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# City of Bethel, Alaska

## City Council Minutes

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February 8, 2000

Regular Meeting

Bethel, Alaska

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### CALL TO ORDER

The Regular Meeting of the Bethel City Council was held on February 8, 2000, at 6:30 p.m. in the Lions Club, Bethel, Alaska. Mayor Mike O'Brien called the meeting to order at 6:35 p.m.

### ROLL CALL

There were present:

Mike O'Brien, Mayor	Agnes Phillips
Jerry Drake	Karol Pobrislo
Joerene Hout	Stanley "Tundy" Rodgers
Dario Notti (7:00 p.m.)	

comprising a quorum of the Council.

Also in attendance were:

Bob Herron, City Manager  
Gaye Vaughan, City Clerk

### PEOPLE TO BE HEARD

*Linda Curda*, Coordinator of the Camai Dance Festival, told the Council that Camai would be held April 7-9 this year. The lateness of the dates was due to unavailability of the high school due to a basketball tournament. About twenty dance teams will perform at the Festival, in addition to the crowning of Mr. and Miss Camai, dance seminars, dinner, arts and crafts, and other activities. Camai is a project of the Bethel Council on the Arts and the cost is about \$60,000 to hold it. BCA does receive funding from the Alaska Council on the Arts, but is in need of more help. She asked Council for some financial support in the form of a sales tax exemption or a donation. She noted that it has been several years since the city has donated to the Camai Festival. The Council may have to increase admission prices, which have stayed the same since 1992. She said they were only asking for a sales tax exemption for the Camai, not for the Council in general. She added that the Festival brings a lot of money into the community over the three days.

Ms. Curda was given an explanation of sales tax exemption and how the Council acts as a sales tax collector at the Camai.

A discussion ensued regarding a donation versus an exemption.

*Shari Neth*, Public Safety Commissioner, invited council members to attend the Public Forum on Alcohol Issues Facing Bethel to be held on Thursday, February 10 at the Cultural Center.

*Willie Keppel*, thanked KYUK for broadcasting the council meetings. He noted that Spring was in the air and it was time to pursue a source of gravel for the upcoming summer. He has found a way to buy six-years worth of gravel to stockpile on the dock. He also spoke about the 1999 Comprehensive Plan, saying he would like to see the plan and the city code accessible to all citizens on the internet.

**APPROVAL OF MINUTES**

Corrections to the minutes were noted.

<b>MOVED BY:</b>	Drake	To approve the minutes of the regular meeting of January 24, 2000 as corrected.
<b>SECONDED BY:</b>	Pobrislo	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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**APPROVAL OF AGENDA AND CONSENT AGENDA**

Copies having been made available to the public, Mayor O'Brien noted by title only the items on the consent agenda.

***Ordinance #00-03: Amending The Adopted Annual FY 1999-2000 Budget (City Manager) (Public Hearing on Feb. 22, 2000)***

<b>MOVED BY:</b>	Pobrislo	To approve the agenda and consent agenda as amended.
<b>SECONDED BY:</b>	Rodgers	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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**MAYOR'S REPORT**

Mayor O'Brien announced the following information included in the agenda packets:

- Governor's Talking Points for January 24, 27 and 31, 2000
- Letter from Representative Mary Kapsner dated January 31, 2000
- Letter from R. Shane Wirtz regarding PWO/MIAs
- Letter from U.S. Dept. of Commerce regarding Western Alaska Fisheries Disaster Communities
- Letter from SOA, PFD Division, regarding Outreach Program
- Press Release from Governor Knowles regarding Avalanche Danger
  
- He had received information from the American Heart Association regarding smoke-free work places and restaurants. Bethel was the only Alaskan city on the list. The entire list consisted of only 60-65 cities, mostly in California.
  
- The Mayor had received approximately 20 calls the previous day regarding a local business who has chosen to ignore the smoke-free ordinance. The City code enforcement officer was working with that business

- There had been a discussion in Juneau on this day regarding Power Cost Equalization. Everyone needs to talk to people in Juneau about PCE. If there is no infrastructure, there will be no development. The project at Fordham Pool was subsidized.
- He talked about a bill in the legislature sponsored by Representative Coghill which could have a big impact on the Delta. It has to do with the elimination of Denali Kid Care which is a great asset to people getting off welfare. He suggested people contact LIO and send POMs to the legislature. This bill would put people back on the welfare rolls.

