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CITY COUNCIL MINUTES  
SEPTEMBER 8, 1992**

- CALL TO ORDER** Mayor Feaster called the regular Council meeting of September 8, 1992, to order at 7:35 PM.
- ROLL CALL** Present: Dale, Feaster, Richardson, Vanasse, Wallace, Warner, Wintersteen
- APPROVAL/MINUTES** M/M by Richardson, 2nd by Vanasse to approve the minutes of the August 25, 1992, regular Council meeting as amended: Page 3, People to Be Heard section, last sentence--delete the words "Mayor Feaster closed the public hearing."; page 6, section (b) -- correct the spelling of the word "costs." Voice vote. Motion carried unanimously.
- APPROVAL/AGENDA** M/M by Richardson, 2nd by Warner to approve the agenda as presented. Voice vote. Motion carried unanimously.
- MAYOR'S REPORT** Mayor Feaster announced the following items:
- On August 28, on behalf of the City of Bethel, he had accepted the key to the City of Anadyr from the visiting Russian delegation.
  - The Corps of Engineers may impose restrictions for protection of the seawall by limiting the size of the vehicles that can be moored along the seawall as well as limiting activity along the seawall; as the process unfolds Council needs to be aware of such requirements and not bind the City to an agreement that may be too restrictive.
  - Encouraged people to go to the polls and vote in the State Primary.
- In addition, the proclamation declaring October 4-10 Fire Prevention Week was read aloud by Mayor Feaster.
- MANAGER'S REPORT** City Manager Hohman reviewed his written Manager's report with Council on the following items:
- A four-member delegation from Bethel's sister-city of Anadyr visited for a week: the Mayor; the City Manager, and two members from the press corps.
  - Announced intent to accept a teaching assignment in Anadyr during the winter to teach English to children and

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adults. In order to maintain a smooth transition in city administration and to complete a building project on his home, City Manager Hohman, stated that the earliest possible time of departure from Bethel would be the end of October. Recommended that the Council consider the Finance Director as his replacement.

--Village Safe Water Capital Projects list for FY 94 is due September 15.

\*\*Council scheduled a work session for Thursday, September 10, 7:00 PM to prioritize VSW projects.

--Corps of Engineers visit with Project Manager, Jim Broiles, and Project Designer, Don Ryan. A 30 minute video tape was recorded by KYUK which is planned to be aired within the next couple of weeks. This program will be an effective way of demonstrating the project to the public.

--The City was the high bidder for 375,000 gallons of surplus fuel currently stored at the old BIA site at 10 cents per gallon. The city uses 160,000 gallons annually for heating buildings and for heavy equipment use; savings will equate to approximately \$400,000 over a two year period. Arrangements are being made for transporting and storing the fuel.

--The Second Avenue gate problem was covered under the Port Director's report.

--Sewer Lagoon Update. DEC removed the moratorium on piped water and sewer construction which means the City can proceed with the projects as planned. The City is attempting to recover the surplus steel beams that were used in the Bethel Heights Project presently located in Oscarville. The Oscarville City Council has given its approval to furnish the creosoted materials. If the Oscarville Council agrees to provide the steel beams, the piling could be set this winter and begin the Tundra West addition next summer, according to Jordan Suhr.

--Regarding the Bethel Group Home project, only one bid was received which will not be awarded until confirmation from the State on the availability of funds.

--Recommended advertising for the services of a lobbyist.

In addition, City Manager Hohman, reported that Administration had received a list of repairs needed for the State Court House, such as leaky windows and ventilation

problems as well a request to improve the appearance of the outside of the building. Mr. Hohman stated that steel siding at a cost of \$22,000 would improve the appearance and correct the leakage problem around the windows. There are funds in the budget to pay the \$22,000 contractual fee; at the mid-year budget review in January, some of that money might need to be replenished.

**motion**

M/M Richardson, 2nd by Dale to authorize City Administration to proceed with the Court House renovation project presented by City Manager Hohman with funds to come from the Public Works special projects/building maintenance budget.. Voice vote. Motion carried unanimously.

**DISCUSSION**

**SEWER LAGOON PROJECT**

Because of the significance and complexity of the discussion on the sewer lagoon project, City Manager Hohman requested that the minutes reflect the dialogue on the subject in its entirety.

