

CALL TO ORDER

Mayor Vanasse called the meeting of 11/13/90 to order at 7:34 PM.

ROLL CALL

PRESENT: Dale, Edge, Feaster, Richardson, Trantham, Vanasse and Wallace.

APPROVAL OF MINUTES

M/M by Richardson, 2nd by Feaster to approve the minutes of 10/23/90 Council meeting as presented. Voice vote, motion carried.

APPROVAL OF AGENDA

M/M by Feaster, 2nd by Richardson to approve the agenda with the following changes under New Business: add Eddie Hoffman Senior Center to Item A; under Item D, change 'Proposed Resolution #671' to 'Introduction Ordinance #200'; and under Executive Session, add Legal Matters. Voice vote, motion carried.

MAYOR'S REPORT

Mayor Vanasse reported to Council that he had been noticing the public notices for the Port Commission meetings and appreciates whoever's been putting them up; indicated that the local governmental conference is being held in Anchorage; read proclamation appreciating Alex and Margaret Jones' for their many hours of volunteer service and support for enhancing and promoting the City of Bethel's Parks & Recreation Community fitness programs and presented them with a plaque and Mr. Alex Jones gave a brief thank you speech at this time.

MANAGER'S REPORT

City Manager Earnest reviewed his written report with Council on the following subject matters:

- copies of original scope of work from Alaska Energy Authority (AEA) and an expanded alternate proposal from Fryer/Pressley Engineering, Inc. for the Bethel Utilities Corporation Engineering Economy Analysis and Report for the City of Bethel; project funding level been increased by \$50,000 to accommodate the expanded scope of work; Fryer/Pressley to serve as project manager and perform an environmental analysis and will produce written report regarding economic and financial feasibility of purchase of Bethel Utilities, Inc., which if the acquisition is found to be feasible, report will be included as part of required offering materials for securing long term financing of purchase; would like to hold joint worksession between Council, Public Works Committee and the Engineers to review project in the near future;
- City requesting Alaska Energy Authority to assess the City bulk fuel storage and distribution facility located adjacent to the Public Works Building to identify system deficiencies, perform engineering services, and identify potential funding sources for recommended system improvements, which support was shown when a site visit was done on the Bethel Utilities Acquisition Study;
- enclosed is damage survey report from ADEC for funding in amount of \$8,850 for repairs to East Avenue, Oscar Way and Mission Road bulkheads which

MANAGER'S REPORT
continued

sustained wave scour damage during August 17 storm event; this \$8,850 is in addition to the \$15,000 authorized on October 4, 1990 for repairs to the Small Boat Harbor road and finger floats and work expected to be performed in house as time and working conditions allow;

- FY'91 CIP Project proposals been revised to reflect recent developments and progress related to these projects and new cost estimates; through the efforts of Senator Binkley and Representative Hoffman, Alaska State Legislature approved appropriations in amount of \$1,039,000 for water, sewer & solid waste improvements and \$136,000 for road maintenance equipment, but due to unanticipated and substantial declines in price of oil and resulting projected budget deficit for State of Alaska, Governor Cowper vetoed virtually every capital project sponsored by legislature; given events of turn of events in recent months in Middle East, the State revenue improved dramatically; given that, Bethel CIP Project proposals being resubmitted;
- enclosed is partial list of projects in various stages of planning or completion as part of Council's request for Calendar of Events; important to note that this will be an evolving, working document, a tool, for both Administration and Council to assist employees in doing their jobs;
- City publicly opened on November 5, 1990, the 1990-91 ice road maintenance IFB's, with which following bids were received: Hoffman/Langlie Homebuilders Co. - \$4,440 per trip; and O'Brien/Kairaiuak, Inc. - \$4,490 per trip; apprent low bidder being reviewed for compliance with requirements set forth by the IFB, if accepted, notice of award to be presented November 15, 1990;
- Alaska Department of Public Safety moved out of the Braund Building, which some municipal offices will be relocated to the Braund Building in an effort to improve delivery of services to public;
- indicated that Amendment #3 to Ordinance #195 will allow operation of Bowling Alley for six months - with which Ms. Mary Pavil is preparing a letter stating ONC's position with respect to achieving operating revenue projections and facility repair expenses;
- enclosed is letter to DCRA regarding City's state revenue sharing application, which informs State that City may apply for additional ice road maintenance miles; City currently investigating the feasibility of expanding the ice road maintenance program to include portion formerly maintained by village of Tuluksak, which this would add 43 miles to Bethel's ice road maintenance program;
- currently continuing to draft IFB for gravel purchase, anticipate to complete by November 27th.

