

**CITY COUNCIL**

*Tad Miller*  
*Dario Notti*  
*Mike O'Brien*  
*Agnes Phillips*  
*Ruth Richardson, Mayor*  
*Stanley Rodgers*  
*Thor Williams*



**CITY MANAGER**

*Ken Weaver*

**CITY CLERK**

*L.J. Tanner*

**City of Bethel**  
**Regular Council Meeting Minutes**  
**April 22, 1997**

**I. CALL TO ORDER**

The meeting was convened at 6:30 p.m. by Mayor Richardson in the Log Cabin, Bethel, Alaska.

**II. ROLL CALL**

Present: Miller, Notti, O'Brien, Phillips, Richardson, Rodgers, Williams  
Absent: none

Also present: City Manager Ken Weaver, City Clerk L.J. Tanner, Paul Gabbert-VSW, Jim Kaercher-CRW, Tom Wolf-CH2M Hill, 28 persons in audience.

**III. PEOPLE TO BE HEARD**

There were several people signed up to speak, but they all preferred to hold their comments until the Public Hearing scheduled for Old Business Item B.

**IV. APPROVAL OF MINUTES**

Council member Williams noted that Ordinance #97-01 was referred to in the Approval of Minutes section as "Ordinance #7-01." Correction noted by Clerk.

**motion** M/M by O'Brien, 2nd by Miller to approve the minutes of the April 8, 1997 regular meeting, as corrected.

**vote** Voice vote. Motion carried unanimously.

**V. APPROVAL OF AGENDA**

**motion** M/M by Williams, 2nd by O'Brien to approve the agenda as presented.

**vote** Voice vote. Motion carried unanimously.

**VI. MAYOR'S REPORT**

Mayor Richardson stated that she attended a presentation of arms by the Junior ROTC at the Bethel Regional High School, and was very impressed by their discipline and training. Ms. Richardson also noted that she appreciated the way a recent complaint about full honeybuckets was handled by Public Works Administrative Assistant Wayne Smith and the City Clerk.

Next, Mayor Richardson reported that she was unable to attend the DOT&PF Effectiveness Review Committee meeting in Anchorage. However, in April, she did attend meetings of the City's

Council member Notti asked if he could place on the agenda for Executive Session, a discussion of the City Manager's handling of a personnel issue. Mayor Richardson stated that the City Manager was out of town and not available to teleconference, and had not been given notice of an Executive Session. Therefore, no Executive Session discussion could be scheduled.

**motion** M/M by Miller, 2nd by Williams to approve the agenda as amended.

**vote** Voice vote. Motion carried unanimously.

Dave Trantham, a citizen, asked to receive copies of information related to Ordinance #97-01. Mayor Richardson suggested that Mr. Trantham stop by the City Office during business hours and request that information from the City Clerk.

Mayor Richardson, noting the debate surrounding Ordinance #97-01, stated that she feels much of the controversy stems from a misunderstanding of what the Ordinance is really about. Council member Miller asked Ms. Richardson if she was speaking as Mayor, or as Chairman of the Board of Bethel Native Corporation. Mayor Richardson responded that she was simply speaking as a citizen.

At this time, Mayor Richardson asked if anyone else in the audience would like to comment on Ordinance #97-01. Oly Olson and Walter Larson stated that they would hold their comments until the April 22, 1997 public hearing. Dave Trantham said that he had nothing further to say at this time. Grant Fairbanks read a prepared statement opposing the Ordinance. Harry Faulkner stated his disagreement with Mr. Fairbanks comments. Council member Phillips asked if Marc Stemp, President of Bethel Native Corporation, would be available for the April 22, 1997 public hearing. Mayor Richardson said that she believed Mr. Stemp would be able to attend.

## **VI. MAYOR'S REPORT**

Mayor Richardson noted that Governor Knowles has declared April "Focus on Alaska's Children" Month. She pointed out information in the packet that described the various programs being held.

Next, Mayor Richardson reported on the AVCP Housing Self-determination Conference, and the ground-breaking for the new Assisted Living Facility. She expressed concern about the state of the roads after the recent warm weather, and suggested that roads be graded over the weekend if necessary. Mayor Richardson congratulated the local students who competed and won awards at the recent Academic Pentathlon.

Noting that several legal cases are still being handled by the former City Attorney's firm, Mayor Richardson asked to schedule a review of those cases. The review was scheduled for Executive Session, at the April 22, 1997 regular Council meeting.

Mayor Richardson announced the fourth annual YKHC Tribal Unity and Medicine Gathering, April 22-24. Interested parties may call Gert at 543-6030 for more information. She also noted that she will serve on the DOT&PF's Effectiveness Review Committee.