Dale: On the sewer lagoon project, is there any progress with the allotments involved in that lesser expensive alternative?

Hohman: There is progress with regard to one of the native allotment holders. As for the others, we were working with them quite well until they were distracted by other interests. The good news is that the moratorium on improvements to our piped water and sewer system has been lifted. The bad news is that we haven't been received well with our offer to negotiate for land trades by the individual holders. Bethel Native Corporation has been very cooperative. In addition, the engineer, Mr. Suhr, has suggested that we should consider deferring our work on the lagoon expansion for one year.

Warner: That's suggesting that maybe VSW and DEC are aware of Mr. Suhr's suggestion to defer?

Hohman: I believe they were informed.

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Warner: I think that before we were to say yes to something, Mr. Mayor, we would need to have their approval for a one year deferment in writing, especially EPA and DEC, as we are under the gun from those people to do something.

Hohman: My approach, one that I would like to lay out and for which I would get Council approval, is to affect a three-way trade for the land with the willing land holder and affect a two-party trade with BNC for the land that the third party in that arrangement has indicated an interest in so that we would be in a position to deal directly with them at the point that they come to the negotiating table to finalize.

Feaster: In my conversations early in the spring with DEC, they were expecting us to keep moving on the project. They were looking forward to us getting started and getting finished on that project.

Hohman: Well, I think that it would be in our best interest to do that. We have planned to utilize some of the dredge materials for covering the dump during the wintertime; therefore, the two projects would be compatible. I think that if we were to go ahead with the west site for the development of the lagoon, we would find the \$1,390,000 that we have for the other projects that were funded last year used up in that lagoon project in the excavation and moving of the materials.

Dale: Maybe a letter should be sent to these two organizations to find out if they're opposed to the year to see exactly what their position is so that we know.

Hohman: I haven't contacted those organizations, but I don't think Mr. Suhr does anything unilaterally. I think he's in contact with the state agencies all along.

Vanasse: I think given the history of this whole project and the history of the landowners' rejection of our offers or an agreement to some sort of terms, it would be in our best interest to pursue Plan B and expand to the west. It may be more expensive, but it may be more expensive to wait, too, because we are in non-compliance now. We also purchased

some brand new equipment this year for that purpose, and I just realistically speaking don't see any resolution to those allotments at this time. That's something that you've indicated you're getting close on one, but there's another one yet to deal with. The history of this subject goes quite a ways back, and it doesn't seem to change considerably. So I would suggest that, in the best interests of the citizens of the City of Bethel, that we proceed, although not the best idea, with the expansion to the west. There may be a time in the future that we'll also need to expand to the north and then we can come to an agreement with the landowners.

Feaster: I agree Gary, that we've been waiting and are at the same place we were last spring. And I'm tired of waiting around. We've set deadline after deadline. To me its go west.

Warner: I'm puzzled why Jordan Suhr would suggest waiting a year on the project. He's certainly aware of the ultimatum that was given to the City of Bethel by DEC, and that ultimatum, as I understood it, was that we had to show some concrete action on this construction season. We had to be doing something, at least beginning the project. Unless we had tangible evidence from DEC and EPA in front of us that they would consider waiting, I would also say let's move to the west. If they're willing to give us a formal one year extension, then I would say pursue negotiations with the landowners to the north. Until we have that, I would not want to consider a one year extension.

Hohman: It was my hope that what we would get from Council is agreement with this land trade. We would seek the land to the west from BNC. We would seek the land that the one party had indicated they were interested in as a trade. We would seek the land that the other party who was amendable to a trade is interested in so we could have the option then. We could reduce our entitlement under 14C(3) by the amount of that acreage, but we would be in a position to deal directly should there be a switch, and it could be done with the second party. So that would allow us to have an option whether to go west or, if the cheaper alternative was available to us through agreement with the second native

allotment holder, to do the land trade.

Warner: Do you have any indication whether BNC would be willing to go for this?

Richardson: BNC has always been willing to go with this. I think that it's been the City that's slowed down the whole process. It's something on the shelf that Bill's been waiting to take care of. As you indicated, Mr. Mayor, it's been around for a year or so, and it's just a matter of doing it. Just sitting down and doing it.

