that he had sent the samples to a lab in Anchorage to be tested.

REPORTS OF STANDING COMMITTEES

Councilman Jones reported that the next scheduled meeting of the Finance Committee was January 21, 1993, explaining that traditionally the Finance Committee did not meet in December.

Councilman Wintersteen reported the Port Commission is meeting on December 21.

Councilman Metcalfe reported that according to the Planning Manager, the Planning Commission meeting scheduled for December 10 had been cancelled because of the inability to muster a quorum. The Planning Manager was trying to scheduled a meeting for December 17, however. Ms. Gross stated that there were two vacancies on the Planning Commission which needed to be filled. The Mayor requested radio spots to be put out advertising all the openings on the committees.

Councilman Vanasse reported that the Public Safety Committee did not meet because the Chairman and the Police Chief were out of town; the meeting has been rescheduled for January 6, 1993.

Councilman Trantham reported the Transportation Commission did not meet, but that they were waiting for a legal opinion on

regulating fast food delivery vehicles. The City Clerk said that she had received the opinion and forwarded it to the Transportation Committee chairman, who then told her to send it to the Public Safety Committee. The City Clerk stated that she would mail a copy of the opinion letter to Commission members.

Mr. Trantham reported that the Youth Services Committee met in a work session for organizational structure and that a regular meeting had been scheduled for December 21, at 4:00 PM. Mr. Trantham said the Youth Center floor is in need of repair and invited the City Manager and members of the City Council to go by the Center and look at the floor.

Mayor Feaster reported the Solid Waste Committee met Friday, December 4 and would have a resolution asking for support for recycling on the next agenda.

PEOPLE TO BE HEARD

Laura Wiseman read from a prepared statement regarding the circumstances surrounding the removal of a computer printer from the City Manager's office, and returned the printer in question. In addition, on behalf of George Hohman, she requested payment for Mr. Hohman's last day of work, reimbursement for $42 for video tapes he purchased for City projects, and the return of a pair of eyeglasses.

Council broke at 8:35 PM for a short recess. At 8:45 PM, Mayor Feaster called the meeting back to order.

NEW BUSINESS
Item A: Request For Proposals

REQUEST FOR PROPOSALS FOR TIDELANDS LEASE APPLICATION AND PUBLIC USE AND ACCESS PLAN

City Manager Gross stated that she had met with Stuart Greydanus, Jerry Korthuis, Jerry White, Larry Elam, and Al Bianchi and they recommended accepting the proposal from Englishoe, et al. In response to a question from Councilman Trantham regarding what account would be charged for the completed Public Use and Access Plan, Mr. Greydanus answered that the Contractors Account in the Port budget would be charged. Mr. Trantham

suggested that the City Manager approve this contract as she has the authority to approve any contract under $10,000. The Council agreed.

Item B:Resolution #722

RESOLUTION #722: A RESOLUTION CLARIFYING THE NECESSITY TO TAKE ANNUAL LEAVE FOR 1992

City Manager Gross stated that Resolution #722 was to clarify the provision in the Personnel Rules and Regulations that says that employees must take forty hours of annual leave each calendar year. Ms. Gross said that there were six or seven employees who had not taken forty hours of annual leave because it was a six month year and there were changes in the central administration. Ms. Gross said that she didn't want to change the ordinance, but wanted to have an extension for these employees.

motion

M/M by Trantham, 2nd by Jones to support Resolution #722, deleting the fourth "Whereas". Voice vote. Motion carried unanimously.

Item C: Res. #723

RESOLUTION #723: A RESOLUTION SUPPORTING 40 CFR PART 230, EXCEPTION FROM WETLANDS MITIGATION SEQUENCE FOR ALASKA

Councilman Trantham spoke in opposition to the resolution. Councilman Jones spoke in support of the resolution. Mayor Feaster read a letter from Councilman Warner in opposition to the resolution. Councilman Metcalfe stated he would like more information from AVCP and other Native groups on their position to the resolution.

motion

M/M by Vanasse, 2nd by Metcalfe to table Resolution #723 indefinitely. Voice vote. Motion carried 5 yes, 1 no(Jones).

