

CALL TO ORDER

Mayor Sullivan called the meeting to order at 7.30 pm.

ROLL CALL

Present: Alexie, Aloysius. Bainton, Carpenter, Sullivan

Absent: Fenn. Veit

APPROVAL OF MINUTES

motion

M/M by Carpenter, 2nd by Bainton to accept the minutes of the 7/2/85 Council meeting with the following change: introduction of Amendment 1 to Ordinance 167 to adoption of Amendment 1 to Ordinance 167. Voice vote, motion carried.

APPROVAL OF AGENDA

motion

M/M by Carpenter, 2nd by Bainton to adopt the agenda with the following changes:
Unfinished Business: Item B tabled until 7/24
New Business: new Item D - Resolution 464
Voice vote, motion carried.

MANAGER'S REPORT

City Manager Stigall reported on the following:

1. Administration is soliciting proposals for contracting out the operation of the bowling alley and the laundromat
2. application for membership in the Resource Development Council
3. meeting with various State and local officials on July 15 concerning the protective custody situation at Bethel
4. abandoned and surplus City buildings are being removed - Councilmember Aloysius asked when the boardwalk will be replaced that was removed when the Faulkner building was moved - Administration will check into the matter

MAYOR'S REPORT

Mayor Sullivan reported on the following:

1. the status of the seawall construction fund - Council directed Administration to do an RFP for an independent audit of the seawall fund
2. Councilmember Fenn submitted a letter of resignation from Council effective with this meeting - Council accepted the resignation
3. the City has qualified for disaster assistance money up to a maximum of \$300,000
4. the Mayor will be out of town July 22-August 12

POLICE CHIEF REPORT

Chief Clayton reported on the following:

1. review of the month's activities
2. an increase in the protective custody cases
3. river patrol is issuing citations for violations of river safety laws
4. issued public warning to users of small boat harbor of a submerged cement slab which is a potential hazard to users of the boat harbor - Mayor Sullivan recommended a buoy be placed at the location
Councilmember Aloysius asked when the 5 mph - no wake signs will be placed - Chief Clayton noted that the signs will be placed in the near future

STANDING COMMITTEE
REPORTS

STANDING COMMITTEE REPORTS

There were no committee reports.

The following commission/committee meetings were announced:

- a. Transportation Commission - July 18, 7.30 pm
- b. Public Works Committee - July 16. 7.30 pm

PEOPLE TO BE HEARD

PEOPLE TO BE HEARD

Ed Hoffman addressed Council on the following:

- a. problem of public consumption of alcohol at the 4th of July functions
- b. need to enforce ordinances regarding public drunkenness - requested that names of public drunks be given to him to be given to village councils
- c. requested space for a turn-around at his fuel storage area - referred to Planning

Steven Constantino addressed Council concerning the Malone property and the erosion problem presenting to Council as a possible solution to the erosion problem the sinking of abandoned barges in front of properties most threatened by erosion. Mr. Constantino noted that the Corps of Engineers indicated that such an action would fit within the blanket permit regarding riverfront erosion control; that the Corps neither endorsed nor disapproved use of the barges for erosion control. Mr. Constantino asked Council for an expeditious hearing on the matter. Mayor Sullivan referred the matter to Administration for review noting that the City does not accept liability for the erosion taking place along the riverfront. Mr. Constantino informed Council that he is not asking the City to admit liability but that he is requesting that the City do something to abate the erosion. George Silides, engineer on the seawall project, noted that the barge option merits study but that the City does not admit liability if the City adopts the proposed barge plan. Council directed Administration to see if disaster emergency funds can be used to place the barges if the option is selected for implementation.

UNFINISHED BUSINESS

AMENDMENT 2 TO ORDINANCE 167 - PORT FUND TRANSFER

Item A: Port Fund
Transfer

City Manager Stigall requested that Council reaffirm their vote of the last meeting regarding the amendment. A public hearing on the amendment was held; there were no public comments. M/M by Alexie, 2nd by Aloysius to adopt Amendment 2 to Ordinance 167 transferring monies from the port fund to the general fund. Poll vote, motion carried.

(motion

NEW BUSINESS

Item A: Commit-
tee/Commission
Appointments

COMMITTEE/COMMISSION APPOINTMENTS

Mayor Sullivan, with the approval of Council, ap-
pointed Bob Henry to the Port Commission. The
Mayor informed Council that 2 additional members
will be appointed to the Transportation Commission.

Councilmember Aloysius asked the outcome of the
YKHC vote concerning the selection of the City
member to serve on the YKHC Board. The matter was
referred to Administration for a report at the
July 24 Council meeting.

Item B: Resolu-
tion 462 - PATC
Expansion

RESOLUTION 462 - PATC EXPANSION

City Manager Stigall introduced Resolution 462, a
resolution accepting State funding for the PATC
expansion. M/M by Carpenter, 2nd by Bainton to
adopt Resolution 462. Voice vote, motion carried.

motion

Item C: Resolu-
tion 463 - Public
Safety Money

RESOLUTION 463 - PUBLIC SAFETY EQUIPMENT FUNDING

City Manager Stigall reviewed for Council Resolu-
tion 463, a resolution accepting State public
safety funds. M/m by Carpenter, 2nd by Alexie
approving Resolution 463. Voice vote, motion
carried.

motion

Item D: Resolu-
tion 464 - Bulk-
head Funding

RESOLUTION 464 - SUPPLEMENTAL FUNDING FOR BULKHEAD

City Manager Stigall reviewed for Council the reso-
lution requesting the State Legislature to consider
emergency funding for bulkhead and bottom protec-
tion. M/M by Bainton, 2nd by Alexie approving
Resolution 464. Voice vote, motion carried.

motion

motion

M/M by Aloysius. 2nd by Bainton to recess until
noon, Friday, July 12 at which time Council will
review the riverfront erosion problem. Voice vote,
motion carried.