Warner: I don't mind, Mr. Mayor, I'll make a motion to give the direction.

motion

M/M by Warner, 2nd by Dale that the City Manager proceed with acquiring the parcels under 14C(3) conveyance from the Bethel Native Corporation as he indicated--the parcel to the west and the potential trade parcels for land allotments and proceed expeditiously as possible with that. In the meantime, in addition, secure from DEC and the EPA clarification of their position on our status.

Hohman: There's just one other parcel of land that I would like to be considered in this package. That would be to the east of the existing sanitary landfill. It would allow us to expand. We have a considerable investment in that part of town and it doesn't lend itself to anything except municipal use, I would presume. To the east of the landfill and the road that goes to Haroldsen Estates, there is another little ridge there. So, if we seek land there, plus the land where the native allotment is, plus the land to the west, plus the land by H. Marker Lake that the third party is interested in for trade purposes (we've worked out the acreage for that, and I don't have that figure--I think it's close to 500 acres. Our entitlement is about 850 acres or so under the 14C(3) 1280 acre municipal entitlement), we will be in a position to gain control of the necessary lands. So I'm asking for Council approval to move on all that land including the eastern parcel.

Dale: The parcel to the east is BNC's land?

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Hohman: Yes.

Warner: What size parcel is that?

Hohman: It's not a large piece. I'm not sure if it's 25 acres or something like that, maybe 50 acres. I'm sorry I didn't bring that material with me.

Dale: Would it be utilized for solid waste disposal?

Hohman: It would fit into that solid waste area and the City could use it for a related project.

Feaster: Any other discussion on the motion? Do you want to include that other parcel of land in the motion?

Warner: I have no objection.

Dale: Nor do I as a second.

vote

Feaster: Okay, if we could just include that. All those in favor to give direction to the City Manager to enter into negotiations with BNC for the discussed land. Voice vote. Motion carried. Councilwoman Richardson abstains due to a conflict of interest.

**END OF TRANSCRIPTION**

Responding to City Manager Hohman's announcement to accept a teaching assignment in the Russian Far East and resign from City Management no earlier than the end of October, 1992, Council recommended that the City begin advertising for a replacement.

motion

M/M Warner, 2nd by Vanasse to direct City Administration to proceed immediately to advertise for the services of a City Manager such advertisements to be placed in the Bethel newspapers and in the Anchorage, Fairbanks, Juneau newspapers, and the AML and ICMA monthly publications. Voice vote. Motion carried unanimously.

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In response to a question from Councilman Wintersteen regarding the inspection of the dump site, City Manager Hohman, stated that to his knowledge, the inspectors were not able to get to Bethel. However, the City is ready if and when they show up.

Councilman Wintersteen also inquired about hiring a consultant to draft a business plan for the purchase of the Bethel Utilities Corporation. City Manager Hohman stated that he had been unsuccessful in finding someone who was interested in preparing the plan. It was his intention to seek advice from the Business Professor at the College.

Council next discussed City Manager Hohman's recommendation to advertise for a lobbyist.

**motion**

M/M Dale, 2nd by Richardson to advertise for a lobbyist through the RFP process. Voice vote. Motion carried unanimously.

**PEOPLE TO BE HEARD** There were no people to be heard.

**COUNCIL MEMBER  
COMMENTS**

Councilwoman Richardson expressed her disappointment in losing Mr. Hohman as City Manager and thanked him for his services to the City and wished him well in Anadyr.

In response to a question from Councilman Warner concerning an update on the Tidelands Lease Survey, City Manager Hohman, indicated that he had not received a status report.

Councilman Wallace pointed out that the dumpster in front of the Log Cabin should be emptied more frequently.

**REPORTS/STANDING  
COMMITTEES**

Mayor Feaster reported that the Finance Committee was scheduled to meet September 17, 1992, 7:30 PM, City Conference Room. In addition, the Solid Waste Management Committee was scheduled to meet Friday, September 11 at Noon, City Conference Room. The Committee is working on recommendations to Council to support the Can-Man Project.

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Councilman Warner reported that the Public Works Committee was scheduled to meet September 15, 1992, 7:30 PM, Public Works Conference Room.

