

CALL TO ORDER Acting Mayor Warner called the Special City Council meeting of 10/05/89 to order at 7:34 P.M.

ROLL CALL Except for Mayor Kelly, all members were present.

APPROVAL OF AGENDA M/M by Anvil, 2nd by Trantham to accept the agenda
MOTION as presented. Voice vote, motion carried.

COUNCILMEMBER COMMENTS No Councilmember comments at this time.

PEOPLE TO BE HEARD No people to be heard.

NEW BUSINESS: Item CAVASSING OF BALLOTS/CERTIFICATION OF OCTOBER 3,
A: Canvassing of 1989 ELECTION
Ballots/Cert of Ele.

The absentee and question ballots which were casted by voters eligible to vote were delivered to Mayor Warner; Councilmen Dale and Hoffman were selected to partake in the counting of the absentee and question ballots.

Seat One:

Anvil	Absentee	8	Question	13
Vanasse	Absentee	12	Question	18

Write in: Kathy Collins

Seat Three:

Edge	Absentee	11	Question	14
Faulkner	Absentee	8	Question	12
Glore	Absentee	2	Question	7

Write in: Mike Murray

Seat Four:

Pavil	Absentee	11	Question	13
Wallace	Absentee	8	Question	20

Write in: Lucy Crow & Ala Lazano

Seat Five:

Feaster	Absentee	12	Question	19
Keezer	Absentee	4	Question	5
Short	Absentee	3	Question	7

Write in: Diane Carpenter

Seat Six:

Kelly	Absentee	6	Question	9
Trantham	Absentee	15	Question	25

Local Option:

Yes	Absentee	5	Question	18
No	Absentee	16	Question	19

Administrative/Personnel Officer Ken Hamm brought to Council the following problems encountered at Precinct 1 & 2. In Precinct 1, a (Jr) was allowed to vote; later the father (Sr) came in to vote and discovered (Jr) signed in his space. The (Sr) was told to sign above the signature of his son and was allowed to vote. Therefore, an invalid vote was

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SPECIAL MEETING COUNCIL MINUTES
10/05/89

* TO BE INSERTED AFTER PAGE ONE OF THE 10/05/89 MINUTES.

FOLLOWING IS THE EXPLANATION OF THE REJECTION OF
BALLOTS MARKED WITH A PEN:

The ballots marked with a pen at precinct #2 were
rejected since in the past, when they use to count
ballots by machine, ballots marked with a pen could
not be picked up by the machine.

Item A: Canvass/
Certification -cont-

counted as the ballot was placed into the ballot box and could not be removed. Acting City Clerk Karole Kohl was informed of the mistake and contacted the Northwest Election office; Dale Kuykendall from that Office explained to have the election judges make a notation of what happened and present the mishap to Council at the time of election certification.

At Precinct #2, election workers spoiled ballots marked in ink and spoiled an entire ballot if more than one candidate was selected for a particular seat; ballots with marking made outside of a box or writing on the ballot were considered spoiled by the election workers and, lastly, three ballots actually spoiled by voters were later compiled with ballots determined spoiled by the election workers.

Mr. Hamm explained to Council that both State Law and City Ordinances do not rule out ink marked ballots and the proper procedure for spoiling ballots with votes for more than one candidate in a seat is to only spoil that seat and count the votes casted correctly in the other seats of the ballot; there is no indication that making marks outside of a box spoils the ballot if the seat is correctly marked.

Council discussed the problems related to this election resulting in the following motion.

MOTION

M/M by Dale, 2nd by Trantham for the Bethel City Council to review the 19 spoiled ballots of Precinct #2 removing the ballots actually spoiled and contain the remaining to certify the election. Poll vote, motion carried unanimously.

Council reviewed the ballots of Precinct #2 and since the three spoiled ballots returned to the election workers could not be distinguished from the others spoiled by the workers, all 19 were counted as Council determined the ballots "not spoiled".

Mary "Sweetums" Pavil, candidate for Seat #4 questioned Council on the legalities of contesting an election. Mr. Hamm explained procedures under AS 29.16.070, Section D.

