



CITY of BETHEL

P. O. Box 537 • Bethel, Alaska 99559

543-2297 -- Area Code 907

REGULAR COUNCIL MEETING July 28, 1976

CITY OFFICE

7:30 P.M.

Meeting was called to order by Mayor Hoffman at 7:37 P.M.
Present: Guinn, Pike, Elliott, Peltola.
Absent: Andrew, Alexie.

APPROVAL OF MINUTES:

M/M by Peltola that the minutes of July 14, 1976, Regular Council Meeting be accepted as presented.
Voice vote was taken and was unanimous. Motion passed.

COMMUNICATIONS:

Manager Bartlett reported that in addition to the packets distributed to Council Members, which included the agenda and former Council Meeting minutes, there are two (2) letters recently disseminated by the Manager's Office that were not included in the packets. Such letters involved the following: A letter to Mr. John Widdis of the State Dept. of Highways in Nome, Alaska which delineates the Summer of 1976 scope of work to be implemented by the City relative to extending, developing, and/or improving local service roads within the City's jurisdictional boundaries, and an attached Agreement addressing the specific roads to be developed under the State's Three (3) Year Road Plan; and a letter sent to the Division of Corrections indicating that the Bethel Jail facility would not be accepting State prisoners beginning at midnight on August 1, 1976, and that all State prisoners incarcerated in the City's jail facility before the aforementioned closing date will be transferred to the proper State authorities for care and disposition outside of the Bethel facility, beginning on August 2, 1976, and ending on August 6, 1976. In addition to the letter sent to the Division of Corrections, termination notices (letters) have been sent to eight (8) employees at the jail facility, effective on August 24, 1976.

Manager Bartlett also reported that the jail facility will continue to accept individuals arrested for municipal offenses, and that all State prisoners currently incarcerated will not be released, but rather transferred under the responsibility of the Dept. of Public Safety and/or Division of Corrections.

MANAGER'S REPORT:

Manager Bartlett reported that the City of Bethel had received an amendment to the Garbage and Trash Pick-up and Disposal Services Contract with PHS (Alaska Native Hospital in Bethel). The amendment indicated that PHS had accepted the City's bid proposal of \$511.29 per month, which involves a 15% increase over last year's contract.

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MANAGER'S REPORT Con't.

The PHS Contract will began on October 1, 1976, and end on September 30, 1977.

In continuing his report, Manager Bartlett asked Andy Edge to report to the Council as to the distance the new Russian Orthodox Church will be from the Wild Goose Inn.

Andy Edge - According to State Statues the Wild Goose Inn is sufficient distance from the newly planned building site for the Russian Orthodox Church. This is based on the fact that the Church will already be in existence if the Wild Goose Inn becomes a bar in the future.

M/M by Peltola that the property to be allocated to the Russian Orthodox Church, as approved by the Planning Commission be ratified by Council. Voice vote was taken and was unanimous. Motion passed.

Manager Bartlett recommended to City Council that former action by the Council amending Resolution #2 and #3 be rescinded, because according to current procedures outlined in municipal ordinances the City will need to develop a ground lease with the Alaska National Guard in Bethel and the School District for a period of 99 years.

M/M by Guinn that the former action taken by Council relative to amending Resolution #2 and #3 be rescinded. Voice vote was taken and was unanimous. Motion passed.

The final part of Manager Bartlett's report was concerned with assuring the Council and existing residents of the City Subdivision that electical power would be installed by September, 1976.

MAYOR'S REPORT

Mayor Hoffman reported that the City will not run out of stove oil this winter because Standard Oil is building another storage tank.

COMMITTEE REPORTS

Pike - The Public Safety Committee has received a recommendation from PHS regarding the selection of a new member for the Public Safety Committee. The individual being recommended is Bob Kapolka and it is requested that Council approve this individual as a new member of the Public Safety Committee.

M/M by Peltola that Bob Kapolka be selected as a member of the Public Safety Committee. Voice vote was taken and was unanimous. Motion passed.

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PEOPLE TO BE HEARD

Bruce Crow - I am attending the Council meeting tonight in order to address a concern that I have with reference to law enforcement in the City of Bethel. In my opinion, law and order in Bethel is deteriorating and I would like it cleaned-up before school starts.

Peltola - I would recommend that approximately 3 people from your ad-hoc committee attend a Public Safety Committee meeting and voice recommendations for improving law enforcement in the City of Bethel.

Crow - I feel that it is Council's responsibility to decide what action needs to be taken within this area.

Bartlett - The Public Safety Committee has been established for the purpose of developing recommendations within the law enforcement area and recommending appropriate actions to be taken by Council.

Pike - We will have a Public Safety Committee meeting on Monday, August 2, 1976, at the City Offices, at 7:30 P.M.

