

City of Bethel
City Council

Regular Meeting of July 12, 1994

I. CALL TO ORDER

The meeting was convened at 7:30 PM by Mayor Chris in the Log Cabin, Bethel, Alaska.

II. ROLL CALL

Present: Chris, Jones, Metcalfe, Miller, Trantham,

Absent: Tubbs (excused), Wintersteen (excused)

III. PEOPLE TO BE HEARD

Kim Francisco, president of the Nutyulit Safe Shooting Club spoke to Council and gave the background of the club. Mr. Francisco stated that in renegotiating the land lease with BNC for the shooting range, BNC had indicated it was concerned about the liability of the shooting range on its property and asked that a land swap with other entities be investigated. Mr. Francisco stated the club carried its own liability insurance. Council member Trantham requested the group bring more information to the Council such as what parcel of land the club or BNC was interested in and clarification regarding a land swap and the effect on the City's 14(c)3 conveyances. Mayor Chris asked for more information on if the club was proposing to move to another location or stay where they are currently located, and what size parcel would be needed. Mr. Francisco stated he would gather the information and present it to the City Manager.

IV. APPROVAL OF MINUTES

motion M/M by Jones, 2nd by Trantham to approve the minutes of the June 28, 1994, regular meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA

motion M/M by Trantham, 2nd by Metcalfe to approve by consent, Items A, B, C, D, E, F, G and H under New Business. Voice vote. Motion carried unanimously.

motion M/M by Metcalfe, 2nd by Trantham to amend the agenda by removing Old

Business Items B and E. Voice vote. Motion carried unanimously.

motion M/M by Metcalfe, 2nd by Trantham to approve the agenda as amended. Voice vote. Motion carried unanimously.

V. MAYOR'S REPORT

Mayor Chris referred Council to her written report. In addition, Mayor Chris informed the Council of Bill Stokes' recent heart attack and reported that he would probably not return to the Bethel DEC field office.

VII. MANAGER'S REPORT

City Manager Hunter began his report by awarding recognition to those employees and volunteers who had performed outstanding service.

motion M/M by Jones, 2nd by Metcalfe to include a letter of thanks from the Council with the recognition certificates. Voice vote. Motion carried unanimously.

City Manager Hunter reviewed his written report with Council and requested direction on the following items:

1. Award of Gravel IFB

motion M/M by Miller to accept the bid from Bethel Contractors to support local businesses. Motion died for lack of a second.

Council member Trantham pointed out that the City has an ordinance to award bids to local contractors if they are within 5% of the lowest bid.

motion M/M by Metcalfe, 2nd by Jones to accept the bid from Knik Construction. Voice vote. Motion carried, 4-yes, 1-no (Miller).

2. Request for Legal Services Extension

motion M/M by Jones, 2nd by Metcalfe to approve the new agreement with Owens & Turner for legal services. Voice vote. Motion carried, 4-yes, 1-no (Miller).

3. Award of Engineering Services RFP

motion M/M by Metcalfe, 2nd by Jones to authorize the City Manager to negotiate

an agreement with the firm rated highest by the selection panel, CH2M Hill. Voice vote. Motion carried unanimously.

4. Shift Differential Pay for Port Attendants

City Manager Hunter referred Council to his memorandum regarding the Port Attendants and their eligibility under the Personnel Rules and Regulations to collect shift differential for their working shifts.

motion M/M by Jones, 2nd by Miller to correct the pay for the current and past Port Attendants retroactive to July 1, 1992. Voice vote. Motion carried unanimously.

Informational Items/Discussion/Questions on City Manager's Report:

Council member Trantham corrected a public statement made at the previous meeting regarding employee involvement with the Information Master Plan, and City Manager Hunter concurred that the Information Master Plan reflected all of the employees' efforts.

VIII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming Committee/Commission meetings were announced.