In appreciation of Bethel's many volunteers, Mayor Richardson proclaimed the week of April 13-19 as Volunteer Appreciation Week. First aid kits (including aspirin) will be distributed to everyone who volunteers on a city Committee or Commission.

Lastly, Mayor Richardson noted the letter in the packet from the Alaska Municipal Bond Bank, with regards to the legislature's elimination of the Executive Director position. She asked for Council's opinion on the matter.

**motion** M/M by Miller, 2nd by O'Brien to support the Alaska Municipal Bond Bank Authority in their efforts to obtain continued funding for the Executive Director position, and to direct the City Lobbyist to voice the Council's support for that position.

**vote** Voice vote. Motion carried unanimously.

## VII. MANAGER'S REPORT

Acting City Manager Young referred Council to the written reports, and discussed the following:

- DEC Notice of Violation (NOV): Two NOV's were distributed. One was for the City's discharge of waste from the sewage lagoon. The other was to a private citizen, for greywater discharge. Mr. Young noted that the City is close to obtaining a permit for the sewage lagoon discharge.
- Bid Award - Two bids were received for the bolted steel water storage tank required for the Bethel Heights Water and Sewer System Upgrade Project. The Purchasing Agent recommends award to Peabody Tech Tank, for \$91,054.00.

**motion** M/M by Miller, 2nd by O'Brien to award the bid for the bolted steel water storage tank to Peabody Tech Tank, for \$91,054.00.

**vote** Voice vote. Motion carried unanimously.

- Planning Fees: Council member Miller had several questions on the proposed Planning Fee increases. Acting City Manager Young stated that these would be explained in more detail during the May budget sessions.

## VIII. REPORTS OF STANDING COMMITTEES and COMMISSIONS

*Finance Committee:* Council Member Phillips reported that the Committee had met. Because the Finance Director is on vacation, minutes of their last meeting are not available.

*Planning Commission:* Council Member Notti stated that the Commission had met, and the minutes of their meeting are in the packet.

*Port Commission:* Council Member Rodgers was absent, so there was no report.

*Public Works Committee:* Council Member O'Brien reported that the Committee's next meeting is scheduled for April 15, 7:30 p.m. at the City Shop.

*Public Safety Commission:* Mayor Richardson stated that the Commission had met, and had a lively, productive meeting. The air was cleared with regards to micro-management of the Police Department. Discussions and plans for an alcohol delivery site are moving forward.

**motion** M/M by Miller, 2nd by Williams to authorize direct access to the City Attorney by the Public Safety Commission, to investigate the legal ramifications of an alcohol beverage delivery site.

**motion** S/M by Miller, 2nd by O'Brien to amend the motion by specifying "judicious" use of the City Attorney's time.

**vote** Vote on amendment. Voice vote. Motion carried, 5-Yes, 1-No (Phillips)

**vote** Vote on Main Motion. Voice vote. Motion carried, 4-Yes, 2-No (Notti, Phillips)

**Transportation Commission:** Council Member Williams stated that the Commission had met and held a teleconference with the City Attorney to discuss their proposed ordinance changes. They also discussed appeals and the issue of non-smoking cabs. Commissioner Oh's term will expire on April 11, and the Commission recommends her for re-appointment.

**Youth Services Committee:** Council Member Miller reported that the Committee met, and heard recommendations on management of the Youth Center from several high-school students. Volunteers are needed, as always, to help man the Youth Center.

Council member Miller asked about the employment status of Police Chief Gary Eilers. Mayor Richardson announced that the Chief had withdrawn his letter of resignation and would be staying on as Police Chief.

## **IX. OLD BUSINESS**

### **Item A: Public Hearing, Ordinance #97-01 - Acquisition of a Road ROW (tabled)**

Although this item was tabled until the April 22 regular meeting, Council member Miller questioned if any changes had been made to the ordinance since its' introduction. The City Clerk responded that two changes had been made. The first was a correction to change the sponsor of the Ordinance from "Planning Commission" to "City Manager Weaver"; the second was a correction to the classification of the ordinance from "permanent code ordinance" to "non-code ordinance."

### **Item B: Public Hearing, Ordinance #97-02 - Amendment to the Classification Plan**

Mayor Richardson opened the Public Hearing. The City Clerk spoke in favor of changing the Translation Clerk from a part-time to a full-time position. Seeing no one else to speak, Mayor Richardson closed the Public Hearing.

**motion** M/M by O'Brien, 2nd by Miller to adopt Ordinance #97-02.

Council member Williams had a question on the change from Grader Operator to Streets and Roads Foreman. Acting City Manager Young responded that the person holding the position is a working foreman. Council member Miller had a question on the change from Public Works Manager to General Superintendent. Acting City Manager Young responded that a job description for the position would be forthcoming. Council member O'Brien mentioned that the change to General Superintendent has been discussed at Public Works Committee meetings for some time.

