CITY OF BETHEL
CITY COUNCIL

Regular Meeting of December 14, 1993

I. CALL TO ORDER

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

II. ROLL CALL

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

III. APPROVAL OF MINUTES

motion M/M by Jones, 2nd by Miller to approve the minutes of the November 23, 1993, regular meeting as presented. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Wintersteen to approve the minutes of the December 3, 1993, special meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA

Council member Jones requested New Business Items E and F be removed from the consent agenda.

motion M/M by Jones, 2nd by Miller to amend the agenda by adding New Business Item H: Resolution #93-52. Voice vote. Motion carried unanimously.

motion M/M by Wintersteen, 2nd by Miller 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 requested Police Chief Liu to read the letters from the Police Department sent in response to two agencies concerned about bootlegging in Bethel.

VI. MANAGER'S REPORT

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

1. Community Requests

motion M/M by Jones, 2nd by Tubbs to approve the City Manager's request to approve community requests up to $500. Voice vote. Motion carried, 6-yes, 1-no (Trantham).

2. Holidays

motion M/M by Metcalfe, 2nd by Wintersteen to approve half day holidays on December 23 and 30, and full day holidays on December 24 and 31.

motion M/M by Jones, 2nd by Trantham to amend the main motion to approve only full day holidays on December 24 and 31. Voice vote. Motion failed, 1-yes, 6-no (Chris, Metcalfe, Miller, Trantham, Tubbs, Wintersteen).

vote Voice vote on the main motion. Motion carried unanimously.

3. Holiday Pay for Employees Who Work Ten Hour Days

motion M/M by Jones, 2nd by Miller to approve Holiday Pay of ten hours for those employees who work ten hour shifts on the holiday. Voice vote. Motion carried unanimously.

4. Christmas Tree for Youth Center

motion M/M by Miller to add a line item to the Youth Center budget for the purchase of the Christmas tree. Motion died for lack of a second.

5. Shop Use Policy

motion M/M by Miller, 2nd by Trantham to continue employee use of the Shop, provided the employee sign a waiver that fully explains the employee's responsibility and protects the City from liability.

motion M/M by Wintersteen, 2nd by Trantham to amend the main motion to include the provisions that City tools are not to be used and the employee must pick up the key to the shop during regular working hours from the Public Works Director. Voice vote. Motion carried unanimously.

vote Voice vote on main motion. Motion carried unanimously.

VII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming committee/commission meetings were announced.

Council member Wintersteen discussed the action taken at the Port Commission meeting, including increasing the number of attendants to four for 1994, increasing the stevedoring fee, and retaining interest revenues generated from the Port Enterprise Fund in the Enterprise.

Council member Trantham stated there was one vacancy on the Youth Services Committee and encouraged interested individuals to apply. Mr. Trantham also reported on the Chauffeur's License denial appeal the Transportation Commission heard in a special meeting.

VIII. PEOPLE TO BE HEARD

Larry Elam, Finance Director requested Council to set a work session with the auditing firm and suggested January 18, 1994.

motion M/M by Metcalfe, 2nd by Miller to set a work session with the auditors on January 13, 1994, at 7:00 pm, in the City Conference Room.

Joe Bowles stated he was confused about the policy of the Council approving requests to help the needy in town. He advised the Council to allow the City Manager to manage and to set its priorities.

Kevin Miller addressed the Council and proposed City Shop employees develop rules and procedures for Shop Use and submit them to Council for approval, maintaining status quo until Council approval. The Council agreed by consensus, setting a one month deadline.

John Abrant addressed the Council on the methods used to identify a new site for the Receiving Home and stated his concern the paid City employees are using "underhanded practices."

Tom Warner strongly recommended the Council study the 1987 Water and Sewer Master Plan and the Draft Preliminary Study for City Subdivision Water and Sewer Expansion before making any further decisions about piped water and sewer extensions.

Pat Sampson, AVCP, related the history of the Receiving Home site selection, stating the process had taken over two years. Mr. Sampson also related the opinion of AVCP attorneys that the Receiving Home could be placed in a residential neighborhood.

IX. OLD BUSINESS

Item A: Presentation by Jordan Suhr-Status Report on Sewer Lagoon and Bethel Heights

Jordan Suhr addressed the Council on the status of the Bethel Heights project, stating that it should be completed in May 1994, and answered questions about setbacks and trail access.

Mr. Suhr then reported on the Sewer Lagoon project, and gave the cost estimates for finishing all four phases. Mr. Suhr stated that the lagoon could be 100% operational by May 31, 1994; however, he would prefer to partially flood the new cell over the summer and let it settle before putting it into operation at the end of September, 1994. Mr. Suhr also stated that once the City has completed removal of the remaining material out of the cell, it could then shut down the operation and have an operable facility.

Council broke at 9:10 p.m. for a short recess. At 9:20 p.m., Mayor Chris called the meeting back to order.

Item B: Public Hearing-Ordinance #93-36: A Temporary Ordinance Placing a Freeze on the Issuance of Permits for Vehicles for Hire for Ninety Days

Mayor Chris opened the Public Hearing.

Morgan Wilcox stated this was a public safety issue since the Police Department could not handle 63 cabs on the road.

Frank Mazarro, owner of Kusko Cab, stated that with more cabs on the road, each cab driver makes less money and the new Vehicle Inspection ordinance would cost cab drivers more money in repairs.