Council member Jones reported that the Finance Committee held a special meeting to discuss leasing the laundromat. Mr. Jones reported the Finance Committee's recommendation to issue an RFP which would include a five year lease with the option to renew for another five years, a provision requiring the purchase of the existing equipment and a requirement of a financial statement from the respondent.

motion M/M by Jones, 2nd by Trantham to direct the City Manager to prepare and distribute an RFP for the lease of the laundromat with the following provisions: 1) a five year lease with the option to renew for five more years, 2) the method of billing water and sewer charges, 3) the respondent's financial statement, and 4) the experience of the respondent.

Council member Miller suggested a shorter lease term to avoid a monopoly over one segment of the community. Council member Jones stated it was difficult to create a business plan for less than five years, as this would require a substantial investment into the operation.

Council member Trantham pointed out that the City is currently charging the Laundromat

a percentage of the water and sewer charges it incurs, and asked that the RFP indicate the options of a City subsidy or full charges.

vote Voice vote on the motion. Motion carried, 4-yes, 1-no (Miller).

Council member Trantham invited the public to the Transportation Commission meeting for a discussion on lowering the legal blood alcohol limit for those operating with chauffeur licenses.

Mayor Chris encouraged the public to participate in the government by applying for any of the openings for committees and commissions.

Council broke at 8:30 p.m. for a short recess. At 8:45 p.m., Mayor Chris called the meeting back to order.

IX. OLD BUSINESS

ITEM A: Public Hearing--Ordinance #94-14: An Ordinance Authorizing a Lease of City Property to an Entity Providing a Necessary Public Service

motion M/M by Miller to postpone this item until the next meeting to allow YKHC time to respond. Motion withdrawn.

Mayor Chris opened the Public Hearing. There being no one who wished to speak, Mayor Chris closed the Public Hearing.

motion M/M by Jones, 2nd by Miller to approve Ordinance #94-14 with an effective date of July 12, 1994. Poll vote. Motion carried unanimously.

ITEM B: Review and Approval of Lease with YKHC for PATC Facilities

This item was removed from the agenda.

ITEM C: Presentation by Sharon Macklin, City Lobbyist

Sharon Macklin distributed information to the Council, which is attached as part of these official minutes, and thanked the Council for its participation during the legislative session.

Ms. Macklin gave a review of the session, along with her opinions for the next session. Ms. Macklin also expressed her ideas for the Council to improve the City's chances for funding.

In response to Mayor Chris' question, Ms. Macklin stated it was most effective for a city to have a presence in Juneau for the timing aspect as well as visits by the City Manager and Council.

ITEM D: Memorandum of Agreement--Bethel Recycling Project

City Manager Hunter stated that he had investigated insurance coverage for the Recycling Project and was told the project could not be covered under the City's policy unless the City operated and had control of the project. Mr. Hunter also stated other insurance companies had indicated they could cover the project, but it would have to be incorporated.

motion M/M by Jones, 2nd by Miller to approve the Memorandum of Agreement between the City of Bethel and the Bethel Recycling Project as presented.

Motion and second withdrawn.

motion M/M by Jones, 2nd by Miller to approve the Memorandum of Agreement between the City of Bethel and the Bethel Recycling Project as presented with an effective date of August 1, 1994, and with a continuation of the existing agreement until that time. Voice vote. Motion carried unanimously.

Amelie Redman addressed Council with concerns regarding recycling.

ITEM E: Agreement with AVCP for the Loan of Museum Artifacts

This item was removed from the agenda.

ITEM F: Report from Public Works Director on Sale of Hitachi

Public Works Director Harry Parsi referred Council to his written report.

Council member Jones asked Mr. Parsi if he wanted the City to keep the Hitachi. Mr. Parsi responded he did.

Council member Trantham reiterated Council's decision not to perform in-house construction and stated he would oppose any construction project that is not contracted out. Mr. Trantham also thanked Mr. Parsi for his report.

