

City of Bethel
City Council

Regular Meeting of October 11, 1994

I. CALL TO ORDER

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

II. ROLL CALL

Present: Chris, Jones, Miller, Trantham, Tubbs, Wintersteen

Absent: Metcalfe

III. PEOPLE TO BE HEARD

Michael O'Brien, Chairman of the Public Works Committee stated he had spoken with many people in the past two days regarding the removal and use of the asphalt across the river. Mr. O'Brien encouraged the Council to look at the uses for the asphalt in a broader scope and not to give it away if it could be used in two to three years. Mr. O'Brien stated the Corps of Engineers wanted to discuss the situation with the City immediately, and that the Corps may be amenable to helping the City use the asphalt.

Doreen O'Brien also addressed the Council regarding the status of the asphalt, adding that she was meeting with Gail Braten of the Corps of Engineers the next day and wanted to convey a positive message from the City to the Corps. Ms. O'Brien also discussed a machine used at Ft. Wainright to mix the asphalt for use on the roads and urged Council to investigate its availability.

Eric Shrum, Chairman of the Finance Committee, offered his sincere gratitude and thanks to the outgoing Council members for all of their hours of service to the community and pointed out Mr. Trantham's contribution throughout his six years of service.

IV. APPROVAL OF MINUTES

motion M/M by Tubbs, 2nd by Trantham to approve the minutes of the September 27, 1994, regular meeting as presented. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Tubbs to approve the minutes of the October 6, 1994,

special meeting as presented. Voice vote. Motion carried unanimously.

IV. APPROVAL OF CONSENT AGENDA/REGULAR AGENDA

motion M/M by Miller, 2nd by Wintersteen to delete New Business Item D and postpone consideration of Resolution #94-39 until November 11 to allow for further research. Voice vote. Motion carried unanimously.

motion M/M by Miller, 2nd by Tubbs to amend the agenda by adding Resolution #94-40 as New Business Item D and deleting the Election of a Mayor from New Business Item A. Voice vote. Motion carried unanimously.

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

V. MAYOR'S REPORT

Mayor Chris referred Council to her written report.

VII. MANAGER'S REPORT

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

1. Donation Request from Heartbeat Alaska

motion M/M by Miller, 2nd by Wintersteen to deny the donation request from Heartbeat Alaska and to send a letter acknowledging their contribution to the community. Voice vote. Motion carried unanimously.

2. Exempt Status

motion M/M by Wintersteen, 2nd by Jones to direct the City Manager to inform the IRS that the Senior Center Program is a part of the City of Bethel municipal corporation and, as such, is already tax exempt. Voice vote. Motion carried unanimously.

3. Laundromat RFP

motion M/M by Jones, 2nd by Tubbs to accept the proposal from Circle A Enterprises for leasing the laundromat with the necessary provisions for

completing the process.

Discussion followed on the provisions of a land disposal ordinance and an ordinance to set a rate for water and sewer services other than the rate in the Bethel Municipal Code.

vote Poll vote on the motion. Motion carried, 5-Yes, 1-No (Miller).

4. Grant Application

motion M/M by Miller, 2nd by Jones to approve a grant application for a grant from the Alaska Highway Safety Planning Agency. Voice vote. Motion carried unanimously.

5. Vehicle Donation

motion M/M by Jones, 2nd by Miller to accept the donation of a vehicle from the Alaska State Troopers as part of the interagency grant agreement. Voice vote. Motion carried unanimously.

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

City Manager Hunter pointed out the requirements and targets for the Senior Center Program and discussed the training program in progress with the State's Older Alaskans Commission. Council member Miller asked that eligibility requirements be sent out to the community.

City Manager Hunter informed Council of six OSHA violations cited concerning the Police Department and the other citations pending concerning the Public Works Department. Mr. Hunter stated the citations would require the City Council to adopt a City-wide safety policy that addresses all departments, and that he would submit a policy for Council's review and approval.

City Manager Hunter asked Council for direction regarding the eviction notice served on Mary Tomoganuk.

motion M/M by Miller to reissue the eviction notice with a 45 day grace period to allow Ms. Tomoganuk more time. Motion died for lack of a second.

motion M/M by Miller, 2nd by Trantham to pursue a procrastination period of thirty days before evicting Ms. Tomoganuk. Poll vote. Motion failed, 1-Yes, 5-No (Chris, Jones, Trantham, Tubbs, Wintersteen).

motion M/M by Trantham, 2nd by Jones to direct the City Manager, through the City Attorney to proceed with the court proceedings seeking approval for the eviction no later than November 11, 1994. Poll vote. Motion carried, 5-Yes, 1-No (Miller).

Council broke at 9:15 p.m. for a short recess. At 9:25 p.m., Mayor Chris called the meeting back to order.

VIII. REPORTS OF STANDING COMMITTEES

Scheduled dates for upcoming Committee/Commission meetings were announced.

Council member Jones referred Council to the recommendations passed by the Finance Committee regarding the Laundromat lease, establishing a commercial rate for water and sewer and rejecting the grantwriting proposal as non-responsive.

motion M/M by Miller, 2nd by Jones to direct the City Manager to ask the Finance Director and Public Works Director to draft a proposal on establishing commercial rates and send the proposal to the Finance and Public Works Committees. Voice vote. Motion carried unanimously.

Council member Wintersteen reported the Port Commission had not met.