## **MANAGER'S REPORT**

City Manager Herron relayed the following information:

- Department Head reports were included in the agenda packets.
- The City's motor vehicle office will open later this month. The Police Chief and crew are working on some remodeling of the office. The MV clerk and supervisor will get some training in Anchorage.
- The City's contractor for the ice road did attempt to open the road last week, but shell ice and water prevented them from doing so. When the ice conditions are safe for heavy equipment, they will again attempt to open the ice road.
- Paul Richards, City Lobbyist, did keep the visit to Juneau very busy for those who went. The Manager felt that the trip was productive and Mr. Richards now has a sense of where the City Council wishes to go in 2000 in working with the legislature. As always, Senator Hoffman and Representative Kapsner listened to the concerns and the reports of other legislator visits and explained their view of political reality for rural Alaska, present and future.
- The current snow removal policy has been in effect since January 5, 1995. Mr. City Manager Herron delegated the revision of the policy to the Public Works Committee.
- The court system is moving into the new court complex this week and plans to be fully operational on February 15.
- Three documents were included in the packet relating to Bethel Recycling.
  - Memo from City Manager Herron to Brian Glasheen dated December 20, 1999.
  - Letter from Rick Button to Bob Herron dated October 22, 1999.
  - Memorandum of Agreement dated August 26, 1997.

The City Manager noted that on Saturday morning, February 5, 2000, he observed the stock stack of the quonset hut emitting black smoke. He stopped to question Mr. Glasheen as to why he was using the stove and Mr. Glasheen replied that the Recycling Center does not work around the City of Bethel.

With the Council's input, Mr. City Manager Herron will direct Mr. Glasheen not to burn combustibles from the stove within a City facility that is on City property. To accomplish this, the City is prepared to do what is necessary.

Council Member Drake was concerned about burning waste cardboard at the recycling center. He said the City has tried to work with Mr. Glasheen, now they need to do whatever is necessary.

Council Member Hout asked about putting in an alternative source of heat. Mr. Herron replied that Mr. Glasheen has chosen to not work with the City on this issue.

Council Member Drake felt the City has bent over backwards to help.

Council Member Hout stated the City needs a solid waste comprehensive plan. Recycling is a huge job and has always been done on a volunteer basis.

Mayor O'Brien pointed out that Mr. Glasheen does receive VISTA wages.

The City Manager stated that Mr. Glasheen has indicated that he likes the current method of heat. He has not talked about the City's offer of an alternative source of heat and moving the center to a site near the landfill was totally unacceptable to him.

Council Member Notti stated he would not want to be put between the landfill and the sewage lagoon. He did feel, however, that recycling should be close to the landfill.

City Manager Herron said the City owns the land from the land fill to ME School and possibly a site closer to ME would be preferable.

Council Member Hout noted that children are involved in recycling and parents will not want their children in and around the landfill.

## **REPORTS OF STANDING COMMITTEES**

Mayor O'Brien noted there are vacancies on the Parks and Recreation, Transportation, Port and Public Works Commissions/Committees.

### *Port Commission*

Council Member Rodgers announced that he will be out of town for the next Port Commission meeting and will also miss the next Council meeting.

### *Public Works Committee*

Council Member Drake noted that the next meeting was scheduled for February 15.

The Mayor asked if there was any objection to hearing from Brian Glasheen who has just arrived at the meeting. No objection was voiced.

*Brian Glasheen*, stated he had not found anything to agree with in his discussions with Mr. Herron. He noted that if the wind is blowing in one direction the smoke will not bother the new building at all. It is a city building and he doesn't understand why the City Manager is bother talking to him at all. He noted that he will not speak with Mr. Herron on a one-on-one basis again. He does have a fire once or twice a week for heat and he needs it to operate.

Council Member Pobrisio asked if Mr. Glasheen would mind having an alternative source of heat, to which Mr. Glasheen replied that it would be alright, but he would like to burn cardboard

again in the future. He noted that he has only received one complaint in five years and that was when there was in inversion.

Council Member Pobrislo has never heard of any complaints about the recycling program, but Mr. Glasheen has to understand about the new ventilation system in the court complex.

Mr. Glasheen said the smoke would only be a risk to the building if the wind is in a certain angle with a twist.

Council Member Drake pointed out the Council's determination that cardboard should not be burned in the recycling center thereby eliminating the possibility of a problem. He invited Mr. Glasheen to the Public Works Committee meeting on February 15.