Councilman Trantham asked if under the Public Works report, section 4 was true regarding Sewage Lagoon; City Manager Earnest indicated that it was true per the Insurance Company and that the position can be

MANAGER'S REPORT

combined with the landfill attendant position, which was something unexpected. Councilman Trantham concluded by asking if the road from Shop to Haroldsen's subdivision was a platted road - City Manager Earnest indicated that he would look into it.

COUNCIL MEMBER COMMENT

Councilman Wallace indicated that more volleyball teams were needed.

Councilman Trantham asked if the alarm systems had been installed yet? Public Works Director Martins indicated that for experimental reasons will only install 4 alarm systems, which one has been installed so far and in process of installing the other 3. Councilman Trantham further expressed his sincere thank you to City Manager to relay to the Department Heads for the reports, find them very helpful; further indicated that this past Monday he had business at the City Offices, which no one showed at the office until about after 8:15 AM and again the following day, wanted to remind City Manager and Administration that hours were from 8 AM to 5 PM and concluded by reporting that he had been approached by an employee who had been restricted to use the bathroom during working hours and must be done on their own time.

Councilman Feaster regarding the ambulance billing, asked if a new computer was being purchased for this reason; City Manager Earnest indicated that it is basically a request to purchase a new computer.

Madam Richardson indicated that Council and City should follow the PATC goals and objectives format for Council to set goals and objectives; and concluded by thanking Mayor for his hair cut.

Councilman Dale indicated that the V&E Foreman was in the process of joining the military, and asked steps were taken to replace him - City Manager Earnest indicated that he is in process of meeting with Public Works Director Martins. Councilman Dale further indicated that the street lights near AVCP, Police Department and AC's were still going on and off and indicated that it was bothersome in the dark early morning hours; concluded by iterating that the joke pulled together during Halloween and regarding public comment on Police integrity, feels it was far out of control.

Mayor Vanasse indicated that he received a call regarding restaurant parking spaces and referred the matter to Planning Commission.

Councilman Dale indicated that an employee had approached him that he had been directed by a Department Head not to speak with Councilmembers, and that he would like to inform any employees to approach him on any matter of concern. Concluded by asking what the status was on the City Attorney

COUNCILMEMBER COMMENT
continued

Applications - Administrative/Personnel Office Taylor indicated that she had only contacted one applicant, whom had indicated that she was waiting from the Alaska Bar Association, and unable to reach the other 2.

motion

M/M by Dale, 2nd by Wallace to readvertise for City Attorney for 2 weeks as soon as possible in Bethel, Anchorage, Fairbanks and Juneau. Voice vote, motion carried.

REPORTS OF STANDING
COMMITTEES

Councilman Dale indicated that the Transportation Commission is to meet soon regarding an appeal, but no date had been set yet.

Madam Edge reported that Port Commission was suppose to meet last night, but been rescheduled due to emergency, which no date had been set yet.

Councilman Feaster indicated that there is no meeting as scheduled this Thursday, but that there was a meeting last Thursday of the month.

Councilman Trantham indicated that the Public Works Committee is scheduled to meet next Tuesday at the Public Works Conference room and that there was 1 vacancy on the Committee. Further indicated that name of Don Shantz should be taken off the list under the Public Works Committee of the Committee/Commission list and replaced with Mike Franks.

Councilman Wallace indicated that PATC Advisory Board's next meeting was scheduled for November 19th and 1 vacancy on the advisory board.

Mayor Vanasse reported that Parks & Recreation's next scheduled meeting is for December 4th in which a public hearing will be held regarding racket courts and big multi-sports building. Madam Richardson also indicated that Bob Herron was in the process of putting a funding source together for a swimming pool and suggested that Parks & Recreation Committee should get together with him.

