

City of Bethel  
City Council

Regular Meeting of March 14, 1995

**I. CALL TO ORDER**

The meeting was convened at 7:30 PM by Mayor Wintersteen in the Log Cabin, Bethel, Alaska.

**II. ROLL CALL**

Present: Harding, McComas, Miller, Tubbs, Twitchell, Wintersteen

Absent: Chris (excused)

**III. PEOPLE TO BE HEARD**

Mayor Wintersteen welcomed Council member Twitchell back to the Council. Council member Miller added his welcome and stated that he wanted to acknowledge Mr. Twitchell as a Council member and his right to continue his term.

There were no other people to be heard.

**IV. APPROVAL OF MINUTES**

**motion** M/M by Tubbs, 2nd by McComas to approve the minutes of the February 28, 1995, regular meeting as presented. Voice vote. Motion carried unanimously.

**IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA**

Mayor Wintersteen requested New Business Items A and C be removed from the Consent Agenda.

**motion** M/M by Wintersteen, 2nd by Miller to approve by consent, Item B under New Business. Voice vote. Motion carried unanimously.

**motion** M/M by Miller, 2nd by Harding to amend the agenda by adding Executive Session Item B: EEO Matter--O'Neill v. City of Bethel. Voice vote. Motion carried unanimously.

**motion** M/M by Miller, 2nd by Harding to approve the agenda as amended. Voice vote. Motion carried unanimously.

**V. MAYOR'S REPORT**

Mayor Wintersteen referred Council to his written report and requested direction regarding KYUK's request to participate in the audio design of the Council chambers when the Braund Building is renovated.

**motion** M/M by Miller, 2nd by Tubbs to invite KYUK's engineers to participate in the design of the Council chambers with the understanding that the City will retain final approval of all designs. Voice vote. Motion carried unanimously.

Mayor Wintersteen then directed the Council to the request from the City Clerk to attend the annual training institute March 26-March 31, 1995.

**motion** M/M by Miller, 2nd by McComas to approve the Clerk's request to attend the training institute. Voice vote. Motion carried unanimously.

**VII. MANAGER'S REPORT**

City Manager Hunter reviewed his written report with Council and requested direction on the following items:

**1. Bid Awards**

Mr. Hunter introduced Ken Griner of South Coast Inc., who was in attendance to officially withdraw South Coast's bid for the Kilbuck and Main Lift Station Replacement. Mr. Hunter also referred Council to the recommendations contained in their packets for awarding the Sewer Lagoon Improvements bid and the Kilbuck and Main Lift Station Replacement bid.

**motion** M/M by Miller, 2nd by Tubbs to accept the City Manager's recommendations and award the Sewer Lagoon Improvements bid to South Coast Inc., at \$724,785, and to award the Kilbuck and Main Lift Station Replacement bid to Alaska Mechanical Inc. at \$465,000. Voice vote. Motion carried unanimously.

**2. Senior Center Grants**

Mr. Hunter referred Council to the letter from the Alaska Commission on

Aging regarding the commission's intention of continuing the City's Senior Center grants through FY96. Mr. Hunter also explained that ONC had expressed interest in taking over the program from the City.

Council member Tubbs asked that a copy of this letter be sent to ONC, and stated that they could apply for the grants when the current grants are completed.

**3. Request for Water Truck**

Mr. Hunter reviewed the request to purchase an additional water truck with the funds budgeted for a solid waste truck.

**motion** M/M by Miller, 2nd by Tubbs to authorize the purchase of a water truck. Voice vote. Motion carried unanimously.

**4. Request for Water Donation**

Mr. Hunter reviewed the request from YKHC's Injury Prevention Program for a donation of 20,000 gallons of water for the swimming pool.

**motion** M/M by McComas, 2nd by Tubbs to provide the water for this program. Voice vote. Motion carried unanimously.

**5. Request for Impounded Equipment**

Phil Schaeffer, YKHC Injury Prevention Program, addressed the Council on his agency's request for the donation of two impounded snowmachines once the items are cleared for surplus in the fall.

**motion** M/M by McComas, 2nd by Twitchell to approve the request for two snowmachines when identified.

Police Chief Chris Liu stated that his department would like to utilize at least two snowmachines from the surplus, and that any additional machines could be disposed of at Council direction.