Mr. Glasheen asked that future communications between the City administration be directed to Bob Carlson who sits on the Board of Directors.

The Council continued with Committee reports.

#### *Public Safety Commission*

Mayor O'Brien stated the Commission met the previous evening. The upcoming alcohol forum was discussed. Caroline Renner was present and the "no smoking" ordinance was discussed at length.

#### *Finance Committee*

Council Member Phillips stated she supported Ms. Renner's efforts in having Bethel be smoke-free. She said the Finance Committee meeting for February 10 was cancelled due to the alcohol forum. She noted that she could not attend the February 15 work session or the regular meeting on February 22.

#### *Senior Citizens' Advisory Board*

Council Member Hout stated that the Board would meet the following day.

#### *Transportation Commission*

Council Member Hout stated there have not been meetings, as the Commission is lacking a quorum.

#### *Parks and Recreation Committee*

Council Member Pobrislo stated the Committee would meet the following day..

#### *Planning Commission*

Council Member Notti stated the Commission would be meeting at the same time as the alcohol forum although he would like to see the Commission meeting postponed.

## **OLD BUSINESS**

### ***Ordinance #00-02: Authorizing The Disposal Of An Interest In Land No Longer Necessary For Municipal Purposes (Council Member Drake)***

Mayor O'Brien open the floor to public hearing.

*Willie Keppel*, questioned why the City was interested in selling this parcel.

<b>MOVED BY:</b>	Notti	To enact Ordinance #00-02.
<b>SECONDED BY:</b>	Drake	

Council Member Hout noted that part of this lot extends into the slough. She asked if the new owner could fence off the slough.

Council Member Drake pointed out the fourth "whereas" in the ordinance, stating the slough would remain open for recreational purposes.

Council Member Pobrislo said she doesn't want to sell this parcel for \$1,000. She felt it was worth more and added that this is a nice barrier between the property owner and the slough. She did not feel that Mr. Angstman's purchasing of this lot would change anything and the City should keep it as it is.

Council Member Drake recommended adoption of the ordinance. He noted that the Planning Commission had spent some time on this issue and the parcel would be open for bid. Anyone can make a bid on the parcel with the possibility of purchasing it.

Council Member Notti said this had been discussed at length at the Planning Commission and noted that Mr. Angstman has purchased other lots close to his house. Mr. Notti could not see Mr. Angstman developing this parcel or the others. He also noted that the lot was appraised at no value.

<b>VOTE ON MOTION:</b>	Motion carried by a voice vote of 5 yes and 2 noes.
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DRAKE Yes	HOUT Yes	NOTTI Yes	O'BRIEN No
PHILLIPS Yes	RODGERS Yes	SANCHEZ-POBRISLO No	5 YES 2 NO

***Ordinance #00-04: Relating To The Operations Of Pawnbrokers And Providing For An Effective Date (City Manager)***

Mayor O'Brien opened and closed public hearing with no one stepping forward to speak.

<b>MOVED BY:</b>	Rodgers	To enact Ordinance #00-04.
<b>SECONDED BY:</b>	Drake	

Council Member Rodgers asked if this ordinance would affect the pawnbroker currently in business.

Mayor O'Brien stated that it would.

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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DRAKE Yes	HOUT Yes	NOTTI Yes	O'BRIEN Yes
PHILLIPS Yes	RODGERS Yes	SANCHEZ-POBRISLO Yes	7 YES 0 NO

***Resolution #00-01: Providing For the Re-establishment of Council Committees and Establishing Certain Committee Procedures (Council Member Pobrislo)***

Mayor O'Brien reminded the Council that a motion to adopt was on the floor.

<b>MOVED BY:</b>	Drake	To postpone until the next meeting.
<b>SECONDED BY:</b>	Hout	

<b>VOTE ON MOTION</b>	Motion carried by a voice vote of 5 yes and 2 no.
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DRAKE Yes	HOUT Yes	NOTTI Yes	O'BRIEN Yes
PHILLIPS Yes	RODGERS No	SANCHEZ-POBRISLO No	5 YES 2 NO

**NEW BUSINESS**

***Discussion Item – Unicom Wireless Internet (City Manager Herron)***

City Manager Herron stated that Unicom has offered to give the City a six-month demonstration of wireless technology. Unicom will set up the local area network at no cost to the City. At the end of the demonstration the City could lease it, buy it or turn it back to Unicom.