At this time, Mayor Vanasse indicated that he overlooked appointing members to Committees under the Mayor's report and at this time nominated Kristie Rankin-Nerby and Cliff Andrews to the Parks & Recreation per their letters of interest.

motion

M/M by Trantham, 2nd by Wallace to approve Mayor Vanasse's nominations. Voice vote, motion carried.

Councilman Dale referring to Mike Franks' letter in regards to the shower use at the gym, asked if this was proper time to address issue. Mayor Vanasse indicated that Mike Franks was here in the audience tonight, and that he had indicated that he would be speaking on his letter under People to be Heard, and that it can be addressed at that time.

PEOPLE TO BE HEARD

Kristie Rankin-Nerby indicated to Council and the public that there were only 4 teams that have signed up for volleyball teams this year and more teams were needed. Further indicated that she felt the Parks & Recreation Department was poorly managed, and lastly, indicated that Bruce and herself would be soliciting for more teams and that more positive attitudes were needed.

Harry Faulkner, Sr. at this time approached Council in regards to a letter dated October 7, 1990 from the City Manager. At which time, Mr. Faulkner asked if Mayor Vanasse would read it out loud, which Mayor Vanasse at this time did. After the letter was read out loud, Mr. Faulkner indicated that he did respond to the letter and felt more research was needed and the property number that the letter was referring to was incorrect and the property deed that had been promised to him back then, had not been received yet up to now and asked that it be placed on the agenda for Council to present him with the deed as it had been intended. City Manager Earnest indicated that the property number on the letter was wrong, and concurred that more research was needed. After discussion, Administration was directed to contact Planning Commission and make recommendation to Council by the next meeting.

Buster Richardson indicated that he had attended one of the Chamber of Commerce luncheon's at Kusko Inn, when he noticed that 2 exits were bolted shut, and had contacted Fire Department since. Last time he went there again, he indicated they were still bolted shut and something should be done since it could become a safety concern when fire should occur. City Manager indicated he would let the Fire Chief know of the situation.

Mike Franks of Lower Kuskokwim School District approached Council at this time in regards to his letter to the City Manager regarding an issue since 1987 about the utility bill. Council at this time discussed the letter in length. City Manager at this time indicated to Council that this was not necessary since an agreement had been reached between City & LKSD regarding this issue. Mr. Franks argued that LKSD was basically hearing his case. After lengthy discussion, Madam Richardson felt that City Manager and LKSD need to reach agreement and refer back to Council. Councilman Trantham indicated that back then Mr. Chinn had been directed to trade checks with LKSD and to check the Council minutes of 1986. After further discussion, City Manager was directed to renegotiate with LKSD.

Don Shantz indicated to Council that he had previously seeked help regarding problem in Blueberry Sub-division; indicated that ordinances were not being enforced since an individual had obtained a site plan permit after the fact, indicated that ordinances need

PEOPLE TO BE HEARD
continued

to be enforced by paid City employees. City Manager Earnest indicated that last November 1989, the matter had been reviewed and Planning Commission did review and that now in the process of identifying problem. Road Maintenance did review the road and felt there was no problem in grading the road; but that the individual had been contacted and will correct problem prior to break-up.

Harry Faulkner, Jr. indicated to Council that he was the owner of that property in question. He indicated that the property was filled to the maximum extent on the lot, which was approved by the Planning Commission members did indicate that there would be no problem with the matter, and that they were suppose to get back with him, but never has. Mayor Vanasse felt that this should be dealt by the Planning Commission and indicated to Mr. Faulkner that there was a procedure for appealing the Planning Commission's decision if he was unhappy with their decision.

Cliff Andrews at this time indicated to Council that he really appreciated whoever put up the new street signs around town. It was indicated that was a job well done by State of Alaska when they re-did the highway.

Hearing no more public comment-COUNCIL BREAK 9:28 PM to 9:38 PM.