Andy Edge - I would like to inquire if the Council has adopted a budget for FY 1977. In reading Title 29 of the State Statues, the City Council is required to pass a budget each fiscal year by ordinance and amendments to such budget can be adopted by ordinance. If the City cannot come up with a budget, then there is something drastically wrong. In addition, the City Council according to State Statues cannot take action on leased property without first adhering to State law governing matters of this nature. The lots in and around the Prematernal Home site location are in question due to the need to follow prescribed procedures.

Bartlett - The City is currently operating under a fifth quarter concept which involves a 90-day budget beginning on July 1, 1976, and ending September 30, 1976. The fifth quarter budget is the same as FY 1976 and will require modification prior to September 30, 1976. In addition, the City is considering changing its fiscal year to October 1, 1976. There is a need for a financial statement in order to prepare budget amendments and a fiscal year budget for 1977. There has not been an audit prepared for the City since 1974. An audit for 1975 has been promised to the City on several occasions by those individuals contracted with to preform such an audit.

Edge - Word has come to me that the former City Manager, not the former but the one before that, left the City financially in disarray. I am very concerned about this situation to the extend that I am here to defend my name.

Bartlett - It is my position that affirmative action has been taken with regard to the handling of financial matters. Such action involves hiring a new finance director and securing the services of Peat, Marwick, Mitchell & Co., the former CPA firm which has the last recorded audit on file with the City. These individuals are currently engaged in drafting

PEOPLE TO BE HEARD Con't.

an unaudited financial statement for the year ending on June 30, 1976. When I arrived in Bethel I found the financial records of the City to be in disarray due to the lack of adequate financial statements and fiscal year audits. Whether this is your fault or not, it is immaterial to me, what is important is the development of financial statements that reflect the true status of the City.

Edge - I question the ability of the City to hire a new Public Works Director or operate legally without having a legally adopted budget.

Bartlett - The Council has agreed to operate under a fifth quarter financial arrangement until such time that a new budget can be prepared and presented for adoption.

Edge - With respect to the transfer of land by the City, I recommend that all such transfers be enacted by the Planning Commission and ratified by Council as well as placed in the Tundra Drums.

Bartlett - It is my understanding that this procedure is being followed by the City with the exception that transfers of land are not being noted in the Tundra Drums.

Guinn - The Planning Commission has recently decided to re-evaluate City-owned land and its intended purpose and to study the needs of the City relative to future land-use requirements.

Edge - When I was City Manager I wrote three (3) ordinances - a planning ordinance, a platting ordinance, and a zoning ordinance. Not all of these ordinances were adopted. However, the planning ordinance was adopted and should be adhered to by the Council.

Guinn - Swansons' is currently building an addition and it might possibly be extending on to the right-of-way of the streets near Swansons Store. The City has little enough land and we should look into this matter.

OLD BUSINESS

Item A. Courthouse Project Resolution

Manager Bartlett read Resolution #174, a resolution of the City of Bethel, Alaska Providing for Capital Improvement Construction; The Disposition of Surplus Real Property; and Lease of Said Capital Improvement to the State of Alaska.

M/M by Peltola that Resolution #174, a resolution of the City of Bethel, Alaska Providing for Capital Improvement Construction; The Disposition of Surplus Real Property; and Lease of Said Capital Improvement to the State of Alaska be approved as read.

Roll call vote, Yes, Guinn, Hoffman, Pike, Elliott, Peltola.
Motion passed.

OLD BUSINESS Con't.

Bartlett - In addition to Resolution #174, the City Attorney (Dickson & Evans) has issued a legal opinion with reference to the Bethel Courthouse facility. Specifically, the legal opinion addresses the following: Can the the City execute a standard deed of trust and promissory note to finance construction; & Can the City encumber municipal realty in the proposed manner? The answer to both questions is yes.

Item B. Resolution #173 - KYUK's Television Dish Installation Project

Manager Bartlett read Resolution #173, a resolution for Establishment of a Satellite Communications Station.

M/M by Guinn that Resolution #173 be adopted by Council.
Voice vote was taken and was unanimous. Motion passed.

NEW BUSINESS

Item A. Bethel Volunteer Fire Department's Tanker Storage Proposals

Bartlett - I asked John Sanchez, the Bethel Fire Chief, to present three (3) proposals concerned with potential storage areas for the new tankers provided the Fire Department. (Refer to attached schematics.)

Sanchez - The Cowan Hut structure has sufficient height but is not wide enough. In addition, the expense that would be incurred to move the structure is prohibitive. The old Fire Station would require new doors at one end of this structure and it is my understanding that the old Fire House may be used this winter by the City to house either water trucks or sanitation trucks. The old Fire Station may not be wide enough to house both tankers. The Sub-station near Bethel Heights is too small to house Fire Dept. vehicles and is only large enough to house two (2) of the City's three (3) water trucks. Finally, the Fire Department has researched the possibility of the cost involved in establishing a new building. The cost of such is estimated at \$29,000.00 and the building could be put-up in one (1) day and would be completely insulated.