Councilwoman Richardson reported that the Transportation Commission met September 2, 1992. The Committee requested a legal opinion on regulating the licensing of fast-food delivery drivers because of the number of complaints from the public regarding their driving behavior. Such regulation would be included under the Vehicle for Hire Ordinance.

Councilwoman Richardson referred Council to the Public Safety Committee minutes. The next meeting of the Committee was scheduled for September 16, 1992, Noon, at the Police Station.

Council broke at 8:35 PM for a short recess. At 8:45 PM, Mayor Feaster called the meeting back to order.

**OLD BUSINESS**

**Item A: Amend.  
#1 To Ord. #163**

**PUBLIC HEARING: AMENDMENT #1 TO ORDINANCE  
#163, CHAPTER 4.20 OF THE BETHEL MUNICIPAL  
CODE-PURCHASING**

Mayor Feaster opened the discussion by explaining that the amendment before the Council was in response to the recommendation from Richard Block, insurance consultant, to revise the ordinance to cover the purchase of insurance through a broker. Mayor Feaster opened the public hearing.

Finance Director, Larry Elam, advised Council that in response to the recommendation from the insurance consultant, the City Attorney, Brooks Chandler, was asked to draft an amendment to the purchasing ordinance. The proposed amendment had been reviewed and approved by the Finance Committee for submission to the Council. There being no further comments from the public, Mayor Feaster closed the public hearing portion.

Several council members expressed concern about selecting an insurance broker through the competitive sealed bid

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process especially for a three year period. It was suggested to revise the proposed amendment by changing the period for purchase of insurance from three years to one year.

**motion**

M/M by Dale, 2nd by Wallace to not accept Amendment #1 to Ordinance #163 as presented. Poll vote. Motion carried. 6-yes; 1-no (Wintersteen).

**motion**

M/M by Wintersteen to accept Amendment #1 to Ordinance #163 with the change from a three year term to a one year term for the purchase of insurance. Motion died for lack of a second.

**Item B: Ord.  
#209 (Port)**

**PUBLIC HEARING: REVIEW OF REVISIONS MADE TO  
PROPOSED ORDINANCE #209--ESTABLISHING A NEW  
TITLE 14, ENTITLED CITY OF BETHEL PORT  
ORDINANCE.**

At the September 8, 1992, Council meeting a number of changes were made to the proposed ordinance that establishes a new Title 14 entitled Port Ordinance. It was suggested at that time to review the revisions before taking action and to hold another public hearing on the matter to allow the public an opportunity to comment on the revisions made. Mayor Feaster opened the public hearing. There being no comments from the public, the hearing was closed.

Councilman Vanasse recommended deleting paragraph B of Section 14.03.040, (top of page 9) which dealt with the availability of administrative support to the Port Commission.

Discussion was also held regarding establishing the Port as a Department. Concern was expressed that establishing another department in the city government would make the organization top heavy administratively. In response, Councilman Wintersteen maintained that establishing the Port as a Department would not make the organization top heavy but would give the Port the status it deserves as it is an important function of the city government and it carries out all the functions that the other city departments carry out.

**motion** M/M by Wintersteen, 2nd by Richardson to adopt Ordinance #209 establishing a new Title 14 with the changes presented and to include deletion of paragraph B, Section 14.03.040 (page 9); the effective date of the ordinance to be October 1, 1992. Poll vote. Motion failed. 3-yes; 4-no (Dale, Feaster, Vanasse, Warner).

**motion** M/M by Warner, 2nd by Wintersteen, to adopt Ordinance #209 establishing a new Title 14 with the changes as presented to include deletion of Section 14.02.001 (page 1) and deletion of paragraph B, Section 14.030.040 (page 9). Poll vote. Motion carried. 6-yes; 1-no (Richardson).

**Item D: Ord.  
#213 Bethel  
Group Home**

**PUBLIC HEARING: ORDINANCE #213--LAND USE  
PERMIT: BETHEL GROUP HOME**

City Manager Hohman advised Council that the ordinance proposes to extend the lease that Bethel Group Home has with the city for property by adding an 8,000 square foot rectangular parcel immediately adjoining the existing leased property to the north. The Bethel Group Home intends to expand their services and the City will act as a pass through for State monies which will provide for the construction of an 8,000 square foot sand pad for buildings as well as for the construction of a road that will connect to one of the existing courts off the second road in Housing.

