

CALL TO ORDER

Mayor Warner called the meeting to order at 7:37 PM.

ROLL CALL

All Councilmembers were present.

APPROVAL OF MINUTES

M/M by Dale, 2nd by Wallace to approve the minutes of December 26, 1989 as presented. Voice vote, motion carried.

APPROVAL OF AGENDA

M/M by Dale, 2nd by Feaster to approve the agenda with the following changes: New Business, Item B: change Bethel Lion's Club to AVCP, Inc.; add Item E: Title 4 - Petition; add Personnel Matters to executive session. Voice vote, motion carried.

MAYOR'S REPORT

Mayor Warner indicated that Senator Stevens was in town the past week and luncheon was held at Kusko Inn Restaurant. City Manager Earnest had made it to the luncheon and was informed that nothing was happening with the 14.7 million seawall erosion control project; and doesn't look hopeful at this time for appropriation of monies at the federal level.

Mayor Warner nominated Mike Franks to the Public Works Committee and reappointed Robert Manny Konig to the Port Commission per their letter of interest.

MOTION

M/M by Trantham, 2nd by Feaster to confirm Mayor Warner's two nominations. Voice vote, motion carried.

MANAGER'S REPORT

City Manager Earnest reviewed his written Manager's report regarding the following subject items:

- draft CIP Proposals for water/sewer/solid waste improvements and road improvements completed and up for Council's review;
- accounts receiveable transfer plan;
- Mikunda, Cottrell & Co. to present draft FY'89 financial statements;
- electrical work been completed for the pumphouse upgrade and mechanical work on hold until the contractor is available. The materials ordered are on hand;
- water & sewer system extension engineering: one or two easements required from property owners; elevated road crossing at Akakeek street was needed or an additional lift station needed to be constructed;
- at the Tundra North/Martina Oscar subdivisions, two issues of concern: elevated road crossing is required on Ptarmigan Street, similar to the road crossing at Mallard lane; extending piped utility service would cost approximately \$92,000, in addition, radio station would need to install a small lift station in order to connect the sewer line;
- Sewage lagoon improvements: RFP being drafted for Island removal project at the sewage lagoon; the draft 20 year plan to be completed within two weeks; construction of several major sewage lagoon improve-

MANAGER'S REPORT  
continued

ments to commence approximately July 15, with completion for October 31, 1990;

- dumpster assembly and painting RFP awarded to Foundation Services;
- Police Chief applicants narrowed down to 3 finalists and interview set for January 16th;
- 3 finalists for the Administrative/Personnel Officer position to be interviewed on January 11, 1990;
- Dean Baugh on board early as the Accounting Manager;
- after brief discussion with Mr. Dave Cottrell on the draft copy of the financial statements for FY'89 work session was set for January 18th, 7:30 PM at the City Offices conference room;
- Administration was asked to contact Jordon Suhr to request that he be at the January 23rd Council meeting to discuss the pumphouse upgrade and water/sewer extension engineering.

COUNCILMEMBER COMMENT

Councilman Trantham brought up the issue of the water/sewer revised rates ordinance, indicated that word "residential" in the ordinance needed to be clarified, due to some rental units being duplexes, tri-plexes, etc. that just get charged as one resident, where in some cases, others pay as separate units; requested that amendment be prepared for introduction at the next meeting.

Councilman Vanasse discussed with Council on the status of funding for Bethel feasibility study regarding purchase of Bethel Utilities.

Councilman Edge wished everyone a good and prosperous New Year and encouraged her fellow Councilmembers to all work together.

Councilman Dale indicated that the legislative session convened and for the 4th year now, is reiterating the need of a Lobbyist to represent the City in Juneau and request that Council think about this again and request that it be placed on the 23rd Council agenda.

REPORTS OF STANDING  
COMMITTEES

Councilman Dale indicated that Transportation Commission met and discussion on appeal's of chauffeur denials was discussed; local and river taxi's were discussed, and draft revised taxi ordinance nearing the end of completion. After discussion on the taxi's, City Clerk McGowan was requested to make copies of all local/river taxi's for Council by the next Council meeting.

