

CALL TO ORDER

Mayor Warner called the Council meeting to order at 7:35 PM.

ROLL CALL

Present: Dale, Edge, Feaster, Trantham, Vanasse, Wallace and Warner.

APPROVAL OF MINUTES

M/M by Dale, 2nd by Wallace to approve the minutes of 06/12/90 council meeting with the following corrections: page 2, on first motion, add 'Nelson Marine' to make the motion clearer; page 3, change the date of May 20, to June 20. Voice vote, motion carried.

APPROVAL OF AGENDA

M/M by Feaster, 2nd by Trantham to approve the agenda with the following additions/changes: add under New Business: Item C-Introduction Ordinance #196 Seaplane Moorage; add under Executive Session - legal matters; swap Items A and B under Old Business for the benefit of the public here for the land use ordinance. Voice vote, motion carried.

MAYOR'S REPORT

Mayor Warner indicated that he did not have any reports to give tonight.

MANAGER'S REPORT

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

- notified by Governor's office that emergency disaster declaration has been approved, but Governor intends to sign declaration on July 2;
- Senator Stevens has requested appropriations in the amount of \$270,000 for engineering design and \$9,000,000 for construction of the Bethel Bank Stabilization project; indicated that it was important for the City to send a representative down to Washington, D.C. to pursue this opportunity to secure funding for this critical project;
- seven workers hired under the jobs bill to construct finger floats for the small boat harbor - constructing 3 finger floats per day at the old Northwest Navigation warehouse;
- South Harbor parking area to be capped with gravel on the 27th of June;
- FY'91 budget with revisions from the Council work-sessions presented tonight; thanks the public for their input, Council for their attendance of work-sessions, Department Heads for devoting many evenings and weekends for worksessions and especially staff of Finance Department for putting up with last minute changes and keeping things straight;
- BNC land committee scheduled to meet July 9 to identify land for possible trade with 2 native allotment owners adjacent to existing sewage lagoon and solid site;
- re: sewage lagoon island removal - District Engineer Robert Wilson with U.S. PHS stated that the construction bids for AVCP HA low income housing project were rejected; *later in the meeting he corrected this report and stated the bids not have been rejected and still in the review process.

MANAGER'S REPORT
continued

- information relating to proposed lease/purchase agreement for road maintenance equipment and sample resolution attached for Council review;
- fire department engine damage to be discussed in executive session;
- attached for Council's information letter from Mr. Bill Bivin and response from City regarding private use of sewage lagoon;
- letter from Bethel Community Services regarding revenue sharing funds attached, requesting that City appropriate \$7,929 to replace funds that were not applied for in City's 1988 state revenue sharing application;
- reported that PATC received a telegram today regarding funds received: \$556,000 approved for PATC and new grant of \$250,000 for youth counseling and \$37,465 for ASAP program;
- memo received from Police Chief McDonald on the need of a smaller boat for emergencies; examples of 3 emergency situations were made and the big old river patrol boat being used, and with Council's intend to get rid of that boat, it was indicated that a smaller skiff boat was definitely needed for emergency situations.

City Manager Earnest at Councilman Dale's request explained the 1988 Bethel Community Services Crises Respite Center revenue sharing request which was not applied for due to City's oversight.

Council requested a report on the electrical/mechanical engineering status report of the pump-house upgrade.

COUNCILMEMBER COMMENT

Councilman Wallace asked if the City had an auction yet; City Manager Earnest indicated that it had not been held yet. Report was requested also about the construction material that was stored at the City Shop.

Councilman Trantham indicated that he has been receiving complaint calls regarding fire crackers around town, and wondered if there was an ordinance on that. Police Chief McDonald indicated that he was planning to check with the store owners on the sale of fire crackers.

Madam Edge indicated that she had been receiving the same complaint calls regarding fire crackers disturbing residents, especially during late hours of the night.

REPORTS OF STANDING
COMMITTEES

Councilman Feaster reported that the Finance Committee met last Thursday night which the written report was submitted for Council's review.