Item D: Operation of Laundromat

RECOMMENDATION FROM FINANCE COMMITTEE FOR OPERATION OF THE LAUNDROMAT

City Manager Gross explained that the recommendation resulted from a discussion in the Finance Committee on how to operate the laundromat more profitably. Ms. Gross

stressed that City Administration understands how important this service is to the community. Ms. Gross said the Administration's position is that the laundromat should be leased to someone else to run, and that restructuring the water and sewer rates should be addressed. Councilman Jones suggested the City hire a professional manager with retail experience to turn the operation around. Councilman Vanasse suggested Administration research an RFP that was put out for bid in August, 1990, concerning the Laundromat.

motion

M/M by Wintersteen, 2nd by Jones to refer the issue to the Finance Committee and the Public Works Committee to develop a restructuring of water rates to allow for a differentiation for commercial and residential users. Voice vote. Motion carried 5 yes, 1 no (Vanasse).

motion

M/M by Jones to transfer the business portion of the laundromat to the Finance Department from the Public Works Department to simplify the accounting process. Motion withdrawn.

Item E: Gaming Permit Appl.

GAMING PERMIT APPLICATIONS

Mayor Feaster listed Bethel Lions Club, Bethel Broadcasting, and the VFW as the applicants for Gaming Permits.

motion

M/M by Trantham, 2nd by Jones to approve the permit applications for Bethel Broadcasting, Bethel Lions Club, and the VFW. Voice vote. Motion carried unanimously.

motion

M/M by Jones, 2nd by Wintersteen to move Item F to the end of the Agenda as Item H and discuss Resolutions #724 and #725 as Items F and G. Voice vote. Motion carried unanimously.

Item F: Res. 724

RESOLUTION #724: A RESOLUTION APPROVING THE FINANCING OF THE HITACHI

Larry Elam, Finance Director, explained that the bank financing the purchase of the Hitachi required a resolution from the Council authorizing the loan as part of the loan agreement.

motion M/M by Jones, 2nd by Metcalfe to adopt Resolution #724 authorizing the acquisition of certain equipment and the execution of the equipment/lease purchase agreement with the National Bank of Alaska Leasing Corporation. Voice vote. Motion carried unanimously.

Item G: Res. 725 **RESOLUTION #725: A RESOLUTION SUPPORTING THE EFFORT TO BRING THE "HOPE SLED DOG RACE" TO THE CITY OF BETHEL**

Councilman Vanasse explained that this resolution concerns a race that, in the past, has started in Nome and ended in Anadyr, Soviet Far East. The K-300 Committee wants to have the race start in Bethel, and is asking for the Council's support.

motion M/M by Jones, 2nd by Vanasse to adopt Resolution #725 supporting the Hope Sled Dog Race. Voice vote. Motion carried unanimously.

motion M/M by Jones, 2nd by Metcalfe to go into Executive Session for the purpose of discussing City Clerk's Evaluation; Legal Matter--Nayamin & Woodford vs. City of Bethel; Sales Tax Issue--Judy's Plumbing; and Legal Strategy. Voice vote. Motion carried unanimously.

motion M/M by Jones, 2nd by Trantham to come out of Executive Session. Voice vote. Motion carried unanimously.

motion M/M by Vanasse, 2nd by Jones to have the City Attorney pursue his recommendation in his letter dated December 2, 1992, concerning the lawsuit of Nayamin & Woodford vs. City of Bethel. Voice vote. Motion carried unanimously.

motion M/M by Jones, 2nd by Vanasse to direct the City Manager to proceed with turning over the case against Judy's Plumbing to the City Attorney. Voice vote. Motion carried unanimously.

motion M/M by Jones, 2nd by Wintersteen to re-evaluate the Clerk's position in the Personnel Matrix at the next regularly scheduled Council meeting and her responsibilities and requirements for the position. Voice vote. Motion carried unanimously.

motion M/M by Vanasse, 2nd by Wintersteen to adjourn the meeting. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 22ND DAY OF December, 1992.

James H. Feaster III

James H. Feaster III, Mayor

ATTEST:

Jane Elam

Jane Elam, City Clerk