Mayor Feaster opened the hearing to the public. Dave Trantham spoke in favor of the Ordinance and encouraged Council to vote for passage. There being no further comments, Mayor Feaster closed the hearing to the public.

**motion** M/M by Wintersteen, 2nd by Warner to adopt Ordinance #213 as presented. Poll vote. Motion carried unanimously.

**Item D: Ord.  
#204**

**PUBLIC HEARING: ORDINANCE #204--LAND DISPOSAL  
LEASE: 507 1ST AVENUE (BUS BARN)**

Regarding Ordinances #204 (Bus Barn), #205 (Bogangles), and #210 (Old Cutting Edge), City Manager Hohman advised Council that he had received two requests for extension of advertisement of these properties from: 1)

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Bethel Communities Services requesting a 30 day extension for the Bus Barn, Bojangles and Old Cutting Edge; and 2) YK Delta Lifesavers. Mr. Hohman stated that the properties had been advertised since June, 1992. In addition, Mr. Hohman directed Council's attention to the mission statement submitted by Pacifica Institute, the high bidder for the Bus Barn and the Bojangles, pointing out that there might be some compatibility between the missions of Pacifica and YK Delta Lifesavers.

In response to the requests for extension of the bidding period, Council concurred to not extend as it would be a breach of the bidding process.

Mayor Feaster announced that one bid on the Bus Barn had been received from Pacifica Institute for \$704 per month. He then opened the hearing to the public.

Beverly Hoffman spoke on behalf of several non-profit organizations in Bethel, such as the YK Delta Lifesavers, the Actors Guild, the K-300 and the Arts Council, stating that these organizations and others required facilities to hold community events for adults and young people. She pointed out that there are no facilities in Bethel that are affordable and accessible to the community.

Diane Carpenter stated that she agreed with Ms. Hoffman that the community needed with a recreational facility for its residents. She further stated that she believed to accomplish this required a coordinating body that would provide organizational and managerial abilities, such as accounting, custodial care, maintenance, grant writing, etc., similar to an organization such as Pacifica Institute. There being no further comments, Mayor Feaster closed the public hearing.

Councilman Dale stated that while he agreed that a community facility was much needed, he felt that the market value of the property was worth more than the bid of 9 cents a square foot. Discussion was also held regarding length of lease, subleases and the property involved. City Manager Hohman indicated that these issues would depend upon what the Council decides to do with the other buildings. Mr.

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Hohman recommended that the City move the old City Office building and the Yugtarvik Museum to the complex, stating they could potentially be rented for approximately \$1,000 per month and that the rental income could go into a fund for the provision of supporting activities that had been discussed. He also mentioned moving the old fiberglass building to the complex to accommodate the swimming pool on a year-round basis. This would mean using the complete plot of ground for the community center.

In response to a question regarding insurance, Ms. Carpenter stated that while a lessee would carry insurance on the facilities rented, it would not relieve the owner of carrying basic insurance on the property, in other words, both parties would be required to carry insurance. City Manager Hohman stated that the insurance coverage would be addressed in the lease.

**motion**

M/M by Warner, 2nd by Richardson to approve Ordinance #204 which accepts the bid from Pacifica Institute for the Bus Barn with the stipulation that the lease agreement would allow for renegotiated lease terms at regular intervals and that the lease agreement and lease renewals be presented to Council for approval. Poll vote. Motion carried. 5-yes; 2-no (Dale, Wallace).

**motion**

M/M by Warner, 2nd by Richardson to continue meeting past 10:00 PM. Voice vote. Motion carried. 5-yes; 2-no (Richardson, Vanasse).

**Item E: Ord.  
#205**

**PUBLIC HEARING: ORDINANCE #205--LAND DISPOSAL  
LEASE: 503 1ST AVENUE (BOJANGLES BUILDING)**

Mayor Feaster announced that the low bid on the Bojangles Building was from Pacifica Institute at \$907.20 per month. He then opened the hearing to the public.

Diane Carpenter stated that it was true that if the City put some money into the Bus Barn and Bojangles buildings they could be rented out to a commercial venture for a certain amount of money that could bring income to the City, but she felt that the City should take more responsibility in terms

of the needs of all the members of the community than in looking at how much revenue it could produce from renting the buildings. There being no further comments from the public, Mayor Feaster closed the hearing.