Hoffman - Have you looked into locating a building in Bethel that might be for sale?

Peltola - I recommend that the Fire Chief work with the City Engineer in the development of the exact plans that will be presented to Council.

Bartlett - There is no need for Council to take action on this matter at this time.

Item B. Resolution #172, a Resolution for the Road Easement Right-of-way by the Bethel Native Corporation to the City of Bethel.

Bartlett - On the 24th of May, 1976 the Council passed Resolution #172 requesting an easement be granted to the City of Bethel in order to

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NEW BUSINESS Con't.

allow the Bethel Utilities Corporation the opportunity to construct a road way thereby providing access to their new power plant. It is my recommendation that this resolution be rescinded by Council, because of the Bethel Native Corporation's request to the City that the City give up its right to claim certain parcels of land in exchange for the easement.

M/M by Peltola that Resolution # 172 be rescinded by Council. Roll call vote, Yes, Guinn, Pike, Elliott, Peltola. Abstained - Hoffman. Motion passed.

Bartlett - I recommend to Council that the BNC Resolution #76-44 be rejected.

M/M by Peltola that the City of Bethel deny(reject) the BNC Resolution # 76-44. Roll call vote, Yes, Guinn, Pike, Elliott, Peltola. Abstain - Hoffman. Motion passed.

Item C. Ratification of Planning Commission Meeting Minutes of 7-14-76.

Bartlett - I recommend that Council ratify the Planning Commission Meeting Minutes of July 14, 1976.

M/M by Guinn that the City Council ratify the Planning Commission Meeting minutes of July 14, 1976. Voice vote was taken and was unanimous. Motion passed.

Item D. Prematernal Home Lot Selection.

Guinn explained the three (3) alternatives under consideration by the Prematernal Home Board of Directors. Alternative # 1) includes expanding Lot #1 on Block #5; #2) That Lot 3 of Block 5 be exchanged for Lot 2 of Block 5 (both the City and John Gregory would be involved in this exchange); and #3) that a lot be obtained from Bethel Social Services for the purpose of constructing a new Prematernal Home. Guinn indicated that the expansion of Lot 1 of Block 5 would be the most ideal alternative.

Bartlett - The lot located on the property owned by the Bethel Social Services Board would be close to the Hospital but would not be centrally located to existing shopping areas. This item is on the agenda in order to have input from Council members as to other possible lot areas that could be used by Prematernal Home.

Peltola - Since no action can be taken at this time, we need to table this until a future meeting.

NEW BUSINESS Con't.

Item E. URS Engineering's Rehabilitation Study Report.

Bartlett - URS Engineering has been engaged in performing a study of the Bethel Heights sewer and water system relative to cost estimates to replace such a system, as well as ascertain the original cost of the system when it was first constructed. I have asked Ed Lenhart the City Engineer to give a presentation to Council tonight regarding the preliminary findings ascertained by URS Engineering.

Lenhart - The Corp of Engineer's figure for replacing the system in Bethel Heights was originally projected at \$1.8 million. Urs Engineering has determined that \$5.1 million will be required to replace the system. After discussing the latter figure with the Corp, their figure has been increased to \$3.9 million. The study prepared by Dowling indicated that \$5.2 million would be required to replace the system. The City will be receiving final cost estimates from URS Engineering after a final meeting is held in Seattle with Bill Mayer, of the Federal Disaster Office.

Elliott - When do you project that the City can start and finish the reconstruction of the sewer and water system in Bethel Heights?

Lenhart - The Council will first have to review the types of systems being studied by URS Engineering and then once the decision is reached construction will probably begin in 1977.

Peltola - Would you please make a report to Council after the meeting in Anchorage.

Item F. Appointment of Alaska Native Land Claims Settlement Act Sub-Committee.

Bartlett - I would like to recommend that Council authorize the City Manager to select four members of Council to serve on a Sub-committee concerned with the reconveyance of land by the Native Land Claims Settlement Act to the municipality.

M/M by Peltola that City Manager be authorized to select four members to serve on such a Sub-committee.

Voice vote was taken and was unanimous. Motion passed.

Mayor Hoffman suggested that Council hold a special meeting on Monday, August 2, 1976, to discuss the easement request for the Bethel Utilities Corp.

M/M by Guinn to adjourn.

Voice vote was taken and was unanimous. Motion passed.

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Meeting was adjourned at 9.25 P.M.

Rebecca Johnson
City Clerk

John J. Jettola
Mayor - Acting