OLD BUSINESS:

Item A: Public Hearing Amend #1 to Ord 191-Vehicle for Hire

PUBLIC HEARING AMENDMENT #1 TO ORDINANCE #191 -
VEHICLE FOR HIRE

Before opening the floor for public input, Mayor Vanasse asked Madam Richardson to speak on the amendment and how it was derived. Madam Richardson indicated that there was no quorum at the time of the Transportation Commission meeting to review the vehicle for hire ordinance, but that the amendment was made per the recommendations from Police Department, to help clarify parts of the ordinance that were not too clear, and that maximum rates to be charged needed to be in the ordinance also, since there has been quite a few complaints of cab customers being way overcharged by cab drivers. With that, Mayor Vanasse opened the floor for public input. Mary Pavil felt that the changes were good changes and encouraged Council to pass the amendment. Hearing no other public input, Mayor Vanasse closed the public hearing at this time.

motion

M/M by Dale, 2nd by Wallace to approve Amendment #1 to Ordinance #191, with an effective date of December 1, 1990 and with the Maximum rates to be charged spelled in the amendment. Poll vote, motion passed unanimously.

Councilman Dale felt that the next thing to work on the ordinance would be cab inspections.

Item B: Public Hear-
ing Amend 3 to Ord
195-FY'91 Budget
Re: Bowling Alley

PUBLIC HEARING AMENDMENT #3 TO ORDINANCE #195 -
FY'91 BUDGET

City Manager Earnest explained the process as to how an agreement was reached with Mary Pavil of ONC. Mayor Vanasse opened the public hearing at this time. Mary Pavil at this time reviewed her letter with Council. Cliff Andrews expressed that alot of people benefit from the Bowling Alley facility.

Karen Flugel indicated that she would like to see the Bowling Alley open again as a league member, and further indicated that not only bowling leagues enjoy the Bowling facility, but also familys as a family can go there, besides the youngsters.

Suzi Ruzzier felt it should be opened up again and last year, used the Bowling Alley facility to hold the Special Olympics, which was a great turn out.

Pat Leeman indicated that she attended the last Parks & Recreation Committee meeting and indicated that more resources were needed for activities, which Bowling Alley was one of them.

motion

M/M by Wallace, 2nd by Richardson to go past 10 PM. Voice vote, motion carried.

Hearing no more public input, Mayor Vanasse closed the public hearing. Madam Richardson indicated that she realizes that this was a drain on the City budget, but felt that with organizations it could support itself. Councilman Trantham felt that if this were to pass, asked if the monthly budgets on particular budget beginning of next month. Mary Pavil indicated that the ONC Attorney was ready to write an addendum to the agreement per month basis. Councilman Dale felt that City should pay ONC for the repair costs on the building and have ONC use the money to make the repairs. Councilman Feaster commented that he has not seen money generated over what was budgeted. Council further discussed with Ms. Pavil in greater detail on the bowling alley.

motion

M/M by Dale, 2nd by Feaster to reject Amendment #3 to Ordinance #195. Poll vote, motion passed. 4-yes; 3-no (Edge, Richardson and Vanasse).

Item C: Public Hear-
ing Ord.199-City
Council

PUBLIC HEARING ORDINANCE #199 - CITY COUNCIL

Mayor Vanasse explained to the public that this was basically a housekeeping on the Council ordinance. Mayor Vanasse opened the public hearing, and hearing none, closed the public hearing.

M/M

M/M by Dale, 2nd by Feaster to accept Ordinance #199 with change of section 2.04.010, section where a special session can be called, change 2 to 1/3 of Councilmembers. Poll vote, motion carried unanimously.
COUNCIL BREAK 10:41 PM to 10:51 PM.

Ok137

NEW BUSINESS:

Item A: Games of
Chance & Skill -
VFW & SR. Center

GAMES OF CHANCE & SKILL - VFW & EDDIE HOFFMAN SENIOR
CENTER

M/M by Trantham, 2nd by Feaster that applications of
games of chance and skill for Eddie Hoffman Senior
Center and VFW be approved. Voice vote, motion
carried. 6-yes; 1 abstain (Dale).

Item B: Proposed
Resol. 668 - Muni-
cipal Ass't.