Council member Trantham resigned his seat on the Youth Services Committee and the Senior Center Advisory Board and stated he would submit a letter at the next meeting requesting reappointment to the Transportation Commission.

Council member Tubbs stated that with the time change of the Public Safety Committee meetings, he would be unable to attend and asked to be reappointed as the Finance Committee representative. Mr. Tubbs then asked Chairman Gary Vanasse to report on the recent Public Safety Committee meeting. Mr. Vanasse summarized the meeting, with the only action taken was changing the time and location of the meetings to 7:00 p.m. at the Log Cabin.

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

IX. OLD BUSINESS

ITEM A: Public Hearing--Ordinance #94-21: An Ordinance of the City Council of Bethel, Alaska, Amending Title 2, Chapter 2.04.010, Entitled Sessions, and Chapter 2.04.040, Entitled Agenda, of the Bethel Municipal Code

Mayor Chris asked the City Clerk to explain the purpose of this proposed ordinance. The Clerk stated that it was essentially a housecleaning ordinance to incorporate changes approved in the Council's Rules and Procedures into the Municipal Code. Those changes are eliminating the requirement for a motion to continue the meeting past ten p.m., and eliminating the requirement to publish the Council agenda in the newspaper.

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

motion M/M by Trantham, 2nd by Jones to approve Ordinance #94-21 with an effective date of October 11, 1994. Poll vote. Motion carried unanimously.

ITEM B: Discussion Item--Status of Asphalt

Sam Mills, field representative of the Army Corps of Engineers, addressed Council on the progress of the asphalt removal project. Mr. Mills said the project is on schedule and could be completed as early as mid-November. In response to questions regarding problems with the City and Corps, Mr. Mills said he was unaware of any problems and knew of no deadlines in bidding on the asphalt. Mr. Mills suggested the City contact the Hazardous and Toxic Remedial Waste section chief for more information.

John Twillenger, Nugget Construction, responded to questions on possible uses of the asphalt and stated that the roads in Bethel were not sufficient to apply asphalt on and the asphalt could not be heated to the temperature necessary due to contamination of water, dirt, twigs, etc. Mr. Twillenger stated there were other alternatives that the City could continue to investigate.

ITEM C: Sewage Lagoon Update

City Manager Hunter informed Council that the Project Engineer would be meeting with the Public Works Director and himself on October 21 and relayed the tentative schedule for completion of the project.

ITEM D: Review of Project Report Form

motion M/M by Trantham, 2nd by Tubbs to postpone this item until the next meeting.

Mayor Chris asked everyone to provide her with their top five priorities in order to condense the list.

vote Voice vote on the motion. Motion carried unanimously.

X. NEW BUSINESS

ITEM A: Swearing In of New Council Member

Before the new member was sworn in, the two outgoing members present asked to give their comments.

Council member Jones thanked the present Council and stated he had fun serving with them. Mr. Jones expressed his hope that the Council would continue on the path they had chosen.

Council member Trantham thanked the Council for its hard work and the public for its support in the past six years. Mr. Trantham congratulated Mr. Harding on his election and admonished the new Council to remember they serve as role models to the community, and to not add to the effects of alcohol abuse on the community. Mr. Trantham asked that the Council to guard the investment fund with their lives and to spend it wisely if it had to be spent. Mr. Trantham also suggested the City send bills to organizations owing unpaid sales tax and to collect it.

Kent Harding was sworn in as a member of the City Council.

ITEM B: Discussion Item--Proposed Revision to Chapter 4.16 of the Bethel Municipal Code Entitled Sales Tax

Bonnie Duke, Finance Director, explained that several issues have arisen concerning the sales tax ordinance and asked Council to provide any suggestions for revision of the ordinance to the Finance Committee for incorporation into a new ordinance.

ITEM C: Review of Police Department Policies and Procedures Manual/Manual of Rules and Regulations

By consensus, the Council agreed to postpone consideration of this item until after the new Council is seated and a work session has been scheduled.

ITEM D: Resolution #94-40: A Resolution Appointing Election Judges for the October 24, 1994, Municipal Run-off Election

motion M/M by Wintersteen, 2nd by Tubbs to approve Resolution #94-40. Voice vote. Motion carried unanimously.

XI. COUNCIL MEMBER COMMENTS

Council member Tubbs welcomed and congratulated Mr. Harding on his election to the Council. Mr. Tubbs also thanked the outgoing Council members for their time.

Council member Miller also thanked the outgoing members and congratulated Mr. Harding. Mr. Miller related an incident that occurred at his house where a cab hit his house and knocked over construction that was underway.

Council member Wintersteen thanked the three outgoing Council members and recognized their many hours of service without compensation. Mr. Wintersteen also congratulated Mr. Harding.

Council member Harding thanked Mr. Jones and Mr. Trantham for their support and service.

Mayor Chris thanked the three outgoing members for their work and support and stated that she enjoyed working with them. Mayor Chris also made a plea for insurance coverage for Council members that would not put their families in jeopardy.

X. EXECUTIVE SESSION

The Council decided by consensus to take no action on the Executive Session items.

XII. ADJOURNMENT

motion M/M by Wintersteen, 2nd by Tubbs to adjourn the meeting at 11:00 p.m.
Voice vote. Motion carried unanimously.

PASSED AND APPROVED THIS 25TH DAY OF OCTOBER, 1994.


Allan Wintersteen, Mayor

ATTEST:


Connie Tucker, City Clerk