Councilman Vanasse requested that City Clerk McGowan reserve the conference room if available, for the Parks & Recreation Committee meeting on the 6th of February, 1990 at 7:30 PM, and indicated that he would turn in the letters of interest for the Parks & Recreation Committee members.

PEOPLE TO BE HEARD

Tony Lewis requested that City Council put an ad on the Tundra Drums newspaper on the financial status of the Hustlebuggy operation, whether it was making money or losing money.

Robyn Lantz indicated that he would speak to Item E, Title 4-Petition when it comes up on the agenda.

Beverly Hoffman indicated to Council and the public that the Kuskokwim 300 was coming around fast, and that Bethel would get a good state wide publicity and encouraged the public and the City Council to be involved as much as possible and also passed out a community events calendar to the Council; and the mushers to take off Thursday at 2 PM.

COUNCIL BREAK 9:05 PM - 9:15 PM.

OLD BUSINESS

Item A: FY'91 CIP  
Review

FY'91 CAPITAL IMPROVEMENT PLAN REVIEW

Councilman Dale reiterated the need of a lobbyist to help with such a CIP list, and Councilman Vanasse concurred with Councilman Dale. Discussion on the draft copy of the plan was commenced at this time, and after brief discussion, Council directed the City Manager to finalize the draft with more specific descriptions.

Councilman Dale indicated that he had spoken with Representative Hoffman on the City's draft CIP proposal, and was told that Trantham was his first lobbyist on Bethel's CIP list. Also when subject of lobbyist for Juneau was mentioned, Councilman Trantham indicated that Representative Hoffman had said he was one of the lobbyists for the City. Councilman Trantham concluded by requesting public support by letter through the legislative information office and the City Clerk's office on Bethel's CIP proposal.

Administration was directed to finalize the draft and insert more specific information by the next Council meeting. City Manager Earnest also indicated that he would appreciate individual Council input between now and the next Council meeting.

Item B: Public Hearing Amend #1 to Ord #190-Sales Tax

PUBLIC HEARING AMENDMENT 1 TO ORDINANCE 190 - SALES TAX

Mayor Warner opened the public hearing at this time. Allen Auxier encouraged Council to pass the amendment to the sales tax ordinance, since it was public medical service, and Wempe's office provides in-kind services for the City.

J.R. Krevens also encouraged Council to pass the ordinance, and indicated since Wempe's office had opened, there had been more rabies control within this town and vaccinations more than doubled since then.

Item B: Public Hearing continued

Beverly Hoffman indicated to Council that she also agrees with what had been said so far, and encouraged Council to pass the amendment as a dog musher, and indicated that it is good to have a veterinarian in town and especially since it took awhile to get one out here.

Buck Bukowski indicated that he used to be a dog musher also, and said that it would have been nice if at the time when he was a musher, if there was a veterinarian in town. He concluded by encouraging Council to pass the amendment to the sales tax ordinance.

After hearing no further comments from the public, Mayor Warner closed the public hearing at this time.

motion

M/M by Dale, 2nd by Wallace for the acceptance of amendment #1 to Ordinance #190 - Sales Tax as presented.

Discussion: Councilman Trantham indicated that he had been contacted by the public, and of those 22 people were in favor of the amendment, while only 3 people were opposed from the calls he received.

Mayor Warner indicated that this amendment was in any way after Dr. Wempe personally, but that he had two concerns: possible precedent; and another group might come in to play as to claim tax exemption.

Poll vote, motion passed. 6 - yes; 1-no(Feaster).

NEW BUSINESS:

Item A: Amend #1 to Ord #143-Business Closing Hours

INTRODUCTION AMENDMENT 1 TO ORDINANCE 143-BUSINESS CLOSING HOURS

M/M by Dale, 2nd by Trantham to introduce for public hearing Amendment #1 to Ordinance #143 - Business Closing Hours at the January 23rd Council meeting. Voice vote, motion carried.