X. NEW BUSINESS

ITEM A: Introduction of Ordinance #94-15: An Ordinance Authorizing the Disposal

of Lot 4, Block 8, USS 3790 to Lucy Crow in Compromise of a Disputed Claim

Approved under Consent Agenda

ITEM B: Introduction of Ordinance #94-16: An Ordinance Authorizing the Disposal/Lease of City Property in Furtherance of Development of Local Trade or Industry

Approved under Consent Agenda

ITEM C: Introduction of Ordinance #94-17: An Ordinance Amending Title 14 Harbors and Ports by Adding Chapter 14.04.060-.070 Fishing from Docks Prohibited and 14.08.060-.070 Personal Floatation Device Required

Approved under Consent Agenda

ITEM D: Introduction of Ordinance #94-18: An Ordinance Amending Title 2, Chapter 2.04.030 Entitled Order of Business by Establishing Agenda Item Executive Session Immediately Following Council Member Comments on the City Council Agenda

Approved under Consent Agenda

ITEM E: Resolution #94-27: A Resolution Supporting the Restructuring of the DEC Field Office

Approved under Consent Agenda

ITEM F: Resolution #94-28: A Resolution Supporting H.R. 4162

Approved under Consent Agenda

ITEM G: Resolution #94-29: A Resolution Accepting A Grant From DCRA for FY95 Child Care Assistance Programs

Approved under Consent Agenda

ITEM H: Gaming Permit Application(s)

Approved under Consent Agenda

Council member Metcalfe asked to be excused from the meeting at 9:45 p.m.

ITEM I: Review and Approval of Real Estate Sales Agreement for Lot 4, Block 8, USS 3790

motion M/M by Jones, 2nd by Miller to approve the terms of the Real Estate Agreement.

Council member Trantham raised the concern regarding the maintenance and access of thermopiles necessary for the integrity of the seawall.

motion M/M by Miller, 2nd by Jones to ask the attorney to add a provision to the Sales Agreement entitled Seawall Retaining Tube Maintenance Access. Motion and second withdrawn.

vote Poll vote on the main motion. Motion carried 4-yes, 0-no.

ITEM J: Executive Session: Legal Strategy--McPeck v. City of Bethel

motion M/M by Jones, 2nd by Miller to go into Executive Session for the purpose of discussing legal strategy in McPeck v. City of Bethel. Voice vote. Motion carried unanimously.

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

motion M/M by Jones, 2nd by Miller to direct the City Attorney to pursue the case of McPeck v. City of Bethel. Voice vote. Motion carried unanimously.

XI. COUNCIL MEMBER COMMENTS

Council member Trantham stated he had received several calls regarding fish processing and the economic conditions of the fishermen. Mr. Trantham stated there was no truth to the rumors of a conspiracy between Fish and Game, the processors and the City of Bethel, and that fish was being processed in Bethel for Bristol Bay. Mr. Trantham pointed out the South Boat Harbor ramp was in need of repair. Mr. Trantham stated that no one was authorized to make statements on his behalf and that he was not responsible for irresponsible statements.

Council member Miller stated people had approached him with frustrations about access to the City Council. Mr. Miller said that he respects all of the Council members and the

July 12, 1994

City Manager, however, he believed the Council had been less than inviting for public participation. Mr. Miller encouraged those upset to run for Council.

Council member Jones stated the City has no control over fishing periods and he found it upsetting that Bethel processors were processing Bristol Bay fish. Mr. Jones agreed with Mr. Trantham that the South Boat Harbor ramp needed repair, and asked that warning signs be installed warning residents not to use the ramp at low tide. Mr. Jones stated he thought the Council had bent over backwards to allow access to the public.

Mayor Chris reminded everyone that the Council sat for one-and-one-half hours waiting for a presentation that was not made because the people making the presentation did not like the forum it would be presented in. Mayor Chris also reminded the Council that they had made a unanimous statement supporting the City Manager and asking for written concerns. Mayor Chris said that she had requested signed copies of the petition and written allegations, neither of which she had received. Mayor Chris stated she had no desire to restrict access to the Council, but her hands were tied until the information requested is provided. Mayor Chris also encouraged residents to participate in their government by running for Council or serving on Council committees and commissions.

XII. ADJOURNMENT

motion M/M by Jones, 2nd by Miller to adjourn the meeting at 10:20 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 26TH DAY OF JULY, 1994.



Donna J. Chris, Mayor

ATTEST:



Connie Tucker, City Clerk