**vote** Roll call vote. Motion carried unanimously.

### **Item C: Public Hearing, Ordinance #97-03 - Amendments to the Annual Budget**

Mayor Richardson opened the Public Hearing. Seeing no one to speak, Mayor Richardson closed the Public Hearing.

**motion** M/M by Miller, 2nd by Williams to adopt Ordinance #97-03.

Council member Miller questioned the total net change to the City budget, and asked where the money was going to come from. He was referred to a memo from the Finance Director which accompanied the Ordinance.

**vote** Roll call vote. Motion carried unanimously.

**Item D: Discussion - Municipal Classifications**

Mayor Richardson, who requested the agenda item, pointed out the various materials provided in the packet. Council member Miller asked that the Council be provided with more information on the Home Rule option, in addition to the information on First and Second Class cities. Mr. Miller noted that the need for a Second Class city to change directly to Home Rule has been adopted as part of AML's policy statement. Further discussion followed, and the Clerk was directed to re-schedule this item for discussion at the April 22 regular Council meeting.

**X. NEW BUSINESS****Item A: Resolution #97-21, Objecting to outside interests selling pull-tabs (Williams)**

**motion** M/M by Williams, 2nd by Miller to adopt Resolution #97-21.

Council member Williams read the Resolution. A brief discussion followed. Council member Notti questioned the meaning of "Bethel-based" organizations. Council member Miller asked if existing operators would be allowed to continue operations for the remainder of the year. Mayor Richardson explained that until the Council adopts an Ordinance to ban operators, they may continue operations. The Resolution simply expresses the Council's opposition to the sale of pull-tabs for outside interests.

**vote** Voice vote. Motion carried unanimously.

**Item B: Resolution #97-22 - Authorizing an application for WAANT Grant (Young)**

Acting City Manager George Young read the Resolution.

**motion** M/M by Williams, 2nd by O'Brien to adopt Resolution #97-22.

A brief discussion about the WAANT grant followed. Dave Trantham expressed support for the grant application.

**vote** Voice vote. Motion carried, unanimously.

**XI. COUNCIL MEMBER COMMENTS**

**Miller** - Wished the Mayor a Happy Birthday. Noted that the Lower Kuskokwim Education Association is sponsoring a display of children's writings and artwork at the Cultural Center. Also noted that ALPAR, at their annual awards ceremony, will honor Bethel's Recycling Project. Can Man Brian Glasheen will attend the ceremony to accept the award for the City.

**Notti** - Wished the Mayor a Happy Birthday. Volunteers are need to assist Bethel Search & Rescue and the Y-K Lifesavers.

**O'Brien** - Gave an update on the AML Legislative Conference. The AML is still pushing hard for SB 29, "Safe Communities." Seawall funds are in danger of being removed from the Capital Budget in the Senate. Mr. O'Brien and the City Manager spent time with the DEC discussing low interest loans for water/sewer improvements. Mr. O'Brien explained the effects of the state cutting DEC's Solid Waste Program. He expressed gratitude for Paul Richard's efforts. Noted that Dave Trantham has received the Chamber of Commerce's annual Bill Bivens award.

**Phillips** - Noted that April is Sexual Assault Awareness Month and asked people to please be sensitive to victims of sexual assault. Ms. Phillips also noted that KYUK/ARCS is in need of volunteers and contributions.

**Richardson** - Expressed appreciation for the notices posted on the DDC by Public Works Administrative Assistant Wayne Smith. Thanked Council for the birthday cake. Thanked Dave Trantham for his comments, and asked for his assistance in sprucing up the city for its' 40th Municipal birthday this summer. Asked Council member Miller to not represent himself as the Acting Mayor unless she is out of town.

**Rodgers** - Absent, no comment.

**Williams** - Wished the Mayor a Happy Birthday. Noted that both local pre-schools are holding "trash-a-thon" fund-raisers, May 1-2, and asked people to support these efforts.

Acting Public Works Director Stuart Greydanus expressed his appreciation for the cooperation of the staff at the Department of Public Works during this transitional period.

**XIII. EXECUTIVE SESSION - none**

**XIII. ADJOURNMENT**

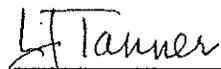
**motion** M/M by Miller, 2nd by Williams to adjourn the meeting at 9:00 p.m.

**vote** Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 22ND DAY OF APRIL, 1997.

  
Ruth M. Richardson, Mayor

ATTEST:

  
L.J. Tanner, City Clerk