**motion** M/M by Miller, 2nd by Twitchell to amend the motion to approve the donation after the Police Department has assessed the snowmachines and identified machines necessary to the department. Voice vote. Motion carried, 5-Yes, 1-No (Harding).

vote           Voice vote on the amended motion. Motion carried, 5-Yes, 1-No (Harding).

*Informational Items/Discussion/Questions on City Manager's Report:*

Discussion followed on the status of the negotiations with the upland owners for the subleases of the tidelands; on the timeframe for hiring a new Planning Manager; on the funding for a 911 system; on the operational hours of the landfill; and on the status of providing a key for the Senior Center to the Ayalpik Apartment manager. In response to the last item, City Manager Hunter explained that an agreement had been sent to AVCP Housing for review and signature, but had not been returned. Council directed the City Manager to send a follow-up letter to expedite the transaction.

**VIII. REPORTS OF STANDING COMMITTEES**

*Scheduled dates for upcoming Committee/Commission meetings were announced.*

Council member McComas reported that the Planning Commission met on March 9, 1995, and had worked on revisions to flood plain regulations, and had approved a zoning variance for a business in Tundra Ridge.

Council member Tubbs reported the Finance Committee had not met.

Council member Miller reported the Public Works Committee had not met.

Mayor Wintersteen reported that the Senior Advisory Board met on March 8, 1995, and discussed the purchase of a new computer to facilitate the monthly newsletter, as well as the issue of providing the Senior Center key to the Ayalpik Apartment manager.

Council member Harding reported the Youth Services Committee had not met.

Council member Twitchell reported the Transportation Commission had not met. Mr. Twitchell also discussed the need for a Public Safety Committee and urged the Council to re-establish the committee soon. Mayor Wintersteen responded that the Council had discussed the options in re-establishing the committee as well as possibly establishing two separate committees for the Police and Fire Departments.

*Council broke at 8:20 p.m. for a short recess. At 8:25 p.m., Mayor Wintersteen called the meeting back to order.*

**IX. OLD BUSINESS**

**ITEM A: Telephonic Presentation by Sharon Macklin, City Lobbyist**

Sharon Macklin, City Lobbyist, addressed the Council with a brief overview of the current Legislature's philosophy regarding the operating and capital budgets. Ms. Macklin explained that the Governor's operating budget cut Municipal Assistance and Revenue Sharing by 1.7%, while the Legislature was discussing larger cuts to the program.

Ms. Macklin also discussed SB20, which would combine Municipal Assistance and Revenue Sharing into one program based on services provided. She reported that the Mayors of Fairbanks and Anchorage were now opposed to the program and were submitting an alternative program for consideration.

Ms. Macklin then discussed SB56 and HB20, which would convey title to tide and submerged lands to municipalities, and was hopeful for their passage. Ms. Macklin also discussed the Governor's capital budget, which had not yet been submitted, and encouraged the Council to meet with the Governor if he is in town for the Camai Festival.

**ITEM B: Public Hearing--Ordinance #95-06: An Ordinance Authorizing the Disposal/Sale of Property to an Entity Providing a Necessary Public Service--ADOT**

City Manager Hunter explained that this ordinance authorized the sale of a construction easement to the Department of Transportation for the reconstruction of the Brown's Slough Bridge.

Mayor Wintersteen opened the Public Hearing. There being no one who wished to speak, Mayor Wintersteen closed the Public Hearing.

**motion** M/M by McComas, 2nd by Miller to adopt Ordinance #95-06. Poll vote. Motion carried, 6-Yes, 0-No.

**ITEM C: Discussion Item--Committee/Commission Rules of Procedure**

Mayor Wintersteen reminded Council that this item had been discussed at the previous Council meeting and had been tabled for further consideration.

City Clerk Tucker reviewed her recommendations regarding the committees, which included suspending the committees so that the Chairs could meet with the Mayor to report on the committees' accomplishments, and so the Council could determine its direction for the

committees.

Discussion followed with the Council members offering their suggestions for enhancing the committees.

**motion** M/M by Miller, 2nd by Twitchell to invite all members of the committees, especially the chairs, to attend a work session with the Council to review the purpose of each committee; to review parliamentary procedures; to hear committees' suggestions on how the Council can better serve its committees; and to provide instruction on a uniform method of recording and submitting committee minutes for the Council. Poll vote. Motion carried, 6-Yes, 0-No.