Tom Warner said he found the concept of the Council limiting a particular business interesting and suggested the Council pass a general ordinance for all industries. Mr. Warner stated that the new cabs were better maintained and customer service had improved. Mr. Warner questioned the Council's legal and moral right to guarantee a profit to any business.

John Abrant stated this was a capitalistic society and the public had voted for deregulation.

Frank Mazarro asked what number of cabs the public would be satisfied with, and said they were chasing extra calls because the customers would not wait.

John Kim stated that since this was a free country, it was up to each business to succeed.

Billy McCann, owner of McCann's River Taxi, stated that anyone has a right to run a business and if it doesn't work, close it; the City should not become involved.

Tom Warner asked if a conflict of interest arose since two Council members had family members who were cab drivers.

Niam Konjouhi stated that the number of cabs should be limited as long as the prices are controlled, since other businesses do not have their prices set by the Council.

There being no other people who wished to speak, Mayor Chris closed the Public Hearing.

Council member Metcalfe asked that the Council members who had a potential conflict of interest identify themselves.

Council member Miller stated his mother and brother both drive a cab and he does not receive any financial benefit from them.

Council member Wintersteen stated that his son drives a cab and rents a house from him.

motion M/M by Miller, 2nd by Jones to allow Council member Wintersteen to vote or abstain on this issue, as the Council finds no conflict of interest. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Jones to amend Ordinance #93-36 by striking items 1,2, and 3 and replacing with a request to the Transportation Commission to draft a ballot measure to put this issue before the public.

Motion withdrawn, 2nd withdrawn.

motion M/M by Miller, 2nd by Metcalfe to adopt Ordinance #93-36.

motion M/M by Jones, 2nd by Tubbs to continue the meeting past 10:00 p.m. Voice vote. Motion carried unanimously.

vote Poll vote on the Main Motion. Motion failed, 2-yes, 5-no (Chris, Jones, Metcalfe, Trantham, Tubbs).

Item C: <u>Public Hearing-Ordinance #93-37: An Ordinance Amending Title 2, Chapter 2.04.200 Entitled Rules of Order</u>

Mayor Chris opened the Public Hearing.

There being no one who wished to speak on this issue, the Mayor closed the Public Hearing.

motion M/M by Miller, 2nd by Jones to adopt Ordinance #93-37. Poll vote. Motion carried unanimously.

X. NEW BUSINESS

Item A: Presentation by Cal Calvin--Significant Highlights/ Changes Which Affect TIPSA

Cal Calvin, of CALCO Insurance, addressed the Council and outlined the health insurance plan the City currently offers employees. Mr. Calvin reviewed handout material and answered Council questions concerning litigation between the Trust and YKHC.

Item B: Discussion Item-Council Policies

Council member Jones stated that the only way to change any Council action was through a time limit imposed on the action, Council revoking the action or through judicial action.

Mayor Chris pointed out that tracking prior Council action was difficult because the information was not always available.

Item C: Introduction of Ordinance #93-38: An Ordinance Amending Title 13, Chapter 13.04.260(B) Water Service, 13.08.210(B) Sewer Service, 13.12.070(B) Solid Waste Entitled Billing

Passed by consent as presented.

Item D: Resolution # 93-49: A Resolution Thanking Committee/ Commission Members for Their Service to the City

Passed by consent as presented.

Item E: Resolution # 93-50: A Resolution Supporting the City's Agreement with Bethel Recycling Effort

motion M/M by Wintersteen, 2nd by Miller to table Resolution #93-50 until the next regularly scheduled meeting in order to gather adequate cost and expenditure figures from Mr. Glasheen and projected costs and a copy of the Agreement from City Administration. Voice vote. Motion carried unanimously.

Item F: Resolution #93-51: A Resolution to Pursue Alternative Methods Which will Incrementally Stabilize Road Conditions in Bethel on a Continuing Basis

motion M/M by Miller, 2nd by Jones to table Resolution #93-51. Voice vote. Motion carried unanimously.

Item G: Gaming Permit Applications

Passed by consent as presented.

Item H: Resolution #93-52: A Resolution Certifying that the Municipality Did Suffer Significant Effects During the Program Base Year from Fisheries Business Activities

motion M/M by Wintersteen, 2nd by Metcalfe to approve Resolution #93-52. Voice vote. Motion carried unanimously.

XI. COUNCIL MEMBER COMMENTS

Council member Tubbs thanked the Mayor for providing cookies for the meeting. Mr. Tubbs asked if the flashing lights at the school crossings were operational.

Council member Miller thanked the Public Works department for fixing the boardwalk at 3rd and Main. Mr. Miller wished the community a happy and safe Christmas.

Council member Jones thanked the Police Department and City Manager for providing a CSO at the Mink Festival, and wished everyone a Merry Christmas.

Council member Wintersteen also inquired if the warning lights at the school were working.

Council member Metcalfe wished everyone a Merry Christmas and a Happy Hanukkah.

motion M/M by Jones, 2nd by Miller to cancel the December 28, 1993, regular City Council meeting. Voice vote. Motion carried unanimously.

XII. ADJOURNMENT

motion M/M by Jones, 2nd by Wintersteen to adjourn the meeting at 11:15 p.m. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 11th DAY OF January, 1994.

Donna J. Chris, Mayor

ATTEST:

Jane Elam, City Clerk