Item B: Games of Chance & Skill-AVCP, INC.

GAMES OF CHANCE & SKILL - AVCP, INC.

Councilman Dale indicated that he does not agree with page 2 of the Games of Chance and contests of skill application, Item #4.

motion

M/M by Dale. 2nd by Trantham to direct Administration to contact AVCP, Inc. that Council will not approve the application unless Item 4 on page 2 is removed. Voice vote, motion carried.

Item C: Aluminum Recycling Contract Renewal

ALUMINUM RECYCLING CONTRACT RENEWAL

Allen Auxier reviewed with Council the changes in the contract compared to last year's contract. The changes presented were: City provide a 4-wheel drive vehicle after 5 PM weekdays/nights & if City vehicle is not available, charge City \$50/day for personal vehicle use; City provide a relief driver for when

Item C: Aluminum  
Recycling Contract  
continued

he is out of town or on vacation; and City to receive 25% and Contractee 75% from revenue generated from the sale of the collected aluminum, the cost of such purchasing and paid advertisement to be deducted from gross receipts.

Councilman Dale presented his concern as to why this had not been put out on bid per City ordinances, and requested that next time this be put out on bid, inspite of anyone else not interested in doing this project. Councilmembers concurred with Councilman Dale.

motion

M/M by Dale, 2nd by Wallace for the acceptance of the memorandum of agreement, effective upon when City Manager ascertain insurance for driver's and liability insurance for both driver's and relief driver to be paid \$25.00 per day out of the total gross receipts. Voice vote, motion carried.

On the contract to include a paragraph that it should be out for bid before expiration of contract.

#### COUNCIL BREAK

Item D: Utility  
Billing Transfer Plan  
Review

#### UTILITY BILLING TRANSFER PLAN REVIEW

Council discussed with City Manager Earnest and Finance Director Graham on the draft utility billing transfer plan. After lengthy discussion, Administration was directed to prepare a budget amendment to be introduced at the next Council meeting reflecting the utility transfer to Finance out of the enterprise fund.

motion

M/M by Dale, 2nd by Feaster that budget amendment from enterprise fund of Utilities be prepared for introduction at the January 23rd Council meeting. Voice vote, motion carried.

Further report on the utility transfer to be given at the next meeting.

Item E: Title 4  
Petition

#### TITLE 4 - PETITION

Councilman Dale expressed the concern of Mr. Antone Anvil's petition collecting signatures exceeding the 90 day limit. Robyn Lantz also indicated that they had to follow the 90 day requirement when they had their petitions, and wondered by Mr. Anvil's petition was different from theirs. Mayor discussed with Council on recent amendments to Title 4 but was unclear as to where the City Attorney got his advice to the Acting City Clerk from.

motion

M/M by Dale, 2nd by Wallace that City Manager contact the City Attorney regarding legality of Anvil's petition and get to Council by next Council meeting if action is needed. Voice vote, motion carried.

Item F: Executive  
Session-Legal &  
Personnel Matters

EXECUTIVE SESSION-LEGAL & PERSONNEL MATTERS

M/M by Dale, 2nd by Feaster to go into executive session to discuss legal matters: City vs Owen Freeman; update Alaska Public Employees Association report; Binkley case and also to discuss personnel matters at 11:15 PM. Voice vote, motion carried.

motion

M/M by Dale, 2nd by Trantham to get out of executive session at 11:47 PM. Voice vote, motion carried.

motion

M/M by Dale, 2nd by Wallace for City to accept Owen Freeman's offer of settlement for prior utility bill based on the recommendation of City's Attorney and that the agreement be accompanied by Mr. Freeman's signing of a confession of judgement. Poll vote, motion passed unanimously.

ADJOURNMENT

M/M by Dale, 2nd by Feaster to adjourn the meeting at 11:49 PM. Voice vote, motion carried.

PASSED AND APPROVED THIS 23rd DAY OF JANUARY, 1990.

  
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Tom Warner, Mayor

ATTEST

  
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Anna McGowan, City Clerk