The Council agreed to delay approval of the proposed Committee/Commission Rules of Procedure until after the work session.

**X. NEW BUSINESS**

**ITEM A: Introduction of Ordinance #95-07: An Ordinance Amending Title 17, Subdivisions, Section 17.24.200 Entitled Recreational Dedication**

Mayor Wintersteen stated he had a potential problem with the wording proposed in 17.24.200 (B)(2) Undeveloped Open Space, in that too much detail was proposed.

Council member McComas stated that the Planning Commission had discussed this section with some of the Commissioners expressing concern that this would place undue burden and liability on the developer.

**motion** M/M by McComas, 2nd by Tubbs to Introduce Ordinance #95-07 with the second sentence in section 17.24.200 (B)(2) deleted. Voice vote. Motion carried, 5-Yes, 1-No (Miller).

**ITEM B: Introduction of Ordinance #95-08: An Ordinance Authorizing the Disposal/ Lease to an Entity in Furtherance of Local Trade or Industry--D&G Express**

*Approved under Consent Agenda*

**ITEM C: Gaming Permit Application--Alaska 700 Bowling Club**

Mayor Wintersteen pointed out that the application was not complete as there was no indication of the dedication of new proceeds provided, and suggested the Council take no

action on the application until this item was clarified. The Council agreed and took no action.

**ITEM D: Discussion Item--Police Performance Audit**

Council member Miller addressed this item and noted that, while the City has a capable Police Department and Chief, a complete and thorough assessment of the department would bolster the community's confidence in the department. Mr. Miller suggested the Council seek bids for an objective, fair and professional performance audit of the Police Department with the aim of improving service.

Mayor Wintersteen questioned an audit only for the Police Department, since the Fire Department is also involved in Public Safety. Mayor Wintersteen went on to suggest that each department in the City should also have a performance audit.

Council member Harding suggested allowing the Police Department time to adapt to the recently adopted Policies and Procedures for the Department before subjecting them to an audit guided by those Policies and Procedures.

Council member Tubbs suggested planning for a City-wide audit in the budget process.

Council member Miller indicated he would return more information to the Council regarding the costs associated with the proposed audits.

**XI. COUNCIL MEMBER COMMENTS**

Council member Harding suggested holding Council meetings at various department facilities to allow the Council the chance to see all of the City's facilities.

Council member Twitchell proposed the Mayor prepare a proclamation for the Camai Festival for the next Council meeting.

Council member McComas welcomed Mr. Twitchell back and stated that he would like to see alarms in all City buildings. Mr. McComas also asked for a status report on all major projects at each meeting.

Council member Tubbs reported he had received several calls regarding the Public Safety Committee and other committees and that he wanted to reassure the citizens that the Council was not abolishing all of its committees and that it would revisit the need for a Public Safety Committee.

Council member Miller thanked the cab drivers for driving safely and added that he was amazed that there were not more problems with the cabs with the weather conditions and the amount of driving involved. Mr. Miller stated that he would be presenting a resolution in support of KYUK and Public Broadcasting. Mr. Miller also encouraged everyone to attend the art exhibit that would be held in conjunction with the opening of the Cultural Center March 26, 1995.

**XII. EXECUTIVE SESSION**

**ITEM A: Legal Matters--OSHA**

**ITEM B: EEO Matter--O'Neill v. City of Bethel**

**motion** M/M by Twitchell, 2nd by Miller to go into Executive Session for the purpose of discussing Legal Matters--OSHA and EEO Matter--O'Neill v. City of Bethel. Voice vote. Motion carried unanimously.

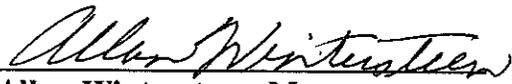
**motion** M/M by Miller, 2nd by McComas to come out of Executive Session. Voice vote. Motion carried unanimously.

**motion** M/M by Miller, 2nd by McComas to pursue the 50% approach towards a settlement with OSHA. Voice vote. Motion carried unanimously.

**XIII. ADJOURNMENT**

**motion** M/M by Miller, 2nd by Twitchell to adjourn the meeting at 10:01 p.m. Voice vote. Motion carried unanimously.

**PASSED AND APPROVED THIS 28TH DAY OF MARCH, 1995.**

  
Allan Wintersteen, Mayor

**ATTEST:**

  
Connie Tucker, City Clerk