PROPOSED RESOLUTION #668 - MUNICIPAL ASSISTANCE

M/M by Dale, 2nd by Wallace to accept proposed
Resolution #668 - Municipal Assistance Funding
request, as presented. Voice vote, motion carried.

Item C: Proposed
Resol 670-Fuel Thru-
put fee increase

PROPOSED RESOLUTION #670 - FUEL THRU-PUT FEE
INCREASE

Mayor Vanasse indicated that this resolution, if
passed, would increase the fuel thru-put rate on
bulk fuel to .02¢.

motion

M/M by Dale, 2nd by Wallace to accept Resolution
#670 as presented. Poll vote, motion passed. 6-yes;
1-no (Trantham).

Councilman Richardson reminded Council to remember
to dedicate funds for particularly dredging entrance
channel to Boat Harbor. City Manager Earnest remind-
ed Council that it can not be dedicated, but meaning
was well taken. Mayor Vanasse and Councilman
Trantham felt that increase was too high, but Mayor
supported it anyway.

Item D: Intro.
Ord #200-Warehouse
& Adjacent Land
Lease

INTRODUCTION ORDINANCE #200 - WAREHOUSE & ADJACENT
LAND LEASE

Before starting, City Attorney Chandler pointed out
to Council that the actual lease has to be attached
to the ordinance and more than 14 days of advertise-
ment on the ordinance, before a public hearing can
be held. Port Director Greydanus indicated to
Council that this has been approved by the Planning
Commission and before the public hearing, will
attach the agreement with the ordinance.

motion

M/M by Feaster, 2nd by Trantham to introduce
Ordinance #200 for public hearing to be held January
8, 1991. Poll vote, motion carried unanimously.

Mayor Vanasse requested that the agreement and copy
of Planning Commission minutes be attached before
the public hearing on this matter.

Item E: Executive
Session - Personnel &
Legal Matters

EXECUTIVE SESSION - PERSONNEL & LEGAL MATTERS

City Attorney Chandler indicated to Council that he
would like to discuss legal matters in executive
session and anticipate possible action. Councilman
Trantham indicated that he would like to discuss
personnel matter in executive session also.

Item E: continued

Council with no opposition shown, went into executive session at 11:12 PM. Council came out of executive session at 1:11 AM.

motion

M/M by Wallace, 2nd by Richardson that being City has a personnel officer in place now at this time, personnel action should go through the personnel officer and the individual, there should be, means its not being involved in police, that there should be no attorney's involved that are supplied by City of Bethel. Clarification added: administrative investigation, City should not be supplying an attorney on personnel actions.

Clarifications added during 11/27/90 Council meeting per Councilman Trantham's request for further clarification as to the intent of motion.

Councilman Wallace indicated that any personnel actions should go through the Personnel Officer and then if the individual needed an Attorney, than he can provide for his own Attorney; Madam Richardson who had seconded the motion concurred with Councilman Wallace's clarification. After Councilman Trantham further asked for clarification, Madam Richardson further explained that her total clarification is no Attorney's would not be supplied to people that under investigation for Administrative reasons, and that since she had seconded the motion, that was the intent. Councilman Wallace indicated that the reason he made the motion was to avoid the situation that had occurred before; and further stated that City is not to provide legal services for any employee under investigation for administrative or personnel reasons, and not involve administrative investigation unless possible criminal investigation was involved.

Councilman Trantham indicated that he was voting against the issue since he felt that Council had not been totally informed. Councilman Dale asked of what Council had not been informed of. Councilman Trantham replied by saying many things, but could not be mentioned at this time in open session.

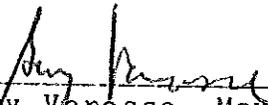
poll vote

Poll vote, motion carried. 6-yes; 1-no (Trantham).

ADJOURNMENT

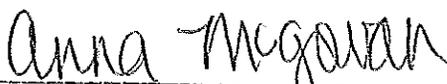
M/M by Feaster, 2nd by Edge to adjourn at 1:15 AM. Voice vote, motion carried.

PASSED AND APPROVED THIS 11th DAY OF December, 1990.



Gary Vanasse, Mayor

ATTEST:



Anna McGowan, City Clerk
Ok139