**motion**

M/M by Warner, 2nd by Richardson to approve Ordinance #205 which accepts the bid of Pacifica Institute for the Bojangles with the stipulation that the lease agreement would allow for renegotiated lease terms at regular intervals and that the lease agreement and lease renewals be presented to Council for approval. Poll vote. Motion carried. 5-yes; 1-no (Dale).

**Item F: Ord.  
#210**

**PUBLIC HEARING: ORDINANCE #210--LAND DISPOSAL SALE: 501 1ST AVENUE (OLD CUTTING EDGE BLG.)**

Mayor Feaster announced that two figures were received: 1) from Norm & Tracy Silta, purchase price of \$5,015.84; 2) from Bethel Community Services lease proposal at \$100 per month. Mayor Feaster opened the public hearing. There being no comments from the public, Mayor Feaster closed the hearing to the public.

Councilman Vanasse recommended the rejection of both bids as they were considerably lower than the value of the building.

**motion**

M/M by Warner, 2nd by Wintersteen to approve Ordinance #210 for sale of the old Cutting Edge building at the bid price of \$5,015.84. Poll vote. Motion failed. 0-yes; 7-no (Dale, Feaster, Richardson, Vanasse, Wallace, Warner, Wintersteen).

**Item G: Ord.  
#211**

**PUBLIC HEARING: ORDINANCE #211--LAND DISPOSAL SALE: 281 EDDIE HOFFMAN HIGHWAY (YUGTARVIK REGIONAL MUSEUM)**

Mayor Feaster opened the hearing to the public. In response to a question from Diane Carpenter regarding the stability of the building, City Manager Hohman stated that it was in fact a very fragile building and would present a real challenge to building movers. There being no further comments from the

public, Mayor Feaster closed the public hearing.

**motion**

M/M by Dale, 2nd by Wallace to reject Ordinance #211 sale of the Yugtarvik Regional Museum at the bid price of \$604.44. Poll vote. Motion carried. 4-yes; 3-no (Vanasse, Warner, Wintersteen).

City Manager Hohman advised Council that the Cooperative Extension Service has viewed the property and was interested in the building for expanding its operation. He suggested placing it on the property where the Bus Barn and Bojangles buildings are located and put it under the control of Pacifica who would arrange for the moving and renovation, and at such time that it would no longer be used by Pacifica, it could revert back to the City. Revenues realized from the lease could go into adult and youth recreational and educational programs. Council recommended placing discussion of disposal of the museum on the agenda for the September 22, 1992, Council meeting.

**Item G: Ord. #212**

**PUBLIC HEARING: ORDINANCE #212--LAND DISPOSAL SALE: 781 3RD AVENUE (OLD CITY OFFICE BUILDING)**

Mayor Feaster commented that the old City Office building had at one time been City employee housing and has been vacant for two years. Two bids were submitted, one for \$2,009.70 from Norm and Tracy Silta and one for \$1,827 from Stuart Greydanus. Mayor Feaster next opened the public hearing. There being no comments from the public, Mayor Feaster closed the public hearing.

**motion**

M/M by Dale, 2nd by Wallace to reject Ordinance #212 which accepts the bids from the high bidder, Norm and Tracy Silta, at a bid price of \$2,009.70, and from the low bidder, Stuart Greydanus, at a bid price of \$1,827.00. Poll vote. Motion failed. 3-yes; 4-no (Feaster, Vanasse, Warner, Wintersteen).

City Manager Hohman advised Council that the Chamber of Commerce had indicated it was looking for a place for its operation which might be an alternative use of the building as opposed to selling it.

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Council broke at 10:20 PM for a short recess. At 10:30 PM, Mayor Feaster called the meeting back to order.

**motion**

M/M by Warner, 2nd by Wallace to accept Ordinance #212 with the high bid from Norm and Tracy Silta at a price of #2,009.70. Motion failed. 1-yes; 6-no (Dale, Richardson, Vanasse, Wallace, Warner, Wintersteen).

**NEW BUSINESS**

**Item A: Report on  
National Flood Ins.  
Program**

**REPORT ON THE NATIONAL FLOOD INSURANCE  
PROGRAM BY DCRA PLANNER, CHRISTY MILLER**

City Manager Hohman advised Council that Ms. Miller requested rescheduling at a later date.