Madam Edge reported that Port Commission was scheduled to meet last Monday but since Port Director was out of town, they re-scheduled for the Thursday, but no quorum at that time. But indicated

REPORTS OF STANDING
COMMITTEES continued

that on Monday they discussed that the phone at the North Harbor was not working, but is now fixed; and complaints were received of boats anchoring along the seawall.

Councilman Trantham reported that the Public Works Committee met on June 19th and water & sewer rate review was done; letter from Kreider Rental's was discussed which a recommendation was made to send them a letter refusing them until an ordinance can be drafted covering their request to haul their own sewer; and that a draft be done outlining the lease/purchase equipment and a resolution to back up the request, which Councilman Trantham indicated that both had been done by the City Manager already.

Mayor Warner indicated that Planning Commission met last Thursday and requests were reviewed to lease City properties - which all requests were rejected.

Wally Richardson reported to Council that the Transportation Commission had been unable to get a quorum lately and Ordinance #191 - Vehicle for Hire ordinance needed to be amended. Mayor Warner indicated that if members fail to show up to meetings to let him know so he can reappoint new members that are willing to show up to meetings.

PEOPLE TO BE HEARD

Frank Mazarro indicated to Council that he is here again from the last Council meeting, since the Transportation Commission was unable to get any quorum; he indicated that he had a problem with the ordinance where it required a for hire vehicle to be inspected by the end of June and again later in the year. He indicated he had his vehicle inspected recently and that it was a waste of his money to have his vehicle inspected again.

motion

M/M by Trantham, 2nd by Dale to make a 90 day waiver for inspection of vehicle for hire vehicles under Bethel Municipal Code 5.20.040(A). Voice vote, motion carried.

HEARING NO MORE PEOPLE - COUNCIL BREAK 8:18 PM to 8:22 PM.

OLD BUSINESS

Item A: Public Hearing Ordinance #192 - Land Use Ordinance

PUBLIC HEARING ORDINANCE #192 - LAND USE

Mayor Warner after explaining ordinance #192-opened the floor for public hearing at this time. Roger Gabriel indicated to Council that BCS was in the process of opening a girls group home at Hoffman Sub asked what would happen if it was completed before the ordinance was passed. Council indicated that the City has no say so over covenants.

Irvin Kreider indicated to Council that the last page of the ordinance wording did not make any sense regarding complying with health hazard and grandfather rights, and that it needed to be reworded.

Item A: Public
Hearing Ord 192
Continued

Ron Whitton, Jr. asked if there was anyone to enforce the ordinance, example: in Hoffman Subdivision, in a vacant lot, if someone had a junk yard; Mayor Warner indicated that if it was a new junk yard and people complained about it, then yes someone would check on that.

Vernon Keezer asked what the intention was on the requirement of 20' spacing between structures; it was indicated that the intent was to prevent the spread of fire building to building.

Elighio White asked for clarification on definition of 'single family' under residential units; Mayor Warner basically indicated that the attempt was that no apartment building be on the duplex and 'single family' does not really mean they do not have to necessarily be related to rent the house. After further discussion with City Attorney, it was basically covering the residential structure and could possibly strike the definition of 'family'.

Michael Murray indicated to Council that he is also a resident of Hoffman Subdivision. Indicated that in the past, the veterinarian tried to open a business in Hoffman Subdivision, but was asked to move his business off the property, and wondered how it was done. Mayor Warner indicated that someone enforced the Covenant, but not the City. Mayor Warner reviewed with the public, definition of home occupation. After review of that paragraph, Mayor Warner indicated to Planning Director Gilcrest that the paragraph on home occupation needed to be addressed.

Irvin Kreider asked if someone was to do any improvement on their property, like get a load of sand, would a site plan permit be required. It was indicated that anything less than 2 loads of sand did not require any site plan permit application.

Vernon Keezer indicated to Council that on page 32 wanted that section precisely clearly worded so people can understand.