CALL TO ORDER

Mayor Sullivan reconvened Council at 12 noon on
July 12.

ROLL CALL

All members present except Councilmember ~~Weit~~.

Alexie *Walt*

July 10 Meeting
Continued

RIVERFRONT EROSION DISCUSSION

City Manager Stigall reviewed for Council the problem of riverfront erosion along Mission Road and informed Council that the engineers on the seawall project have indicated that it would cost an estimated \$90,000 to place barges to ease the erosion.

Steven Constantino noted for Council that he had received a cost estimate of \$45,000 for the placement of 3 barges.

The Administration recommended that a permanent solution be found; that temporary measures were not recommended for the following reasons:

- a. not clear that placement of barges allowed under the Corps of Engineers permit
- b. not able to determine a final cost figure
- c. need to remove when seawall work continued
- d. slope work and land fill costs not determined

Steven Constantino noted for Council that the cost to remove the buildings would be greater than the cost to implement the limited erosion control option suggested; that the Corps of Engineers have indicated that there would not be a permit problem in placing the barges; that there is an indication that the barges may not have to be removed; that slope work need not be addressed at this time.

Mayor Sullivan noted for Council that the City should not expend money beyond that which is available through the State disaster assistance grant; that the parties pursue relocating affected houses to available lots; that the City does not accept liability or fault as to the erosion problem.

Councilmember Veit asked for clarification of the engineer's position concerning the barge option. City Manager Stigall informed Council that the City's engineer has indicated that the best solution is a permanent solution and that the option of placing the barges along the riverfront is not desirable.

Councilmember Veit asked what other options the City was considering; that moving the houses was costly; that a potential lawsuit was costly; that the City should consider the least expensive method to settle the matter; that relocating and moving houses does not seem to be an inexpensive solution to the problem. Mr. Veit suggested that the City and Malone's split the cost regarding the Malone property.

Mayor Sullivan noted that the City placing barges along the riverfront to protect private property would set a precedent the City may not want to set; that the City is offering an alternative, that being the use of State disaster money to relocate affected parties.

Councilmember Carpenter noted for Council that if the City uses State disaster money that the City must comply with State regulations

Councilmember Veit asked if the Malone's were interested in selling the property. Steven Constantino, attorney for the Malone's, noted for Council that the City's appraisal on the Malone land was too low and didn't reflect recent appraisals involving seawall property.

Mayor Sullivan suggested that the City exchange property with the Malone's; that disaster money can be used to relocate affected landowners but cannot be used to stop the erosion.

Councilmember Veit noted that there is a need to stop the erosion; that the City engineer has indicated that the high water this year is the cause of the erosion; that flood damage would have been more severe without the constructed seawall.

Mayor Sullivan noted for Council that he could not support using public money to improve and protect private property; that the cost to do so is not known, that there may be permit problems in doing so, that there is a potential liability to the City in using public funds to improve private property; that the State has indicated that money can be used to move, not to improve property.

City Manager Stigall noted that Council needs to review City ordinances regarding the disposition of City property before committing the City to an exchange of land.

Mayor Sullivan suggested that the City make the disaster money available to affected landowners while the City reviews other possible solutions to the problem.

Council discussed the problem of title to any land exchanged, the location of City lots available for exchange, and the method of determining comparable value for the property exchanged.

Councilmember Aloysius asked who set the limitations on the use of the disaster money. Mayor Sullivan noted that the State set the conditions for the use of emergency funds.

motion

- M/M by Veit. 2nd by Carpenter to recess until
- a. the City engineer is present
 - b. the City attorney is present
 - c. the Administration reviews how the emergency assistance money can be used
 - d. and that Administration continue negotiations with affected landowners

Mayor Sullivan recommended that Council not recess until a preliminary decision is made concerning the affected landowners.

The motion was withdrawn.

motion

M/M by Veit. 2nd by Aloysius to accept the emergency disaster funds for the purpose of relocating houses affected by the river erosion. Voice vote, motion carried.

ADJOURNMENT

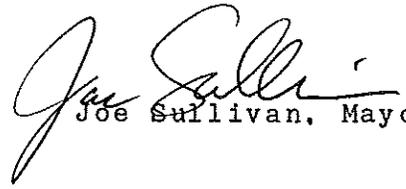
motion

M/M by Veit. 2nd by Carpenter to adjourn until July 17, at which meeting the City engineer and City attorney (Steve Nourse) be present, that the Administration report back to Council on available uses of the emergency funds, and that the Administration continue negotiations with the affected landowners in the interim. Voice vote, motion carried.

PASSED AND APPROVED THIS ~~14th~~ DAY OF AUGUST, 1985.

ATTEST:


Wayne J. Maiers, City Clerk


Joe Sullivan, Mayor