**motion**

M/M by Dale, 2nd by Richardson to table Item A, report on the National Flood Insurance Program, to the next regular Council meeting, September 22, 1992. Voice vote. Motion carried unanimously.

**Item B: Res. #712  
PATC Municipal Grant**

**RESOLUTION #712--AMENDMENT TO THE PATC  
EXPANSION MUNICIPAL GRANT**

City Manager Hohman reported that the amendment reflects expenditure of the balance that existed in the construction grant for the PATC facility. In Juneau at the close of the session, the City requested this amendment to fund the State Fire Marshall mandated skirting of the Teen Center.

**motion**

M/M by Dale, 2nd by Richardson to adopt Resolution #712, PATC/Expansion Municipal Grant. Voice vote. Motion carried unanimously.

**Item C: Prof. Serv.  
Agreement with JMM**

**PROFESSIONAL SERVICES AGREEMENT BETWEEN  
CITY OF BETHEL AND JMM CONSULTING ENGINEERS  
FOR THE BETHEL WASTEWATER LAGOON  
IMPROVEMENTS**

City Manager Hohman advised Council that the agreement provides for professional engineering services from J.M. Montgomery to design and aid in the construction of the sewer lagoon improvement.

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**motion**

M/M by Warner, 2nd by Dale to approve the Professional Services Agreement between the City of Bethel and JMM Consulting Engineers with the provision that the total fee not exceed \$135,000 without further Council approval. Poll vote. Motion carried. 6-yes; 1-no (Vanasse).

Mayor Feaster indicated that one of his concerns about the agreement was that the property required for the lagoon expansion had yet to be designated and while JMM has provided an estimated price, the cost of both sites under consideration would not be identical. In other words, at some point in time the City should be able to tell the engineers where the lagoon was going to be. City Manager Hohman pointed out that some work had already been completed--soil testing was done on the west site--and they were proceeding as if that was the site of the construction. He further pointed out that if the City were successful in securing the land to the north, then that land would also require soil testing. In addition, Councilman Warner pointed out that the agreement addresses expansion to the north, to the west and construction of a pre-treatment cell within the existing confines and that the engineers are prepared to move on any of these three alternatives.

**Item D: Financial  
Plan--Seawall**

**DEVELOPMENT OF A FINANCIAL PLAN FOR THE  
SEAWALL PROJECT**

Mayor Feaster informed Council that at the meeting with the Jim Broiles and Don Ryan of the Corps of Engineers they indicated that in order to proceed with construction of the seawall, a local cooperative agreement needed to be developed and reviewed which would include a financial plan that identifies where the City will obtain the matched funds for the project.

**motion**

M/M by Richardson, 2nd by Dale to request the Finance Committee develop the financial plan and present it to the Council for final approval. Motion was withdrawn.

City Manager Hohman explained that at the time that the Corps of Engineers requested the financial plan, they indicated that a one page presentation would be adequate.

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Mr. Hohman directed Council to the financial plan prepared by the Finance Director. He pointed out that the City could prepare a complicated financial statement or submit the one page financial plan that was before them. Mr. Hohman then explained the plan in detail. City Manager recommended that the plan be submitted to the Corps as the Corps had indicated they had a two week deadline for submission of the complete plan to their headquarters in Portland. In response, Councilman Warner recommended to include with the plan an indication of what City funds were immediately available and the source of those funds. Additionally, Mayor Feaster pointed out that when the local cooperative agreement is received the City should examine it thoroughly before accepting it. A copy of the financial plan that was submitted to the Corps of Engineers is attached as part of these official minutes.

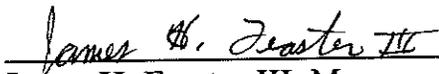
**motion**

M/M by Warner, 2nd by Wallace that the City Administration proceed with the Financial Plan as presented with clarification added to indicate that fund are in line and immediately available. Voice vote. Motion carried unanimously.

**motion**

M/M by Dale, 2nd by Richardson to adjourn. Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 22nd DAY OF September, 1992.

  
\_\_\_\_\_  
James H. Feaster III, Mayor

ATTEST:

  
\_\_\_\_\_  
Jane Elam, City Clerk