On page 22, definition of 'residential' regarding a commercial development in a residential area was discussed; and lease with option to purchase was also discussed.

Hearing no more input, Mayor Warner closed the floor for public input at this time. Councilman Dale indicated that he was happy with the existing ordinance and indicated that he will not vote for passage of the ordinance.

Councilman Wallace indicated that he concurred with Councilman Dale; indicated that there are people that have been around alot longer then he has, and their building structures real close and live as a family. Not want to be involved in telling them to

Item A: Public
Hearing Ord 192-
continued

to move out of their structures, in which the City has no business in the first place.

Councilman Feaster felt that the City of Bethel needs to grow, and would like to see the land use ordinance pass and that it would be an important step for the City.

Councilman Vanasse showed his appreciation to Councilman Dale and Wallace's comments and further indicated that change is needed within the City of Bethel and those that have been around would be protected by the grandfather right clause.

Councilman Trantham indicated that he would like to see Council hold a worksession with Planning Commission members to work the differences out.

Councilman Vanasse indicated that worksession was a good idea, but if the ordinance was not going to be passed, felt it was not worth holding a worksession.

Madam Edge requested a copy of the old zoning ordinance, since she had not seen it yet.

motion

M/M by Feaster, 2nd by Trantham to hold a joint Council and Planning Commission worksession on Ordinance #192, on July 5, 1990, 7:30 PM at the City Offices conference room. Poll vote, motion passed. 4-yes; 2-no (Dale & Wallace), with Madam Edge abstaining from voting since she will be out of town that day. *Public hearing to be held again on July 10th.

Item B: Public Hear-
ing Ord. 195-FY'91
Budget

PUBLIC HEARING ORDINANCE #195 - FY'91 BUDGET

Mayor Warner opened the floor for public input at this time. Vernon Keezer indicated that he does not see anything on sidewalks and water & sewer pipes extension which is out to bid now. Hearing no other comments, Mayor Warner closed the public hearing at this time.

Before Council discussion, City Manager Earnest indicated that the changes made at the worksession were incorporated in the budget. Finance Director Graham indicated that the changes in the budget were that the \$6,000 revenue from the yellow house rental was decreased; and one grant that was erroneously shown twice and the other had been deleted; and an item under Administration for expense on leased equipment in the amount of \$2,396.00 to be added back in, which had been inadvertently dropped last month.

City Manager Earnest reviewed with Council the PATC's budget regarding SOADA Grant and telegram received from Myra Munson regarding funding FY'91 Alcohol and Drug Abuse Programs.

Item B: Public
Hearing Ord 195-
FY'91 Budget

M/M by Feaster, 2nd by Vanasse to ask for original \$74,000.00 as requested in general fund. Voice vote, motion carried.

City Council further discussed the City owned yellow house next to the Kusko Inn building. Mayor Warner expressed that Council should rescind their motion to have that house vacated, since \$6,000 rental per year was bringing in some revenue for the City. Councilman Dale expressed his opposing opinion and indicated that City should have nothing to do with employee rental, but with the exception of the pump house and the Fire Station, since they both require a 24 hour watch incase of an emergency.

Council also discussed the employees receiving some kind of bonus since the last cola increase was in the year of 1985.

motion

M/M by Dale to propose a 3% cost of living increase to City employees - employees to get a one time bonus of \$600.00 for those that are still employed from July 1, 1990 to December 1, 1990.

After further discussion of making all the amendment with one motion, Councilman Dale withdrew motion.

Council at this time discussed with City Manager Earnest the 4th of July booth charges; and onto discussion of Bethel Community Services letter regarding reappropriation for the \$7,928.78 that was suppose to be included in the FY'88 revenue sharing request.

motion

M/M by Dale, 2nd by Wallace not to appropriate \$7,928.78 to refund Bethel Community Services. Poll vote, motion passed unanimously.

Brief discussion on the cola increase for the City employees at this time.

motion

M/M by Dale, 2nd by Wallace that surplus after budget in general fund be appropriated for City employees for July 1, 1990, for a bonus to be determined at that time.