An ordinance will be on the February 22 agenda for the six-month demonstration.

***Discussion Item – Camai Dance Festival***

Council Member Drake pointed out that the Council had just given a donation to the Kusko 300. He didn't believe there were any funds left for donations.

City Manager Herron recommended that BCA collect the sales tax and the Council could donate it back to the Council.

Council Member Notti noted that a lot of money is brought into Bethel over Camai weekend. He did not feel having kids who work the ticket sales and food sales handing changes was a good idea. He felt the Council could, and possibly should, raise ticket prices.

Council Member Hout felt the Council should support Camai any way they could.

<b>MOVED BY:</b>	Pobrislo	To donate \$1500 to the Camai Festival.
<b>SECONDED BY:</b>	Hout	

Discussion on the donation continued.

<b>MOTION WITHDRAWN</b>	Maker of the motion and second concurred to withdraw.	
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<b>MOVED BY:</b>	Drake	To donate 5% of ticket and concession sales to Camai Festival.
<b>SECONDED BY:</b>	Notti	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.	
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It was noted that Ordinance #00-05 was omitted from the agenda. City Clerk Vaughan stated that due to the manner in which she posts the meeting notices, the Council would be legal in holding a public hearing on the ordinance.

<b>MOVED BY:</b>	Drake	To suspend the rules to add Ordinance #00-05 to the agenda for public hearing and an Executive Session at the end of the meeting regarding the sale of the laundromat.
<b>SECONDED BY:</b>	Pobrislo	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.	
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***Ordinance #00-05: Relating to Purchase and Sale of, and a Ground Lease and Bill of Sale for the Laundromat (City Manager Herron)***

<b>MOVED BY:</b>	Drake	To enact Ordinance #00-05.
<b>SECONDED BY:</b>	Rodgers	

<b>MOVED BY:</b>	Pobrislo	To postpone Ordinance #00-05 until after Executive Session.
<b>SECONDED BY:</b>	Drake	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.	
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**COUNCIL MEMBER COMMENTS**

Council Member Phillips wished everyone a Happy Valentine's Day.

Council Member Hout also wished everyone a Happy Valentine's Day. She also spoke on the importance of the Denali Kid Care Program.

Council Member Pobrislo told a joke.

Council Member Notti wished a Happy Valentine's Day to his special Valentine. He offered his condolences to the Hoffman and Francisco families on their recent losses. He expressed his disappointment in the Governor for his decision to appeal the Katie John subsistence case.

Mayor O'Brien agreed with Ms. Hout's comments on the Denali Kid Care and again told people they could send public opinion messages through the Legislative Information Office. He noted

that Council Members Hout and Drake had upcoming birthdays and wished them well. He went on to thank those members who traveled to Juneau and noted it had been an eye-opener for Mr. Drake who had not been to Juneau previously. He added that being a presence in Juneau was a valuable asset for this community.

Council Member Drake admitted that it had been an eye-opener for him and that the vital importance of being in Juneau really hit home. He asked people to be aware of bills currently in the legislature. He thanked the Council for conducting a work session the previous week regarding commissions and committees and looked forward to getting something valuable from their efforts.

Council Member Rodgers expressed his condolences to the family of Billy Turner in Holy Cross and to the friends and relatives of the passengers on the recent plane crash in Koliganak. He noted that Spring is coming.

<b>MOVED BY:</b>	Drake	To recess into Executive Session to discuss the sale of the laundromat.
<b>SECONDED BY:</b>	Hout	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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The Council took a brief recess prior to going into Executive Session.

The Mayor reconvened the meeting at 8:40 p.m.

***Ordinance #00-05: Relating to Purchase and Sale of, and a Ground Lease and Bill of Sale for the Laundromat (City Manager Herron)***

<b>VOTE ON MOTION</b>	Motion to enact carried by unanimous voice vote.
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**ADJOURNMENT**

<b>MOVED BY:</b>	Pobrislo	To adjourn the meeting.
<b>SECONDED BY:</b>	Drake	

<b>VOTE ON MOTION</b>	Motion carried by unanimous voice vote.
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With no further business to come before the Council, the meeting adjourned at 8:45 p.m.

APPROVED THIS 22<sup>nd</sup> DAY OF FEBRUARY, 2000.

ATTEST:

  
Mike O'Brien, Mayor

  
Gaye J. Vaughan, City Clerk  
City of Bethel, Alaska  
February 8, 2000