Ms. Pavil submitted a notarized letter to the City Clerk contesting results of Seat #4 of the 10/03/89 General Election 1.) Based upon her dissatisfaction of the City Council counting the spoiled ballots at Precinct #2 only; and, 2.) The spoiled ballots for Precinct 1 & 3 were not counted. It is noted that Ms. Pavil did not demand a recount but contested the method in which Council reached their decision.

NEW BUSINESS:
Item A: Canvass/
Certification -cont-
MOTION

M/M by Dale, 2nd by Trantham to acknowledge the con-
testing of Seat #4 of this election and asked that
AS 29.16.070, Section D, be fully explained to the
contestant. Voice vote, motion carried.

Mr. Hamm explained AS 29.16.070, Section D as asked.

MOTION

M/M by Dale, 2nd by Trantham to certify the General/
Local Option Election of 10/03/89 with a notation
that a protest for Seat #4 has been duly filed.
Poll vote, motion passed unanimously.

MOTION

M/M by Warner, 2nd by Dale to adjourn the Special
Council meeting of 10/05/89 at 9:42 P.M. Voice vote
motion carried.

* See attached -- election results, letter of ex-
planation from the election judges of Precinct #1,
letter contesting election from Mary Pavil, and
objective statement for the record from the Acting
City Clerk.

PASSED AND APPROVED THIS 28th DAY OF NOVEMBER, 1989.



THOMAS J. WARNER, ACTING MAYOR

ATTEST:



Karole A. Kohl, Acting City Clerk

CITY OF BETHEL
 GENERAL - LOCAL OPTION ELECTION
 OCTOBER 3, 1989

	<u>Prec 1</u>	<u>Prec 2</u>	<u>Prec 3</u>	<u>Question/Absentee</u>		<u>Total</u>
<u>SEAT ONE:</u>						
ANVIL, ANTONE	101	167	87	13	8	376
VANASSE, GARY	122	233	106	18	12	491
NICOLI, BALLASSIA	1					1
PAVIL, MARY	1					1
GUINN, JOHN	1					1
DAVIS, SONNY	1					1
RICHARDS, WALLY		1				1
MCCELWEE, NELLY		1				1
COLLINS, KATHY		1				1
						<u>1</u>
						SEAT ONE TOTAL = 874
<u>SEAT THREE:</u>						
EDGE, HELEN	111	168	84	14	11	388
FAULKNER, HARRY E. JR.	72	173	71	12	8	336
GLORE, ALLEN	41	58	33	7	2	141
DELODDER, JOHN		1				1
MORGAN, JOLI		1				1
SHANTZ, JOY		1				1
						<u>1</u>
						SEAT THREE TOTAL = 868
<u>SEAT FOUR:</u>						
PAVIL, MARY	110	200	90	13	11	424
WALLACE, WALLY	112	188	101	20	8	429
DALE, BEN	1					1
OSCAR, JOHN	1					1
CROW, LUCY		1				1
ERIKA, EDITH		1				1
HOFFMAN, JAMES R.		1				1
LAZANO, ALFONZO		1				1
WADE, CHUCK		1				1
						<u>1</u>
						SEAT TWO TOTAL = 860
<u>SEAT FIVE:</u>						
FEASTER, JAMES H. III	139	297	125	19	12	592
KEEZER, VERNON W.	39	48	24	5	4	120
SHORT, FAY W.	46	55	42	7	3	153
SAMUELSON, HOWARD	1					1
ALBERTSON, LAMONT		1				1
DALE, BEN		1				1
FAULKNER, HARRY, JR.		1				1
PAVIL, MARY		1				1
CARPENTER, DIANE			1			1
RICHARDSON, WALLY			1			1
TWITCHELL, PETER			1			1
						<u>1</u>
						SEAT FIVE TOTAL = 873
<u>SEAT SIX:</u>						
KELLY, CLARA	54	72	37	9	6	178
TRANHAM, DAVID E. JR.	174	333	152	25	15	699
HAMM, KEN	1					1
SHANTZ, JOY			1			1
						<u>1</u>
						SEAT SIX TOTAL = 879

<u>LOCAL OPTION:</u>	<u>Prec 1</u>	<u>Prec 2</u>	<u>Prec 3</u>	<u>Question/Absentee</u>		<u>Total</u>
"YES"	111	179	94	18	5	407
"NO"	120	232	106	19	16	493