Further discussion on the motion; it was suggested that the above motion can be included in the main motion to approve all amendments to the budget. Both Councilmembers withdrew their motion.

motion

M/M by Feaster, 2nd by Dale to approve the FY'91 Budget presented with amendments made tonight. Poll vote, motion passed unanimously.

Councilman Vanasse expressed that he was against the employee bonus, but would rather see a raise. After further discussion, it was decided that employees get a flat \$600.00 bonus.

COUNCIL BREAK - 10:50 PM to 10:56 PM.

NEW BUSINESS

Item A: Games of
Chance & Skill -
VFW Post 10041

GAMES OF CHANCE AND SKILL - VFW POST 10041

*Phone poll was done on 06/22/90 to approve this permit application which following Councilmembers voted yes to pass the application: Warner, Vanasse, Feaster and Trantham.

motion

M/M by Trantham, 2nd by Feaster to approve the Games of Chance & Skill application for VFW Post 10041. Voice vote, motion passed unanimously.

Item B: FY'90
Audit

FY'90 AUDIT

Council discussed the proposals received from Mikunda Cottrell & Co and Newhouse & Vogler.

motion

M/M by Wallace, 2nd by Feaster to keep Mikunda, Cottrell and Co., for the FY'90 Audit for one more year. Poll vote, motion passed. 6-yes; 1-no (Trantham).

*Councilman Trantham requested another poll vote on the above motion, so he can change his vote. Poll vote on above motion, motion passed unanimously.

After Council discussion, it was unanimous that City should put out an RFP for the audit services next fiscal year.

Item C: Intro.
Ord 196-Seaplane
Moorage

INTRODUCTION ORDINANCE #196-SEAPLANE MOORAGE

M/M by Trantham, 2nd by Wallace to introduce Ordinance #196 for public hearing at the July 10th Council meeting. Voice vote, motion carried.

Item D: Executive
Session

EXECUTIVE SESSION

City Attorney Chandler indicated to Council that he has few reports in open session on the following cases: 2 year request on sales tax; Oscar Anvil case still pending; Bethel Utilities case; Nelson Brown case still pending, but settlement offer coming; need authorization on Nelson Marine Bankruptcy - was indicated to Attorney Chandler that the Council has authorized to go ahead on the Nelson Marine bankruptcy case. Cases for executive session are: Bush Air, Inc.; Jumbo lawsuit; Manny Seal case; Ms. Kehoe; Melinda Johnson; Mr. Peters and Mr. Selimi.

Before going into Executive Session, Elighio White explained the process of the 1988 revenue sharing.

otion

M/M by Dale, 2nd by Vanasse to go into executive session for legal matters, continue City Manager's evaluation, and Bethel Community Services sales tax appeal. Voice vote, motion carried. 11:36 PM.

Council came out of executive session at 12:36 PM.

Executive Session

M/M by Dale, 2nd by Vanasse that appeal requested by Bethel Community Services be denied. Poll vote, motion passed unanimously.

motion

M/M by Dale, 2nd by Wallace to give City Attorney authorization to prepare injunctive relief by Bush Air, Inc. and intend to go through City Manager. Voice vote, motion carried.

motion

M/M by Dale, 2nd by Wallace in lieu of 6 months budget not prepared and mismanagement of Administration of 3 Public Works Director's in employment that letter of reprimand be put in City Manager's personnel file with above 2 reasons. Poll vote, motion passed. 5-yes; 2-no (Feaster & Warner).

motion

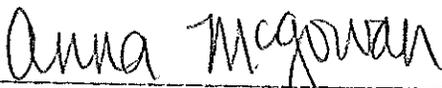
M/M by Dale, 2nd by Vanasse to adjourn at 12:45 ^{AM} ~~PM~~. Voice vote, motion passed.

PASSED AND APPROVED THIS 10th DAY OF July, 1990.



Tom Warner, Mayor

ATTEST:



Anna McGowan, City Clerk